

THE OKLAHOMAN

Opponents of redistricting petition file legal challenges

by [CARMEN FORMAN](#) Published: Sun, November 17, 2019

Opponents of an initiative petition seeking to implement nonpartisan redistricting in Oklahoma are asking the state's highest court to block the measure from moving forward.

Two legal challenges filed Friday with the state Supreme Court allege the petition is flawed and violates Oklahomans' First Amendment right to participate in the political process.

An Oklahoma group called People Not Politicians recently filed an initiative petition seeking to completely revamp how Oklahoma's legislative and congressional districts are drawn in order to minimize partisan gerrymandering — when districts are drawn to favor one political party.

The petition proposes taking redistricting power away from Oklahoma's Republican-controlled Legislature and giving it to a nine-member Citizens' Independent Redistricting Commission made up of non-elected officials from different political parties.

The 14-page petition details the process for selecting commission members and outlines how the commission will draw and approve redistricting maps.

People Not Politicians is seeking to put the question before Oklahoma voters next year so the commission could take over redistricting in 2021.

"The biggest issue in Initiative Petition 420 is that instead of being controlled by the people's elected representatives, legislative redistricting would be controlled by a body of people who are neither elected nor accountable in any way to the voters," said attorney Robert McCampbell of GableGotwals, who is representing those challenging the petition.

One legal challenge, brought by Ada accountant Roger Gaddis, asserts the initiative petition violates the state's single-subject rule, which says that initiative petitions may deal with only one main issue.

The lawsuit points out other state Supreme Courts have stricken similar redistricting petitions for violating single-subject provisions.

The second legal challenge alleges the initiative petition's description, which is supposed to educate voters, is flawed for six reasons.

Both challenges assert the initiative petition violates the First Amendment because of limits on who could serve on the redistricting commission. The lawsuit argues the petition blocks some Oklahomans from participating in the political process, which violates their First Amendment rights.

The petition bars elected officials in partisan political offices from serving on the redistricting commission. Elected officials and their immediate family members also would be barred from serving on the commission for five years after leaving elected office.

Paula Newberry, the wife of former state Sen. Dan Newberry, a Republican, brought the second legal challenge. Under the initiative petition, she would be ineligible to serve on the commission until five years after Jan. 31, 2017, when her husband resigned from the Legislature.

People Not Politicians executive director Andy Moore dismissed the legal challenges as baseless and brought by people who benefit from a backward system in which politicians get to pick their voters.

"Today's lawsuit is a misguided attempt by special interests and the politicians beholden to them to deny the people of Oklahoma the right to vote on a proposal that would put an end to partisan gerrymandering," he said. "These frivolous challenges are proof that those who benefit from the current system will do anything they can to maintain the status quo."

The Oklahoma Supreme Court will hear the legal challenges and decide whether People Not Politicians can advance to the signature-gathering phase. If so, the group will have to collect nearly 178,000 signatures to put the initiative petition on the ballot next year as State Question 804.

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