

"Federation Corner" column
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Redistricting the County Council

by Charles Wolff

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[NOTE: As background for the following piece, it may be helpful to remind the less politically aware readers of this column that the Montgomery County Council is currently composed of nine members--four at-large members elected by voters countywide, and the remaining five members each of whom is elected from one of the five Council Districts into which the county is now divided. Since the population of the county is roughly 960,000 persons, each District Council member represents an area of the county that at this time contains approximately 192,000 constituents.]

After the 2010 census results are available, the Montgomery County Charter requires that a nine member Redistricting Commission be appointed to propose new borders for the county's five councilmanic districts. The two big political parties dominate this process by nominating slates of party members for the Redistricting Commission. The County Council then appoints four from each slate and adds a ninth of its own choosing.

This gives no representation to the 24% of the electorate that is not registered as a Democrat or Republican unless the Council fills the ninth seat with such a non-affiliated person. There are few qualifications for membership on the Redistricting Commission, beyond having at least one member from each of the current councilmanic districts and no elected office holders.

To see if all this could be made less partisan and more fair by adding extra guidelines, I proposed to the Montgomery County Charter Review Commission that it study what is done in other places and recommend whatever seems appropriate for Montgomery County as an amendment to our charter. A few results of their study follow.

Think tanks on the left (Brookings) and right (Cato) of the political spectrum agree with most "good government" groups that a more neutral process is needed. For example, the American Bar Association said, "...the redistricting power must be removed from partisan hands and assigned to independent commissions".

About a dozen states (Arizona, California, Florida, Hawaii, Indiana, Iowa, Minnesota, Montana, New Jersey, Ohio, and Washington) now use redistricting commissions that have varying degrees of independence from politics. Virtually all require that districts be compact, contiguous, and of equal population. These three are the only conditions used by the Montgomery County Redistricting Commission. Valuable additional criteria that many of these states require are:

- 1) Draw no lines to help or hurt an incumbent, a party, or a group.
- 2) Don't split cities, counties, or towns if possible.
- 3) Align boundaries with natural geographic features.
- 4) Encourage political competitiveness.

Surprisingly, the qualifications for serving on a redistricting commission are few to none in most cases, including in our county. Disqualification of those holding an elective office is common.

After the Charter Review Commission had the full results of the study, I suggested some ways they might wish to amend the County Charter:

- 1) Add standards for drawing district lines (those numbered items listed above).
- 2) Set qualifications for being appointed to the Montgomery County Redistricting Commission.

3) Choose Redistricting Commission members who are broadly representative of society at large, with only a few primarily identified with politics.

On January 13th of this year, the members of the Charter Review Commission voted to do nothing. Some felt that there was insufficient need for reform even though I reminded them of the probable gerrymandering in 1990 that put two incumbent council members, Betty Ann Krahnke and Nancy Dacek, in the same district. That almost certainly would not have been done if they had belonged to the majority (Democrat) party. The potential for similar mischief still exists between the two factions of the present council, and this division could affect future primary elections.

All is not lost. Redistricting likely will not occur until 2013 because the census results come out too late for the 2010 elections. A new Charter Review Commission will be appointed next year. There is time for it to act. Alternatively, citizens could take action on their own initiative and place an item on the 2012 ballot by petition.

The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to theelms518@earthlink.net