

4-4-2022

## April 4 Roundtable Update

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## **NEW YORK REDISTRICTING ROUNDTABLE UPDATE**

### **New York State Redistricting Update: *Harkenrider et al. v. Hochul et al.***

Steuben County State Supreme Court Judge Patrick McAllister's March 31<sup>st</sup> decision invalidating the recently enacted state legislative and congressional redistricting plans has been stayed by the Appellate Division. Judge McAllister released his decision shortly after hearing closing arguments from the parties last week.

. The court held that:

- the petitioners had standing to challenge the maps
- the Governor and Lt. Governor were necessary parties to the action
- the process used to enact the 2022 redistricting maps was unconstitutional and void
- the congressional map was enacted with partisan bias and violated the state constitution
- the congressional, senate, and assembly maps are not useable
- respondents were enjoined from using the 2022 maps
- the legislature has until April 11, 2022 to submit bipartisanly supported maps
- in the event that the legislature fails to submit new maps, the court will retain a neutral expert to prepare maps

Earlier today, Judge Stephen K. Lindley of the Appellate Division released an order issuing an interim discretionary stay of Justice McAllister's decision and order in its entirety. The interim stay will remain in effect until further order of the Appellate Division. Judge Lindley also modified the deadlines for submissions on the stay applications. Petitioners have until noon on Tuesday to file opposition papers (along with a motion to vacate the stay in the alternative), and respondents have until noon on Wednesday to file any reply papers. Oral argument is scheduled for Thursday at 1:00 p.m., with a decision by the end of the day.

A scheduling order for the appeal will be issued soon, setting dates for briefs to be filed with the Appellate Division and the date that the appeal will be considered by the Court. The appeal will be accelerated, and a decision is expected within the next three weeks or sooner.

### **New York City Council Redistricting**

The New York City Districting Commission was sworn in last week. Queens Public Library President Dennis Walcott was elected to serve as chair. CUNY Medgar Evers College. Professor John Flateau was selected to serve as Executive Director.

## **New York 2020 Census Data Report Released**

The New York State Census Equity Fund (NYSCEF) has released [\*The New York State Census 2020 Data Report\*](#), a report analyzing tract-level census data, conversations with NYSCEF grantee partners, and peer review by Steven Romalewski of the CUNY Graduate Center Mapping Service and Joseph Salvo, past Chief Demographer for New York City. To help illustrate the work of the Fund, the report includes case studies highlighting the work of the Fund's grantees on Long Island, Western New York, Westchester County, and Staten Island.