

Explanatory Memorandum

The redistricting process this year has been contentious at both the State and local level. In both settings, opponents of the approved map have challenged the procedures that the redistricting committee followed, as well as the substantive features of the map. In fact, some critics have linked the two, questioning the motives of the legislators who served on the redistricting committees and the legitimacy of the result.

In our observation, the procedural objections that critics raise often fall into three categories, namely, (1) the partisan composition of the redistricting committee, (2) the relatively small number of clear standards the redistricting committee is required to apply in developing its proposed maps and (3) the possible lack of transparency that can result from a legislative process operating under tight deadlines. Based in part on examples from California and San Diego, we have developed a reform proposal that addresses each of these three areas as follows:

1. Nonpartisan membership

We propose that the Ward Boundaries Commission be composed of individuals who lack any current role as an elected official or party official, and that all Commission members agree to remain outside of partisan positions for a period of five (5) years after approval of the map. We propose that the seven members be appointed from a collection of five community stakeholders with two political members. We propose the following lineup as a suggestion:

- a. Johnson and Wales University;
- b. The Urban League of Rhode Island;
- c. Progreso Latino
- d. The Providence Chamber of Commerce
- e. The Providence chapter of the United Way;
- f. The Providence Democratic Party City Committee;
- g. The Providence Republican Party City Committee.

Each of these named organizations would be responsible for appointing one Commissioner and one alternate in case the appointee becomes unavailable. We also propose that the Commission have the authority to hire its own election consultant. We believe that this appointment process would mitigate and perhaps eliminate criticisms based on claimed motives of Commission members.

2. More extensive standards

We propose an extensive list of standards for validating or rejecting proposed maps, including a standard favoring preservation of communities of interest, and another standard prohibiting the consideration of the place of residence of an incumbent or potential candidate. The proposal requires the redistricting committee to prepare a report stating the reasons for the proposed map in terms of these standards.

3. More transparent procedures

We propose adding requirements that proposed maps be publicly available at least 48 hours before being approved at any meeting, and that the final map require approval at two different meetings at least 72 hours apart.

We attach an sample charter provision that offers language to address these three issues; however, the language is only an example for discussion that the Charter Review Commission is free to accept, reject or revise as it sees best.

We are hopeful that the Charter Review Commission will schedule a meeting to permit more feedback on the redistricting process. There may be better ways to address one or more of the three issues we have focused on, and there may be other issues we have not considered. It also should be noted that the three issues we propose are distinct, and it is possible to consider reforms in any of the areas separate and apart from the others.