



Pennsylvania has the BEST LAWS....

**AP Government
SVHS**

March 21, 2019

Joseph F. McLaughlin

FairDistrictsPA.com

... that
MONEY
can
BUY!





Corruption in Pennsylvania



State Integrity 2015

Pennsylvania gets F grade in 2015 State Integrity Investigation

An entrenched culture of malfeasance

Political Financing	Grade: F	RANK: 45th
---------------------	-----------------	------------------------------

In law, there are limits on political action committees' donations to candidates and to political parties.



In law, there on limits on lobbyists' donations to candidates and to political parties.



In law, funds raised by outside groups in coordination with a candidate and then spent in support of that candidate are subject to donation limits.





Gen Z (ZZ? A?)

- 18-29 turned out at 31% in 2018 vs. 21% in 2014
- Overwhelming preference for Democratic candidates
- Skeptical of major parties
- Largely inherit politics from parents
- Heavy reliance on social media
- Self-view: a rising, politically engaged generation

<https://civicyouth.org/>



Your Impact on Public Policy

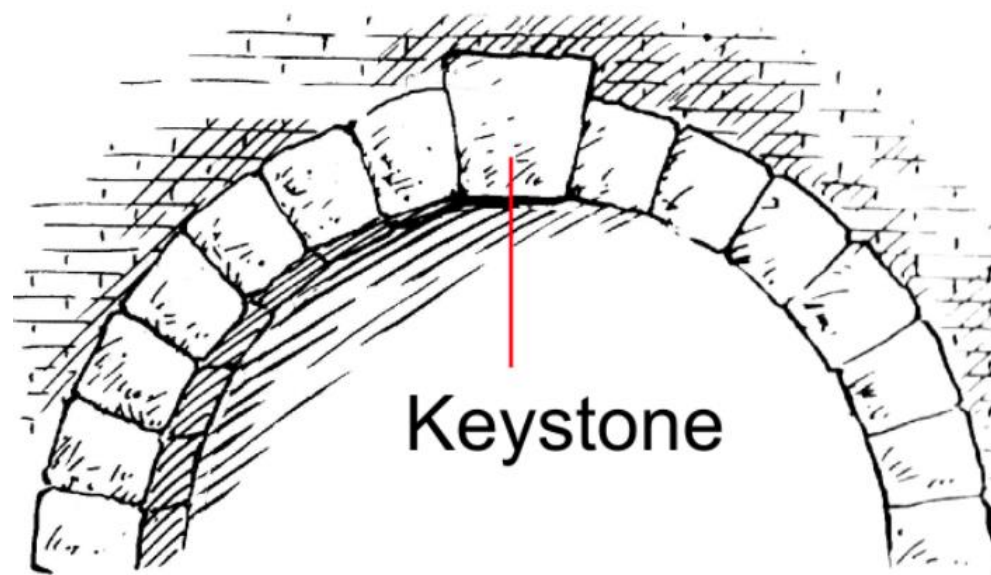
In 2014 Princeton's Martin Gilens and Northwestern's Benjamin Page examined congressional action on 1,779 policy issues.

Their finding:

When the preferences of economic elites and the stands of organized interest groups are controlled for, the preferences of the average American appear to have only a **minuscule, near-zero, statistically non-significant impact** upon public policy.

Gerrymandering is the Keystone

- Supports the structure of corruption and cronyism
- Eliminating it is **absolutely necessary**, but not nearly sufficient.





Agenda

- I. Basics
- II. Gerrymandering and Its Consequences
- III. Fair Districts PA (FDPA) 2016-18
- IV. Reform the Rules
- V. FDPA 2019-21
- VI. Other Developments



FDPA

Fair Districts PA (FDPA) a “multipartisan”, **all-volunteer** organization created in 2016. Working to **ELIMINATE GERRYMANDERING** and make Pennsylvania’s redistricting process:

- **transparent**
- **impartial,**
- **accountable,** and
- **fair.**



FDPA Stats

Email list	41,600
Signed petition	51,750
Facebook followers	21,300
Twitter followers	3,820
RESOLUTIONS	
Municipalities	272
Counties	20
Pennsylvanians represented	7,200,000
% population	56%

Gerrymandering

Drawing district boundaries to benefit a party or candidate

In 1812 MA Gov. Elbridge *Gerry* approved a bill that drew districts favoring his party. His map looked like a salamander, hence the term *Gerrymander*.





Redistricting

Redistricting: redrawing the boundaries of legislative districts:

- Follows **reapportionment** due to the Federal census
- **In PA: different redistricting processes for Congressional and PA Legislative (senators and representatives):**
 - Congressional: **standard legislative** process (introduce a bill)
 - PA Legislative: a 5-member **political** commission

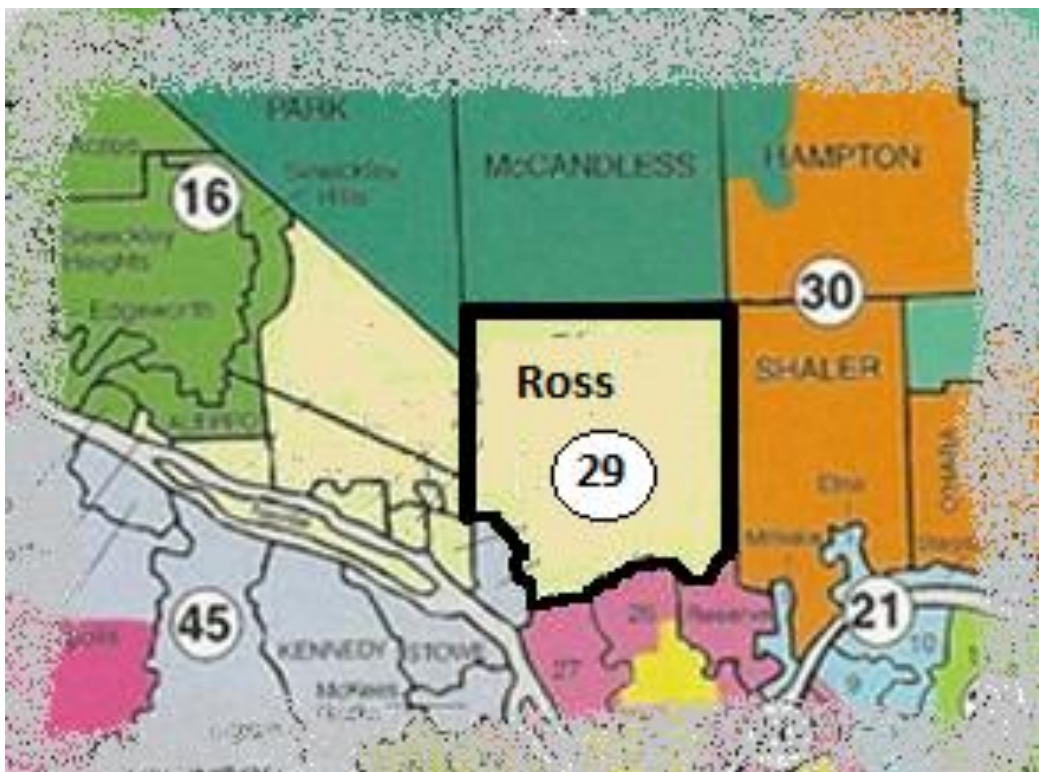


Agenda

- I. Basics
- II. Gerrymandering and Its Consequences**
- III. Fair Districts PA (FDPA) 2016-18
- IV. Reform the Rules
- V. FDPA 2019-21
- VI. Other Developments

Cracking Ross Township

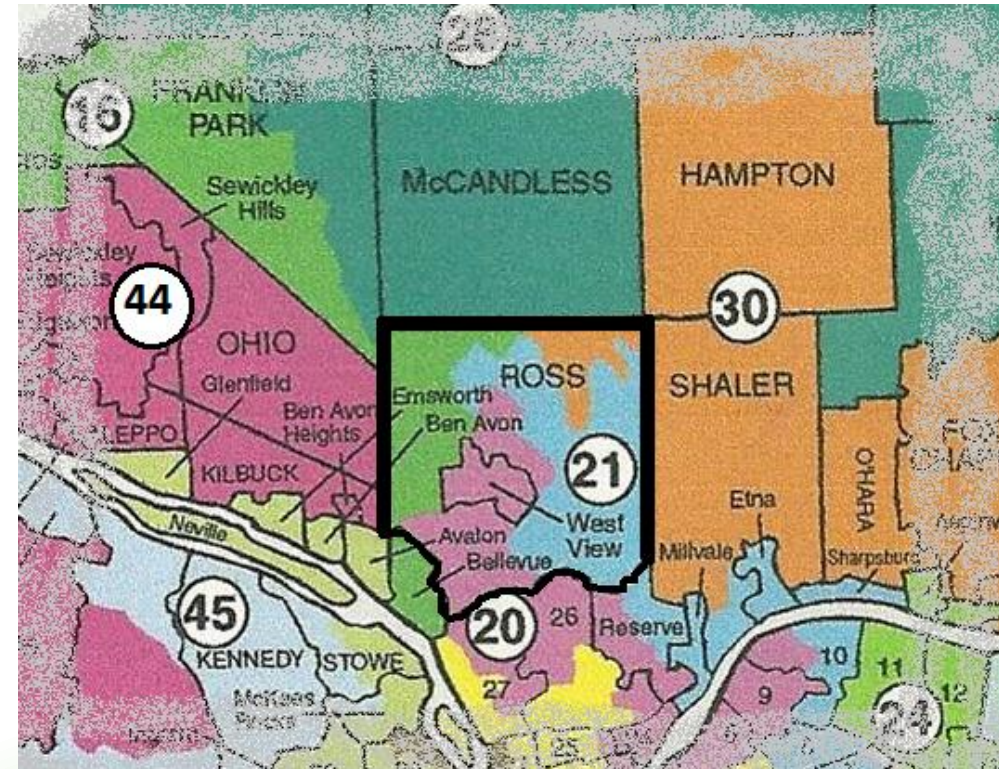
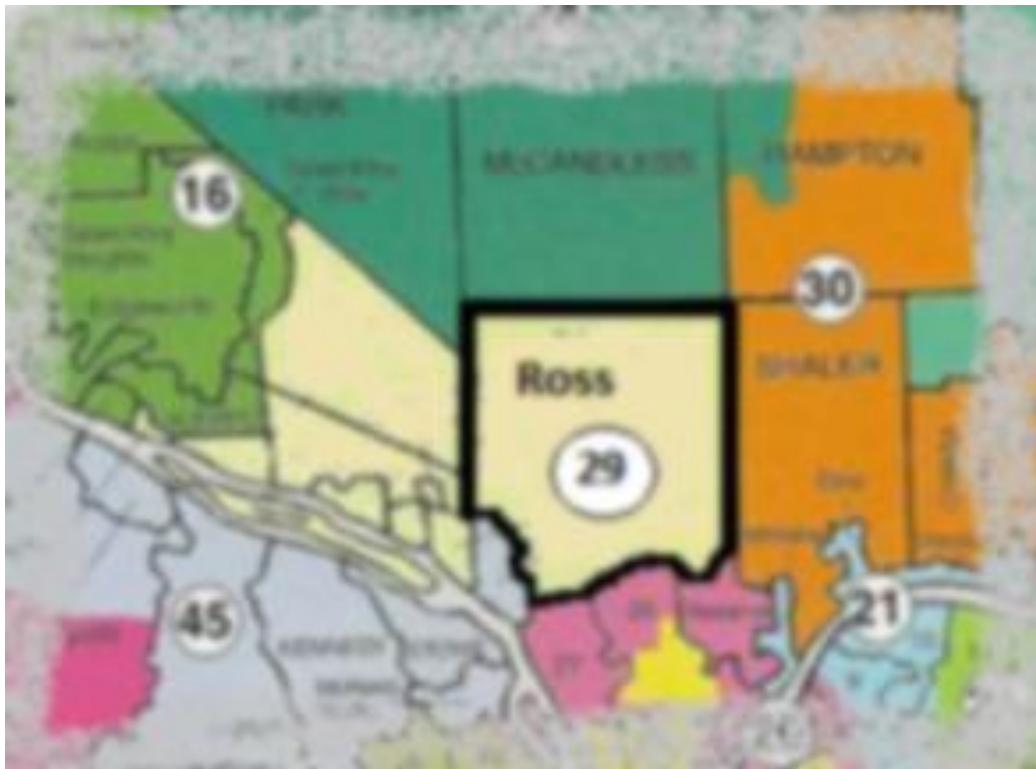
1999



Cracking Ross Township

1999

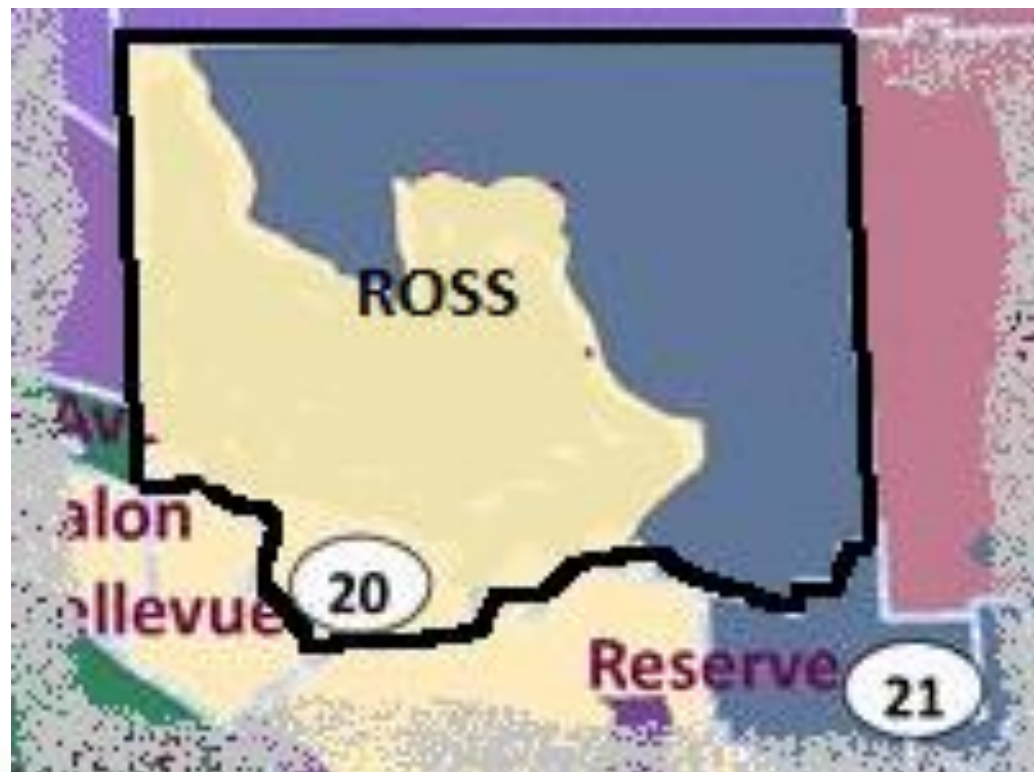
In **2001** Ross Township is divided among four districts: 20th, 21st, 30th, and 44th.



Slightly Better?

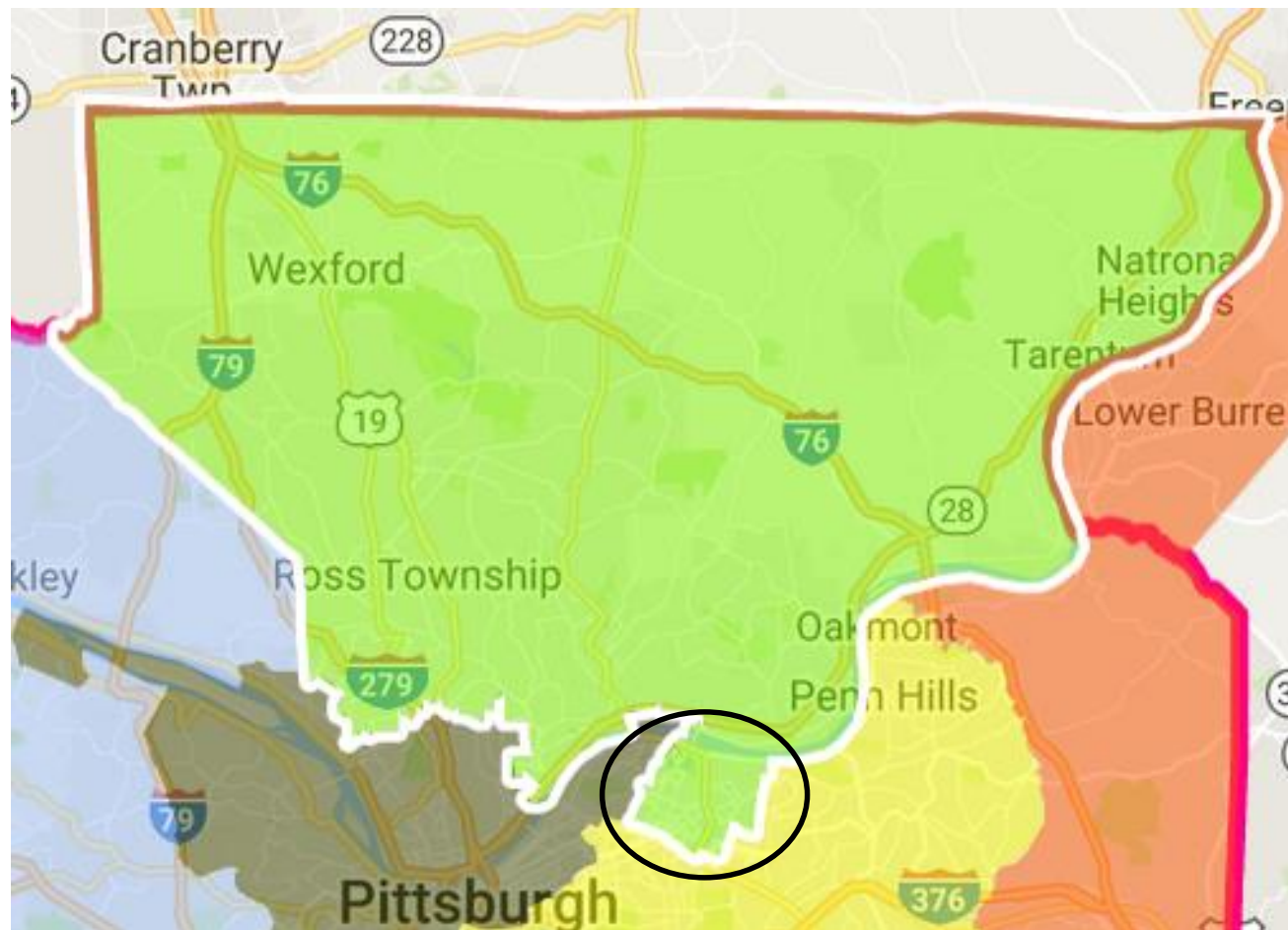
In 2001 Ross Township is divided among four districts: 20th, 21st, 30th, and 44th.

2012: Ross divided among 20th and 21st districts:
“..unless absolutely necessary no... township or ward shall be divided”



A Gerrymander “Kidnapping”

- PA 38th Senate District (in green)
- Area circled comprises wards in Pittsburgh- and the residence of former state Senator Jim Ferlo
- Was this done to freeze him out?
- This also happened to Representative Obama in Illinois



PA is heavily gerrymandered, no matter how you measure it

the only state that ranks among the top five in every measure.

Efficiency gap

Brennan Center

METHOD

Measures "wasted" votes cast for losing candidates or victors above and beyond the winning margins.

STATE RANKINGS

1. Pennsylvania

- 2. Texas
- 3. New York
- 4. North Carolina
- 5. Michigan
- 6. Ohio
- 7. Florida
- 8. Georgia
- 9. California
- 10. South Carolina

Seats-to-votes

Brennan Center

METHOD

Compares historical vote percentages and seats won by party against recent election results.

STATE RANKINGS

1. Pennsylvania

- 2. North Carolina
- 3. Texas
- 4. Michigan
- 5. New York
- 6. Ohio
- 7. Massachusetts
- 8. Georgia
- 9. Florida
- 10. Virginia

Mean-median

Brennan Center

METHOD

Tests for "cracking" by identifying large differences between a party's average and median vote share.

STATE RANKINGS

1. Ohio

2. Pennsylvania

- 3. Michigan
- 4. Missouri
- 5. Florida
- 6. Virginia
- 7. Texas
- 8. Wisconsin
- 9. North Carolina
- 10. Tennessee

Lopsided wins

Princeton University

METHOD

Looks for states in which one party wins districts by large margins, while the other party wins more districts.

STATE RANKINGS

1. North Carolina

2. New York

3. Michigan

4. Wisconsin

5. Pennsylvania

- 6. Texas
- 7. Ohio
- 8. Georgia
- 9. New Jersey
- 10. Virginia

Simulated elections

Princeton University

METHOD

Runs thousands of simulations to determine how often a state's actual results are likely to occur.

STATE RANKINGS

1. North Carolina

2. New York

3. Pennsylvania

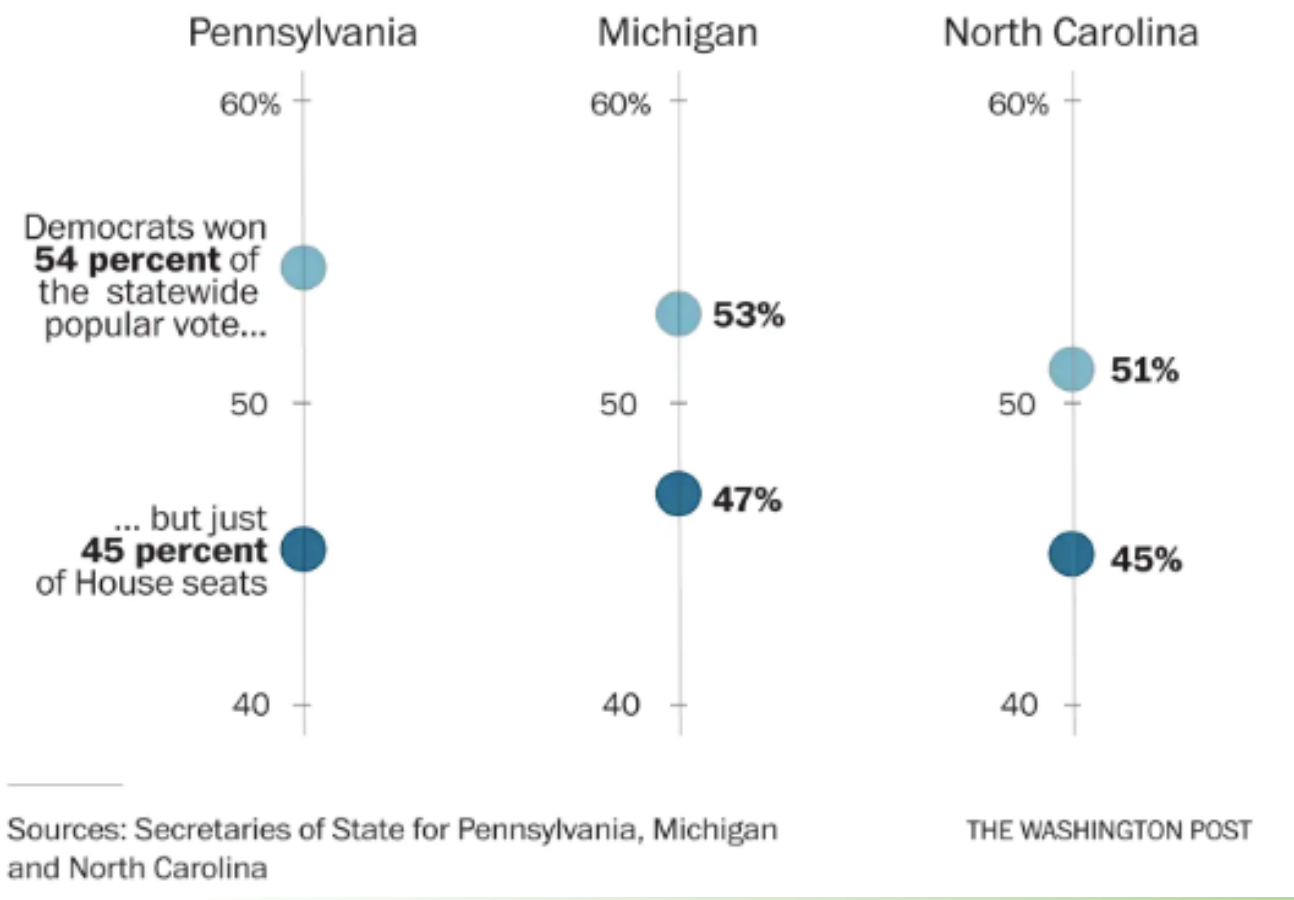
- 4. Michigan
- 5. Texas
- 6. Louisiana
- 7. Minnesota
- 8. Virginia
- 9. Maryland
- 10. Tennessee



Seats-to-Votes Skew: PA House 2018

- 54%-45%= 9%
- Worst in the nation
- Probably gerrymander

YEAR	SKEW
2014	4%
2016	6%
2018	9%



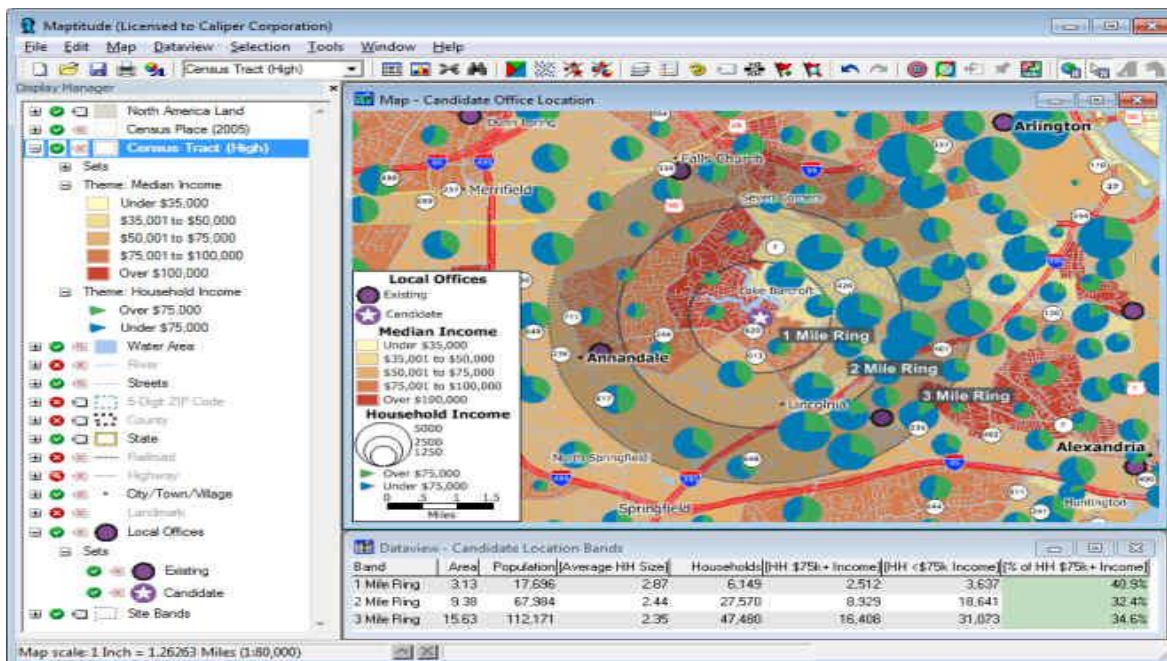


Eliminate the Competition

	Races with Incumbents Running for Re-Election	General Races with No Opposition
PA 2018-State House/State Senate	84%	34%
PA 2016	91.7%	48.7 %
National Average	81.1%	38 %

New Mapping Technologies

- Data mining
- Maptitude
- Draw the Lines competition
<https://tinyurl.com/DrawTheLines>





PA is a Gerrymandering Target

- We have **largest full-time legislature** in the Country
- More districts = **fewer voters** per district
- Fewer voters per district = **cheaper** to reach voters
- Cheaper = districts **easier to flip**
- A large **swing state**
- PA is expected to **lose another district** in the 2020 census
- Expect a huge infusion of **outside \$\$**



Because of Gerrymandering...

- Legislative leaders rule absolutely
- Bad news for:
 - PA citizens: unresponsive to their will/needs, no faith in government, bitter partisanship
 - Businesses, especially small
 - Rank-and-file legislators who don't "toe the line"



**Voters choose their
legislators**



Politicians choose their
Voters legislators



Agenda

- I. Basics
- II. Gerrymandering and Its Consequences
- III. Fair Districts PA (FDPA) 2016-18**
- IV. Reform the Rules
- V. FDPA 2019-21
- VI. Other Developments



FDPA: 2016-18

2016 FDPA Geared Up Statewide

- Organize
- Educate
- Recruit Volunteers

2017-2018 Campaign

- Draft house and senate bills to reform redistricting
- Recruit bi-partisan co-sponsors for bills
- Major education efforts for public and legislature



FDPA: 2018

The Legislative Battlefield – Success

- Got 110 co-sponsors for house bill to amend constitution and create independent commission (54% of PA representatives, bipartisan support)
 - Most of any house bill in the session
 - Enough to pass the measure in the 203-seat house.



FDPA: 2018

The Legislative Battlefield- Setback

- Rep. Darryl Metcalfe (Butler Co.), chair of State Gov't. Committee, refused to release bill to the floor
- “Poison pill”: he added language that turned it on its head, along with 100’s of trivial amendments
- DOA



2017-18 REDISTRICTING PROPOSAL

DISTRICT TYPE	BILL	INTENT	OUTCOME
Congressional (federal)	HB722 (SB22)	Create an Independent Redistricting Commission to draw BOTH TYPES of districts.	<ul style="list-style-type: none">• Passed in PA Senate• Never brought to the floor in House
Legislative (state)			



Agenda

- I. Basics
- II. Gerrymandering and Its Consequences
- III. Fair Districts PA (FDPA) 2016-18
- IV. Reform the Rules**
- V. FDPA 2019-21
- VI. Other Developments

Reform the Rules

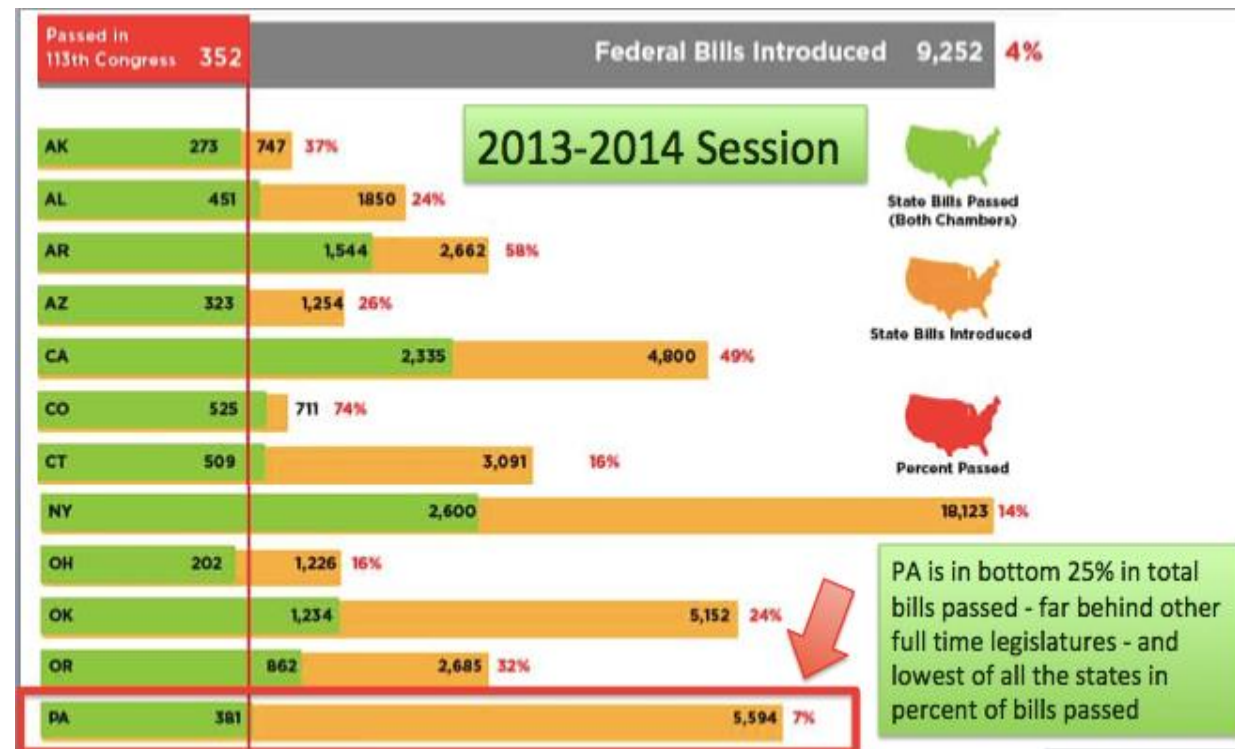
2 EXAMPLES OF LEGISLATIVE DEFICIENCIES

- Of 4 full-time state legislatures, PA is by far least efficient/effective by this analysis

<https://info.cq.com/resources/states-six-times-more-productive-than-congress/>

- Agenda Fairness Index: PA ranks 0%

<https://tinyurl.com/agenda-fairness-map>





Reform the Rules

SOME RULES THAT NEED TO CHANGE:

- Bills with **bipartisan support** must be given a vote in committee.
- Bills that are **reported favorably from committee must get a vote** on the House floor.
- Mechanisms needed to **remove unfair committee chairs**.
- Bills **co-sponsored by a majority of House members** must be given a vote.



Reform the Rules

WHAT HAPPENED ON SWEARING-IN DAY:

- The first vote was on Resolution 4: prevents amendment of Resolution 1.
- Resolution 1: House rules for 2019-20
- Leadership said changes will be considered.



Reform the Rules

- HB 11: create a committee to study the rules and recommend changes
- HB 12-20: ensure bills with bipartisan support are given a vote in committee and that bills reported favorably from committee are guaranteed debate and a vote on the House floor.



Agenda

- I. Basics
- II. Gerrymandering and Its Consequences
- III. Fair Districts PA (FDPA) 2016-18
- IV. Reform the Rules
- V. FDPA 2019-21**
- VI. Other Developments



2 Bills, 1 Commission Solution

DISTRICT TYPE	BILL	INTENT	TIMELINE
Congressional (federal)	HB23 (Rep. Samuelson)	Addresses election code: <ul style="list-style-type: none">• Create an Independent Congressional Commission (normal legislative process)• Include language protecting redistricting for congressional and legislative districts	Pass in 2019-20 session
Legislative (state)	HB22 (Rep. Murt)	Amend the PA Constitution to extend the Commission established in HB23 to BOTH TYPES OF DISTRICTS	<ul style="list-style-type: none">• Pass in both the 2019-20 and 2021-22 sessions.• Voter referendum in May Primary Election in 2021• Commission will already be in place due to HB23



2 Bills, 1 Commission Solution

DISTRICT TYPE	BILL	INTENT	TIMELINE
Congressional (federal)	HB23 (Rep. Samuelson)	Addresses election code: <ul style="list-style-type: none">• Create an Independent Congressional Commission (normal legislative process)• Include language protecting redistricting for congressional and legislative districts	Pass in 2019-20 session
Legislative (state)	HB22 (Rep. Murt)	Amend the PA Constitution to extend the Commission established in HB23 to BOTH TYPES OF DISTRICTS	<ul style="list-style-type: none">• Pass in both the 2019-20 and 2021-22 sessions.• Voter referendum in May Primary Election in 2021• Commission will already be in place due to HB23



2 Bills, 1 Commission Solution

DISTRICT TYPE	BILL	INTENT	TIMELINE
Congressional (federal)	HB23 (Rep. Samuelson)	Addresses election code: <ul style="list-style-type: none">• Create an Independent Congressional Commission (normal legislative process)• Include language protecting redistricting for congressional and legislative districts	Pass in 2019-20 session
Legislative (state)	HB22 (Rep. Murt)	Amend the PA Constitution to extend the Commission established in HB23 to BOTH TYPES OF DISTRICTS	<ul style="list-style-type: none">• Pass in both the 2019-20 and 2021-22 sessions.• Voter referendum in May Primary Election in 2021• Commission will already be in place due to HB23

FDPA: 2019-21

12 elements make up a commission design

WHO?	Who picks members/chair?	Partisan/other makeup?
	Commission size?	Role for judges?
HOW?	Use of political data?	Political criteria?
	Incumbent protection?	Commission voting rule?
	Legislative action required?	Legislative voting rule?
	Failsafe procedures?	Constitutional amendment?



Agenda

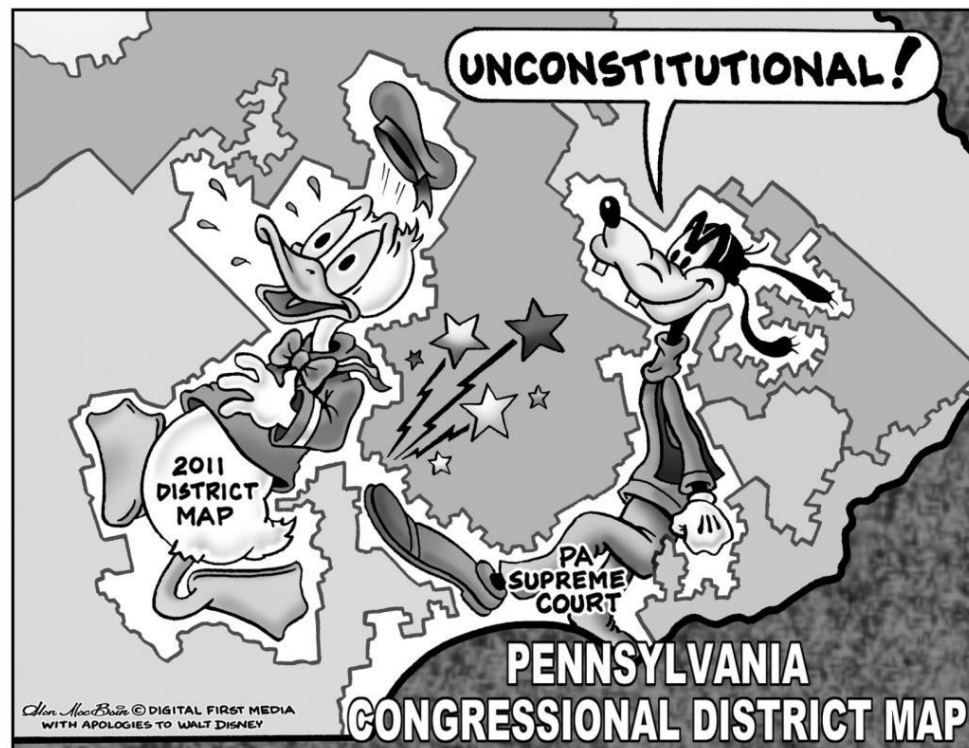
- I. Basics
- II. Gerrymandering and Its Consequences
- III. Fair Districts PA (FDPA) 2016-18
- IV. Reform the Rules
- V. FDPA 2019-21
- VI. Other Developments**

PA Supreme Court Remedial Map

CBS/AP January 22, 2018, 2:38 PM

Pennsylvania Supreme Court strikes down state's congressional districts

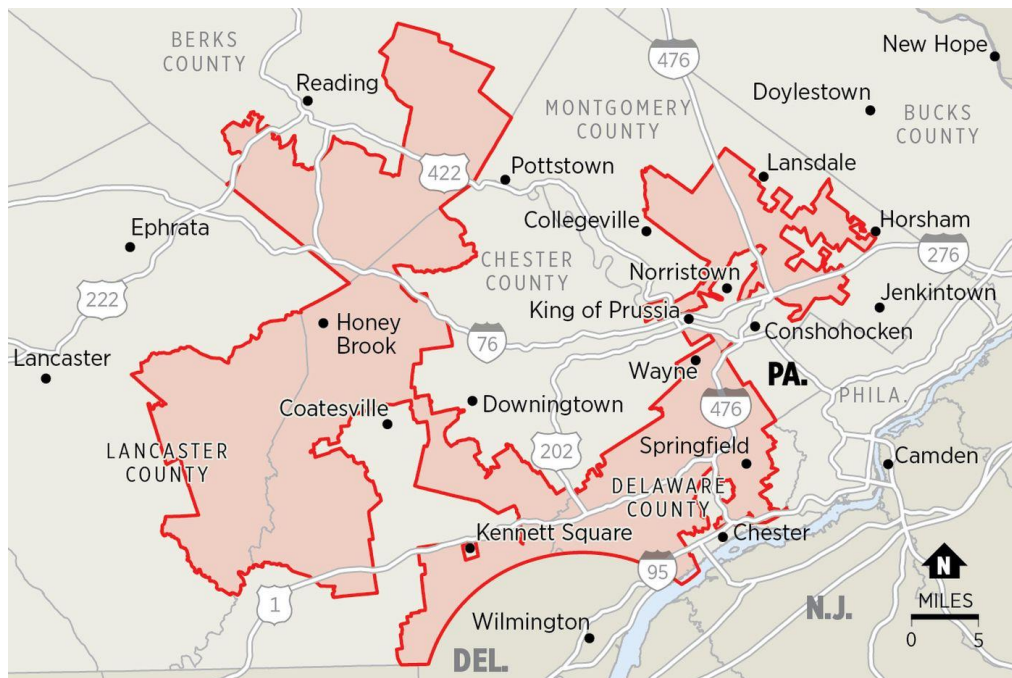
(FDPA was NOT a
litigant in this case)



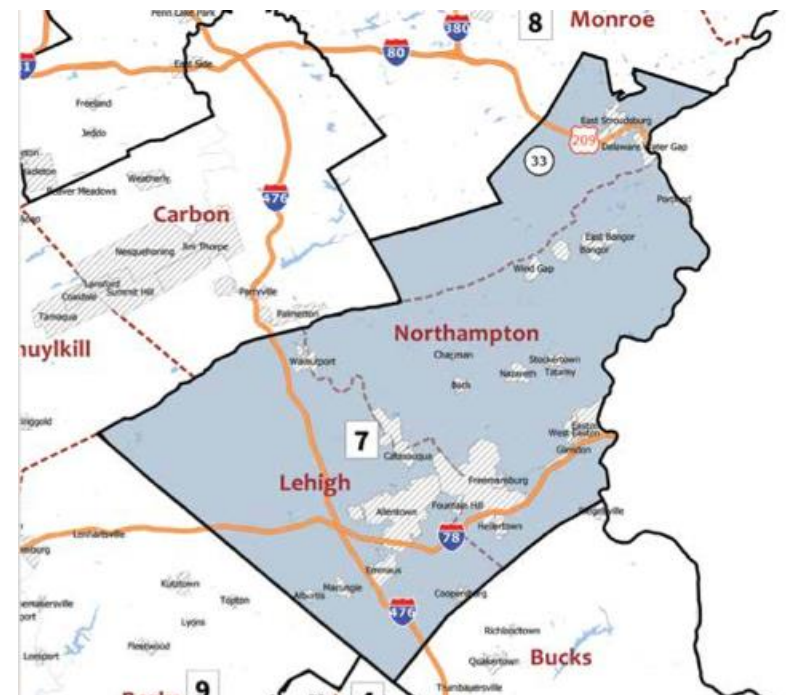
“Goofy kicking Donald”
(former PA congressional district 7)

PA Supreme Court Map

The change in congressional district 7



2012



2018



PA Supreme Court Map

IMPACT OF THE CASE:

- Righted a wrong
- “Kicked the can down the road”
- Gerrymandering is **legislative, not judicial**, problem
- Confused citizens, complicated our job
- Applies to Congressssional (Fed.) districts only
- Good only until 2021

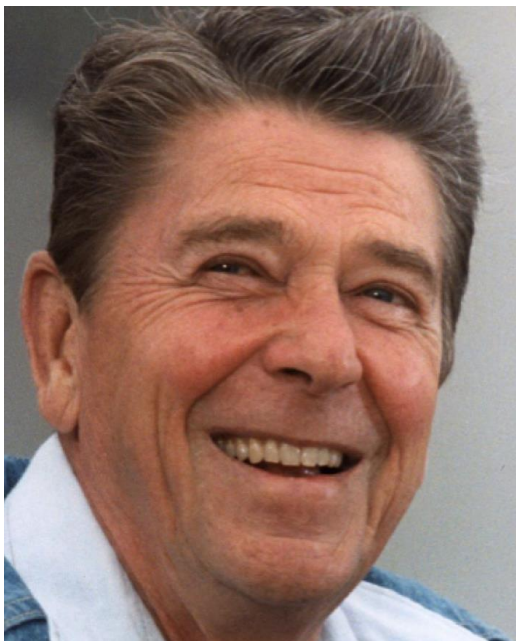


Governor's Commission on Redistricting

- “This commission will ...explore ways Pennsylvania could use policies, technology and data to curb gerrymandering and ensure fair maps.
- Series of public hearings statewide
- FDPA supports it, but we're not part of it.



What You Can Do



The problem is...gerrymandering-
the practice of rigging the
boundaries of congressional
districts...the greatest single blot
on the integrity of our nation's
electoral system.

Gerrymandered districts are...
grotesque, misshapen symbols of
political chicanery.

I believe states should set up
bipartisan citizen commissions to
draw district lines.

Ronald Reagan 1991

www.FairDistrictsPA.com/take-action:

- Contact your legislators
- Pass a local resolution
- Join statewide conference call
Thurs 4/4

More info at <https://nonproftech.info/fdpa-link>

Joseph F. McLaughlin
fdpa.alleghenynorth@gmail.com
FairDistrictsPA.com



Local Districts

- Federal (“Congressional”) Representative:
Mile Kelly (R, 16)
- PA State (“Legislative”):
 - Senate: Elder A. Vogel Jr. (R, 47)
 - House: Jim Marshall (R, 14)

Find your legislators:

<https://www.fairdistrictspa.com/take-action/contact-your-legislator>