

## Testimony in Opposition to H 5521--An Act Relating to General Assembly--Redistricting Commission

Common Cause Rhode Island opposes H 5521 that would create an advisory body, largely appointed by the legislature, to assist the General Assembly in the next redistricting cycle. While there are promising aspects of the legislation, it fails to remove the legislature from the process, which is the only way for Rhode Island to achieve fair maps.

There are many features of H 5521 that would benefit Rhode Island, and which are an improvement over the process that has been used the last two cycles. It would do away with the current practice of having legislators, the people with the most at stake in the redistricting process, of sitting on the redistricting commission. It would add pre-service qualifications for appointees to the commission so that no one serves as a proxy for politicians. The proposal would prohibit the use of partisan data or information about incumbency in the redistricting process. It would set minimums for public comment. It sets strong criteria for the commissioners to abide by in drawing maps.

Unfortunately, there are several features of H 5521 that are not ideal. Foremost, it leaves the General Assembly in charge of the process in several ways. Legislative leaders would appoint a majority of the commission members. The General Assembly would ultimately have to approve the maps. The process for approving the maps--forcing the General Assembly to choose a plan without the opportunity to amend it--is likely unconstitutional.

In addition to continuing to give the legislature a role, the proposal has other flaws. While it gives the commission the power to pick a consultant, it does not provide any criteria for that choice. In Rhode Island the choice of consultant has been a key problem with our redistricting process. There is no ban on ex-parte communications for the commission members or the consultant. Finally, the plan relies heavily on two measures of compactness without providing a rationale for those measures, versus the dozens of others that exist.

Common Cause Rhode Island believes the only way to truly improve the redistricting process is to take it out of the hands of the General Assembly by means of a constitutionally created independent redistricting commission. It is a reform with a proven track record in other states.