

FROM: Scott A. Schulte
8335 Mackey Street
Overland Park, Kansas 66212
h. 913-831-2095; m. 913-634-5300
schults87@gmail.com

TO: House and Senate Committees on Redistricting

RE: Legislative Redistricting Testimony, Thursday, August 12, 2021 – Matt Ross Community Center, 8101 Marty Street, Overland Park, Kansas

As the Kansas Legislature prepares to redistrict based upon the 2020 Census results, it must reform the redistricting process to be independent, transparent, and nonpartisan, which reflects the will of the people and the principal of “one person, one vote.” For this reason, the Legislature should immediately establish by law an Independent Redistricting Commission (IRC) with guaranteed citizen participation to oversee redistricting for the U.S. House of Representatives and the state legislature. The IRC must be free of interference from the Legislature, political parties, and interest groups.

The legislation establishing the IRC must require it to apportion Congressional and legislative districts that are compact and simply contiguous; and must prohibit the IRC from considering party affiliations (or lack thereof) in redistricting decisions. To accomplish this, the law must specify that the IRC use a politically unbiased and mathematically based formula to draw districts, such as the shortest splitline algorithm or a probabilistic (random) method. The IRC should be required to commission a study by nonpartisan academic experts that evaluates the available methods and recommends a preferred option or options. The study and IRC decision and rationale must be documented in a publicly available report. A new study should be required for each subsequent round of redistricting that also evaluates the results of previous redistricting and notes problems or issues that should be addressed.

When published, the legislative maps must also be accompanied by a report that thoroughly documents the redistricting process and results. Finally, the legislation should provide for judicial review of the redistricting process and resulting maps to ensure that the IRC fully complies with all legal requirements and a revision process in the event of errors or violations of the law.

Implementing these recommendations will ensure that Kansas fulfills its obligations under the U.S. Constitution. Furthermore, it will demonstrate the Legislature’s good faith and commitment to a fair and ethical electoral process, which will help restore Kansans’ faith in government.

Respectfully,

Scott A. Schulte