

Testimony of Nicholas Kapoor¹

Reapportionment Committee – Connecticut General Assembly
July 20, 2011 – Afternoon Session

Senator Williams, Representative Cafero, and distinguished members of the Reapportionment Committee, as a recent college graduate of degrees in Mathematics and Political Science, reapportionment is a very fascinating topic for me since it seems to somewhat lie at the intersection of the two disciplines. As I started to study and understand the concepts surrounding this decennial process I found some troubling things occurring in Connecticut's current method of reapportionment - concerns which I would like to share with you today.

Prisoners

The Reapportionment Committee's website's opening line is "The purpose of redistricting is to establish and maintain voting districts that are faithful to the principle of one-person, one-vote." This purpose is unfulfilled when incarcerated persons are counted for redistricting based upon the prison they are detained in.

During the 2003 Session, Representative Adinolfi offered HB 5239 – AAC Municipal Reapportionment Plans which would have slightly dispersed the densely populated districts that housed correctional facilities. This bill was referred to GAE (Government Administration and Elections) and drafted but, unfortunately, had no further movement.

In an OLR (Office of Legislative Research) report from 2007, the OLR noted the problems with counting prisoners, "The issue of whether to count prisoners at their 'permanent home of record' rather than at their usual residence is becoming more controversial as the number of prisoners continues to rise. Congress directed the Census Bureau to study the issue and it reported that counting prisoners at their home of record would be expensive for both the bureau and the correctional facilities. Further, it could not be performed as accurately as counting prisoners at their usual residence. The bureau also established a panel to examine its rules and practices relating to determining resident, including those relating to prisoners. Its most important recommendations about prisoners, that the Census Bureau conduct a research and testing program, is based on its conclusions that there is merit to the argument that prisoners should be counted at their home of record but that the ability to do so does not now exist."² This just goes to show that there is a serious problem with prisoners and how they are considered in reapportionment - a serious problem that needs fixing.

¹ I am a member of the Monroe Democratic Town Committee; however, my remarks are solely that of my own and do not reflect the opinions of any member of the Monroe DTC or the Committee as a whole.

² Daniel Duffy, OLR Research Report, 2007-R-0630. Pars. 5 – 6.



The Unfortunate Political Nature of Reapportionment

Another serious issue plaguing reapportionment in Connecticut is its unnecessary political nature. A situation that should be apolitical is quite the contrary. Aside from the budget and its implementers, the vote to approve the maps that will be drawn by this committee is, I believe, one of, if not, the most important votes a Connecticut legislator will cast. Reapportionment is not the death penalty. Reapportionment is not the legalization of marijuana. And reapportionment does not deal with captive audiences. Reapportionment determines who is eligible to run for office in which district. It determines who will represent thousands of people in Hartford and in Washington. To make reapportionment political and draw districts to help an incumbent or to help a Democrat or Republican is a shameful act. Representative Cafero, at the July 5th public hearing of this committee stated, "It's not about protecting who's in there now, it's all about doing what's right and what's fair."³ I hope this committee draws maps that are right and fair.

Competitive Districts

Furthermore, a healthy democracy is one in which an engaged citizenry participates in fair, clean, open and competitive elections. Clean and open has been achieved through Connecticut election law. Elections have become more level in recent cycles because of the Citizens' Election Program (CEP); however competitive is something that needs some work.

| Election ⁴ | Rep. Contests Uncompetitive ⁵ | Sen. Contests Uncompetitive | Total Uncompetitive | % of all contests Uncompetitive |
|-----------------------|--|-----------------------------|---------------------|---------------------------------|
| 2002 | 37 | 6 | 42 | 22.5 |
| 2004 | 35 | 4 | 39 | 20.9 |
| 2006 | 38 | 6 | 44 | 23.5 |
| 2008 | 39 | 5 | 44 | 23.5 |
| 2010 | 30 | 4 | 34 | 18.2 |

Nearly 1 in 4 elections in 2006 and 2008 had no votes cast in them except for the winner. This is not ideal and not healthy for democracy. Former Governor Arnold Schwarzenegger said, "Competition creates performance."⁶ I believe this is true, because when an issue is discussed

³ CT-N coverage of July 5th Reapportionment Committee Public Hearing.

⁴ Secretary of State Website.

⁵ For purposes of this discussion, uncompetitive is defined as an election in which all votes cast were for that of the winner. For example if 3000 votes were cast, 2999 for a Republican and 1 Write-In vote, that election would be considered competitive.

⁶ *Gerrymandering: A New Documentary Film*.



more and more from opposing viewpoints, each side becomes more educated. A room full of people thinking the same way does no one any good.

The CEP began the process of bringing healthy competition to the Connecticut General Assembly and hopefully this committee can enhance this competitiveness even more. When an incumbent must defend his or her positions against a challenger, the voter becomes more educated about whom he or she is voting for. However, when only one name is on the ballot for a particular office, the voter is given a disservice.

Population Deviation

Another problem area that can be gleaned from the 2000 reapportionment is population deviation. "Under federal law, districts may vary from an 'Ideal District'⁷ by up to 10%, though the lowest number achievable is preferred."⁸ In 2000, the House of Representative districts in Connecticut had a deviation of 9.20% and the Senatorial districts, a deviation of 8.03%. This is unacceptable. I cannot honestly believe that there was not a better way to draw the districts in 2000 than to have these numbers. When the maps come out this time around and the population deviations are calculated, I hope they are as close to zero as physically possible.

A further interesting note, the State of Iowa has made it State law that no district can be over 1% deviated from its ideal population number. A law I think any state would benefit greatly from.

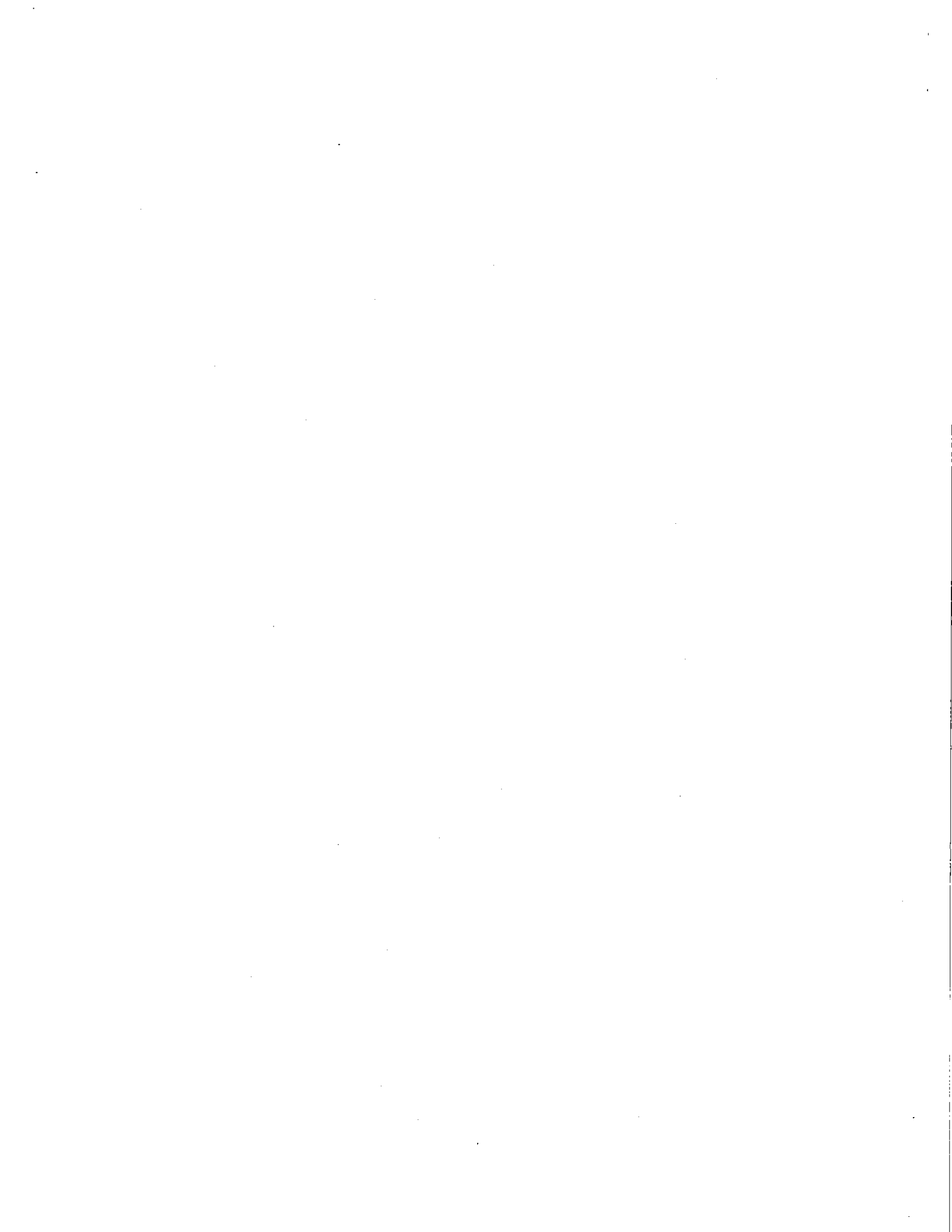
Other States

Another way to further the discussion is to look to other states and see how they are handling reapportionment. In Iowa for example, software is used to draw districts based solely on population. Open and incumbent versus incumbent seats occur, but the State Legislature of Iowa approves these maps because of their truly bipartisan nature.

The state of New York chooses two citizens to sit on their commissions. But even better, the state of Arizona has a commission that is made up of all citizens, yet still chosen by politicians.

⁷ An ideal district is the population of the state divided by the goal number of legislators.

⁸ http://ballotpedia.org/wiki/Index.php/Redistricting_in_Connecticut



Yet, the state of California has an excellent plan. Propositions 11 and 20 passed by voter referendum which gave the power of redistricting to a commission of fourteen citizens - eight citizens chosen from applications given to the State Legislature and six chosen by those eight. A truly independent commission is what is needed to remove the politics from reapportionment. Senator Meyer proposed SJ 11 this past session – A Constitutional amendment to provide for a nonpartisan commission to reapportion and redistrict the General Assembly to therefore produce more competitive General Assembly districts. This amendment did not get off the ground in the legislative process.

The Complexities of Reapportionment and Suggestions

In conclusion, reapportionment is a multi-variable problem. To consider the socioeconomic status of persons in a district, their shared interests, keeping town lines together, being careful not to be too deviated from an ideal district, etc. is a large responsibility. To satisfactorily fulfill this obligation, we need not only politicians, but the help of some bright minds.

PhDs of many disciplines have studied reapportionment. Psychologists, sociologists, mathematicians, political scientists and many more have lectured or taught on the problem that is redistricting. There are many institutions in our state, including the number two university in the Country, Yale, that I am certain have adequate members of their community to assist in this process. At least consulting some of these people would take some of the “politics” out of a supposed bipartisan issue. It is too late in the process to commission an independent committee, but the fact that the members of this reapportionment committee have the power to redraw the lines of their own districts is slightly disconcerting.

Going forward in the short term, I hope the politics of reapportionment can be removed, the population deviations kept as close to zero as possible and to see the competitiveness of districts increase. In the long term, prisoners should not be counted where they reside in correctional facilities and hopefully an independent commission can be formed to once and for all take the politicking of an apolitical matter.

Finally, I hope when the maps are made public and approved, the Reapportionment Committee can say it was a truly fair and truly bipartisan effort. At a time of stark political polarization in our country, I hope Connecticut can be a shining beacon and leader of teamwork and true bipartisanship.

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