



Nonprofits Engaging in REDISTRICTING:

Crossing the "T"s and Dotting the "I"s
on Lobbying & Other Legal Restrictions

December 14, 2010

Sponsored by Ford Foundation

Process of redrawing electoral districts



What is REDISTRICTING?

- Determines the allocation of political power
- Affects who sets our policies for the next decade
- Way to engage communities and talk about our democracy
- Follow up to the Census

Why Redistricting MATTERS?

- Protects incumbents
- Creates partisan safe havens
- Eliminates incumbents or challengers
- Dilutes minority votes
- Splits communities



Redistricting CONCERNS

- Varies from state to state
- Varies depending on district (Congressional, state legislative, city council, school board, etc.)
- Options
 - ❖ Legislature
 - ❖ Independent Commission
 - ❖ Politician Commission
 - ❖ Backup Commission
 - ❖ Advisory Commission

Redistricting PROCESS



*The Mississippi
State Legislature*

The Standing Joint Congressional Redistricting Committee
The Standing Joint Legislative Committee on Reapportionment Redistricting

- | | |
|---|--------------------------------------|
| Congressional Plan | Committee Membership |
| House Legislative Plan | Related Links |
| Senate Legislative Plan | Contact Us |

[Hearing Schedule](#)
[Access Policy](#)

INFORMATION PRESENTED AT PUBLIC HEARINGS

- Advocate for how process will occur
- Identify and map local communities
- Demand and attend hearings and encourage public input
- Participate in Commissions (if possible)
- Draw redistricting maps
- Educate public and media
- Urge transparency in the process

Limits for 501(c)(3)s?

How to PARTICIPATE

	501(c)(3)	501(c)(4)	Political Organizations
Examples	Alliance for Justice LCV Education Fund	AFJ Action Campaign LCV	Connected/SSF LCV PAC Independent Emily's List
Tax Treatment	Tax-Exempt Contributions tax-deductible Private Foundation grants	Tax-Exempt	Tax-Exempt
Lobbying Activities	Limited	Unlimited	Rare and usually taxable
Electoral Activities	Cannot support or oppose a candidate for office	Secondary activity Follow federal and state election law	Usually, sole activity

Organizing

Public Education

Nonpartisan Voter Ed.

Organize a Rally

Educate Legislators

PARTISAN POLITICAL

Lobbying Exceptions

Regulatory Efforts

Get to Know Legislators

Educational Conferences

LOBBYING

Litigation

Research

Training

Avenues for **ADVOCACY**


INSUBSTANTIAL PART TEST

1. Default test
2. What is "insubstantial"?
3. Lobbying not defined
4. Activities-based
5. Penalty

or

501(H) EXPENDITURE TEST

1. Dollar-based limits
2. One-time election – IRS Form 5768
3. Expenditures only
4. Definition of lobbying
5. Penalty less severe



How much LOBBYING?



1. Calculate organization's *"Exempt Purpose Expenditures"*
2. Overall lobbying limit

ANNUAL EXPENDITURES	OVERALL LOBBYING LIMIT
\$500,000 or less	20%
\$500,000 to \$1 million	\$100,000 + 15% of excess over \$500,000
\$1 million to \$1.5 million	\$175,000 + 10% of excess over \$1 million
\$1.5 million to \$17 million	\$225,000 + 5% of excess over \$1.5 million
Over \$17 million	\$1,000,000
3. Grassroots lobbying limit is 25% of overall limit

DIRECT

Communication
Legislator

Expresses a view about specific legislation


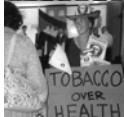
What is LOBBYING?

GRASSROOTS


Communication
General public

Expresses a view about specific legislation


Call to action

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Federal
 Members of Congress

State
 State Legislature

Local
 City Council, County Board of Supervisors

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President, governor, mayor or other executive official who participates in the formulation of legislation

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SPECIAL "LEGISLATOR" RULE

Members of the general public are "legislators"

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NOT "LEGISLATORS"

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FLORIDA STATE CONFERENCE NAACP ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Pub. No. 10368
First Congress, Public Law 103
April 13, 2010

FLORIDA NAACP ENDORSES FAIR DISTRICTS GUIDE

What is Fair Districts Florida?

A citizen-sponsored ballot initiative that has successfully placed two measures on the ballot for Florida's two 2 general election districts. The other districts are Florida's state legislative districts. If the measures are approved by voters, they will become amendments to the Florida Constitution and will mandate for how the Legislature draw electoral districts in the future.

What is the main purpose of the proposed amendments?

Local responses to the call for reform, the Business Center has endorsed four basic principles that we believe should be part of any meaningful redistricting proposal:

1. **First, an independent process.** When legislatures are intensely involved in drawing their own district lines, there is an inherent temptation to consider the public interest only in terms of partisan gain. The authority responsible for redistricting in New York State – and one in response, the redistricting commission – should be completely independent from either legislative or executive branch obligations, and possible even free from any party support. This does not mean a process devoid of public, so our first discussion is about public input. The difference is that in a truly independent process, there is a particular incentive to look out congressional challenges and not give undue weight to the party.

2. **Second, a diverse representative body.** The need to overcome the competing and complementary interests involved in the redistricting process means that to gain the confidence of the public, the redistricting body must be reasonably diverse. These representatives drawing district lines should reflect single geographic, racial, ethnic, and political diversity, so as to

Action Needed:

Contact U.S. Secretary of State Hillary Rodham Clinton as well as your U.S. Senators and Representative to urge them to support these efforts in Haiti to rebuild infrastructure, to develop a viable economy, to keep peace and to protect human rights until a truly democratic Haitian Government can do so.

<p>DIRECT</p> <p>Communication</p> <p>Legislator</p> <p>Expresses a view about specific legislation</p>	<p>Solution:</p> <p>While Gray Panthers supports the worthy appropriations that are being included in the bill, we cannot let politicians use a political ploy to continue funding the war. These appropriations should be passed as separate bills and should not be implemented at the expense of the thousands of troops and innocent civilians' lives.</p> <p>We must support peace now. Continuing to provide funding for the escalation of troops in Afghanistan is NOT acceptable. Instead, the U.S. must develop a clear exit strategy for military occupation in Afghanistan. Rep. Jim McGovern and Rep. Walter Jones have bravely introduced H.R. 5015 to "require the President to develop a flexible timetable to draw down U.S. troops from Afghanistan."</p> <p>After being stalled due to concerns of overspending, this legislation is now up for vote in the House following the Memorial Day recess (Congress will return June 7th, 2010). We must take action to encourage elected officials to support peaceful efforts to ending the war.</p> <p>Action Needed:</p> <p>The following U.S. Representatives are members of the House Appropriations Committee:</p> <ul style="list-style-type: none"> • Rep. David Obey (D-OH) - Chairman (202)-225-3365 • Rep. Sam Farr (D-CA) - (202)-225-2861 • Rep. Michael Honda (D-CA) - (202)-225-2631 • Rep. Marcy Kaptur (D-OH) - (202)-225-4446 • Rep. Barbara Lee (D-CA) - (202)-225-2661 • Rep. Jose E. Serrano (D-NY) - (202)-225-4361
<p>GRASSROOTS</p> <p>Communication</p> <p>General public</p> <p>Expresses a view about specific legislation</p> <p>Call to action</p>	<p>Action Needed:</p> <p>Contact your legislators NOW. Use this alert to send them a personalized message demanding that they support strong health care legislation that includes a robust public option that is available to ALL people. But don't stop there! Continue to call your legislators daily with this message. Click here. After you have taken action on this alert, you can find your legislators' contact information by clicking on the "my actions" tab and viewing your legislator's links under the "My Elected Officials" section. Additionally, we need you to get the word out about the importance of these next two weeks in the health care reform battle. Tell all of your friends in your communities, jobs, on Facebook, Twitter, and all other social networks to take action.</p> <p>Deadline for responding: Please take action NOW!</p> <p>message sent to:</p> <p>Your message will be sent to each of the following targets:</p> <p>Your U.S. Representative Your U.S. Senator</p> <p>message:</p> <p>A sample message appears below, which you may edit before sending.</p> <p>I am SICK! It's time for REAL health care reform.</p> <p>Dear Representative,</p>

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Committee Details for Criminal Justice

Criminal Justice					
Name	Party	Position	Name	Party	Position
Timothy J. McGovern	D	Chair	William F. Colby, II	R	Ranking Minority Member
Conor Pflanz	D	Vice Chair	Kevin Bacon	R	Member
Robin Beckler	D	Member	Danica S. Budge	R	Member
Linda S. Babin	D	Member	W. Scott Ostlager	R	Member
Nancy Gattuso	D	Member	Just Wacker	R	Member
Mark A. Schreiber	D	Member			

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TELLING TO CONTACT
legislator(s)

PROVIDING ADDRESS,
telephone number, and/or other
contact information of legislator(s)

PROVIDING MECHANISM
to enable communication
with legislator(s)

IDENTIFYING
legislator(s)

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→ **Not Lobbying**

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With a legislator
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Call to action



Members Only

Still 77 Cents for Every Dollar

Ask Your Senators to Cosponsor the Paycheck Fairness Act

Take action NOW!

[Tell A Friend](#)

- Nonpartisan analysis, study, or research**
- Request for technical assistance**
- Self defense**
- Examinations and discussions of broad social, economic, and similar problems**

Lobbying EXCEPTIONS

MUST

Full and Fair Discussion


Broadly Disseminated

MAY

Express a View

Indirect Call to Action

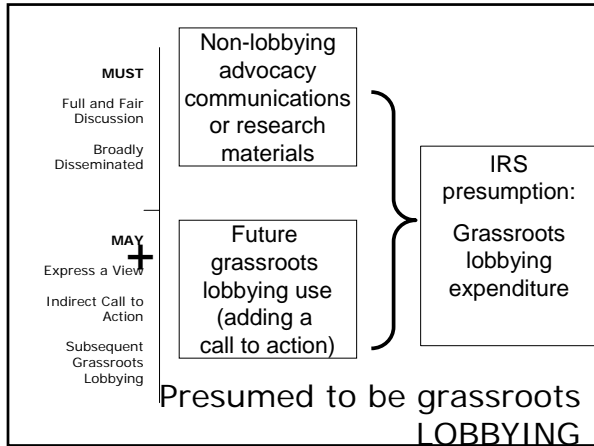
Subsequent Grassroots Lobbying

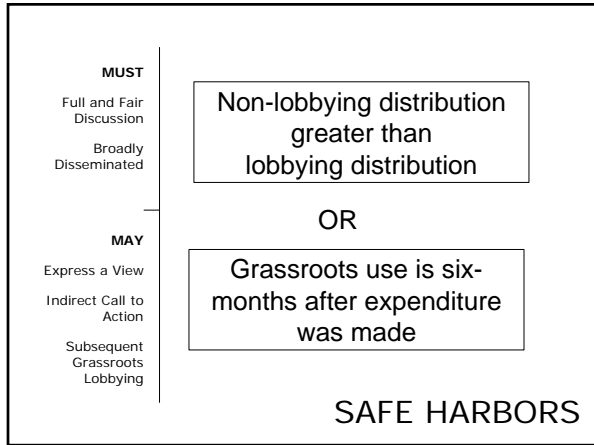


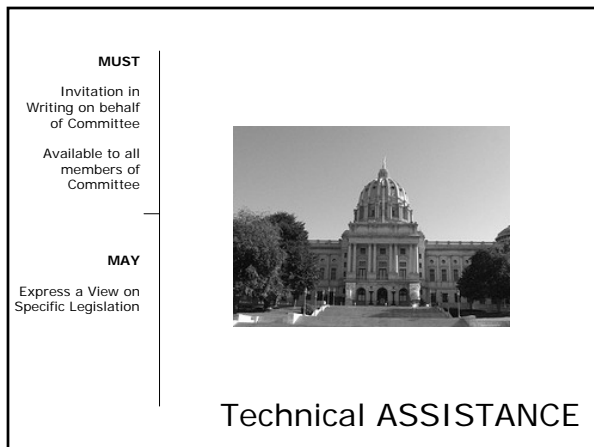
The Impact of Redistricting in YOUR Community

A GUIDE TO REDISTRICTING

Nonpartisan ANALYSIS









Ohio Redistricting Competition Partners Announce Competition Winners

OHIO REDISTRICTING COMPETITION PARTNERS ANNOUNCE COMPETITION WINNERS

For Immediate Release June 10, 2009

COLUMBUS, Ohio — On Thursday the Ohio Redistricting Competition partners announced the results of the successful Ohio Redistricting Competition, a project years in the making, according to the partners, the competition provides a unique and fair way to set district lines or legislative criteria to produce the legislative districts in Ohio.

OBJECTIVE CRITERIA

The objective criteria considered in the competition were the following:

* Compactness. Sometimes referred to as the "foot" of a district, compactness assures that oddly-shaped legislative districts are minimized. The measure helps provide for representation within a district.

* Proximity of major thoroughfares, waterways, and other transportation corridors that facilitate a number of voters and support campaigns. This measure assists in ensuring reasonable access to services.

LOBBYING?



LOBBYING?

Daves Redistricting App 2.0

This application requires [Silverlight 2.0](#) (from Microsoft), which runs on both Mac and Windows.

Main Features

- Select state and number of congressional districts (CDs) [up to 500 CDs can be created, allowing you to do legislative districts, too.]
- Use mouse to sweep across map and assign block groups or voting districts to CDs
- Assign districts according old CDs
 - Pan/Zoom
 - Save/Open your work in XML
 - Use 2000 census numbers or updated [2008] census estimates
 - Show/Hide city, county and old CDs
 - Create views of zoomed in areas
 - Save area views as JPEGs
- Partisan data: for some states the app has partisan data (see below). Find out how you can help add partisan data for more states [here](#).

[Launch Daves Redistricting App 2.0](#)

(Launch Original Daves Redistricting App)

Notes

- Please report bugs, make comments and requests to redistapp@pdxbox.com

LOBBYING?

RESOURCES

WEST COAST

Alliance For Justice
1611 Telegraph Avenue
Suite 1006
Oakland, CA 94612
510-444-6070

EAST COAST

Alliance for Justice
11 Dupont Circle, NW
2nd Floor
Washington, DC 20036
202-822-6070

advocacy@afj.org

866.675.6229

www.afj.org

for fact sheets and publications
