

December 23, 2017

Common Cause
Attention: Elizabeth Steele, Elena Nunez
1410 Grant St. Suite D314
Denver, CO 80203

Elizabeth and Elena,

Thank you for your letter about the Fair Districts proposals to reform the redistricting and reapportionment process. We are eager to continue to engage with your organization and all other interested stakeholders. All seem to agree: the current redistricting and reapportionment process is badly broken.

Colorado is one of the most politically competitive states in the union – near evenly divided between Democrats, Republicans and Independents. But consider:

- **Only 4 of 65 seats in the Colorado State House of Representatives are competitive**, meaning that 95% of the seats in that chamber are 100% controlled by one party or the other.
- **Only 7 of 35 seats in the Colorado State Senate are competitive**, meaning 83% of the seats in that chamber are 100% controlled by one party or the other.
- **Only 1 of Colorado 7 Congressional Districts are competitive**, meaning 86% of the seats in Colorado's Congressional delegation are 100% controlled by one party or the other.
- **In 2016, the average Congressional race in Colorado was won by 23 percentage points**, or a raw vote margin of almost 90,000 voters.

Making matters worse, the largest voting bloc in the state – Independent voters – have no guaranteed role in the existing map-drawing process. That the very voters who decide the great majority of statewide elections are left without a guaranteed voice in the process of building legislative and congressional districts is a great injustice to these voters and grave disservice to our democratic institutions.

All of which is prologue to the Fair Districts initiatives. For the last year-and-a-half, proponents of the measure – including notable Republicans, Democrats, Independents and nonpartisans, such as the League of Women Voters – have undertaken a broad-based effort to engage interested stakeholders in an effort to fix this horribly broken process. In an effort to ensure that no one would feel blind-sided by the proposals, we pre-announced the effort in May, months before filing our initiatives. In 2017, we met with or reached out to more than 200 groups and individuals, including civil rights groups, progressive advocacy organizations, business and trade groups, and a host of other civic-minded nonprofits. As part of that effort, we first solicited your input on our proposal on January 17, 2017, and we are grateful for your feedback. Additionally, all 100 members of the state legislature received letters from the League of Women Voters, inviting their participation.

This exhaustive outreach effort has resulted in a proposed policy that is, in my opinion, thoughtful, balanced and in many ways cutting edge. If enacted, it would make Colorado a national leader in the noble cause of banning gerrymandering and restoring balance and common sense to the map drawing process.

Critical to the proposal are new and robust protections for minority communities. As you know, the Fair Districts initiatives would codify the federal Civil Rights Act in our statutes and constitution for the first time ever. ***Just as important, the Fair Districts proposals include proposed ballot language recommended by the Campaign Legal Center, Represent Us, Common Cause and the Democracy Project, among others. The Campaign Legal Center recommended including racial and language group communities of interest to the existing consideration of ethnic communities of interest since each of these is protected by the Voting Rights Act.***

The initiatives call special attention to the opening chapter of the Voting Rights Act, which states, in part:

“All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.”

Other recommendations from outside groups incorporated into our final proposals include the following:

- Removal of “minimizing changes to existing districts” as a criteria by which congressional districts are drawn.
- Posting staff-drawn maps in advance of commission meetings, so the public can review the drafts.
- Requiring the affirmative vote of no fewer than two independent members of the commission to pass a map.
- Changing the process for the selection of both partisan and independent commissioners in order to ensure greater independence from the political parties.

We understand and respect that some advocates on the left and the right do not yet support our proposal. For too long, communities of interest – rural communities, and communities of color – have been treated as political pawns by both parties to serve narrow, short term, partisan interests.

For all these reasons, we are proud of the Fair Districts plan. To further the dialogue, where there are areas where you think that our measures could be improved, we welcome specific comments and specific language. Our door and our ears are open. As the breadth of our coalition shows, our plan strikes a smart and balanced direction. But we are still willing and interested to hear specific, reasoned and detailed suggestions about how to make the plan even better from individuals and organizations who are committed to reforming the gerrymandered status quo.

Again, thank you for your letter. We treat it as a sign of good faith, and are eager to continue a dialogue.

Sincerely,



Toni Larson