

# My Thoughts on Redistricting

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## The Foundation of Governance

Congressional redistricting is the most consequential—and often most misunderstood—process in state government. While some view it as a technical mystery and others as a mere exercise in line-drawing, it is the fundamental act of defining the "playing field" for an entire decade. It does more than draw maps; it determines how the voices of Utah's citizens are balanced and who will represent our interests in Washington.

I acknowledge that Prop 4 was born from a legitimate desire for change. Voters are rightly frustrated by efforts to cement political power, and many in Utah are genuinely interested in finding a way to increase 'fairness.' To move toward a system that is constitutional and functional, we must explore the structural realities of our democracy—specifically the difficult negotiation of competing values—that exist at the heart of our representative republic. In doing so, we must look closer at three central questions: Can any map-drawing process truly be 'neutral'? Does the historical data support the claim that our system is 'broken'? And finally, has the push for 'independent' commissions actually delivered the competitive results its proponents seek?

It is my position that we can improve the process only if we recognize the realities of our political system. In many ways, Prop 4 served as a beta test—it identified a genuine problem, but it offered a flawed mechanism as its solution. We can move toward a system that is constitutional, functional, and accountable, but only if we stop pretending we can remove "politics"—the difficult negotiation of competing values—from the heart of our representative democracy.

## The Challenge of Neutrality and the Political Geometry of Representation

To make progress and find common ground, we must be honest: creating a map is inherently political. No matter who holds the pen—be it a commission, a court, or a legislature—every line drawn involves a deliberate policy choice. There is no such thing as a "math-only" map because the "math" of redistricting is a zero-sum game. One person's gain is another person's loss.

Even the most sophisticated computer algorithm must be given a hierarchy of values by a human being in order to produce output. When we pretend the process can be purely clinical, we hide the real policy debates that the public deserves to hear. If the rules of the game overly

prioritize "communities of interest" the result may be an inadvertently "packed" community. Or if the rules overly emphasize "political balance" they may have to draw "snake-shaped" districts that critics will immediately view as artificially engineered.

While the impulse for reform is healthy, part of the challenge lies in the definition of the word "fair" itself. In the world of redistricting, "fairness" is not an objective mathematical formula; more often, it is a mirror that reflects the specific political outcomes a person hopes to see. When a person says "fair," they usually mean "a map that produces an outcome I prefer." In my interactions, those preferences typically fall into one of four categories:

- **Compactness:** This version of fairness really means don't "crack" minority populations. These advocates implicitly prefer to have like-minded voters concentrated or "packed" into districts that are segregated by interests.
- **Competitiveness:** In a sense, this is the opposite of compactness. Some would like to have as many districts as possible where candidates from competing viewpoints have some reasonable chance of success. To me, there is a certain appeal of this idea; however, for practical reasons, this cannot be the only goal. Given the overall geographic dispersion of voters, manufacturing 50/50 races in as many districts as possible in a state with Utah's unique demographics would require some extreme engineering that ignores actual cities and counties and it would be mathematically impossible to get more than two such districts here. That said, for the sake of making improvements, we should accept that having one or more competitive districts is not something to be afraid of.
- **Process:** This is the belief that an automated or "independent" system removes politics from the equation. The reality is that the politics would simply move one step upstream: whoever defines the rules defines the outcome.
- **Proportionality:** This is the desire for a parliamentary-style system where the composition of the legislative body reflects the exact partisan split of the statewide or nationwide electorate. This is fundamentally antithetical to our constitutional republic form of government, which prioritizes geographic representation over partisan quotas.

## **The Conflict of Values: Geography vs. Proportionality**

To understand the redistricting debate, we must recognize that our system was built on a specific choice. The Founding Fathers established that congressional representatives would be elected based on small geographic areas, consciously rejecting the parliamentary model and the concept of "virtual representation." Recalling the tyranny of both King and Parliament, they prioritized actual representation, ensuring that representatives were tied to a local constituency within the single-member district system, over a proportional system. This structure dictates that each of the 50 states be apportioned a fixed number of representatives that are then elected from distinct geographic districts based on population. This ensures that they answer to their neighbors.

However, this geographic focus creates a natural tension between competing goals, such as keeping counties whole and ensuring compactness. My previous analysis of our single-member

district system reveals that in a state with few seats and a dominant party, that party often enjoys a 'natural geographic advantage' due to having their members widely dispersed throughout the state. Consequently, in a state with Utah's political geography, a 4-0 outcome is likely the mathematical default for maps drawn in an attempt to satisfy neutral requirements. Achieving a 3-1 outcome would likely require 'intentional engineering' to benefit the non-dominant party.

This forces a difficult choice: Do we want maps that are geographically neutral, or maps that are politically engineered? In Utah, it is virtually impossible to satisfy both. Achieving a proportional 3-1 outcome would actually require "intentional engineering" to benefit the non-dominant party—the very kind of partisan manipulation that many reformers seek to eliminate.

Ultimately, "fairness" is not a destination we can arrive at through a simple equation or set of rules. It forces a discussion about competing values. The fundamental flaw of the "fair maps" rhetoric is the suggestion that there is a neutral, non-political middle ground. In reality, every map is a statement of priorities. By pretending we can remove politics from the process, we actually remove accountability as well, hiding the very policy trade-offs that the public deserves to debate in the light of day. The political considerations are still there, they are just masked. This also ignores the fact that one of the reasons why state legislators are elected is because their constituents trust them to make difficult decisions like this.

## **The Rob Bishop Case Study**

If we need proof that a "clinical" process often fails to account for the actual needs of a state, we need look no further than the 2021 Independent Redistricting Commission (IRC) and the resignation of former Congressman Rob Bishop. Bishop, who represented Utah's 1st District for 18 years and chaired the House Natural Resources Committee, was perhaps the most experienced voice on the commission regarding how federal policy actually affects Utah's land and water. Yet, he resigned in frustration, famously stating that the commission was not designed to work for all of Utah.

He recognized that the rules imposed on the IRC were going to drive a particular outcome that he viewed as ignoring important policy objectives. Bishop argued that a map is more than just a shape; it is a tool for governance. When a process ignores the specialized knowledge of how federal land, water rights, and agriculture intersect with congressional representation, it creates a map that looks good on paper but fails in practice. The commission's maps selectively prioritized urban "communities of interest" while effectively silencing the rural voices that manage the vast majority of Utah's geography. Ultimately, Bishop's resignation highlights that when you try to remove the "politics"—which is often just another word for the difficult negotiation between competing regional interests—you don't get a better map; you get a map that ignores the people who have to live with the consequences.

## **The Irony of the "Broken" System**

The irony of the current debate is that the very system proponents claimed was "fatally broken" has actually been remarkably dynamic for decades. We are told that our maps were designed as a closed door to the minority party, but the historical record suggests a much more flexible reality. Since 1985, Utah's maps—drawn by the Legislature under a traditional geographic model—were flexible enough to send a Democrat to Congress 37% of the time.

Far from being a partisan "lockdown," the system functioned as a filter that rewarded high-quality, moderate candidates who could build broad coalitions across diverse regions. Consider the legacy of leaders like Wayne Owens (1987–93), Bill Orton (1991–97), Karen Shepherd (1993–95), Jim Matheson (2001–15), and Ben McAdams (2019–21). These five individuals served a combined total of 30 years in Utah's congressional delegation since 1985. These representatives didn't need a custom-designed "Donut Hole" map that packed Democrats into a single district to succeed. They won in "Pizza Slice" districts that included a mix of populations from different areas of the state because they spoke to a broad cross-section of voters, bridging the gap between urban needs and rural realities. If the previous system was truly "rigged," it was remarkably bad at it, as it consistently allowed for the election of moderate voices who reflected the shifting moods of the Utah electorate.

## Assessing the Outcomes and Assumptions of Prop 4

While defenders of Prop 4 often speak of a "mandate from the people," a closer look at the issue suggests that respecting the "will of the people" is far more nuanced and divided than the headlines would suggest.

**A Divided Electorate:** First, we must be clear about the numbers. Prop 4 passed by a razor-thin margin of 50.34% to 49.66%—a difference of fewer than 8,000 votes statewide. In the world of policy, this is not consensus; it is a statistical tie. Direct democracy through ballot initiatives is a powerful tool, but it lacks the rigorous "vetting" and amendment process that a traditional bill undergoes in the Legislature. When a proposal is this deeply contested, it signals that while the public may be interested in the concept of reform, they are deeply divided on the mechanics of the specific solution being offered.

**The Local Mandate:** The divide becomes even clearer when you look at the geographic breakdown. In many areas—including my own district—voters actually rejected the measure. In fact, Prop 4 only achieved a majority in four of Utah's twenty-nine counties. When a measure passes by less than one percent statewide and is rejected by the vast majority of our local communities, it sends a confusing signal to the Legislature. The challenge for me as a legislator is balancing a respect for the statewide process with the reality that the voters who elected me do not necessarily support the principles laid out in Prop 4. To ignore the concerns of the nearly 50% of Utahns who voted "No" would be just as much a failure of representation as ignoring the "Yes" votes. As we move forward, I want to respect the intent of the reform movement by fixing the "math" of the map, but without abandoning my constituents who asked me to protect the former system.

## The Role of the IRC: Advisory, Not Absolute

We must be honest about the Independent Redistricting Commission (IRC) itself. Our Utah Constitution is clear: the final authority to draw lines rests with the Legislature. The IRC is—and must remain—an advisory body. Furthermore, if we look at California—the supposed "gold standard"—the reality does not match the rhetoric. Despite the removal of legislative authority, analyses by groups like FairVote and ProPublica have shown that the number of competitive seats remained stagnant. In fact, there were exactly as many "competitive districts" in 2012 as there were in 2008 under the old legislative maps. Research by the Public Policy Institute of California found that moving the pen to a commission didn't remove the politics; it simply changed how partisan advantages were engineered behind closed doors by sophisticated special interest lobbyists. It proves that you cannot "depoliticize" a process that is, at its heart, about the distribution of political power.

## The Failure of Outcome

To be clear, those proposing Prop 4 never promised "fairness" in some vague, moral sense, nor did they promise proportionality. The sponsors were quite explicit: their primary goal was to increase competitiveness. Therefore, let's judge the policy by its results, not its intentions. By that very metric, Prop 4 has failed to deliver.

- **The IRC Maps:** The various maps proposed by the Independent Redistricting Commission did not meaningfully increase the number of "toss-up" seats. Even with a "non-partisan" pen, the demographic reality of Utah—where like-minded voters tend to live near one another—proved to be a greater factor than any line on a map.
- **The 2021 Map:** While I did not support this specific version, we have to recognize that it would have resulted in competitive margins similar to those used in previous decades—margins that were sufficient to elect the moderate, bridge-building voices we discussed earlier.
- **The Court-Imposed "Map 1":** Even the recent map imposed by the judicial system—often touted as the "pure" alternative—does not move the state forward on competitiveness. In fact, it sprints in the opposite direction. PlanScore rated these districts as D+20, R+28, R+38, and R+30, respectively, indicating a less than 1% chance that a candidate from another party could win. By consolidating much of Salt Lake County into a single "safe" Democratic seat, it effectively creates four ultra-safe seats. It replaces a system where candidates must fight for every vote with one that ensures winners are decided in the primary, not the general election.

In many cases, "reform" maps actually achieve the opposite of their stated goal of increased competitiveness. By excessively focusing on "communities of interest," they often "pack" voters of one party into a single district so densely that the seat becomes completely uncompetitive. This first run at an updated process has essentially highlighted that a promise of competitiveness hasn't actually materialized in any of the proposed versions. The Prop 4 process has failed to produce the "competitive" races that were used to sell the initiative to the

public, exposing an important gap between the marketing of Prop 4 and the reality of its implementation.

## The "Map 1" Cautionary Tale

Now, let's candidly address the consequences of our current path: If the goal of Prop 4 was to eliminate "political power grabs," the implementation of "Map 1" suggests we have simply traded one version of a power grab for another. When a court selects a map drawn by plaintiffs in a court case that is measurably more skewed than the one drawn by the people's representatives, it becomes clear that the process is not being "fixed"—it is being hijacked.

Even when the Legislature returned in the October 2025 Special Session to produce Map C—a map that corrected previous concerns by reducing city and county splits and applying rigorous statistical tests—the court still rejected it. This proves that for some, the goal isn't just a "better process," but a specific political and partisan outcome that only a judicial mandate can provide.

This leads to a fundamental concern regarding the role of the judiciary in our representative democracy. When a single judge is empowered to select a map that the elected representatives of the people have rejected, we have moved away from accountability and toward adjudication. Redistricting is a high-level policy-making function. It requires balancing the needs of a farmer in Delta with the tech worker in Lehi; it is a negotiation of competing regional values. When the court steps in to impose an activist group's preferred outcome, it isn't removing politics—it is simply replacing the "politics of the people" with the "politics of the bench."

Furthermore, we must recognize that the judicial map institutionalized a fundamental form of gerrymandering—"packing"—to satisfy specific partisan metrics. This kind of electoral engineering is no more "neutral" than any other map. By consolidating like-minded voters into a single, ultra-safe "Donut Hole" seat, the court isn't fostering competition in our elections; it is manufacturing a result. Anyone who believed Prop 4 would give us more competitive races should be livid at this outcome. Instead of districts where candidates must appeal to a broad cross-section of Utahns, we have been handed a map that ensures that the real "election" happens in the partisan conventions or primaries rather than the general election.

## Re-thinking "Representation" and Accountability

As we think about what should come next, let's compare the system we had with the one we got.

### The System We Had:

- **Geographic Representation:** The state was divided into clear regions where representatives had to answer to both urban and rural needs.

- **Voter Input:** Representatives toured the state, gathered extensive input from local officials, and negotiated trade-offs in the light of day in order to create a congressional map.
- **Direct Accountability:** If voters disliked the maps, they could elect different people to draw the next set. The power remained with the voters.

### **The System We Got:**

- **Contradictory Rules:** A set of standards that are internally inconsistent and impossible to apply across Utah's unique geography.
- **Interpretive Chaos:** A small, unelected group draws maps based on their interpretation of those rules; the Legislature votes based on a second interpretation; and an unelected judge reviews them based on a third. Ultimately, only the judge's interpretation will matter.
- **The Rule of One:** If a judge decides the rules weren't followed "correctly," they can discard any particular rule that stands in the way of their preferred result. We have traded the consensus of 104 elected legislators for the personal interpretation of a single individual.

Getting a process that actually works will require us to first address some modern fallacies that have clouded the redistricting debate.

### **The Paradox of Partisan vs. Local Representation**

The most pervasive myth in the redistricting discussion is the assumption that a voter is only "represented" if their elected representative shares their partisan label. This is a reductive view of human identity. A voter is a complex collection of interests—parent, taxpayer, outdoorsman, business owner, etc. No candidate aligns with any voter on every issue. When we prioritize "partisan mirrors," we ignore the fact that a Republican representative can, and often does, effectively represent the infrastructure or economic needs of their Democratic constituents. True representation is about responsiveness to a community, not just matching a color on a map.

### **The Principle of Geographic Accountability**

Redistricting reformers often seek a system that ensures "every voice is heard" by guaranteeing specific electoral outcomes. While that sounds noble, it ignores a mathematical and constitutional reality: Our system is built on majority rule within a geographic district. It is not designed to ensure every minority view is elected; that is the definition of a parliamentary system, which our founders explicitly rejected. Our system holds candidates accountable to a broad majority of their neighbors. When we try to engineer some view of "fairness" by carving out specific partisan enclaves, we aren't protecting minority voices—we are actually insulating representatives from the need to build broad, cross-partisan coalitions.

### **A Dynamic vs. Static View: Hard-Coding the Past**

A "static" map tries to lock in a specific partisan split (e.g., 3-to-1) based on the last election's data. This is dangerous because it assumes that political leanings never change. It "hard-codes" the past into the future. A "dynamic" map, like the model we have used since statehood, respects the fact that public opinion is fluid. Maps should not be a guarantee of a result; they should be a platform for a contest. As public opinion shifts, the candidates elected should shift with it. By trying to "fix" the outcome, reformers are actually taking the power of choice away from the voters and giving it to the map-drawers and the courts.

Ultimately, the current situation just shows that you cannot remove politics from redistricting—you can only remove accountability. When the Legislature draws a map, the voters can fire them. When a court or an unelected commission draws a map, the voters have no recourse.

## **Analyzing Incumbency and Voter Accountability**

A frequently cited critique of legislative redistricting is that it creates a permanent class of "untouchables" who draw lines to insulate themselves from the public. However, the data reveals a much more volatile reality: the "playing field" is anything but rigged.

In a typical year, the median Utah Representative has only four years of experience. This is not a static body of career politicians; it is a frequently refreshed group of citizen-legislators. Consider the turnover since the 2021 redistricting vote: 38 of the 75 House members (51%) who voted on those maps have already been replaced. Given recently announced retirements, that number is projected to climb to 67% or more by the start of the 2027 session.

If our goal was to "stay in power forever," we are doing a remarkably poor job—half of us are gone every four years. Our system has two distinct "trap doors" to remove those who fail to represent their district's values: the primary and the general election. We have seen these doors swing open for many of our colleagues. A short list of recent "voter firings" includes Jeff Stenquist (R), Joel Briscoe (D), and Steve Handy (R) in the primaries, and Rosemary Lesser (D) and Elizabeth Weight (D) in the general.

Accountability isn't a theory in the Utah House; it is a consistent, biennial reality. When the voters decide a legislator is no longer the right fit for the community, the map—no matter how it is drawn—cannot save them.

## **The Danger of the "Safe Seat" and the Realistic Middle Ground**

As we look toward the future of Utah's redistricting process, we must address the primary driver of modern political frustration: the death of the competitive district.

**The Danger of Safe Seats:** I find myself in strong agreement with the concerns raised by advocates like Adrielle Herring, who has correctly pointed out in a recent op-ed that "safe"

seats—those with a R+15 or D+15 partisan lean—actually harm our democratic health. When a district is engineered to be a fortress for one party, the General Election becomes a mere formality. The only contest that truly matters is the primary or the party convention, which often rewards the loudest, most extreme voices who cater to a narrow slice of the base. This creates a delegation that is incentivized to ignore the median voter in favor of avoiding a primary challenge from the fringes.

**The Realistic Middle Ground:** As discussed previously, because of Utah's demographics, creating four "50/50" swing districts is a mathematical impossibility. However, a realistic middle ground is well within our reach. While we cannot change the fundamental makeup of the state, we can draw maps that prioritize creating one or two truly competitive districts. By moving away from ultra-safe margins and toward districts with more balanced partisan lean, we force candidates to do the hard work of retail politics: speaking to the middle, building cross-partisan coalitions, and answering to a broad cross-section of Utahns.

**Safety At What Cost:** For those currently celebrating the creation of a 'safe' seat, we must consider what is being traded away. When a party is consolidated into a single, high-margin enclave, that party's voters lose their seat at the table in the other three-quarters of the state. Instead of four members of Congress who must all listen to and compete for the votes of every Utahn, we move toward a system where three representatives can afford to completely ignore the minority party's concerns because those voters have been 'packed' elsewhere. True representation isn't just about having a representative with a matching partisan label; it's about ensuring every Utahn has a voice that carries weight with their entire delegation, regardless of who holds the seat.

## Conclusion: Moving Forward

In summary, we have seen that redistricting is never a neutral, math-only exercise; it is a profound act of governance that requires balancing competing regional interests. As the Rob Bishop case study demonstrates, when we attempt to "depoliticize" this process through demanding a sterile, clinical process, we don't get a more objective map—we get one that is still very much political but avoids holding anyone accountable to those that disagree with it.

Furthermore, the data contradicts the popular narrative of a "broken" or "rigged" system. Historically, Utah's geographic model has been remarkably dynamic, consistently rewarding moderate candidates who can bridge the urban-rural divide. More importantly, the data show that legislators are not stacking the deck to protect themselves. With a median tenure of just four years and a 51% turnover rate in the House since 2021, the "trap doors" of the primary and general elections are functioning exactly as intended. The voters are already firing those who fail to represent them and who try to stay too long.

Finally, we must judge the recent "reforms" by their results. Prop 4 was heavily marketed as a path to more competitive elections, but the court-imposed "Map 1" has moved us in the opposite direction. It "packs" voters into ultra-safe enclaves and moves the real election from the general

ballot to partisan primaries and conventions. By replacing the consensus of 104 elected representatives with the "Rule of One," we have traded public accountability for judicial adjudication.

The way forward is not to abandon our constitutional design in favor of flawed experiments. Instead, we must recommit to a system where the "playing field" is drawn in the light of day by those who are directly answerable to the people. We can respect the intent of the reform movement by ensuring the Independent Redistricting Commission remains a robust advisory body. If anything, I would want to reform the IRC's guidelines to allow them to consider policy issues alongside technical requirements, but the final authority—and the ultimate accountability—must remain with the voters and the representatives they send to the People's House.