

Practical Engagement*

Although the years following the 2016 presidential election were a time of unprecedented citizen engagement in campaigns and elections, much of the public policy activism of that time was focused on polarizing issues such as the legitimacy of the 2020 election and the overturning of *Roe v. Wade*. Partisan divisions in Congress, as well as in many state governments, reduced the prospects for constructively addressing fundamental issues such as education, employment, health care, and housing.

Under these circumstances, Pennsylvania's adoption in 2022 of a statewide redistricting plan that undid years of gerrymandering was an extraordinary accomplishment. Gerrymandering is a threat to the integrity of redistricting, the redrawing of legislative maps that takes place after each decennial census in order to ensure that all districts are roughly equivalent in population. After the 2010 census, Pennsylvania's Republican-controlled legislature, without public participation, had approved a map featuring strangely-configured districts that increased the probability of favorable results for Republican candidates. When they were able to, Democrats who controlled legislatures in other states did the same. In 2010, for example, Nancy Pelosi led an effort to defeat a citizens initiative approving the creation of an independent commission to draw state and house district boundaries. She was not successful, and California's independent-commission approach has since been viewed by some as a model for Pennsylvania.¹

Although a number of organizations and individuals contributed to Pennsylvania's successful redistricting in different ways, several groups had outsized influence in generating statewide support for this outcome. One of them was Fair Districts PA (FDPA), created in 2016 by the League of Women Voters of Pennsylvania (LWV), Common Cause of Pennsylvania, the Committee of Seventy, and several other organizations "to make the process of drawing electoral districts impartial, transparent and accountable."² LWV Vice President Carol Kuniholm and Common Cause Executive Director Barry Kauffman co-founded and initially co-chaired FDPA. Barry Kauffman left Common Cause a short time later, and Carol Kuniholm continued on as chair, supported by a growing team of volunteers.

Previously, during eleven years that Carol Kuniholm had spent as a youth pastor for her church in Paoli, a suburb on Philadelphia's Main Line, she organized a summer exchange program. Young people from her parish would spend a week doing community service projects in

* Excerpt from John Kromer, *Fixing Broken Cities: New Investment Policies for a Changed World*, Routledge: Taylor & Francis, 2023.

More information at www.routledge.com/9781032404530

¹ "Fair Districts PA, Third Time's a Charm?" September 19, 2019, <https://fairdistrictspa.com/updates/third-times-a-charm>. Accessed August 14, 2022.

² Fair Districts PA, "Fair Districts PA Coalition Established to Reform Redistricting," March 6, 2016, <https://fairdistrictspa.com/updates/fair-districts-pa-coalition-established-to-reform-redistricting>. Accessed August 14, 2022.

Philadelphia's Kensington neighborhood, spending overnights at a local church; then the young people from Kensington would stay for a week at the homes of their counterparts in Paoli.³

During that time, community demand for replacement of the aging public elementary school where the summer program was being held eventually led to construction of a new building. As construction was ending, the Paoli kids wanted to organize a drive to collect books for the new school's library. Kuniholm spoke with a school administrator about this idea—then learned, to her dismay, that the new school would not have a library.

It just didn't occur to me that you could have an elementary school without a library. That started me on a quest to understand why, and I ended up getting involved with the League of Women Voters; and I ended up becoming Vice President of Government and Social Policy ... Basically my question was, How do you not have libraries in schools in poor neighborhoods? On what planet does that make sense? And, as I tried to uncover that, I came across other policies that were, in terms of social justice, really troubling—but just in terms of sheer economic wisdom, ridiculous. I mean, how do you do workforce development without school libraries, without school librarians, without social workers, without the things that you need to prepare people to become earners in our current culture? How do you justify that?

Sometimes, when Kuniholm voiced her concern, she would be told, "Oh, that's gerrymandering." "I had no idea what that was," she recalled.

Then, in 2015, state Senator Lisa Boscola invited League President Susan Carty and Kuniholm, as well as Barry Kauffman of Common Cause, and other advocates to a meeting to discuss a bill she was drafting that would authorize the creation of an independent citizens' commission on redistricting, similar to California's. Kuniholm had never met a state senator before and had never been to the state capital building. She didn't own a suit, so she bought one "for this grand occasion."

The office was packed. There were senators from both parties, there were representatives from both parties, and there were a lot of policy staff persons... They discussed what [the commission] would be, how they would go about it, and I just sat there and listened. It was way over my head, but I was really, really interested.

There was a certain point when Lisa Boscola turned to me and Susan Carty and Barry Kauffman and said, "If the advocates don't demand this, it will never happen." And that just set me off. I thought, "Wait—these are state senators and state representatives, and they're looking at us to make this happen?"

³ Carol Kuniholm, interview with author, August 12, 2022. All other references to Carol Kuniholm are from this source unless otherwise indicated.

Kuniholm had been researching public policy issues since the time of her experience with the school in Kensington. She learned that the League had been advocating for fair redistricting since the 1980s and for fair school funding since the early 1990s, without making much progress in the direction of policy change. Over the years, Common Cause members had also been studying this and similar legislation and advocating for measures that the organization supported, without much result. She met with the groups and, as she characterized it, “forced my way into the conversation” by asking, “Could I be part of a conversation about strategy and next steps?”

Then she and Barry Kauffman began working on plans that led to the 2016 launch of Fair Districts PA. Her son helped her create a website for free, as well as a Facebook page, and, on behalf of the new organization, she invited other groups to endorse a set of guiding principles.

In informal conversations during this time, some people would tell her, “If you could change the redistricting process in Pennsylvania, you could really change Pennsylvania politics. But it’s not going to happen--reform is not possible in Pennsylvania. Pennsylvania doesn’t have a citizen initiative referendum, the leaders will never give up power, and you can’t make people pay attention.”

“So I thought , ‘Well, I don’t know about leaders giving up power, but I was a youth pastor, and I’m good at making all kinds of people pay attention. So I’m going to work on making people pay attention.’”

She and others created a PowerPoint presentation and looked for opportunities to show it around. The opening slide said "Your vote is your voice" and "Every vote counts," followed by a discussion of why it often feels as if votes do not count and voters' voices are not heard. The presentation then went on to explain reapportionment, redistricting and gerrymandering, "to give people some really simple vocabulary, give people a little bit of history and try to help them understand why structural change might matter to their lives.”

There were a few small local presentations through the summer and fall of 2016, one in Bethlehem, another in Pittsburgh. Then the 2016 presidential election happened. Traffic on the website increased. A conference-call briefing scheduled on a Monday afternoon drew 35 people; the next one, on a Thursday evening, drew twice as many.

Keith Forsyth, a Philadelphian who, decades earlier, had been involved in the Vietnam antiwar movement, offered to set up a meeting in Philadelphia.

His idea was to rent a venue, and he would recruit people who would start working groups in Philly. I would do my presentation, and at the end of my presentation, those folks who had started working groups would stand up and say, “I’m Northeast Philly,” or “I’m South Philly,” and invite people to join one of the working groups. So we agreed that we would do this and agreed on a date. He was

going to find a venue, and he said, “How big a place do you need?” and I said, “You know, 100 people,” and he said, “How about 200?”

When Kuniholm arrived at Arch Street Methodist Church, the sanctuary was already half full, with about 350 people present. Before anything else, a search had to be mobilized to find a table for her projector. Eventually, a table was found, and the projector was set up. By that time, all of the seating in the room was full, and there were people standing in the back—about 800 people in all.

After the meeting ended, people told her that Donald Trump was to speak in Philadelphia that night. A big Planned Parenthood protest was also scheduled.

So there was a lot going on politically that night, and there were a lot of people who just felt, “Something’s wrong here.” Somehow the word got out that this person’s going to come out and tell us what we can do. We started six Philly working groups that night, and many of the people who came are still involved. That became a model for what we would do elsewhere –just do speaking, and at the end, invite people to sign up and get involved.

FDPA’s top policy priority was to bring about the creation of an independent redistricting commission that would not be controlled by elected officials. During the next few years, the coalition of which FDPA was a part worked to achieve this outcome, educating voters about the harms of gerrymandering and advocating for legislative action.⁴

These efforts came to an end when Senate Bill 22, authorizing a constitutional amendment for the creation of an independent restricting commission, was saddled with a “poison pill” amendment (calling for state appellate judges, including state supreme court justices, to be elected by individual legislative district, rather than by a statewide, vote).⁵ Efforts to secure approval in the House led to a frustrating outcome. At a public session, the Republican leadership circulated an amendment which, if approved, would have brought the commission under political control.

If you want to convince yourself that Harrisburg is badly broken: In a meeting with less than 24 hours’ notice, with no publicized agenda, House State Government Committee members were given an amendment to the proposed constitutional amendment and told they were going to vote for it, without even time to read it carefully.

⁴ A detailed chronology can be found at <https://www.inquirer.com/philly/news/politics/state/pennsylvania-gerrymandering-case-congressional-redistricting-map-coverage-guide-20180615.html>. Accessed August 14, 2022.

⁵ Jonathan Lai, Gillian McGoldrick and Liz Navratil, “Pa. Senate passes anti-gerrymandering bill with ‘poison pill’ judicial districting amendment,” *The Philadelphia Inquirer*, June 13, 2018, <https://www.inquirer.com/philly/news/politics/state/pennsylvania-senate-gerrymandering-redistricting-reform-bill-sb22-judicial-district-20180613.html>. Accessed August 14, 2022.

One of the Democratic legislators said, “Can we delay this?” and asked for a vote to table or postpone. They were voted down.

The amendment gutted the original bill by turning the eleven-person independent citizens commission into a six-person legislative commission. Four members would be legislators selected by the majority party, and the other two would be selected by legislative leaders. It went in the exact opposite direction of what we were trying to do.

The undermining of SB22 ended two years of advocacy that failed to produce the legislative outcome that the Fair Districts coalition had been seeking. Absent any change, redistricting would be consistent with past practice, as specified in the state constitution: a five-member Legislative Reform Commission (LRC) would come up with a redistricting plan and formally authorize it. The commission would consist of the two leaders of the house and senate, who would be charged with selecting an impartial fifth person to chair the group. As in past decades, the four were unable to reach agreement on the selection of a chair; so, as provided in the constitution, the selection was made by the state supreme court, which selected Mark Nordenberg, chair of the University of Pittsburgh Institute of Politics, for this role. Nordenberg a former professor at the Pitt School of Law, had become dean of the law school in 1985 and was elected chancellor of the university in 1996, a position he held until his retirement in 2013.

Following several months of public hearings and commission meetings, Nordenberg released a report on the final redistricting plan for state house and senate districts on March 4, 2022.

Nordenberg’s report stated that,

The LRC’s Final Plan, adopted by a 4 to 1 vote of the Commission, is the product of exhaustive efforts by the Commission members and their teams, unprecedented levels of contact with and feedback from the public, and a deep reservoir of invaluable expert advice. The LRC’s Final Plan performs better on almost every metric than the plan currently in effect. Indeed, the Commission’s maps for the House and Senate score better on county splits, municipal splits, and compactness than the maps currently in effect.⁶

Fair Districts PA and its coalition partners had effectively set the stage for this outcome, in three ways.

Managing an inclusive statewide process. Through in-person sessions modeled on the one that had been held at Arch Street Methodist Church and in many regions of the state afterward, FDPA was able to engage the interest of a large, diverse constituency that included residents of liberal urban and suburban neighborhoods, as well as members of conservative exurban and rural communities. Online sessions held by FDPA during peak pandemic months included advocates

⁶ Mark A. Nordenberg, *Report of Mark A. Nordenberg, Chair of the 2021 Pennsylvania Legislative Reapportionment Commission Regarding the Commission’s Final Plan*, March 4, 2022, <https://www.redistricting.state.pa.us/resources/Press/2022-03-04%20Report%20Chair%20of%202021%20LRC%20Final%20Plan.pdf>, Accessed August 15, 2022.

and supportive elected officials from different areas of Pennsylvania as well as Geographic Information System (GIS) experts who could display maps in response to questions from participants about how different redistricting proposals would affect the places where they lived.

Promoting broader understanding of election district maps and voting data. In 2018, the Committee of Seventy created Draw the Lines PA, a project that sponsored mapping competitions to encourage citizens to evaluate existing boundaries for U.S. Congressional districts and to propose alternative boundaries for the places where they lived, or for the entire state. Those skills were subsequently put to use in a People’s Map competition that Fair Districts PA sponsored as a way of encouraging proposals for the redesign of Pennsylvania house and senate maps. Following “countless rounds of review and revision, incorporating public testimony, input from feedback forms, and dozens of large and small community mapping conversations,” the resulting People’s Maps were submitted to the commission before the commission had released its own first drafts.

Mobilizing voter support for a fair-districts outcome. Since its first meeting, Fair Districts PA had worked to build relationships with interested citizens by demonstrating responsiveness to their interests and pursuing opportunities to work together.

Every piece of what we do is because somebody said, you should do this or you should try that, and I came to this thing so new to everything that I would just say, “Tell me more.”

We now have volunteers and supporters in every single legislative district. They reach out to every legislator. Although not every legislator would return our calls, we’ve had over 200 meetings with individual legislators.

These activities provided an effective frame of reference that helped guide Nordenberg’s leadership of the LRC. Indirectly acknowledging this influence, Nordenberg’s final report concluded with a statement by Kuniholm: “The final maps show that it’s possible to balance concern for incumbents with traditional redistricting criteria, provide representation for minority communities and yield maps that limit partisan bias.”⁷

Kuniholm had taken to heart the comment that Lisa Boscola had made years earlier: “If the advocates don’t demand this, it will never happen.” And the events of 2016-22 had proven her right.

⁷ Nordenberg, 75.