
IN THE

Supreme Court of Pennsylvania

Middle District 159 MM 2017 LE

LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, ET AL.,

Petitioners,

v.

THE COMMONWEALTH OF PENNSYLVANIA, ET AL., Respondents.

On Appeal from the Commonwealth Court of Pennsylvania at No. 261 MD 2017

**APPLICATION FOR LEAVE TO FILE AN AMICUS BRIEF IN
RESPONSE TO THE CONGRESSIONAL MAP PROPOSED BY
PRESIDENT PRO TEMPORE JOSEPH B. SCARNATI, III
AND SPEAKER MICHAEL C. TURZAI
BY AMICUS BRIEF BY AMICUS CURIAE
CONCERNED CITIZENS FOR DEMOCRACY**

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Amicus Curiae Concerned Citizens for Democracy respectfully requests leave to file a second amicus brief in this matter.

Concerned Citizens for Democracy (CCFD) is a think-tank composed of lawyers, computer scientists, and engineers dedicated to developing non-partisan, judicially-manageable standards for redistricting in Pennsylvania.¹

This brief responds to the Proposed Congressional Map and Brief filed by Senate President Pro Tempore Joseph B. Scarnati and the Speaker of the House Michael C. Turzai on February 9, 2018 and adds new ideas and insights about redistricting process not previously presented to the Court.

We believe this brief will aid the Court and the parties by:

(1) Demonstrating how the Court's criteria for redistricting can be applied to detect and reject more subtle forms of gerrymandering as demonstrated by the proposed Scarnati-Turzai Map.

(2) Demonstrating how the Court's criteria for redistricting can be applied to remedy a partisan Congressional map.

¹ CCFD is a non-profit unincorporated association organized under the laws of Pennsylvania pursuant to 15 P.S. 9111 et seq. Since February of 2017, CCFD has been studying the same criteria for Congressional redistricting recognized by this Court on January 22, 2018. A similar set of criteria, based on Article II, Section 16 of the Pa Constitution was presented by CCFD's expert Anne Hanna in the matter of *Agre v. Wolf*, USDC EDPA No 17-4392.

(3) Explaining the importance of strictly applying the Court’s criteria for redistricting in order to maintain a judicially manageable standard to evaluate proposed maps.

We appreciate the opportunity to contribute to this important topic. The health of our democracy depends on the successful resolution of this issue.

Respectfully submitted,

/s/ Brian A. Gordon

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CERTIFICATE OF SERVICE

I, the undersigned, certify that a true and correct copy of the foregoing Analysis of the Proposed Remedial Map by Legislative Respondents by Amicus Curiae Concerned Citizens for Democracy was served upon all counsel of record, via electronic service, on this date.

February 15, 2018

/s/ Brian A. Gordon

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February 15, 2018

Supreme Court of Pennsylvania
Middle District
601 Commonwealth Ave., Suite 4500
Harrisburg, PA 17106

Via electronic filing through PACfile

Re: League of Women Voters, et al. v. Commonwealth of PA, et al.
Supreme Court of Pennsylvania - Middle District
159 MM 2017 LE and 261 MD 2071

Dear Justices:

I am pleased to enclose an Application for Leave to File a Brief on Behalf of Amicus Curiae Concerned Citizens for Democracy. The brief responds to the proposed map and brief submitted by Senate President Pro Tempore Scarnati and Speaker of the House Turzai on February 9, 2018. This brief also addresses the feasibility and importance of strictly adhering to the Court's neutral redistricting criteria and the subordination of other policies and objectives to those criteria.

Fifteen copies of this Petition and Brief will be separately mailed to the Clerk of the Court. Thank you for your careful attention to this important matter.

Yours sincerely,

/s/ Brian A. Gordon

Brian A. Gordon

Cc: All Counsel through PACER electronic filing