

Public Comment Demands Partisan Fairness

November 2, 2021

Voters Not Politicians provides this summary of the public comments made during the second round of public hearings held October 20-26, 2021, by the Michigan Independent Citizens Redistricting Commission (MICRC), in order to support the MICRC's work during this critical time in the mapping process.

Public comment made in person and virtually during the five public hearings on the MICRC's proposed draft maps reveals that
Michiganders demand more effort from the Commission to ensure partisan fairness.

Background

In 2018, Michigan made history by putting power back into the hands of the people and creating the Michigan Independent Citizens Redistricting Commission to draw legislative and congressional maps in a fair, nonpartisan process. For months, the public has been able to witness Michigan's thirteen commissioners working to create districts that should ensure all Michiganders have an equal voice in our democracy. On the week of October 11th, the MICRC published their draft maps for public input.

Overview

At the five public hearings held by the MICRC October 20-26, 2021 -- in Detroit, Lansing, Grand Rapids, Gaylord, and Flint -- a total of 862 Michiganders provided feedback on the proposed draft maps. Many individuals provided specific commentary on changes the Commission needs to make to ensure our communities get what they voted for: fair maps.

While the Commission has made some progress towards fixing Michigan's previously gerrymandered maps, its work is not done. **Substantial changes need to be made to ensure Michigan's new legislative maps do not merely meet the legally acceptable standards for partisan fairness, but go beyond the bare minimum to provide every Michigan voter with an equal voice in our democracy.**

Public Comment

“Do whatever needs to be done to get the partisan efficiency gap down to zero. That partisan efficiency gap is the single most important measure, that number, by which this commission, your maps, our entire movement is going to be judged to see whether we have been a success or not. That is a bright line between whether we are going to have fair elections for the next 10 years or whether our elections will still be unfair and we need fair elections.” - Nancy Wang, Executive Director, Voters Not Politicians / Flint

Public Hearing

Partisan fairness was a common concern throughout the public hearings. 453 of the 862 Michiganders (53%) who commented during the second round of hearings raised the issue of partisan fairness. 317 out of those 453 commenters (70%) did not believe the Commission’s proposed draft maps delivered what voters were promised: fair maps.

The Commission should not be afraid to make changes to draft maps to improve partisan fairness. While the geographic distribution of voters across Michigan can be seen as disadvantageous to Democrats, it remains that the Commission can, and therefore must fulfill its mission to draw fair maps.

53% of all commenters raised the issue of *partisan fairness* of the drafts.

**70% of them think the MICRC’s proposed maps are *not fair*.
They urged the MICRC to prioritize partisan fairness and
*get partisan fairness scores to zero.***

Constitutional Requirements

The Constitution states:
“Districts shall not provide a disproportionate advantage to any political party. A disproportionate advantage to a political party shall be determined using accepted measures of partisan fairness.”

Partisan fairness scores for current districts

The scores are based on 13 federal and statewide general election contests held between 2012-2020

	Lopsided margin	Mean-median difference	Efficiency gap	Proportionality bias
U.S. House	13.1% +R	5.5% +R	21.2% +R	16.6% +R
Michigan Senate	8.6% +R	5.1% +R	10.9% +R	7.6% +R
Michigan House	10.1% +R	6.1% +R	11.6% +R	6.8% +R

NOTE: “+R” indicates a Republican advantage

Table: Clara Hendrickson • Source: [Michigan Independent Citizens Redistricting Commission](#) • [Get the data](#) • Created with [Datawrapper](#)

Source: [Detroit Free Press](#), October 12, 2021

Michigan's previous maps unfairly benefitted Republicans to an extreme degree and while the Commission's proposed draft maps lessen that unfair advantage, they do not eliminate it. The Commission's own expert, Dr. Lisa Handley, concluded that the Commission's proposed maps tip the scales towards the Republican Party, as shown by all four measures of partisan fairness.

While the Commission's current draft maps, according to Dr. Handley, are likely legally acceptable, the Commission should strive for maps that advantage neither party. The people of Michigan did not vote to create this historic Commission for maps that simply meet the bare minimum legal standards. The people of Michigan want partisan fairness, meaning zero bias and no advantage to any political party, as the Constitution requires.

For any given geographical area, there is not simply one community of interest; each Michigander belongs to many simultaneously. As national expert Ruth Greenwood of the Harvard Law School has discussed, overlapping communities of interest and conflicting opinions are to be expected. When the Commission is faced with conflicting communities of interest, **the people of Michigan expect the Commission to prioritize partisan fairness**. There are tens of thousands of maps the MICRC can create districts that meet the federal requirements *and* reflect Michigan's diverse communities of interest *and* are fair. Reflecting Michigan's diverse communities of interest is not an excuse to pack voters of a particular party into fewer districts, creating unfair maps that advantage the other party. Nor should partisan fairness be sacrificed to preserve legal divisions of land such as counties, which historically have been used by Michigan politicians to justify gerrymanders.

Conclusion

"The closer you get to zero, the more fair the maps are, and I think you should make them as fair as possible," Sue Smith, Vice President of Advocacy for the League of Women Voters of Michigan.

Partisan fairness is at the heart of why Michiganders created the Commission in the first place. No person should have more voting power than any other person. The public has placed our faith in the Commission to ensure that our maps no longer unfairly advantage one political party over another. In 2018, the overwhelming majority of voters made clear that the party that wins the most votes should win the most seats, and the public has echoed that message in their public comments on the MICRC's proposed draft maps.

Partisan fairness is the **single most important criteria** to ensure that this state can move forward with confidence that our election maps are **fair and impartial**.