

RECEIVED

NOV 27 2020

CLERK OF SUPREME COURT
OF WISCONSIN

Clerk of Supreme Court, Attn. Dep. Clerk - Rules

November 25, 2020

Douglas Owens-Pike
N11248 730th St.
Wheeler, WI. 54772-9571

Dear Justices re. Rule Petition # 20-03

As a farmer, making my living by tilling the soil to grow trees, and a member of the Wisconsin Farmers Union, I am shocked at the audacity of one narrow interest group's attempt to make it even more difficult to challenge an already biased, unfair redistricting process. The proposed rules change would throw a dark cloak over an already closed-door process, shrouding out the light of open participation from a wider swath of public interests that have a history of being represented poorly.

Wisconsin is a state renowned for its progressive politics, including US Senators like the Republican "Fighting Bob" LaFollette, who was cited by historian John D. Buenker as "the most celebrated figure in Wisconsin history." As governor of Wisconsin, LaFollette compiled a progressive record, implementing primary elections and tax reform. In the US Senate, Bob and his son kept this flame burning brightly over four decades. They sought inclusive legislative proposals, which included co-founding the Progressive Party an ally of the Farmer-Labor Party that persists next door in Minnesota. LaFollette kept the Progressive Party alive in the US Senate until 1946.

Our current Republican leadership has to sneak around in hidden corners making unfair maps to keep their majority in both our State Senate and Assembly, despite Democrat voters outnumbering them by a margin of 3:2 in our most recent election, which set a record for voter turnout. This is a sad reversal from 100 years ago when Progressive Republicans ruled.

My concerns about this proposed rule change:

1. Looking back at our Wisconsin Supreme Court (WSC) historical record, procedural amendments are rare. Given that record it is essential that this change meet the highest standard for public need.
2. This very same concept was thoroughly vetted following six years of testimony (2002-2009). The result? Our WSC decided against such a restrictive change, based on the exhaustive analysis presented to them. Perhaps some of you presently serving on the WSC participated in that decision.
3. No sound justification is advanced for the narrow window open for public comment when the original request for the rule change was filed over five months ago. The

Douglas Owens-Pike comments to WSC on proposed rules change (Nov. 25, 2020) pg. 2

4. timing, immediately following our recent election and interrupted by a long national holiday, appears designed to quash public input regarding a system ranked the worst in our nation due to unfair legislative boundaries that are difficult to administer.
5. The beneficiaries of this rule change, which reduces public input to create reasonable maps that are more fair, are restricted to those currently in power, who were elected by a minority of voters. Unfair maps make their current majority of seats possible, with control of both WI Senate and State Assembly because maps drawn in 2010 packed and picked voters to ensure outcomes benefitting the party that drew the maps.
6. While Iowa's redistricting process has completed four cycles without litigation, WI taxpayers spent \$4 million to seek fair maps following 2011 redistricting process. This rule change is a further attempt to keep the public from adequately contesting an unfair result.
7. The current odd boundaries ensure a desired political result at the cost of County and Town clerks' efforts to administer fair elections. Local government has found State Representatives to be unwilling to assist with local problem-solving. We now have a non-responsive State Senate and Assembly. Current legislators pick who gets to vote for them instead of allowing voters to decide who they want to represent their interests, as the founders of our democracy intended. Being stonewalled from their vote embitters everyone except those guaranteed reelection.

Whenever voters have had the opportunity to state their preference on fair maps, they voted by ratios of 2:1 or 3:1 supporting nonpartisan voting districts. Of the 72 counties in WI, a majority have passed resolutions and referenda in support of a nonpartisan process.

Beyond our Wisconsin Farmers Union, a wide mix of constituency groups seek fair maps. These global majority people, whose interests have been poorly represented in the past, would be prevented from testifying if this rule change were adopted. Why should presentations to you be limited to two parties: those who brought the litigation and those defending the biased process? Not allowing any other public testimony or comments goes against the idea of representative government.

8. There is no justifiable need to change rules. The WI Farmers Union seeks only a level playing field. We don't expect to win every seat, every election. We acknowledge that there are different political perspectives across our region. Yet, any litigation of voting practices should be heard in Federal Court not state. That is how it has always been done. This rule change stinks of political maneuvering, and, if adopted, would undercut the impartial authority of our WSC. Agreeing to this change, you would appear biased in favor of a small minority of Wisconsinites.

This rules change would throw a dark cloak over an already closed-door process, shrouding out the light of open participation from a wider swath of public interests. Without justification it should be rejected completely.

My comments are my own and do not constitute the Wisconsin Farmers Union position.

With the deepest respect for all our democracy represents,

A handwritten signature in black ink, reading "Douglas Owens-Pike". The signature is written in a cursive, flowing style with a large initial 'D' and 'O'.

Douglas Owens-Pike