



## Gerrymandering - Lebanon Co. Style

My name is Duncan MacLean. I am a retired medical doctor who has lived and practiced almost all of my professional life in Pennsylvania, including the last 14 years in South Lebanon Township.

I am a registered Republican, and have voted in every election since becoming eligible. I grew up in Latin America as the son of an international businessman, and so am keenly aware of how precious and fragile is our American democracy.

I have been attracted to the non-partisan push against gerrymandering sponsored by the League of Women Voters and Fair Districts PA. I was a rank-and-file volunteer and signed onto their email list, but have not served in any leadership capacity. I have had several letters to the editor published in the Patriot-News, Lebtown online and Q'Hubo.

I present this testimony in favor of fair districts by explaining how gerrymandering has hit close to my home in house District 102.

Published Letters to the Editor:

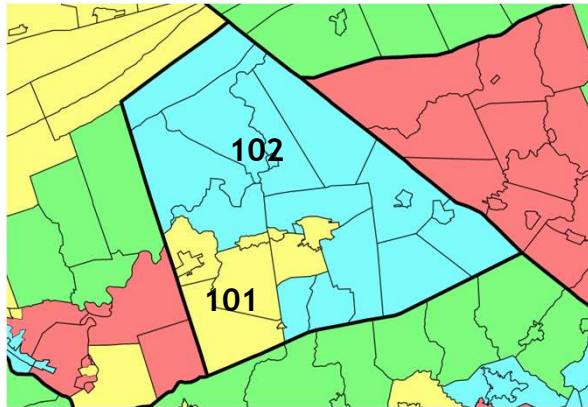
- Pongamos fin a la guerrimandaje, Q'Hubo, February 15,2021
- ¿Qué te importa?, Q'Hubo, January 2021
- Regional elections for high court judges is a bad idea, Lebtown, July 30, 2020
- Let Impartial 'Jury' Fix Gerrymandering, PennLive.com, September 13, 2019

## Definition: Gerrymandering

- ▶ The practice of dividing or arranging a territorial unit into election districts in a way that gives one political party an unfair advantage in elections
  - ▶ - Merriam-Webster.com

This is the definition of gerrymandering.

## Lebanon County's House Districts 2001



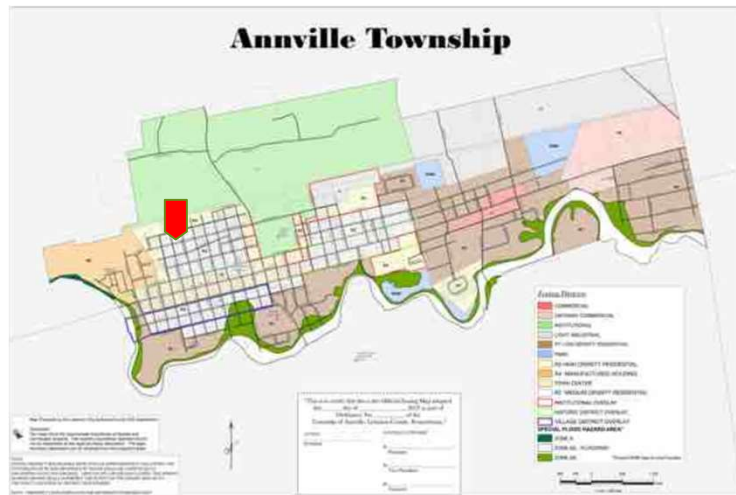
Here's my story about gerrymandering.

The story starts with an official named Rosemarie Swanger who served in Lebanon City government starting 1966 and worked her way up to County Commissioner where she served for 20 years. Then she ran in 2006 on the Republican ticket for the state House from District 102, where she ably served for 4 terms. As she approached her 70<sup>th</sup> birthday she began succession planning.

This much is a matter of record.

The next part of this is unverified and perhaps unverifiable, but tells a story. Rep. Swanger and the senior county commissioner Bill Ames found an up-and-coming Republican candidate to succeed her. His name was Russell Diamond, a protégé of the commissioner, with whom he had a connection through the local Vo-Tech school.

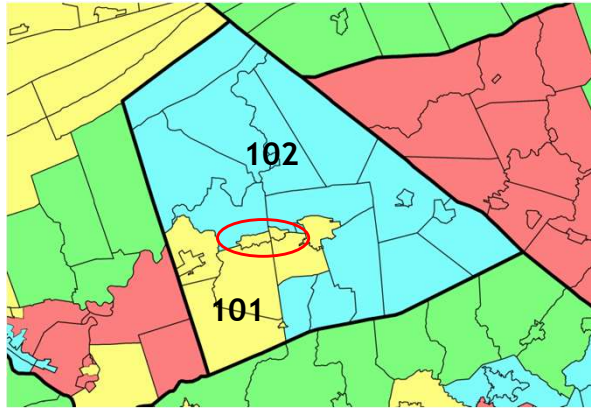
## Mr. Diamond's Problem



There was just one problem. Mr. Diamond lived in Annville Township in House District **101**, *not* in District 102 – see the red arrow.

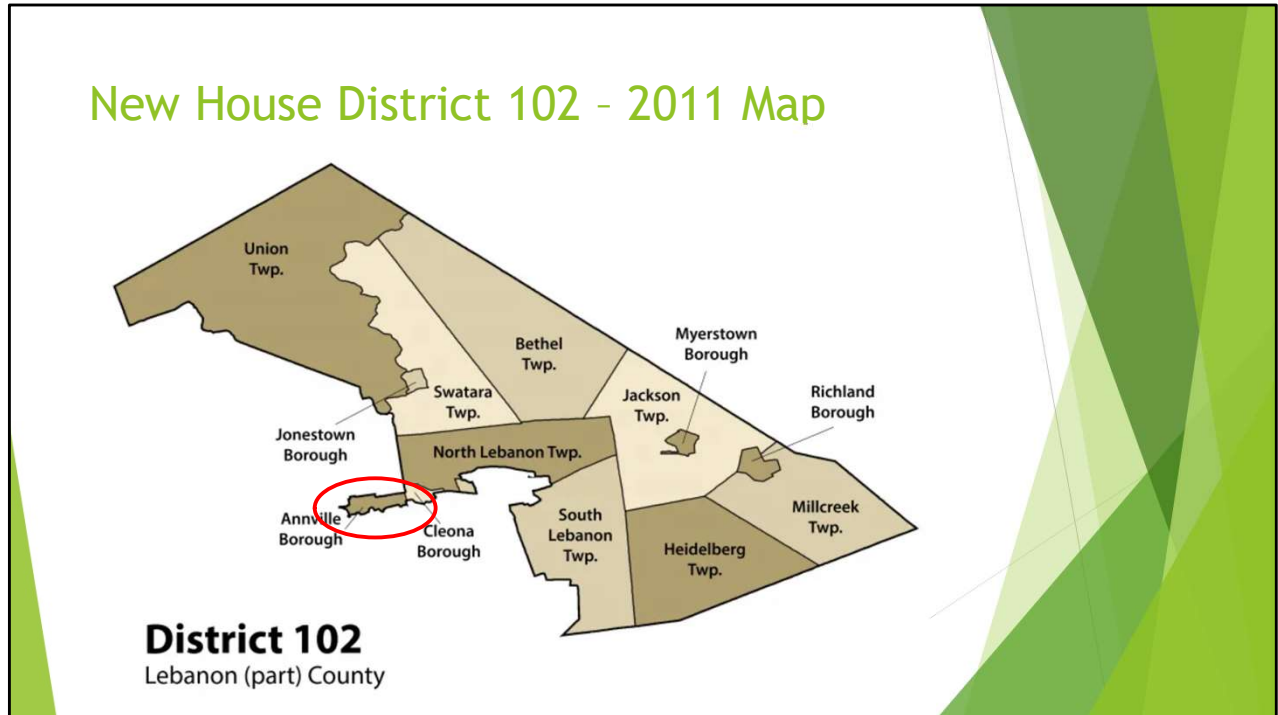
But wait. After the 2010 census, district lines were being redrawn! Couldn't the line drawers fix this? After all, under Karl Rove's Redmap initiative (targeting Pennsylvania and other swing states), the Pennsylvania Republican Party now controlled both the General Assembly and Governor's mansion. Thus, they *could* draw new district lines with no one to get in their way.

## Annville Borough in 2001 Map



So, here's the 2001 map showing Annville Borough in District 101.

## New House District 102 - 2011 Map



Voila! Problem solved! The new 2011 map switched Annville over to District 102!

And this did comply with the Constitutional requirement not to divide municipalities and townships! (Pay no attention to the requirement for “compactness.”)

We can’t verify the motives of the line drawers, but we see with our own eyes the “Annville tentacle” added to District 102 under the 2011 map (which was approved by the Supreme Court only in 2013, just in time for Rep. Diamond’s first run for office the following year).

## Rep. Diamond is in a “safe seat”

- ▶ May 2014 primary - 2 other Republicans were removed (Bechtold, Eisenhauer) - **won primary with 1,961 votes** (Note: For comparison, 31,000 voted in 2020 general election)
- ▶ November 2014 - won general election with 48% of vote
- ▶ May 2016 primary - won with 6200 votes (**55%**)
- ▶ November 2016 - won general election with **70%** of vote
- ▶ **Unopposed in 2018** primary and general elections
- ▶ **Unopposed in 2020 primary**; won general election with **70%** of vote

Sources: Ballotpedia.org; LebCounty.org

So, now Rep. Diamond is in a safe seat, often unopposed or prevailing with 55 – 70 percent of votes. A nice job if you can get it at \$90,000 salary and \$178 per diem.

## What This Means

- ▶ Rep. Diamond owes his job to the party
- ▶ He will support party leaders policies and power
- ▶ This is “efficient” for the party and its donors
  - ▶ Rep. Diamond’s re-election costs only about \$25,000 per cycle (less than \$1.00 per vote!)
- ▶ Rep. Diamond and party leaders can focus on maintaining their power and their donors’ interests
  - ▶ Can ignore voters’ needs and will

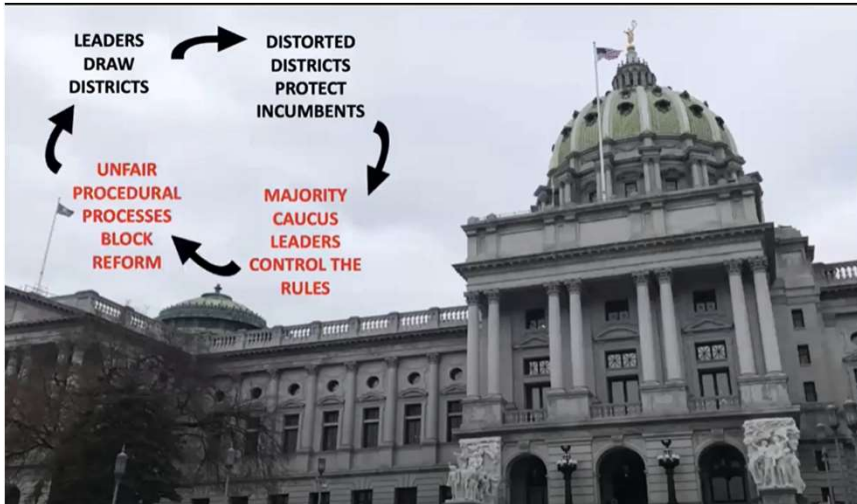
Rep. Diamond does work hard at his job.

But he also needs the map with its Annville pseudopod to keep his seat. And so he is beholden to the map drawers, who are the party leaders. The leaders can expect him to support their power and their agenda, and Rep. Diamond can expect them to design a district that contains his residence and is safe for his reelection.

This is “efficient” for Diamond, for the leaders, and for their donors, only about \$1.00 per vote per election cycle. But this allows Diamond and the party leaders to give less attention to the needs and will of the voters, as I’ll illustrate, and arguably to pay more attention to corporate donors.



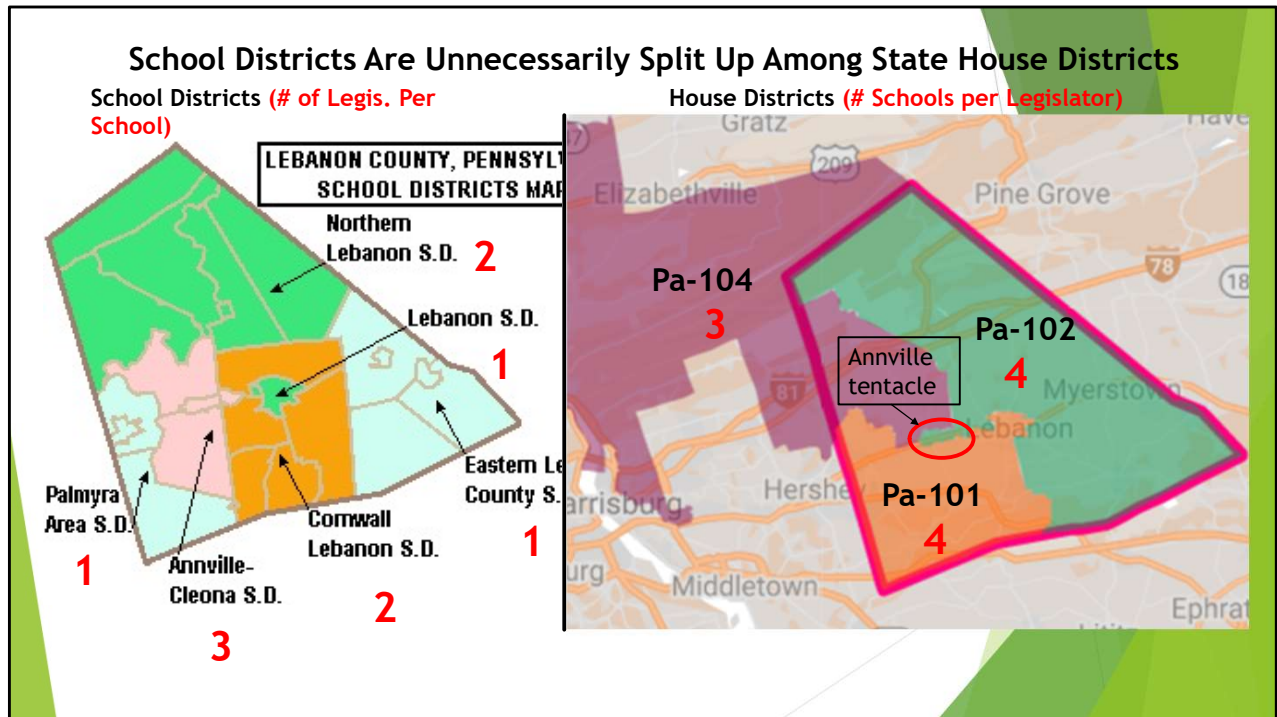
## How Party Leaders Control the Agenda



How do they do this? Using procedural rules. At the beginning of each 2-year legislative session, the House and Senate set up the procedural rules. Newly elected and reelected representatives vote on these rules. And guess what – the representatives, who owe their jobs to the party leaders, vote for rules that give those leaders and their appointed committee chairs complete control over what bills are put on the agenda, which ones amended, and which ones sent to the floor for full votes.

Let's look at four examples of consequences impacting my district:

- No attention to the teachers pension shortfall
- No attention to high lead levels in Lebanon City kids
- Irresponsible posturing on COVID-19 public health measures
- Blocking the redistricting reform amendment



As other citizens have testified, school districts are unnecessarily split up among representative districts. This weakens the ability of school districts to demand reform of the teachers' pension system, for example. It also means that families in Lebanon City with a lead exposure problem compete for attention with families in 3 other rich districts without any lead problems in District 101.

The combination of weakened accountability to school districts and strengthened power of party leaders allows Rep. Diamond and his leadership to ignore the pension issue and the lead issue.

## No Action: Teachers Pension Fund



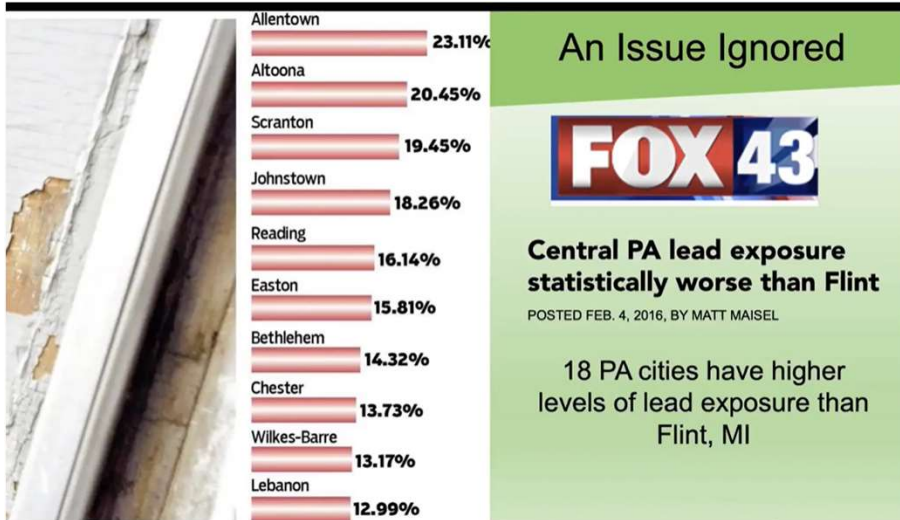
**What is PSERS? A look inside the Pa. pension fund being investigated by the FBI**

WALLACE MCKELVEY  
pennlive.com (TNS)

JUN 16, 2021 12:51 PM

No action on the teachers pension fund shortfall. In fact, PSERS is now being investigated by the FBI due to inaction.

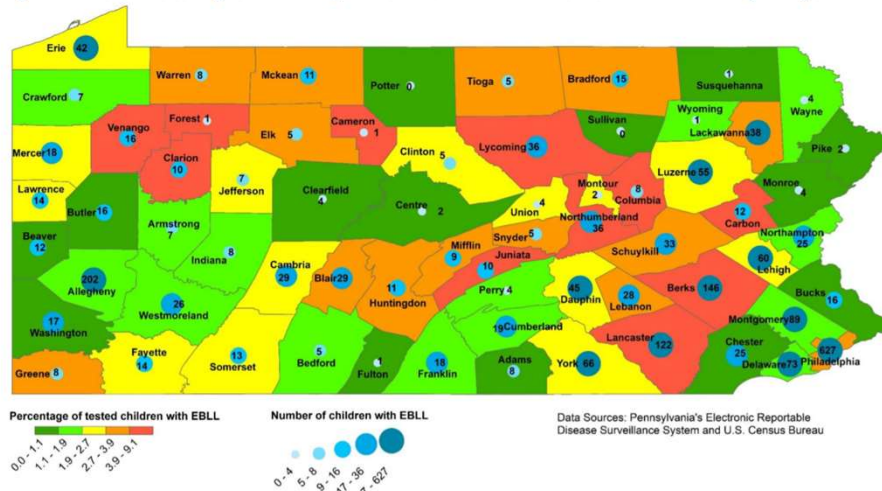
## No Action: Lead Levels



Regarding lead, 18 cities in Pennsylvania have higher percentages of kids with high blood lead levels than Flint Michigan, including Lebanon, where I live.

## No Action: Lead Levels

Figure 2: Number and Percentage\* of Children Aged 0–23 Months with Confirmed Elevated Blood Lead Level by County, 2019



\*Percentage was calculated by dividing the number of children aged 0–23 months with EBLL by the total number of children aged 0–23 months tested for blood lead level in 2019.

This shows that a cluster of lead problems is in southcentral Pennsylvania counties. So we should expect our representatives to be taking the lead on this issue! Instead, they are playing political performance games

# Gerrymandering Produces “Performative Politics”

January 31, 2020

STATE REPRESENTATIVE  
**RUSS DIAMOND**  
Serving the 102nd Legislative District

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*House rules prevent the district-wide sending of legislative emails immediately prior to certain elections. You can ensure that you'll still receive my news updates without interruption by clicking here.*

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**Representative Russ Diamond**  
**E-Newsletter**  
Working for Pennsylvania's 102nd District: Lebanon County

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Friday, January 31, 2020


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**Coronavirus: What You Need to Know**

With Coronavirus having been confirmed in five U.S. states so far, the Pennsylvania Department of Health is urging citizens to learn more about the virus and how to protect yourself.

Coronaviruses are a large family of viruses that are common throughout the world. They can make people and animals, such as camels, cats and bats, sick. These viruses, at times, can evolve and infect people, then spread through human to human contact, just like the flu or a cold.


Symptoms are also similar to flu or cold, including runny nose, headache, cough, sore throat, fever and a general feeling of not being well. The virus can sometimes cause lower-respiratory tract infections as well.



January 28, 2021

HOME MEMBERS NEWSROOM PA PRIORITIES

**House State Government Committee Election Law Hearing**  
JAN. 28, 2021 / EMBED  
Election Law hearing with various state and county officials concerning Pennsylvania's SURE system/IT.



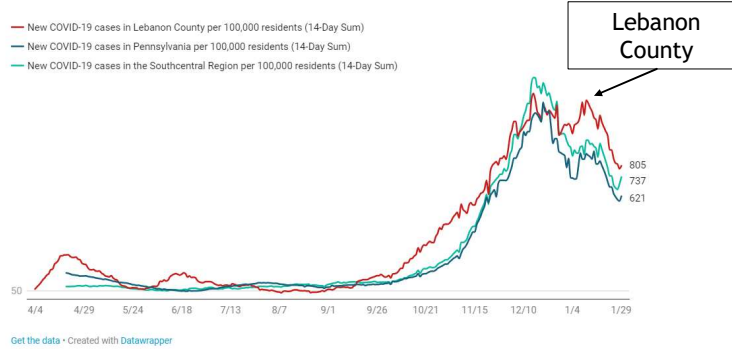
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As an example troubling to me as a physician, consider this. At the beginning of the pandemic in 2020, Rep. Diamond fully supported the Department of Health’s efforts to inform the public and promote control measures. But one year later, he was undermining efforts by public health officials, notably by ostentatiously defying the mask-wearing guidance.



## Irresponsible “Performative Politics” Has Real Consequences

Lastly, here’s new cases on a rolling 14-day sum per 100,000 people in Lebanon County.



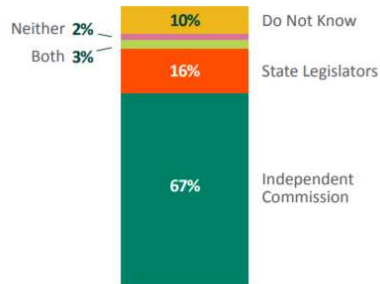
By modeling, amplifying, and instigating behaviors that increased COVID-19 transmission, Rep. Diamond and others like him arguably contributed to Lebanon County leading the state in case rates for a time in spring 2021. I presume that he thought that his posturing would gain him support from his more extremely partisan primary voters and from his party overseers, but certainly not from me and other moderates!

## No Action: Redistricting Reform

- ▶ 67% of Pennsylvania-registered voters support an independent commission to draw state legislative districts.

### REDISTRICTING PREFERENCES, PA-REGISTERED VOTERS

State legislative districts are currently re-drawn every 10 years based on changes to the state's population. New legislative districts are re-drawn by state legislators and the state supreme court. Do you think state legislative districts should be created by an independent commission or do you think these districts should continue to be drawn by state legislators?



- ▶ Source: Center for Opinion Research at Franklin & Marshall College, September 2019

Here's another example of how the powerful simply ignore the will of the people.

Fair Districts PA and the League of Women Voters gathered over 100,000 petition signatures supporting an independent citizens redistricting commission. In addition 390 governing bodies, including 24 county commissions representing over 9 million Pennsylvanians, adopted resolutions in support. A Franklin & Marshall poll in 2019 showed 67percent of Pennsylvanians supporting an independent commission. But bills were never even given a vote in committee, including by Rep. Diamond as a member of the key State Government Committee, much less in the full General Assembly.



## We Understand

- ▶ The “Annville tentacle” is not the root of every problem, but is only a symptom of power for the powerful instead of for the common good
- ▶ No map will be perfect
- ▶ Redistricting reform will not solve every problem in our state
- ▶ But redistricting reform is a good first step - without it, few other reforms will work

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## What We Want

- ▶ No “Anville tentacles” that serve the party leaders and their cronies
- ▶ Fair districts
  - ▶ Compact, contiguous, roughly equal populations
  - ▶ Avoid dividing up existing civic entities including school districts
  - ▶ Non-discriminatory based on race
  - ▶ Responsive to voters, competitive, reflective of ‘communities of interest’

What we don't want is obvious hyper-partisan gerrymandering like the Anville tentacle that benefit a candidate or incumbent but not the public good. We want a good-faith effort at maps that look fair, feel fair to constituents, and measure up objectively as fair – responsive, competitive, reflective of community interests.



Thank You

Thank you for allowing me to present this testimony.