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August 7, 2021

House and Senate Redistricting Committees
300 SW Tenth Avenue, Room 68-West, Statehouse
Topeka, Kansas 66612

By email: redistricting@klrd.ks.gov

RE: Kansas Congressional and State Redistricting – Hays meeting, August 9, 2021 – No live time requested – private citizen comments

To the Committees:

My name is John T. Bird. See the information on the letterhead for my contact information. This communication is intended to be a summary of what my testimony would be if this process were being conducted in a way that actually allows for informed and intelligent discussion of the important issue of how the boundaries of the 165 Legislative districts, the 4 Congressional districts, and the 10 Board of Education districts of Kansas will be determined for the next 10 years. Unfortunately, because of the Republican Party's decision to make this process a charade, with so-called town hall meetings in 14 Kansas cities, each lasting only one hour and 15 minutes, for a period of 5 consecutive days, it is not possible for anyone except a professional politician or representative of some special interest group to prepare any meaningful submission to you. In addition, because you have chosen to begin this process before you even have the data required by law to be used in redistricting, the United States census results for 2020, any discussion of the issue of redistricting is hypothetical and requires large leaps of faith to even contemplate.

These meetings are obviously designed to give an illusion of public participation when the objective facts show that you have effectively prevented that from occurring.

This is a process that is completely controlled by the political party that currently holds a majority of the seats in the Kansas Legislature, the Republican Party. Any person who has watched Kansas politics over the last 10 years knows that the decisions on redistricting will be made in secret, among the power brokers of the Republican Party, and without regard to the daily concerns of Kansas citizens who do not live and breathe partisan politics every waking moment, as the power brokers apparently do.

If you really wanted to hear from the people, including those who have jobs, you would have scheduled these meetings at a time when those working people could actually attend and participate. You would have scheduled these meetings for a time after Kansans have had a chance to see what the census data shows. You would have scheduled these meetings over a longer period of time, on weekends. You would have scheduled these meetings to allow Kansans who are still

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vulnerable to the virus that is ravaging this State to participate in a safe fashion, by Zoom. Instead, you've set us up to have the minimum participation while claiming you have somehow "opened up" this process to the people. You have not. The reason is that your minds are already made up, or if your minds aren't made up, people who determine your vote have made their minds up. You intend to cleverly redistrict Kansas so that it is next to impossible for Representative Sharice Davids to be reelected. You intend to redraw legislative districts, both House and Senate, to attempt to further weaken the ability of the minority party in Kansas to send representatives to Topeka, and likewise, with the Board of Education. You will draw the lines for legislative districts to put moderate incumbents in districts with Far Right incumbents, making sure to sever the moderate incumbents' voters and dilute the vote of those who remain. This is all nothing more than an extension of the power grab that has been happening in Kansas more than a decade.

Your scheduling has even left some of your fellow Republican lawmakers surprised, and I would suggest that you listen to them. Announcing this process a week before it begins was not intended to encourage public participation, but instead was intended to discourage the participation, even extending to your own members.

As has been stated by a representative of Fair Vote, an organization that advocates for nonpartisan redistricting commissions, the maps that you prepare will disproportionately favor Republicans, especially right-wing Republicans, and there will be an epidemic of cracking and packing Democratic voters, in and around urban areas especially. In the meantime, your process, which will occur primarily behind closed doors, leaves everyday Kansas citizens only one real tool: sunshine on your charade. That is not going to happen in any one hour and 15-minute event held in the middle of the week with no real chance for the community to be heard.

If I am wrong, and your intentions are pure, and you really do want to do this in a nonpartisan and fair way, then reschedule these hearings, use your tax-paid power to truly publicize the process, allow advocates for specific redistricting to come forward with their plans, and then let the people comment, by Zoom, or in person.

Kansas went through this process in 2011 over a 4-month period, with the meetings lasting approximately two and half hours. That was a poor process and unfair. The process you are now following is even less fair. Look back on what the results actually were. A court had to draw the lines.

Open this process up so that homebound and less able Kansas and those with employment that keeps them from attending meetings in the middle of the day can participate. The Kansas court system has done a marvelous job of continuing to render fair justice, using the Zoom technology. Why can't you? I think the obvious answer is that would lead to an intelligent and effective discussion of the fairness issues in redistricting, something that your intended results would not survive.

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I remember when the Kansas Republicans attempted to include Wyandotte County in the primarily rural First Congressional District. That was a cynical attempt to dilute the voting power of the citizens of a county that had been supporting a Democrat, by throwing it in with counties that had been voting primarily for Republicans. The fact that the economic and social issues which face people are different in cities than in rural areas, by and large, went by the wayside when you thought you had the power to push through a gerrymandered map. Again, the reason that didn't happen was that your process was so flawed that a court had to do your job.

If you really wanted to have a fair process for redistricting, you would do as has happened in many States and delegate this to a nonpartisan group, with representation from all walks of life in Kansas, with the instruction that it prepare legislative and congressional maps that allow every Kansan to have an equal voice in selecting representatives in Congress and the Legislature.

I'm aware that the rejoinder to this argument is that this is just a first step. In fact, it is actually the last step you will follow in pretending that the public has any say so in this process.

So, what am I asking for you to do, specifically? The answer is start this process over, conduct it by Zoom, and in person, allowing people who actually want to participate in the meetings to do so, Delegate the ability to do the redistricting to a nonpartisan panel, and then debate the matter in open session, without behind-the-doors deal making, so that Kansans know what the rules are and how they can effectively help select their representatives to do their work in Topeka and in Washington. Open your files to the public. Show us what your true intentions are, so that Kansans can truly participate and not just be window dressing for this pre-ordained charade.

Sincerely,

s/jtb

JOHN T. BIRD