

Redistricting Report

Illinois' Partisan Political Process

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Summary

To prevent future partisan maps, Illinois must establish an independent commission to redraw congressional and legislative districts. Such legislation is already in motion with the People's Independent Maps Act. The state Legislature draws Illinois' legislative and congressional districts. If the Legislature doesn't have a map by June 30, 2021, a backup commission will be formed to draw legislative lines by September 1st. If that deadline passes with no map, a ninth tie-breaking member is added to the commission. The tiebreaker of randomly selecting a Republican or Democrat was intended as a fail-safe option if legislators can't reach a compromise. Instead of an exception to the rule, it's become the norm. When Democrats in 2011 controlled the House, Senate, and Governor's office, they passed a redistricting proposal by the June 30th deadline. It was the first time in 40 years they had done so.

Background

In 2019, bipartisan sponsors introduced the Fair Maps Amendment, which would create a 17-member independent citizen redistricting commission. There was strong public support for the amendment at 67%. The pandemic's start caused the deadline for putting a constitutional amendment on the 2020 ballot to pass before a vote or debate was held.

This past March, Republicans in the General Assembly introduced legislation using identical language as the Fair Maps Amendment. The People's Independent Maps Act would establish an independent commission that would prevent future partisan maps in Illinois. While campaigning, Gov. Pritzker promised to veto any map produced in a partisan process.


When Illinois' Congressional districts were drawn in 2011, nearly all of the state's GOP incumbents were drawn into districts with another GOP incumbent. When that happens, the majority party can consolidate its power and leave voters with fewer options. As a result, elections become less competitive.

In 2020, 44 of the 118 Illinois House seats up for re-election were uncontested. 39 of the 44 were held by Democrats. There's even less competition in the Senate. Of the 20 seats up for re-election in 2020, 9 were unopposed, 8 of them Democrats. The districts are undeniably favored towards Democrats.

If Illinois wants to see competitive elections, it should join the trend of states turning over redistricting to an independent commission. In 2018, Colorado, Michigan, Missouri, and Utah passed referendums giving redistricting power to independent commissions.

The 2021 redistricting process in Illinois has unique circumstances. The pandemic has delayed Census data typically used to redraw districts. The block-level data needed for congressional and legislative districts won't be available until September, months after the constitutional June 30th deadline for the legislature.

Democrats in the House and Senate will meet the deadline at all costs, guaranteeing complete Census data won't be available. Instead, Democrats will use alternative data from the American Community Survey. This poses serious challenges because ACS data are estimates that don't reach block-level groups like the Census. The latest ACS survey from 2019 included 200,000-250,000 Illinois residents or 0.02% of the population.



Illinois is poised to have some of the best Census data in the nation. Illinois' Census self-response rate of 71% was the highest among the ten most populous states. According to a PolitiFact report, Illinois' total Census spending was second only to California, and spending per person was third in the country. Why would Illinois make such an investment in our Census effort just to use the ACS? Using ACS data to draw legislative districts would be like using exit polls to determine the winner of an election. Democratic leaders on the redistricting committees have said everyone will be represented through public hearings. While public input is critical, it doesn't produce new data needed to draw maps.

A fair map is essential to voters for holding their elected officials accountable. Today, there is little accountability for the state's poor mismanagement because the politicians pick their voters. Illinois is ranked the third most corrupt state in the country, but discontented voters face structural obstacles to change. When politicians manipulate legislative districts like in Illinois', voters are denied a choice. Competitive elections require competitive districts. These are rare in Illinois because incumbents draw districts in their favor.

Gerrymandering in Illinois is a problem across the state level and congressional districts. Congresswoman Robin Kelly, who also serves as the state's Democratic Party Chair, represents Illinois' Second district, which stretches from Chicago to Kankakee and Naperville. From 1873 to 2001, IL-2 stayed within Cook County until Democrats redrew it to include suburban Republicans. After 2011, two GOP congressmen from Illinois, Joe Walsh and Randy Hultgren, were drawn into each other's district, a gerrymandering tactic known as "hijacking."

Democratic Congressman Chuy Garcia's district is infamous for its manipulated shape. Statista, a German database platform, compiled all congressional districts' shapes and sorted them by compactness. Compactness is measured by the ratio of a district's area to the area of a circle with the same perimeter, known as the Polsby Popper test. Each score ranged from 0-1, 0 being the least compact possible, 1 being a perfectly compact circle. Garcia's district ranked 3rd in the nation of most manipulated districts.

Illinois's state partisanship is 57% Democrats to 43% Republicans, according to the Cook Political Voting Index (CPVI). For this to be reflected in Congress, Republicans should represent eight congressional seats (8 out of 18 is 44%). To win that many seats, Republicans would have to retain all of their seats and win all three toss-up districts, just to be fairly represented (toss-up seats have a CPVI of 1-4, leaning seats 5-8, and safe 8+). They aren't because rural voters are diluted by being drawn into urban Democratic strongholds. To make matters worse, Illinois is

losing one congressional seat due to its declining population. The only solution for fair representation is to take politicians out of the process through an independent commission.

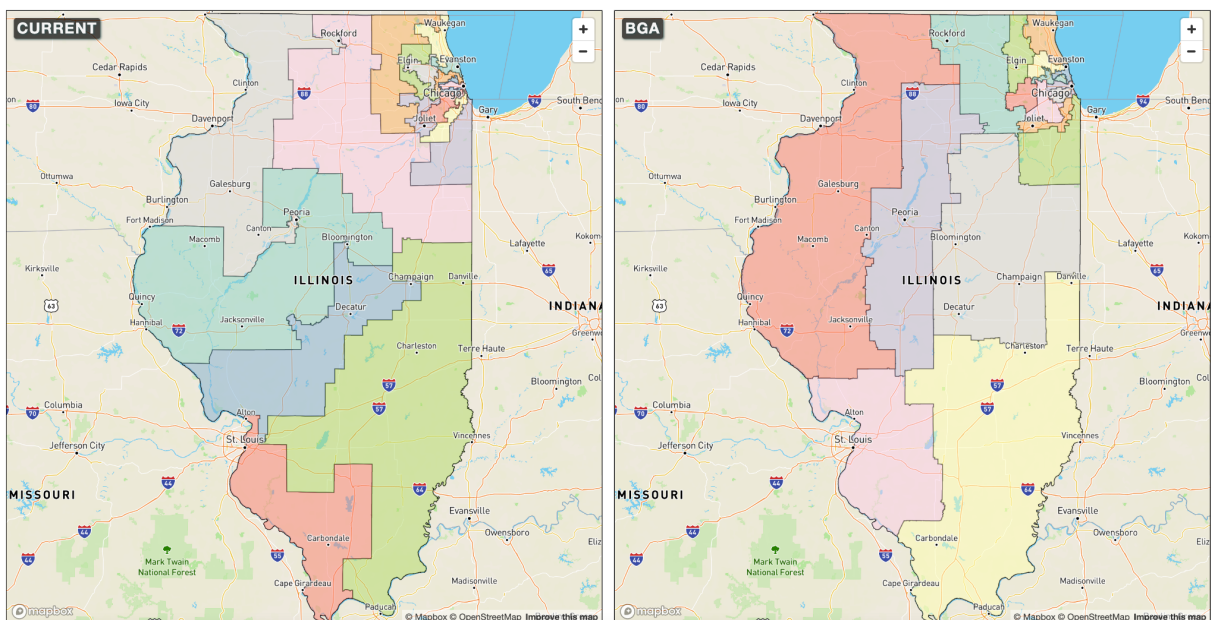
Illinois Congressional Partisanship Breakdown						
District	CPVI	Safe D	Lean D	Toss up	Lean R	Safe R
1	D+27	1	0	0	0	0
2	D+29	1	0	0	0	0
3	D+6	0	1	0	0	0
4	D+33	1	0	0	0	0
5	D+20	1	0	0	0	0
6	R+2	0	0	1	0	0
7	D+38	1	0	0	0	0
8	D+8	0	1	0	0	0
9	D+18	1	0	0	0	0
10	D+10	1	0	0	0	0
11	D+9	1	0	0	0	0
12	R+5	0	0	0	1	0
13	R+3	0	0	1	0	0
14	R+5	0	0	0	1	0
15	R+21	0	0	0	0	1
16	R+8	0	0	0	1	0
17	D+3	0	0	1	0	0
18	R+15	0	0	0	0	1
Statewide	D+7	8	2	3	3	2

Literature Review

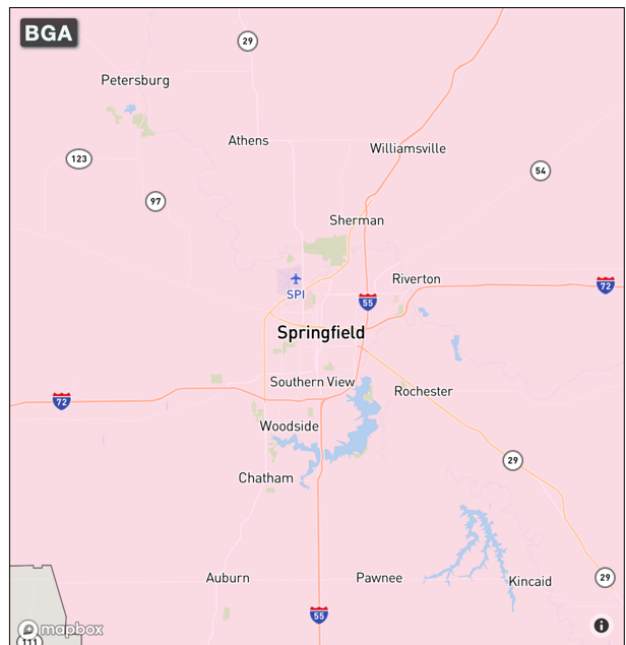
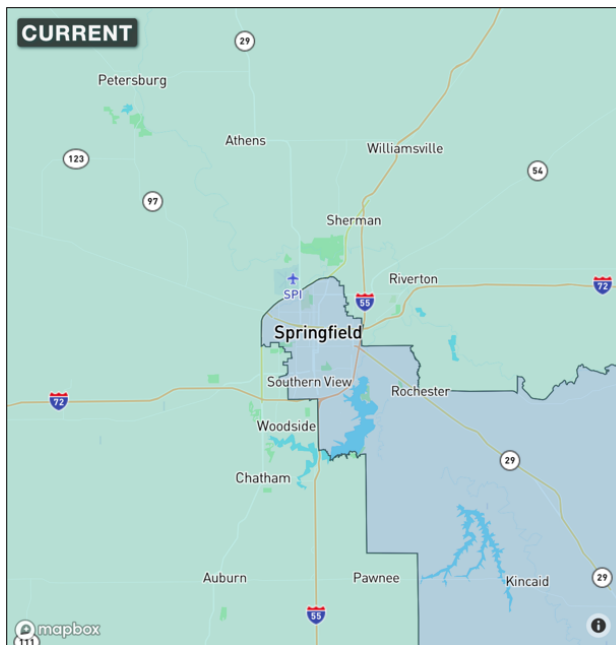
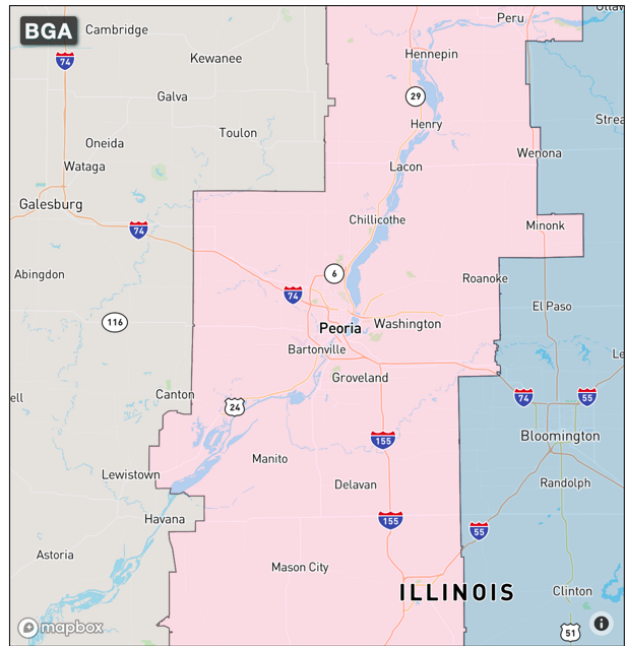
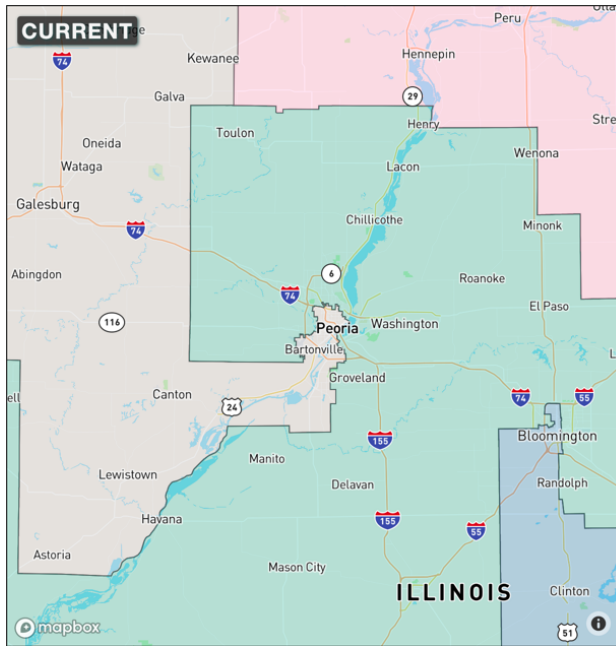
Sources outside the legislature have pointed to the fundamental flaws in Illinois' redistricting process. We'll look at three, the Better Government Association, Brennan Center for Justice, and the Paul Simon Public Policy Institute.

The Better Government Association is a non-partisan watchdog group in Chicago. They commissioned two experts to draw maps based on 2010 Census data. Their maps are starkly different from the real ones. They're more compact and keep communities together without compromising a specific population. More compact districts mean more communities will be represented by one person. For population projections, the BGA team used 2010 Census data and made minor adjustments with ACS averages and county-level estimates. Making adjustments is the original purpose for ACS data as opposed to the basis for the entire map that the General Assembly is considering. The biggest difference in criteria: BGA simulations were drawn without knowledge of incumbent addresses. As a result, their simulation included more incumbents drawn in together, even those from a different party. The BGA simulations would increase election competitiveness in Illinois, which is ultimately good for voters. When incumbents are challenged, they're more responsive to constituents who can hold them accountable.

Current Congressional districts compared to BGA simulation

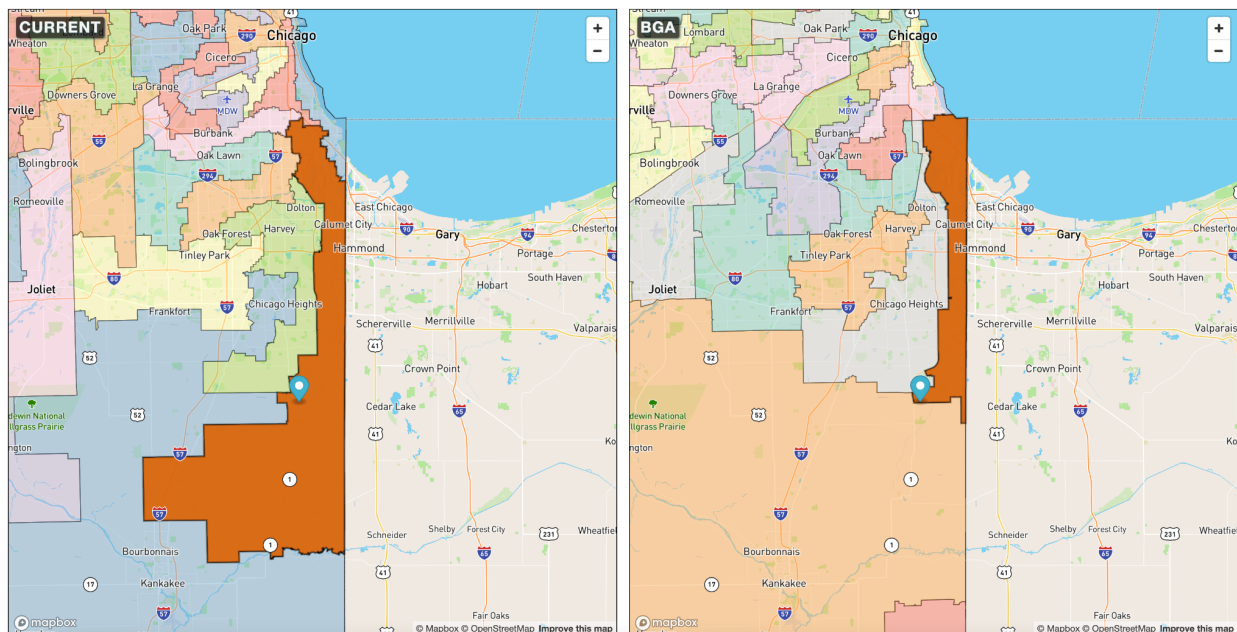


Springfield & Peoria's Congressional district compared to BGA simulations




Under the current Congressional map, Springfield, for example, is split into two congressional districts, another gerrymandering tactic called “cracking.” The same is true for Peoria and others, which is why BGA’s simulation kept communities together to receive the same Congressional and Legislative representation. Using the Polsby-Popper test, the BGA simulations average score was 0.263, whereas the actual district boundaries averaged 0.166, meaning that the real districts are 150% less compact than BGA simulations. You don’t need the test to see each map on the right side is more compact; you can tell by how many communities are intact. BGA simulations demonstrate that politicians aren’t keeping the voters’ best interests at the forefront while drawing the map.

Illinois is a predominantly blue state, but the difference is exacerbated when Democrats in power choose their voters via manipulation tactics. For example, Democratic Senator Elgie Sims’ district stretches from Chicago neighborhoods Chatham and Avalon Park south 50 miles to Grant Park, a community of 1,300 people. Why are the south side of Chicago and rural communities in Kankakee County represented by the same person? Incumbents are interested in districts that protect themselves, not the people they represent. In the BGA’s Senate district map, the same district never reaches Kankakee County; it ends 20 miles north. Ultimately, a partisan process will end with a partisan outcome.



Side by side of Elgie Sims’ Senate district and BGA’s simulated district



The second source for review is the Brennan Center for Justice and their report on redistricting commissions. Each state that utilizes an independent commission to redraw district lines has a unique set of rules. To evaluate the most effective reforms, Brennan Center interviewed over 100 stakeholders who played a role in redistricting across six states with independent commissions (Alaska, Arizona, California, Idaho, Iowa, New Jersey, and Washington). Based on their research, they recommend using seven elements in reforming redistricting. They are as follows:

1. A selection process that screens applicants for conflicts of interest. Common conflicts include lobbyists, elected officials, and relatives of legislators.
2. Clear, prioritized criteria for map-drawing that establish the ground rules that commissioners must follow when designing a map.
3. A commission size of between 9 to 15 members to ensure geographic, political, and ethnic diversity.
4. Map-approval rules that facilitate and incentivize negotiation and compromise, such as a requirement that a map obtains at least some support from each major political block to win passage.
5. Strong transparency requirements that make commission proceedings as accessible as possible and encourage public input.
6. An enforceable guarantee of adequate funding to enable the commission to hire sufficient professional staff, consultants, and experts of its choosing.
7. An appointment timeframe that allows new commissioners adequate time to hold public hearings, obtain feedback on initially proposed maps, make any necessary adjustments, and draw final maps.

The third and final source for review is the Paul Simon Public Policy Institute at SIU-Carbondale. Researchers did a comparative analysis of Illinois' redistricting process against other states, highlighting fundamental flaws in the process. They're apparent in the partisan map favoring Democrats drawn in 2011. "The new plan stretches eight districts out from Chicago, which combines heavily Democratic districts in Chicago with Republican districts in the suburbs. The new map has been drawn so that several Republican representatives no longer live in the districts they represent or now reside in Democratic-controlled districts." (Cervantes, 2012).

The goal of the current system in Illinois is to produce a map that the General Assembly agrees on by the June 30th deadline. Since 1970, that deadline has been met only once. When a system fails over and over, reform is the only way to break the cycle. SIU scholars highlighted the mistake drafters made in 1970, trusting politicians to compromise "With so much at stake for

individual politicians, drafters could never have expected five or more members of a committee to agree on a single plan, and, since 1971, they never have. So in essence, the first two stages can be considered a mere time-consuming formality” (Fentress, 2012). When the General Assembly fails to compromise, voters suffer as a result. The commission established as a fail-safe for the General Assembly has never produced a map without the Illinois Supreme Court intervening via a tie-breaking member. Instead of wasting time with a partisan process, Illinois should follow suit with other states and put redistricting power in the hands of non-partisan players. The study noted that since 2000, 22 of the 28 states that use only the legislature for redistricting have formed independent commissions—making Illinois increasingly an outlier.

After analyzing a handful of states that have successfully reformed their redistricting process, the SIU study concludes that “Several states have already reformed their redistricting processes by adopting more politically inclusive plans, some of which could be used as blueprints for Illinois to follow to diminish the complaints that inevitably surface after each redistricting cycle. Iowa, Arizona, Florida, and California are all excellent examples.” Iowa established its redistricting commission without amending its constitutions. Governor JB Pritzker has falsely claimed Illinois could only establish commission through a constitutional amendment, but the advisory commission like Iowa’s is an alternative method.

The reform Illinois needs starts with a few key players. For example, Gov. JB Pritzker has the power to veto legislation, including map proposals. As a candidate, Pritzker promised to veto any partisan map and supported the idea of an independent commission redrawing districts. When elected, he knew that his term would fall over a redistricting year. Yet, as Governor, Pritzker has not led on redistricting reform.

Another key player is Senate President Don Harmon. He is committed to meet the June 30th deadline. In a March interview with NPR Illinois, Harmon said the current maps are remarkably fair, admitting he’s satisfied with the current broken system. Should the June 30th deadline pass, Harmon is one of the members tasked with assigning members to the bipartisan commission, along with House Speaker Chris Welch. Welch specifically pointed to fair maps as a top priority when he was sworn in as the new Speaker in January. In 2016, Welch wrote an op-ed advocating for an independent commission. But, like Harmon and Pritzker, he’s letting the broken process take over while other states come around to common sense, bipartisan reform.

Best Practices


Each state tackles redistricting in its own way, and some fare better than others. The new trend of states establishing an independent commission gives Illinois models to reform the process.

Iowa: Iowa has a one-of-a-kind approach. Like Illinois, Iowa's legislature redraws the maps, but it's done by nonpartisan staff. The Legislative Services Agency (LSA) prepares redistricting maps for final approval from the state legislature. The LSA consists of "civil servants committed to nonpartisanship and otherwise charged with tasks like legal and fiscal analysis of state legislation and state government oversight." The LSA is assisted by a temporary redistricting advisory commission (TRAC). TRAC comprises five members. The majority and minority leaders from each chamber appoint one member. Those four members choose a 5th member who serves as Chairperson. LSA works with the commission to draft district lines.

The LSA must deliver a plan to the General Assembly by April 1st or within 45 days of the state receiving Census data. Since this process began in 1980, the state legislature has approved every LSA proposal. What's relevant to Illinois, Iowa's commission didn't require an amendment to the state constitution because it's an advisory commission formed by statute. However, Illinois is more diverse than Iowa, so racial and ethnic representation is a significant factor in drawing Illinois' map.

Michigan: A non-politician commission is responsible for drawing both congressional/legislative district plans. The secretary of state takes commissioner applications from the public. The secretary then randomly selects 60 applicants from each political party and 80 from the pool of unaffiliated applicants. Those pools are sent to majority and minority leaders from each chamber, who can each strike five applicants from the pool. The secretary randomly selects 13 members, four Democrats, four Republicans, and five unaffiliated voters or members of minor parties. For approving a map, at least seven members must vote for it, including at least two Democrats, two Republicans, and two members not affiliated with either major party.

California: California appoints a 14 member commission to draw district lines. The commission includes five members of each party and four members belonging to neither. Commissioners are appointed from a pool of nominees chosen by a panel of state auditors. The pool must include 20 Democrats, 20 Republicans, and 20 belonging to neither. The pool is narrowed down by majority and minority leaders from both chambers of the legislature, who may remove two members from each group. The commission has been a success. In their 2018 report, The Public Policy Institute



of California concluded that their redistricting commission “largely satisfied expectations that it would produce plans that are fair to each major party and that increase electoral competitiveness” (McGhee, 2018).

Policy Recommendations

The evidence is clear that Illinois needs to change its redistricting process. It's only a matter of how. Based on Illinois' uncompetitive elections and the aforementioned research, there are three common-sense solutions to make the process better:

- Establish an independent commission: **The People's Independent Maps Act**
 - It gives the Supreme Court the power to appoint 16 independent citizen commissioners to the Independent Redistricting Commission within 30 days of becoming law. The Commission would be required to reflect the ethnic, gender, and racial demographics of the state. Legislators, state employees, and lobbyists are prohibited from serving on the commission. This legislation would only apply to the 2021 redistricting cycle.
- Delay candidate filing deadlines for the 2022 Primaries, so candidates know what district they're in before they file to run. Illinois' deadline of November 29th, 2021, is the earliest in the country and delayed Census data suggests districts will be tweaked as late as September.
- Given the extenuating circumstances of delayed census data, Illinois should consider asking the State Supreme Court to weigh in on the issue. In January, The National Conference of State Legislatures published five ways to address Census delays, and asking courts for relief was the first recommendation. California petitioned their Supreme Court to delay constitutional deadlines for redistricting to wait for complete Census data, to which the Court unanimously agreed. The Illinois Supreme Court has original jurisdiction in any redistricting litigation, and since Census data was always available to redraw districts in the past, 2021 is an unprecedented time.


Uncompetitive elections disenfranchise voters. Knowing their voice doesn't count, they're less likely to turn out and vote or run for office. In turn, competitive districts turn out more voters and candidates, which better represents the will of the people. We've seen this in states with redistricting reform. Fair and competitive districts will point Illinois in a better direction than the one it's on right now where voters can't hold their leaders accountable. Before the pandemic, Illinois was gaining momentum on redistricting reform. Over half a million Illinoisans signed a petition, and an independent commission was gaining bipartisan support. Unique circumstances caused delays, but the next ten years of elections shouldn't be compromised because of the pandemic.

Even though reform requires our leaders to act, there are still things voters can do to help the process. Contact your State Representative and Senator and tell them you support independent maps. [You can also sign a petition for Independent Maps.](#)



Citations/Appendices

- Berg, Austin. “Pritzker Campaigned on Fair Maps. Lawmakers Must Hold Him to It.” *Illinois Policy*, 23 Dec. 2019, www.illinoispolicy.org/illinois-lawmakers-should-hold-pritzker-to-his-fair-maps-promise/
- Cervantes, Joe, and Logan Fentress. “Redistricting in Illinois: A Comparative View On State ...” *Paul Simon Public Policy Institute*, opensiuc.lib.siu.edu/cgi/viewcontent.cgi?article=1034&context=ppi_papers.
- Dillon, Marcie. “Fair Maps For Illinois.” *Better Government Association*, 16 Oct. 2020, www.bettergov.org/news/fair-maps-for-illinois/.
- Herron, Michael C., and Alan E. Wiseman. “Gerrymanders and Theories of Law Making: A Study of Legislative Redistricting in Illinois.” *The Journal of Politics*, vol. 70, no. 1, 2008, pp. 151–167., doi:10.1017/s0022381607080115.
- McCarthy, Niall. “The Most Corrupt States In America [Infographic].” *Forbes*, Forbes Magazine, 19 Feb. 2020, www.forbes.com/sites/niallmccarthy/2020/02/19/the-most-corrupt-states-in-america-infographic/?sh=3fe634ba2101.
- McGhee, Eric. “Assessing California's Redistricting Commission: Effects on Partisan Fairness and Competitiveness.” *Public Policy Institute of California*, 6 Mar. 2018, www.ppic.org/publication/assessing-californias-redistricting-commission-effects-on-partisan-fairness-and-competitiveness/.
- Needham, Lindsey, and Sheahan Virgin. “No More Gerrymanders: Illinois' Partisan Plan versus the Fair Voting Alternative.” *FairVote*, 19 Oct. 2011, www.fairvote.org/no-more-gerrymanders-illinois-partisan-plan-versus-the-fair-voting-alternative.
- Pearson, Rick. “Democrats May Use Population Estimates for Redistricting, Raising Questions about Fairness of Maps.” *Chicagotribune.com*, 19 Apr. 2021, www.chicagotribune.com/politics/ct-illinois-legislative-redistricting-census-20210419-j7mp3towabej7jm57ikatm7tm4-story.html.

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- Tabor, Joe. “To End Gerrymandering, Pritzker Should Push Redistricting Reform.” *Illinois Policy*, 2 Dec. 2019, www.illinoispolicy.org/to-end-gerrymandering-pritzker-should-push-redistricting-reform/
 - Underhill, Wendy. *Redistricting Criteria*, 23 Apr. 2019, www.ncsl.org/research/redistricting/redistricting-criteria.aspx.
 - Wilbur, Deborah. “PolitiFact - Is Illinois 'Nation-Leading' in Funding Census Outreach?” @*Politifact*, 1 Nov. 2020, www.politifact.com/factchecks/2020/nov/01/jb-pritzker/illinois-nation-leading-funding-census-outreach/.
 - Williams, Ben. *The "Iowa Model" for Redistricting*, 25 Mar. 2021, www.ncsl.org/research/redistricting/the-iowa-model-for-redistricting.aspx.