

League of Women Voters of Utah v. Utah State Legislature

Press Conference Remarks as Prepared

Laura Lewis

MWEG is an organization dedicated to peacemaking. Peacemaking can sometimes be counterintuitive, because peace isn't just an absence of conflict — it can be messy, requiring hard and complicated work to create resilient and cooperative societies where citizens solve problems without resorting to coercion.

Today MWEG is joining litigation against the Utah State Legislature because we believe they have created a set of congressional maps that violate the Utah State Constitution both in process and outcome. Their actions move our state further away from our ideals. They make our political systems less resilient. They fracture the peace for many of our citizens. As an organization, we felt strongly that when we were offered a pathway to respond to this injustice we should walk it.

The work of creating congressional districts typically happens in the background and can feel too complicated to follow. Better Boundaries and the Independent Redistricting Commission did exceptional work over the last few years, bringing this process to the front of voters' minds. They encouraged us to engage in good faith with the effort to create maps that reflected a commitment to democratic values and equal representation for voters.

Equal representation matters. Choices made in Congress can have far-reaching effects on our health and welfare here at home. They determine how values become manifest as policy, and they ultimately decide to protect or destroy our peace. It matters deeply that we each have the ability to cast meaningful votes so that every voice is heard. We don't believe this privilege should only be offered as a perk of party membership.

- Fair districting provides a critical protection for the political power of the people.
- Fair districts give citizens the opportunity to advocate effectively for the candidates and policies they prefer.
- Fair districts allow us to work together with our neighbors to solve common problems.

Perhaps most importantly, fair districts allow citizens to determine when elected representatives or government systems are no longer working to preserve and defend the public welfare. Governments aligned with democratic principles will vigorously protect the ability of individual voters to act on those determinations. The Utah State Constitution is clear and direct; it gives the people the right to alter their government, and we hope that through this suit we can see that right restored.

MWEG is here today because our principles encourage us to hold elected representatives accountable and to protect constitutional government. As women inspired by our faith to defend ethical government, we have advocated for greater transparency and accountability before legislators and executives at all levels of government. Today we proudly join the League of Women Voters and seven courageous Utah citizens to continue that work in the courts.

Catherine Weller:

As a nonpartisan grassroots organization that has empowered voters and defended democracy for more than a century, the League of Women Voters was astounded when our Legislature chose to ignore the will of the people.

We believe voters should choose their politicians, not the other way around. We were heartened when voters passed Proposition 4 and chose to create an independent redistricting commission for Utah. Our members spent DAYS listening to testimony from citizens throughout the state who told the commission about their communities, about their challenges, and how they'd like map drawing to proceed. The commission listened. And they met openly *and transparently* to create maps based on citizen input. As required by LAW, they submitted three sets of maps to the Legislature, ALL of which were ignored in favor of maps drawn in secret by a legislative committee.

Despite overwhelming testimony in favor of the commission's maps at their own hearing, our legislators shut out the very people they represent.

"It won't matter. The Legislature will do what they want anyway." That was one of the saddest things I heard people say about the independent commission. Then, when the Legislature did indeed do what they wanted anyway, they confirmed the beliefs of the discouraged, the cynical... ALL the people who believe their votes and their opinions don't matter. They felt a terrible sense of validation. Over the years, too many times, I've heard "My vote doesn't matter." This flawed redistricting process has earned the cynicism of the thwarted voter.

The people of Salt Lake County deserve better. Our voices DO matter. We need fair maps that give our residents equal say in shaping their communities and their futures for the next 10 years. We need districts that encourage our citizens to vote, encourage our citizens to interact with their government, and show them they can trust the process.

The people of Utah voted in favor of a fair districting process - something we have a constitutional right to do. This Legislature repudiated that right.

That is why the League of Women Voters along with Mormon Women for Ethical Government and several citizens of Salt Lake County have filed suit challenging the Legislature's gerrymandered congressional map and the repeal of Prop 4

Because regardless of the zip codes in which they reside, citizens must choose their politicians, not the other way around.

Thank you

David Reymann

Two quick points.

First, the Utah Constitution guarantees voters in this state a meaningful chance to participate in elections.

- That guarantee comes from multiple constitutional provisions that date back to this state's founding. They include Utah's free elections clause, the constitutional right to vote, the right to equal protection under the law, and the guarantees of freedom of speech and association. These rights are sacrosanct – and they should be nonpartisan.
- The gerrymandered congressional map enacted by the Legislature last year violates these rights and creates elections that are neither free nor fair. And that is not excused by the Legislature simply saying, well, this is inherently a partisan exercise so we can do whatever we want. The Legislature's power is not unlimited. If it were, our constitutional guarantees would be hollow. We've brought this action to ensure that they are not.

Second, the Utah Constitution provides that all political power, including the right to enact laws, derives from the people. It doesn't come from the Legislature. The people's sovereign right to enact laws is likewise fundamental and sacrosanct – and it too should be nonpartisan.

- The people of Utah exercised that fundamental right, loudly and clearly, when they enacted Proposition 4 to get politics out of redistricting.

- When the Legislature simply discarded that law, it trampled that right and overstepped its legitimate role. And the cavalier way in which it happened demonstrates that what should be co-equal power of the Legislature and the people has become dangerously imbalanced in this state. We've brought this action to vindicate the will of the people of Utah, which the Legislature ignored.

On that basis, we've asked the court to strike down the Legislature's extreme partisan gerrymander as unconstitutional, order that fair maps be drawn, and reinstate the Independent Redistricting Commission enacted by Utah's voters.

Eleanor Sundwall:

Hello—my name is Eleanor Sundwall. I live in Salt Lake City with my husband and daughters.

My Pioneer ancestors settled in different areas of the state (Wellsville, Uintah, Fairview, and Bluff) but had one shared goal: They wanted a better future. They made enormous sacrifices to turn their dreams into homes and communities. They worked hard to create safety and stability for their children.

Participating in this lawsuit allows me to work toward a safe and stable future for my children, too.

Over the last year, I have watched in dismay as Utah's state government has written and passed laws granting itself the power to ignore the will of voters and act in their own self interests. I was alarmed by the strain this put on our community, but I focused on the work of the Independent Redistricting Commission and this November's election for hope.

Of course, Utah's legislature rejected the nonpartisan commission's redistricting maps, continuing its pattern of undermining Utah's civic institutions and voters.

Utah's legislature maintains that "REAL" Utahns are rural and Republican; because of this, our state's elected officials appear to believe it is reasonable of

them to use their power to dilute the voting power of Utah's urban residents and silence voters with minority political viewpoints.

I believe anyone who lives in Utah is a real Utahn. Like all real Utahns, I deserve local and state representation. My daughters and all Utah children deserve an education that is untouched by political showmanship and legislative shenanigans.

When I voted for Proposition 4 in 2018—and later participated in the mapping efforts, I trusted that the will of Utah voters would be honored. I was wrong.

Democracy has never been perfect, but a democracy that works to improve transparency, fairness, and representation for all its citizens is a healthy democracy. When a democracy is dominated by one party that serves only its own interests, that democracy is critically ill.

World events show us where a power imbalance like this can lead—that is why this lawsuit is so important.

Malcolm Reid

My name is Malcolm Reid. My wife Vicki and I live in Millcreek.

We moved to Utah from Minnesota in 2018, and voted in the November 2018 elections. Vicki is a registered Republican, and I am a registered Democrat. We both voted for Proposition 4 in 2018 as it promoted a Good Government philosophy that we endorse. Both of us have Utah connections going back several generations, and we are interested in seeing the state move forward.

When we moved to Utah, we intentionally looked for homes in locations with a mix of different political opinions where our voices would be heard. We moved to Millcreek in CD4 which has a history of contested congressional elections.

In 2021, I participated in several sessions of the Independent Redistricting Commission and spoke at a public session of the legislative redistricting committee.

As a witness to these sessions, I can tell you the independent commission conducted an open, transparent process that produced maps which were the most fair to Utah voters. Their maps kept communities of interest intact, respected county and city jurisdictions, and were free of partisan bias. They were lauded by respected third parties as a model of good design.

The legislative committee acted in bad faith, hearing only what they wanted to hear. For example, the legislators claimed that Utahns were asking for a mix of urban and rural voters in each district, when in fact rural voters wanted the opposite. That was a pretext for carving up Salt Lake County.

The legislative committee patronized and completely ignored the work product of the independent commission. Even though the legislature budgeted a million dollars for the independent commission, they never seriously considered adopting their proposals.

The legislative committee's statewide hearings were a facade. The impassioned citizen response in the November 2021 legislative hearings was ignored, and in the end, the final adopted district maps were done in secret and ignored citizen input.

Governor Cox was urged to veto the legislature's gerrymandered maps. He falsely claimed that it was "impossible" not to have rural areas in each district. One need to look no farther than Salt Lake County to realize this isn't so. Without a hint of irony, he said "I'm not a bomb thrower, and I believe in good governance." He placed a higher priority on getting along with the legislature than respecting the will of the people.

The Utah Constitution declares that "All political power is inherent in the people". Good governance means that all Utahns are fairly represented and choose their leaders, instead of partisan politicians choosing their voters.

Less than half of Utah voters are registered Republicans, yet all political power at the federal level in Utah is reserved to a single party. Moderates and progressives are left without a voice, and citizen participation is discouraged by cynical gerrymandering.

I've heard much about the "Utah Way" since moving here. As someone who cares about Utah, the way forward must enable all of Utah's people to have a voice. Thank you.

Victoria Reid

As a registered Republican, I am dismayed that the Republican-controlled Legislature chose to subvert the will of the people during its redistricting process. In 2018, a majority of Utahns voted for Proposition 4, an anti-gerrymandering initiative. Yet, in direct opposition to the people's voice, the state legislature adopted gerrymandered congressional maps following a deeply flawed process. The result is highly partisan political boundaries that undermine our right to choose our own leaders.

In drawing these gerrymandered maps, the Utah Legislature largely ignored the provisions of Proposition 4 and threw out months of work by the Independent Redistricting Commission and Utah citizens. How did the Legislature justify its partisan gerrymandering? By fabricating its own criteria for boundary-setting and insisting that each district include both rural and urban voters, a move that counteracts the Prop 4 criteria which voters approved.

Prop 4 directs map drawers to create districts that minimize divisions between municipalities, that preserve local communities of interest, and that are geographically compact. Instead, my new congressional district extends 120 miles west to Nevada and 350 miles south to Arizona, while slicing through my neighborhood, my city, and my county. Now a resident of CD 2, I am a 45-minute walk from voters in districts 1, 3, and 4, but hundreds of miles from citizens in my own congressional district.

That our elected leaders so confidently perverted the Independent Redistricting Commission process was a shock. How is it ethical to project support for the Independent Commission by allocating \$1 million to its operations, then simply ignore its findings? How is it honorable to disregard key criteria for redistricting, which were approved by the voters, and substitute your own partisan measures? How is it okay to push through backroom dealings with just one public

hearing on legislation that will impact our representative democracy for a decade?

As a registered Republican, I believe the actions of the Legislature are unethical and contrary to the values of the Republican party.

By gerrymandering me into an ultra-conservative district, the Legislature has taken away my freedom to try to elect a moderate representative. Before redistricting, I lived in the 4th congressional district, where the controlling party changed four times in the last 5 elections. Now, there will not be a single competitive congressional district in all of Utah for at least the next decade. Uncompetitive districts eliminate any incentive for candidates to appeal to moderates and promote bipartisan policy solutions.

By setting up a sham redistricting process, the Republican-controlled Legislature has been deceptive, self-serving, and opaque. In addition, its leaders have violated the Utah GOP's own Constitution, which demands "honesty, integrity, morality, and accountability". I believe it is time for Republican office holders to live up to the requirements of our GOP Constitution. And that's why I've signed onto this lawsuit. As voters, we –the people of Utah– should be the ones who choose our leaders, not the other way around.