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Daniel Weintraub: How Prop. 77 would boost political competition

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Like most Americans, Californians are increasingly segregating themselves into politically partisan enclaves, with Democrats gathering in the Bay Area, Los Angeles and along the coast in between, while Republicans tend to concentrate more in the inland regions.

Some analysts have suggested that this housing trend is what's really responsible for the decline in political competition in races for the Legislature and Congress: Democratic areas elect Democrats while Republican neighborhoods also go for politicians of their own kind.

But a new study released this week shows that, at least in California, the demographics have been helped along by the most egregious conflict-of-interest in government: the tradition of allowing incumbent legislators to draw their own district lines.

The study, by the Rose Institute at Claremont McKenna College, is the best evidence yet that Proposition 77, by taking that power away from politicians, would lead to more competitive elections.

Today's politicians, using modern computers and advanced databases of voter characteristics, are able to add a neighborhood here to a potential new district and take away a neighborhood there until they find the exact collection of voters they are looking for. When they're done, they can predict with near certainty the partisan result in district elections for years into the future.

That's what happened in 2001, when leaders of both major parties got together with then-Gov. Gray Davis to create new district lines that all but eliminated the modest amount of political competition California enjoyed in the 1990s. In the most recent round of elections, not one of the 153 Assembly, Senate and congressional seats in the state changed hands from one party to the other. And that was by design.

Proposition 77 would do two things to change this. First, it would give the line-drawing job to a panel of three retired judges, the same way lines are drawn in California when a deadlock between the Legislature and the governor throws the issue to the state Supreme Court. This happened in the 1970s and the 1990s, and both times the new districts were fairer, more sensible and more competitive.

Second, the initiative would create a firm set of rules for the line-drawers to follow so that the districts are all but guaranteed to be common-sense collections of communities rather than the grotesquely misshapen works of art that result when the politicians go on their hunt

for friendly voters. The rules would require that counties and cities be kept together whenever possible, that districts be as compact as possible, and that past election results and voter registration data not be used to help shape the boundaries. As always, the federal Voting Rights Act would apply as an umbrella to protect the interests of ethnic communities.

The Rose Institute took those proposed rules, and the methods used the last time the courts drew the lines, and simulated the process to see how it might turn out.

Using two tests of competitiveness - voter registration and the vote in the 2000 presidential election - the study found that California had 57 legislative and congressional districts that could be described as at least remotely competitive in the 1990s, and has just 30 such districts now. The new rules, the study projected, would increase that number again, to 50.

Isolating just the districts the study defined as "highly competitive," California had 29 in the 1990s, four in this decade and would probably have 25 or so if new lines were drawn according to the rules proposed in Proposition 77.

The newly competitive districts would not come at the expense of one party or the other. The 10 new, highly competitive congressional districts would come from five currently safe Democratic seats and five safe Republican seats. In the Assembly, four new competitive districts would replace two safe seats from each party. And in the Senate, the Democrats would lose four safe seats while the Republicans would lose three, as seven new competitive districts were created.

In other words, as the state's political leanings shifted, so would its representation, at least slightly. Isn't that the way democracy is supposed to work?

The study also found that the number of counties split among different districts would be reduced, the number of cities broken apart would almost certainly shrink and in general the overall level of compactness of districts would increase.

One other interesting result: Lines drawn according to the proposed rules would probably lead to the creation of at least two more districts with a majority of Latinos. This is because the Democrats who helped draw the boundaries in 2001 deliberately divided Latinos among multiple districts in some cases to protect white incumbents from possible primary challenges from Latino candidates.

In one particularly vivid example, the 28th Congressional District in the San Fernando Valley, now represented by Democrat Howard Berman, would probably go from its current 47 percent Latino voting-age population to more than 65 percent Latino.

That's what happens when you draw the lines to reflect the state's physical and civic geography rather than the special interests of a particular politician. No wonder so many incumbents hate Proposition 77.

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