
**IN THE
SUPREME COURT OF ILLINOIS**

JOHN HOOKER, et al.,)	
)	
Plaintiffs-Appellees,)	On Direct Appeal from the
vs.)	Circuit Court of Cook County,
)	County Department,
ILLINOIS STATE BOARD OF)	Chancery Division
ELECTIONS, et al.,)	
)	
Defendants-Appellees,)	No. 16 CH 06539
)	
and)	Hon. Diane J. Larsen,
)	<i>Judge Presiding.</i>
SUPPORT INDEPENDENT MAPS,)	
)	
Intervenor-Defendant-)	
Appellant.)	

**BRIEF OF *AMICI CURIAE*
LEAGUE OF WOMEN VOTERS OF ILLINOIS, *ET AL.*
IN SUPPORT OF INTERVENOR-DEFENDANT-APPELLANT**

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Commercial Club of Chicago
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POINTS AND AUTHORITIES

	Page(s)
INTEREST OF THE AMICI CURIAE	1
BACKGROUND	7
Ill. Const. 1970, art. IV, § 3(b).....	8
Ill. Const. 1970, art. XIV, § 3	9
Cynthia Canary & Kent Redfield, <i>Partisanship, Representation and Redistricting: An Illinois Case Study</i> , Simon Review, Sept. 2014.....	8
SUMMARY OF ARGUMENT	10
Ill. Const. 1970, art. XIV, § 3	10
ARGUMENT	10
I. PARTISAN GERRYMANDERING IS WORSE NOW THAN EVER BEFORE	10
Gary W. Cox & Jonathan N. Katz, <i>Elbridge Gerry's Salamander: The Electoral Consequences of the Reapportionment Revolution</i> (2002).....	10
David Daley, <i>Ratf**ked: The True Story Behind the Secret Plan to Steal America's Democracy</i> (2016)	11
A. TECHNOLOGICAL SOPHISTICATION IS DRIVING PARTISAN GERRYMANDERING	11
David Daley, <i>Ratf**ked: The True Story Behind the Secret Plan to Steal America's Democracy</i> (2016).....	11
Nicholas O. Stephanopoulos & Eric M. McGhee, <i>Partisan Gerrymandering and the Efficiency Gap</i> , 82 U. Chi. L. Rev. 831 (2015)	12
B. PARTISAN GERRYMANDERING RESULTS IN UNRESPONSIVE AND UNACCOUNTABLE LEGISLATORS	12

Cynthia Canary & Kent Redfield, <i>Partisanship, Representation and Redistricting: An Illinois Case Study</i> , Simon Review, Sept. 2014.....	12, 13
Illinois State Senate elections, 2014, Ballotpedia, https://ballotpedia.org/Illinois_State_Senate_elections,_2014	13
Illinois State Senate elections, 2016, Ballotpedia, https://ballotpedia.org/Illinois_State_Senate_elections,_2016	13
Illinois House of Representatives elections, 2016, Ballotpedia, https://ballotpedia.org/Illinois_House_of_Representatives_elections,_2016	13
Illinois House of Representatives elections, 2014, Ballotpedia, https://ballotpedia.org/Illinois_House_of_Representatives_elections,_2014	13
Illinois Residents Least Confident in Their State Government, Gallup (Feb. 17, 2016), http://www.gallup.com/poll/18928/Illinois-residents-least-confident-state-government.aspx	14
II. INDEPENDENT REDISTRICTING COMMISSIONS PROMOTE DEMOCRACY	14
Alaska Const. art. VI.....	15
Ariz. Const. art. 4, pt. 2, § 1	15
Ark. Const. 1874, art. 8.....	15
Cal. Const. art. XXI, § 2	15
Colo. Const. art. V, § 48	15
Mont. Const. art. V, § 14	15
N.J. Const. art. IV, § 3	15
Pa. Const. art. II, § 17	15
Wash. Const. art. II, § 43	15
Vt. Stat. Ann. tit. 17, ch. 34A	15
Nat'l Conference of State Legis., <i>Redistricting Law 2010</i> (2009)	15

Andrew Gelman & Gary King, <i>Enhancing Democracy Through Legislative Redistricting</i> , 88 Am. Pol. Sci. Rev. 541 (1994).....	15
Nicholas O. Stephanopoulos & Eric M. McGhee, <i>Partisan Gerrymandering and the Efficiency Gap</i> , 82 U. Chi. L. Rev. 831 (2015)	15
Bruce E. Cain <i>et al.</i> , <i>Redistricting and Electoral Competitiveness in State Legislative Elections</i> (Apr. 2007).....	16
Vladimir Kogan & Eric McGhee, <i>Redistricting California: An Evaluation of the Citizens Commission Final Plans</i> , 4 Cal. J. Pol. & Pol’y 1 (2012)	16
Nicholas O. Stephanopoulos, <i>The Consequences of Consequentialist Criteria</i> , 3 U.C. Irvine L. Rev. 669 (2013).....	16
Seth E. Masket <i>et al.</i> , <i>The Gerrymanderers Are Coming! Legislative Redistricting Won’t Affect Competition or Polarization Much, No Matter Who Does It</i> , 45 Pol. Sci. & Pol. 39 (2012).....	16
Jamie L. Carson & Michael H. Crespin, <i>The Effect of State Redistricting Methods on Electoral Competition in United States House of Representatives Races</i> , 4 State Pol. & Pol’y Q. 455 (2004).....	16
III. THE PROPOSED AMENDMENT FITS SQUARELY WITHIN THE ILLINOIS CONSTITUTION’S PROVISION FOR CONSTITUTIONAL BALLOT INITIATIVES.....	17
Ill. Const. 1970, art. IV, § 3(b).....	17
Ill. Const. 1970, art. XIV, § 3	18, 19
<i>Coalition for Political Honesty v. State Board of Elections</i> , 65 Ill. 2d 453 (1976)	17
<i>Clark v. State Board of Elections</i> , No. 14 CH 073 (Cir. Ct., Cook Cty., Chancery Div., June 27, 2014)	18
Cynthia Canary & Kent Redfield, <i>Partisanship, Representation and Redistricting: An Illinois Case Study</i> , Simon Review, Sept. 2014.....	17

Legislative Committee Report on Ill. Const. art. XIV,
6 Record of Proceedings, Sixth Illinois Constitutional
Convention Proceedings of the Constitutional
Convention 1399–1400 (1970) 17

CONCLUSION 20

INTEREST OF THE *AMICI CURIAE*

The *Amici* comprise a diverse group of business, consumer, and public interest organizations that represent a broad range of constituents, all with a profound interest in the welfare of this State. With respect to many of the issues that come before this Court in other cases, many of the *Amici* would likely vehemently disagree with one another and present the Court with widely different views. In this case, however, this diverse group speaks with a single voice. All of the *Amici* believe that the welfare of Illinois hinges on fair elections that produce legislators who represent and are responsive to the citizens they purport to represent. That, in turn, hinges on a redistricting process that is not under the control and direction of legislators driven by a desire to ensure their own re-election rather than by the public interest. The *Amici* are:

The League of Women Voters of Illinois is a non-partisan political organization that encourages informed and active participation in government and elections, works to increase understanding of public policy issues, and seeks to influence public policy through education and advocacy.

The Small Business Advocacy Council Illinois is a non-partisan organization that promotes the success of small business in Illinois through political advocacy, support services, and educational programs.

CHANGE Illinois is a statewide non-profit organization working to help make Illinois a national model for fair, open, and effective government. CHANGE (the Coalition for Honest and New Government Ethics) includes a diverse network of civic, business, labor, professional, non-profit, and philanthropic organizations committed to strengthening our democracy and promoting a vibrant culture of civic participation. The

coalition addresses issues that are essential to our democracy, including ballot access, competitive elections, government transparency, and fair and impartial redistricting.

The Illinois Campaign for Political Reform (ICPR) is a non-profit and non-partisan public interest organization that conducts research and advocates reforms to promote public participation and to encourage integrity, accountability, and transparency in Illinois government and election processes. ICPR has supported several efforts to reform the redistricting process in Illinois.

The Rockford Chamber of Commerce has been a leader in the Rockford community for more than 100 years. Over that time, it has helped thousands of businesses grow and expand and has been a constant advocate for investment in Rockford's quality of life.

The McCormick Foundation works to promote religious, charitable, scientific, literary, and educational endeavors. In particular, it has been the Foundation's goal to encourage and promote the education of the people of the State of Illinois in the principles of the Constitution. To that end, the Foundation's Democracy program focuses on civic education and engagement; high-quality journalism that informs and engages the public; and government institutions and practices accountable to the people.

The Champaign County Chamber of Commerce is a business association that works to facilitate business growth and the quality of life in Champaign County and the surrounding region through advocacy, available resources, and workforce development. The Chamber represents more than 1,100 members that employ more than 60,000 people in this State.

Business and Professional People for the Public Interest (BPI) has been an independent public interest law and policy center for nearly 50 years. BPI is dedicated to advancing innovative solutions to pressing issues of social justice and quality of life in the Chicago area. In particular, BPI is dedicated to promoting open, honest, and accountable government in Illinois.

The Sargent Shriver National Center on Poverty Law provides national leadership in advancing laws and policies that secure justice to improve the lives and opportunities of people living in poverty. One of the Center's core goals is to ensure that people living in poverty have a voice in determining the laws and policies that affect their lives and communities.

The Latino Policy Forum facilitates the involvement of Latinos at all levels of public decision-making. The Latino Policy Forum conducts analysis to inform, influence, and lead. Its goals are to improve education outcomes, advocate for affordable housing, promote just immigration policies, and engage diverse sectors of the community, with an understanding that advancing Latinos advances a shared future.

The Illinois Public Interest Research Group is dedicated to protecting the interests of the public, including securing the right to participate fully in a democratic society. The mission of the Illinois Public Interest Research Group is to protect consumers, encourage a fair and sustainable economy, and foster responsive, democratic government.

The West Rogers Park Community Organization is an all-volunteer, non-partisan, tax-exempt organization dedicated to improving the quality of life in Chicago's West Rogers Park/West Ridge neighborhood.

The Metropolitan Planning Council (MPC) has worked for more than 80 years to make the Chicago area a better place to live and work by partnering with businesses, communities, and governments to address the area's most difficult planning and development challenges. As an important part of that effort, MPC is dedicated to promoting policies that make government more efficient and responsive to the needs of citizens.

The Better Government Association is a non-partisan, non-profit organization with the mission of promoting integrity, transparency, and accountability in government by exposing waste, fraud and corruption, advocating effective public policy, informing and engaging the community, and holding public officials accountable.

The Chicago Southside Branch NAACP is devoted to ensuring the political, educational, social, and economic equality of rights of all persons and to eliminating racial hatred and discrimination. The NAACP seeks to remove the barriers of racial discrimination through democratic processes, to seek enactment and enforcement of federal, state, and local laws securing civil rights, to inform the public of the adverse effects of racial discrimination and to seek its elimination, to educate persons concerning their constitutional rights, and to take all lawful action to secure the exercise of those rights.

The Independent Voters of Illinois-Independent Precinct Organization has been in existence since 1944. Its mission is to achieve social justice through good government by increasing voter participation and knowledge, by providing a framework for candidate evaluation, and by electing responsive government officials.

The Union League Club of Chicago actively supports and promotes honesty and efficiency in government. The Club addresses a wide range of public policy issues through coalition building, supporting public information campaigns, sponsoring debates and forums, and testifying before legislative bodies.

The Illinois Farm Bureau (IFB) is a non-profit organization dedicated to providing improved agricultural education, better information for farmers, and more effective farming practices. IFB is regularly involved in seeking to pass legislation and lobbying lawmakers about agricultural issues.

The Naperville Area Chamber of Commerce is a non-profit association dedicated to creating and maintaining a strong and vibrant business climate. The Chamber has more than 1,300 members and works to promote and advocate for the local, state, and federal legislative interests of its members and the regional business community.

The Chicagoland Chamber of Commerce is a 113-year-old non-partisan, civic and business organization that advocates on behalf of its members and the broader business community to ensure a thriving and competitive economic climate in Chicagoland and Illinois. As the largest business organization in the State, the Chicagoland Chamber's more than 1,000 members, and their more than 400,000 employees and over \$24 billion in revenue, represent the breadth and depth of the business community.

Common Cause is an independent, non-partisan organization that works to create open, honest, and accountable government that serves the public interest; to promote equal rights, opportunity, and representation for all; and to empower all people to make their voices heard in the political process.

The Illinois Chamber of Commerce is the leading voice for business in Illinois. The Chamber's members represent the diversity of Illinois in business and industry sectors, geography, and company size. The Chamber's mission is to lead and serve its members, and the entire Illinois business community, and to be the unifying voice of Illinois business.

The Citizen Advocacy Center (CAC) is a non-profit, non-partisan, free community legal organization. Founded in 1994, CAC's mission is to build democracy for the 21st Century by strengthening the citizenry's capacities, resources, and institutions for self-governance.

The Civic Federation, founded in 1894, is an independent, non-partisan government research organization based in Chicago. The mission of The Civic Federation is to provide objective research, analysis, and recommendations that champion efficient delivery of high-quality government services, promote sustainable tax policies and responsible long-term financial planning, improve government transparency and accountability, and educate and serve as a resource for policymakers, opinion leaders, and the broader public. The Federation's membership includes business and professional leaders from a wide range of Chicago area corporations, professional service firms, and institutions.

The Commercial Club of Chicago was founded in 1877 and is the oldest civic organization in the city, representing approximately 325 senior business, professional, educational, and cultural leaders of Chicago. The mission of the Commercial Club is to improve the social and economic well-being of the Chicago region. Through the Club's Civic Committee, a group of senior executives of major Chicago area companies, the

Club works to address issues of major concern to the region and State. Some of its initiatives are: O'Hare Airport expansion, Chicago school reform, improvement of local government operation through the donation of private sector resources, and, most recently, working to address Illinois's fiscal crisis.

The Chicago Embassy Church has been serving the Englewood community in the City of Chicago since 1985. This community has been marginalized by district maps that combine it with far more affluent communities to the north, and farmland to the south, making it impossible for its representatives to champion any cause effectively for this community's unique needs. Equitable mapping will help to address that problem.

The Illinois Hispanic Chamber of Commerce helps entrepreneurs start, manage, and grow their companies, and is one of the largest, most active, and most innovative groups promoting Hispanic entrepreneurship in the country.

It is unlikely that this Court will soon encounter another group of *amici* as diverse, indeed divergent, as these. Yet these *Amici*—representing virtually every conceivable constituency and virtually every conceivable spot on the political spectrum, including non-partisan altogether—are united in their concern for the future of Illinois and their support for a ballot initiative that will allow the people of Illinois to have a meaningful voice in shaping that future. *Amici* urge the Court to reverse the decision below and allow the proposed ballot initiative to proceed.

BACKGROUND

Redistricting is broken in the State of Illinois. For more than 40 years, with a single exception, every time Illinois legislators have approached the task of redistricting, they have reached an impasse, and then the party in power has created a highly partisan

plan that favors incumbency over any other consideration. As a consequence, the people of Illinois have been denied competitive elections and have been saddled with too many legislators who care more about their own self-interest than the will of the people. The framers of the 1970 Illinois Constitution foresaw this scenario and provided for a citizen-led initiative to reclaim the redistricting process for the people. The *Amici* urge this Court to allow the people to seize the initiative and chart a new course for Illinois.

The General Assembly has had five opportunities to redraw the State House and Senate districts since the Illinois Constitution was adopted in 1970 (once each decade). The only time that Republicans and Democrats worked together to produce a consensus-driven redistricting plan was in 1971. Cynthia Canary & Kent Redfield, *Partisanship, Representation and Redistricting: An Illinois Case Study*, Simon Review, Sept. 2014, at 13. In 1981, 1991, and 2001, the General Assembly gridlocked, causing the backup commission to be convened, with the name of the tie-breaking voter on the commission literally pulled from a hat by random chance. *Id.* at 14–15; *see also* Ill. Const. 1970, art. IV, § 3(b). The result of this lottery was that in 1981 and 2001 the Democrats drew the state legislative lines, without input from Republicans, and in 1991 the Republicans drew the lines, similarly without the opposition’s input. Canary & Redfield, *supra*, at 14–15. In 2011, the Democrats had control of the General Assembly and Governorship and completely excluded the public and Republicans from the map-making process. The resulting redistricting plans disproportionately favored the election of Democrats, stifled political competition, and ensured that politicians chose their voters, not the other way around.

Frustrated with this process, even before the most recent round of redistricting, and aware that the Illinois Constitution can be changed by constitutional initiative, Ill. Const. 1970, art. XIV, § 3, the League of Women Voters gathered tens of thousands of signatures in 2008 seeking to put a question on the ballot asking voters to change the Constitution to institute an Independent Redistricting Commission (IRC). That entirely volunteer effort was unable to gather sufficient signatures, and so it was not until 2014 that a broader coalition of good government and civil rights organizations attempted to place another proposal for an IRC on the ballot. Thwarted again in 2014, the bipartisan coalition has since broadened further, and in 2016 more than 560,000 signatures were gathered across Illinois, from voters who want Illinois citizens to be able to choose whether to adopt a new, fair, and transparent process for redistricting in Illinois. The Illinois State Board of Elections certified the validity of those signatures, without any opposition.

It is against this backdrop that the undersigned *Amici* urge this Court to allow the constitutional amendment proposed by Support Independent Maps (“Independent Maps”) to be put to the voters in November 2016.

SUMMARY OF ARGUMENT

The appellant's brief demonstrates why, as a legal matter, the constitutional amendment proposed by Independent Maps fully complies with Article XIV, § 3 of the Illinois Constitution, and thus should be placed on the November 2016 ballot. This brief does not repeat those arguments, but rather seeks to place them in the context of redistricting reform efforts in Illinois and around the country, many of which have been led or supported by these *Amici*.

Part I explains how the democratic harms caused by self-interested legislators drawing their own district maps are becoming more and more severe, in particular due to increasingly sophisticated mapping technology. Part II shows that IRCs have been able to improve partisan fairness, competition, the number of contested elections, responsiveness, and representation when used in other states. Part III argues that the Independent Maps initiative is precisely the type of amendment that the framers of the 1970 Illinois Constitution contemplated when they drafted Article XIV, § 3.

ARGUMENT

I. Partisan Gerrymandering Is Worse Now Than Ever Before.

Political parties have long exploited the redistricting process to gain political advantage. The term “gerrymander” has been used to describe this activity since 1812, when the term was coined in response to a redistricting plan signed by Massachusetts Governor (and future Vice President) Elbridge Gerry. Gary W. Cox & Jonathan N. Katz, *Elbridge Gerry's Salamander: The Electoral Consequences of the Reapportionment Revolution* 3 (2002). The Boston Gazette published a cartoon showing that one of the districts in the redistricting plan, drawn for partisan gain, resembled a salamander. The

salamander district was drawn to benefit Gerry's Democratic-Republican Party, and soon the term "Gerry's salamander," or "Gerry-mander," was born.

Historically the work of drawing districts to advantage a particular party was done by hand with paper maps, pencils, and protractors, which could produce only relatively crude estimates of whether a redistricting plan would favor one political party or the other for the remainder of the decade. David Daley, *Ratf**ked: The True Story Behind the Secret Plan to Steal America's Democracy* 51–60 (2016). Until recently, to draw a district that would elect a candidate from a particular party, one would need to review past election results and demographic data manually to determine which areas of a state leaned Democratic and which leaned Republican. But technological advances have significantly changed the map-drawing process, making partisan gerrymandering much more precise and streamlined than ever before.

A. Technological sophistication is driving partisan gerrymandering.

Today, sophisticated Geographical Information Systems (GIS) software packages and computerized regression models can incorporate past election results, demographics, public records, and multiple commercial databases to make predictions, with pinpoint accuracy, of where supporters and opponents of particular parties and candidates live, and how those patterns will change as the decade unfolds. *Id.* at 51. These data can be used to evaluate the consequences of multiple district configurations, allowing map-drawers to craft and choose a redistricting plan that optimizes partisan gain. *Id.* at 60.

The results of the increased technological sophistication available to today's map-drawers can be seen in the degree to which parties have been able to benefit themselves (and harm their opponents) through redistricting plans. The extent of partisan advantage

in the current cycle’s state legislative redistricting plans is greater than at any time in the last 40 years. Nicholas O. Stephanopoulos & Eric M. McGhee, *Partisan Gerrymandering and the Efficiency Gap*, 82 U. Chi. L. Rev. 831, 872 (2015) (the efficiency gap “spiked in the 2012 election to the highest peak[] recorded in the modern era—...6.07 percent at the state house level, compared to an average of 4.94 percent in the four prior decades. The increase in the *magnitude* of gerrymandering thus is a very recent phenomenon ...”).

B. Partisan gerrymandering results in unresponsive and unaccountable legislators.

In Illinois, the consequences of partisan control of redistricting are straightforward: whoever has the power to draw the lines wins, and that party keeps winning for the remainder of the decade. Table 1 shows the number of seats gained by each party when it took control (or maintained control) of redistricting in Illinois from 1982 to the present. As the table shows, the party in control has consistently been able to manipulate the lines to increase the number of seats it holds.

Table 1 Partisan Gains Resulting from Adopting a New Legislative Map^{viii}					
	Map	House gains	Control	Senate Gains	Control
1982 Election	Dem	D +13	Turns D	D + 3	Stays D
1992 Election	Rep	R + 5	Stays D	R + 4	Turns R
2002 Election	Dem	D + 4	Stays D	D + 5	Turns D
2012 Election	Dem	D + 7	Stays D	D + 6	Stays D

Table 1: Partisan Gains from Adopting a New Legislative Map, Canary & Redfield, supra, at 20.

In addition to pursuing partisan advantage, map-drawers in Illinois have virtually guaranteed re-election for incumbents of both political parties, allowing many legislators to act without regard for the views of their constituents. If a district is safely drawn for

an incumbent, and therefore the election outcome pre-determined, there is little incentive for a challenger to raise the necessary funds and to put in the time and effort needed to run for election. Proof that re-election of incumbents is virtually guaranteed is shown in how many uncontested elections there are in Illinois. Table 2 indicates that the rate of uncontested elections has steadily risen from 1982 to 2016, from around 22% in 1982 to more than 60% of all seats being uncontested in 2016.

Uncontested seats (%)		
Year	House	Senate
1982	24%	20%
1992	15%	29%
2002	38%	54%
2012	60%	51%
2014	56%	53%
2016	64%	75%

Table 2: Percentage of seats uncontested in the House and Senate in the first year after redistricting, from 1982 to 2016, source data in Canary & Redfield, supra, at 22.¹

These figures underscore that the party empowered to draw the legislative map can exploit the process and reduce competition to the detriment of voters. As a consequence,

¹ Updated for 2014 and 2016 using Ballotpedia: Illinois State Senate elections, 2014, Ballotpedia, https://ballotpedia.org/Illinois_State_Senate_elections,_2014; Illinois State Senate elections, 2016, Ballotpedia, https://ballotpedia.org/Illinois_State_Senate_elections,_2016; Illinois House of Representatives elections, 2016, Ballotpedia, https://ballotpedia.org/Illinois_House_of_Representatives_elections,_2016; Illinois House of Representatives elections, 2014, Ballotpedia, https://ballotpedia.org/Illinois_House_of_Representatives_elections,_2014.

out of all 50 states, Illinois residents have the lowest level of confidence in state government.²

As long as map-drawers are able to create uncompetitive districts that entrench incumbents, their constituents, the *Amici*, and the public in general will be unable to hold legislators accountable for their work and votes in office. The *Amici* do not agree with one another on every policy issue, but they do agree that legislative races should be competitive, legislators should be responsive to the views of constituents, and legislators should be held accountable for their actions as representatives of the people of Illinois. Today, these aspirations too often are not reality in Illinois, and the reason is the broken redistricting system.

II. Independent Redistricting Commissions Promote Democracy.

Given the undemocratic outcomes that result from legislators drawing redistricting plans, it is little wonder that citizens around the country have turned to IRCs to try to level the playing field. The fundamental problem with legislators drawing their own lines is that they are self-interested, and once elected from the safe districts they have drawn for themselves, they are largely unaccountable to the voters. The solution, then, is to remove the self-interest from the process. IRCs do just that.

There are different models around the country for IRCs, but the most transparent and least political ones are those used in California and Arizona. These states choose qualified individuals from the pool of voters to work together as a Citizens' Commission; require the balance of power to be held by independent voters rather than partisans; and

² Illinois Residents Least Confident in Their State Government, Gallup (Feb. 17, 2016), <http://www.gallup.com/poll/189281/Illinois-residents-least-confident-state-government.aspx>.

require an open process with public input before and after draft maps are drawn.³ The constitutional amendment proposed by Independent Maps is consistent with (and indeed inspired by) these models.

Notably, almost every IRC used around the country relies on officers outside the legislature to choose commission members, to choose a final tie-breaking member in the event that the regular process breaks down, or to be involved in the certification of the final plan. Alaska Const. art. VI; Ariz. Const. art. 4, pt. 2 § 1; Ark. Const. 1874, art. 8; Cal. Const. art. XXI, § 2; Colo. Const. art. V, § 48; Mont. Const. art. V, § 14; N.J. Const. art. IV, § 3; Pa. Const. art. II, § 17; Wash. Const. art. II, § 43; Vt. Stat. Ann. tit. 17, ch. 34A; *see also* Nat'l Conf. of State Legis., *Redistricting Law 2010*, 163–68 (2009). These non-legislative officials' involvement is crucial to ensuring that the commissions are independent rather than beholden to one political party.

IRCs have been shown empirically to improve multiple indicators of democracy. As set forth below, partisan fairness, the number of contested elections, competitiveness, and responsiveness are all better in states where districts are drawn by IRCs.

Partisan fairness. There are two measures of partisan fairness used by political scientists: partisan bias and the efficiency gap. Andrew Gelman & Gary King, *Enhancing Democracy Through Legislative Redistricting*, 88 Am. Pol. Sci. Rev. 541 (1994); Stephanopoulos & McGhee, *supra*. For each metric, a higher number indicates greater partisan advantage for one side over the other. That is, with a higher partisan bias or efficiency gap score, voters from each party are treated more unequally with respect to converting votes into seats. Both metrics have been shown to decrease significantly

³ For a complete list of the types of commissions used for drawing legislative district plans, *see* Nat'l Conf. of State Legis., *Redistricting Law 2010*, 163–68 (2009).

when IRCs are used (showing increased partisan fairness). Bruce E. Cain *et al.*, *Redistricting and Electoral Competitiveness in State Legislative Elections* 12 (Apr. 2007); Vladimir Kogan & Eric McGhee, *Redistricting California: An Evaluation of the Citizens Commission Final Plans*, 4 Cal. J. Pol. & Pol’y 1, 16–17 (2012); Nicholas O. Stephanopoulos, *The Consequences of Consequentialist Criteria*, 3 U.C. Irvine L. Rev. 669, 692 (2013).

Competitiveness. Additionally, more districts are contested in states with IRC-drawn maps than in those with legislatively enacted plans. Cain *et al.*, *supra*, at 16; Seth E. Masket *et al.*, *The Gerrymanderers Are Coming! Legislative Redistricting Won’t Affect Competition or Polarization Much, No Matter Who Does It*, 45 Pol. Sci. & Pol. 39, 42 (2012). Competitiveness can be measured as well by the size of the margin of victory, with margins of less than 10 points (*i.e.*, 45–55% votes for either side) being considered competitive. IRCs produce more districts that are decided by 10 points or less. Cain *et al.*, *supra*, at 16; Jamie L. Carson & Michael H. Crespin, *The Effect of State Redistricting Methods on Electoral Competition in United States House of Representatives Races*, 4 State Pol. & Pol’y Q. 455, 461–62 (2004).

Responsiveness. Finally, responsiveness is measured with respect to a redistricting plan in its entirety, and denotes the rate at which seats change in response to shifts in voter sentiment. Higher responsiveness is generally considered better than lower responsiveness, since the latter prevents changes in public opinion from producing changes in the makeup of the legislature. Maps drawn by IRCs have been found to produce legislatures that are dramatically more responsive than those produced by plans enacted by legislatures themselves. Cain *et al.*, *supra*, at 16.

III. The Proposed Amendment Fits Squarely Within The Illinois Constitution's Provision For Constitutional Ballot Initiatives.

The framers of the 1970 Illinois Constitution understood that removing legislative self-interest from the redistricting process would be a good thing for democracy in Illinois. This is why the framers adopted the randomly drawn “tie breaker” for the backup commission, Ill. Const. 1970, art. IV, § 3(b), which would be used if legislative gridlock led to no agreement on a new redistricting plan. They specifically chose this mechanism because “[t]he framers believed that the tiebreaker would be assiduously avoided, as both parties would recognize that a compromise map would better serve their interests than one controlled by the other party.” Canary & Redfield, *supra*, at 13. Unfortunately, this is not how redistricting has unfolded since 1970.

Thankfully, the framers also realized that they should provide a mechanism for the people of Illinois to hold their leaders in check in case problems arose after the constitutional language had been set: the constitutional ballot initiative. Rather than establishing a broad right to direct democracy, the delegates favored a “limited constitutional initiative proposal for the Legislative Article” because “members of the General Assembly have a greater vested interest in the legislative branch of government than any other branch or phase of governmental activity” and thus are less likely to reform democracy in a way that conflicts with their own advantage. *Coalition for Political Honesty v. State Bd. of Elections*, 65 Ill. 2d 453, 467 (1976); Legislative Committee Report on Ill. Const. art. XIV, 6 Record of Proceedings, Sixth Illinois Constitutional Convention Proceedings of the Constitutional Convention 1399–1400 (1970).

What the framers anticipated has now been realized. Legislative self-interest has proved an insurmountable obstacle to the drawing of fair district lines under the current redistricting regime. More than half a million Illinois voters have accordingly signed a petition asking that the citizenry as a whole be allowed to choose whether to change the State's fundamentally broken redistricting process. The framers of the Illinois Constitution set up a way for the people to impose checks and balances in areas where legislators may be self-interested. These voters and the *Amici* support the Independent Maps initiative because it embodies and implements the citizen-led process envisioned by the framers. This Court should allow this democratic dialogue to continue.

Two circuit court decisions—one of them the decision in this case—have found that redistricting reform relates to structural and procedural subjects contained in Article IV of the Illinois Constitution. *See* C367–403; *Clark v. State Bd. of Elections*, No. 14 CH 073 (Cir. Ct., Cook Cty., Chancery Div., June 27, 2014) (C174–84). The central question for this Court, though it is dressed up by the Plaintiffs-Appellees as seven separate arguments, is whether the particular ballot initiative language before the Court is “limited to” such subjects. For Article XIV, § 3 of the Illinois Constitution to have any meaning, it cannot be that a subject that has been judged twice to be clearly “structural and procedural” has no way to make it onto the ballot. To hold otherwise would be to erect an immovable roadblock that would prevent the people from using the mechanism the framers provided to address a political breakdown in the redistricting process.

Without relying on officers like the Auditor General and the Justices of the Supreme Court, who are independent of the General Assembly, an IRC would remain covered by the fingerprints of the legislative parties. Reformers across the country have

realized this as they have introduced IRCs. As set out in Part II above, IRCs in Alaska, Arizona, Arkansas, California, Colorado, Montana, New Jersey, Pennsylvania, Washington, and Vermont all use non-legislative officers to ensure that the redistricting process is truly independent. Without the use of non-legislative officers, an IRC in Illinois would be meaningless, and so too would be the command of Art. XIV, § 3 to allow the people to vote to reform the political process in Illinois.

The Illinois Constitution's framers wished to allow the voices of the people to be heard above the self-interest of legislators, through a ballot initiative process to amend Article IV of the Constitution. The Independent Maps initiative embodies such a process. The *Amici* urge this Court to allow democracy to prevail and to let the people have their vote.

CONCLUSION

For the reasons set forth above, this Court should hold that the Independent Maps Amendment ballot initiative is constitutional and therefore reverse the decision of the Cook County Circuit Court.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this Brief conforms to the requirements of Rules 345, 341(a) and 341(b). The length of this Brief, excluding the pages containing the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, and the certificate of service, is 21 pages.

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CERTIFICATE OF FILING AND SERVICE

I, Constantine L. Trela, Jr., an attorney, hereby certify that on July 28, 2016, I caused to be served a true and correct copy of the foregoing Brief of *Amici Curiae* League of Women Voters of Illinois, *et al.* in Support of Intervenor-Defendant-Appellant to be filed electronically with the Clerk of the Illinois Supreme Court, and copies to be served by electronic mail to each of the following:

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