

1-3-2022

January 3 Roundtable Update

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NEW YORK REDISTRICTING ROUNDTABLE UPDATE

Independent Redistricting Commission Sends Competing Plans to Legislature

On January 3rd, the Independent Redistricting Commission (IRC) met and failed to agree on a single set of congressional, senate, and assembly maps to send to the legislature for approval. Instead, the commission voted on two separate sets of maps to send to the legislature, each plan obtaining five votes. The Assembly and Senate will have up to 10 days to approve or reject the maps. A 2/3 vote is necessary in each chamber for approval.

The competing maps can be viewed and downloaded at: <https://nyirc.gov/plans>

If the legislature rejects the plans, the IRC will have up to 15 days to submit a second map (or set of competing maps) to the Legislature for approval under the same 2/3 chamber vote requirement. If the second set of maps is rejected, the legislature can develop and pass maps of their own.

IRC Maps Compared

Steve Romalewski and his team at the CUNY Mapping Service is providing Plan A (Democratic) and B (Republican) congressional district comparisons at the website "Redistricting & You." State legislative districts will be posted shortly.

For an example, here's a link showing how the current 14th congressional district would change under "Plan A":

https://newyork.redistrictingandyou.org/?districtType=cd&propA=current_2012&propB=nyircplan_a_20220103&selected=-73.838,40.788&opacity=2#%26map=10.64/40.874/-73.8237

This link shows how the district would change under Plan B:

https://newyork.redistrictingandyou.org/?districtType=cd&propA=current_2012&propB=nyircplan_b_20220103&selected=-73.838,40.788&opacity=2#%26map=10.64/40.874/-73.8237

Democratic/Independent IRC Commissioners' Statement

“Today, the New York State Independent Redistricting Commission has submitted two sets of plans to the State Legislature. While we have always hoped that the entire Commission would be able to agree to a single set of plans, our constitutional mandate is to draw maps that best provide fair representation for the people of New York. We were determined to send to the legislature maps that achieve this, even if our colleagues were not.

We are confident that the lines this group voted to approve today reflect New York's vast diversity and appropriately maintain its communities of interest. Between July and December, the Commission conducted 24 public hearings over 51 hours, both in person and online. We listened to testimony from over 630 speakers, and received over 2,100 written submissions, testimonies, and maps. After the final public hearing, we deliberated for dozens of hours to synthesize these comments and create new maps accounting for the public's input.

We have gone to great lengths to work together as a Commission, and the maps we voted to approve reflect that work. We embarked on a series of 16 bipartisan working groups with our fellow Commissioners to identify areas of agreement and consider possible compromises. We made enormous progress in finding common ground among the Commission, but there remained significant differences on important points. Namely, we saw our colleagues' indifference to public input at every step of the process, and especially in our final round of bipartisan negotiations. In our instances of disagreement, we relied on public input to guide our decision-making, while it is clear our colleagues did not.

Our colleagues have called the maps we voted to approve partisan. However, we have pored over the hours of testimony and thousands of pages of submissions in an effort to draw districts that reflect the realities of New York's communities. To draw maps that disregard this public input is not only a grave injustice to the community members who took the time to share with us the realities of their neighborhoods but is in fact the real partisan gerrymandering. The lines our group has voted to approve today prioritize communities, not political parties, or politicians.

Consensus among the Commission was an ideal to strive for, but our utmost priority has been and always will be producing equitable maps that appropriately represent the people of New York State. This includes creating maps that rightfully account for public input and the many communities of interest we have seen and heard throughout our State. We did our best to draw and vote on fair maps because New Yorkers deserve no less.”

Republican/Independent IRC Commissioners' Statement

“In 2014, New York State voters took the extraordinary step of amending the State’s Constitution to create the Independent Redistricting Commission (the Commission). In doing so the State’s voters demonstrated unequivocally their desire that politicians no longer draw their own districts and that overt partisanship be removed from the line drawing process. The Commission was charged with setting aside partisan considerations and working collaboratively to present redistricting maps for the Legislature’s consideration. Each member of the Commission has time and again during this process reaffirmed their individual commitment to do just that.

Just two months ago, the voters of New York again reaffirmed their collective will for a fair, nonpartisan redistricting process by soundly defeating Proposition I that would have undermined the 2014 amendment by reintroducing partisanship. No matter how those who supported the initiative tried to spin the Proposition, including the democrat appointed Commissioners on the IRC, New York’s voters clearly did not wish partisanship reintroduced to the redistricting process.

Following a series of nine (9) virtual listening tour sessions, drafting preliminary maps, and fifteen (15) public hearings across the State, the Commission’s mission was to work together to build consensus on a joint set of maps that were acceptable to the Commission as a whole. To that end, the Commissioners were charged with following the specific mandate of the State Constitution in drawing districts that encompassed communities of interest and not partisan advantage. At every hearing, Commission members stressed that the preliminary maps presented on September 15th were not final and would invariably change to reflect the public input received – that such input was key. Further, every Commission member committed to work together to arrive at a single set of maps.

During the Commission’s final hearings on Long Island, all the Commissioners agreed upon a process for reaching consensus and arriving at a single set of maps for presentation to the Legislature. It was agreed that the Commission’s line drawers would create baseline maps based on the preliminary maps introduced in September and testimony received at the Commission’s hearings and otherwise submitted for the Commission’s consideration. The baseline maps would then serve as the predicate for the Commission’s consensus building and negotiations.

With the process in place, the Commission divided the State into regions and appointed subgroups to discuss and negotiate each region with the express goal of arriving at a single set of consensus maps. The subgroups began meeting on December 7th and continued for the following two weeks– working collaboratively and successfully. By December 21st the consensus maps were substantially complete. The Commission was working on a handful of punch list items that remained to be resolved and was making progress on resolving those.

Notwithstanding the acknowledged joint effort and progress that was made in arriving at the consensus maps, on December 21st the democrat appointed Commissioners, all five of them, abruptly turned their backs on the consensus maps and the negotiations. They advised the Commission that they would no longer participate in any further discussions regarding the maps that had been substantially completed, presented a unilaterally prepared, partisan map in its stead, and further advised that they would only negotiate on their newly presented partisan maps. There was no forewarning or irreconcilable impasse.

The map presented by the democrat appointed Commissioners on December 21st was virtually identical to the partisan map they presented in September before the hearings, the testimony, and the Commission's negotiations. Despite their prevarications, their proposed maps had not been and could not have been informed by the testimony or the Commission's collective discussions and negotiations in arriving at the consensus maps.

Five of the Commission's ten members turned their backs on the process they committed to complete thereby hoping that the handful of open items would remain unresolved. The democrat appointed Commissioners even went so far as to encourage us to present their own partisan maps.

We chose a different path, refusing to abandon the process we had all agreed to and the resulting substantially completed consensus maps. We chose instead to complete the handful of open items and present the map we had all negotiated, specifically including changes and elements that the democrat appointed Commissioners had requested.

We specifically did not create and are not presenting partisan maps, but maps that are the product of the guiding principles we agreed to, those embedded in the State Constitution, the testimony the Commission received, and the Commission's collective discussions and negotiations. We completed the Commission's consensus maps.

The resulting maps represent the Commission's collective best efforts to produce maps with contiguous and compact districts and population deviations as low as possible, while also being respectful of the completeness of villages, towns, cities, and counties where possible.

As you will see, the consensus Assembly maps keep nearly 95% of towns, cities, and counties whole, while Senate maps manage to keep thirty-eight (38) counties whole, nearly the maximum number possible given their respective populations. This was done while keeping all but sixteen (16) Assembly districts and all but one (1) Senate district within two percent (2%) deviation from the ideal population.

For all of the foregoing, it is our hope that the consensus plan will be considered favorably by the State Legislature.

Suffolk County Legislature Approves New Plan

Following a state court order lifting a lower court stay against action by the Suffolk County Legislature, the county legislature passed a new county redistricting plan on December 31 that creates new minority districts and balances the districts between Democratic and Republican opportunities. The plan was passed by the outgoing Democratic majority following the failure of the legislature to appoint a special commission. County Executive Steve Bellone has not indicated whether he will approve the plan.

Onondaga County: District 16 Remains a Sticking Point in Redistricting Effort

Redistricting efforts continued in Onondaga County last Wednesday with another public hearing, this one held on a new redistricting map proposed by the legislature after County Executive Ryan McMahon vetoed an initial legislative map put forward by legislators. A major point of contention is the legality of the elimination of the county's only legislative district containing a majority of Black residents. For more: <https://spectrumlocalnews.com/nys/central-ny/news/2021/12/30/district-16-remains-a-sticking-point-in-onondaga-county-redistricting>

Broome County Committee Takes Final Steps Toward Legislative Redistricting:

The Ad Hoc Committee on Redistricting held a public hearing on the proposals for the new maps. The committee has come up with several map options submitted by members. The group is made up of representatives of both political parties as well as community leaders, business officials and select members of the public. For more: <https://wnbf.com/committee-takes-final-steps-toward-broome-legislature-redistricting/>