

**Written Testimony of Yuriy Rudensky, Redistricting Counsel  
Brennan Center for Justice  
at New York University School of Law  
on H.B. 2575**

**Washington State Senate  
State Government, Tribal Relations & Elections Committee  
February 26, 2020**

The Brennan Center for Justice at New York University School of Law<sup>1</sup> appreciates the opportunity to testify in support of **House Bill 2575**, which would guarantee transparency and meaningful public input in redistricting for Washington.

The Brennan Center is a non-partisan law and policy institute that works to improve our nation's systems of democracy and justice. Redistricting reform has long been an integral part of this mission. Over the years, we have partnered with Republican and Democratic lawmakers and grassroots advocates to promote independent, community-driven, and transparent redistricting. We offer this testimony to highlight the importance of H.B. 2575 and strongly urge the bill's passage.

Redistricting can be a process dominated by political insiders in backroom deals that produce gerrymandered maps. Washington's bipartisan commission, which requires the support of both Democratic and Republican members to pass maps, has helped the state avoid the most serious partisan gerrymandering issues. But while the current process helps ensure partisan fairness, it does not, at present, ensure that other important non-political interests are taken into account in the redistricting process.

Since voters approved Washington's system nearly 40 years ago, there has been substantial experimentation and innovation in states across the country as to how to best ensure fair redistricting and effective representation. H.B. 2575 would allow Washington to modernize its redistricting commission to be consistent with best practices without a complete overhaul of the current process.

To be clear, H.B. 2575 would not change Washington's commission structure, commissioner selection, or how maps are enacted. Instead, it would codify a public engagement process, ensure that future commissions operate with appropriate transparency, and give Washingtonians across the state meaningful opportunities for input. Specifically, the bill would enhance the current process in three concrete ways:

---

<sup>1</sup> The views expressed in this testimony are made on behalf of the Brennan Center for Justice and not New York University School of Law.

1. **Creating a public information portal.** H.B. 2575 would ensure future commissions establish a website to post audio and video recordings of commission meetings, provide advance notice of public forums, post meeting agendas and minutes, and solicit public comment. Currently, there is no requirement for commissioners to do so. And while the 2011 commission chose to create such a website, this should not be left to commissioners' discretion.
2. **Requiring meaningful public input.** H.B. 2575 would establish a transparent and inclusive redistricting process that gives the public a chance to weigh in both before the commission draws maps and then again once it releases them. These two periods serve different purposes.

The initial public input period helps commissioners better understand the different communities of interest that exist around the state—that is, what groups of Washingtonians have shared representational needs based on common economic, social, cultural, or policy concerns. Input from actual community members provides commissioners information that might not be immediately apparent or visible in looking at population data alone, including why keeping certain communities together may be particularly important from the standpoint of fair representation. After all, no one knows a community better than the members of the community themselves.

The comment period following the release of maps gives the public and community stakeholders a chance to provide feedback on the maps. This feedback can be useful in helping to spot issues and will help make sure that the commission has appropriately weighed and balanced competing concerns. This is particularly important for communities of color whose ability to elect candidates of choice is protected by federal law.

The commission would have the option of hiring staff to help with outreach to make sure that these requirements remain manageable.

3. **Increasing public accountability.** H.B. 2575 would give the public an ability to see and assess the commission's work well before maps are finalized.

The bill not only makes all meetings open to the public, but also requires the commission to give ample notice before hearings, keep and share meticulous records, provide accommodations for larger language minority groups, and allot sufficient time for public comments on proposed maps. In addition, the commission is required to produce reports both before and after drawing districts that clearly articulate its intentions and enable the public to understand how the commission balanced competing considerations.

Together, these requirements keep community involvement at the center of commission activity and build public trust in the fairness of resulting districts.

These are all well-established best practices that impose only modest burdens. Indeed, second-generation reforms in states like California, Colorado, Michigan, and Utah, which

looked to Washington as a good first-generation model, all placed public involvement and oversight as central values for redistricting. Voters in Oregon, Nevada, Oklahoma, and Arkansas will likely consider ballot initiatives advancing similar redistricting systems this fall. Passing H.B. 2575 would largely bring Washington into alignment with these trends and best practices.

Put simply, meaningful public input and transparency are far too important to leave to the whims of the commissioners. And to the extent that the additions in H.B. 2575 are already the norm, the bill would not impose new burdens but would provide assurance of continued adherence.

A healthy democracy requires institutions that are transparent and accountable to the public. In our representative system, this means having a redistricting system that advances these same values. For these reasons, the Brennan Center enthusiastically supports H.B. 2575.