

5-2-2022

May 2 Roundtable Update

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NEW YORK REDISTRICTING ROUNDTABLE UPDATE

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

The State Court of Appeals invalidated the recently enacted state congressional and senate maps. The court held that the legislature didn't have the authority to redistrict because, according to the state constitution, the Independent Redistricting Commission (IRC) failed to submit a second set of maps for the legislature's consideration. According to the court, if and only if the second plan was rejected, does the Constitution permit the legislature to introduce its own maps. The court also found that the enacted congressional plan violated the state constitutional criteria prohibiting partisan favoritism. The court determined that it would be necessary to move the congressional and senate primary to August so no elections would be held with the maps.

Judge Shirley Troutman dissented over the substantive issue of whether the plans constitute a partisan gerrymander. Judge Troutman agreed with the majority's holding that the congressional and state senate redistricting plans were not enacted by the legislature in compliance with the constitutional process. Judge Rowan Wilson dissented and stated that petitioners failed to satisfy the beyond a reasonable doubt standard. Judge Jenny Rivera dissented and stated that the petitioners failed to establish that the legislature violated the state's redistricting process. According to Judge Rivera, the IRC submitted two plans and the legislature is not bound to approve an IRC plan as drafted. Additionally, she found that the petitioners' evidence does not satisfy their burden of proof.

Please see the attached for the full decision.

The Assembly lines were not challenged in the litigation and were permitted to be used this year. However, a new lawsuit challenging the Assembly plan is expected to be filed in Steuben County State Supreme Court today by Democratic activist Gary Greenberg. A Republican activist, Gavin Wax, has also filed a motion to intervene in the *Harkenrider* case seeking to invalidate the Assembly map.

Special Master Jonathan Cervas will hold a public hearing on the congressional and senate maps on Friday, May 9th at 9:30 AM in the Steuben County state supreme court building located in Bath, N.Y. . Members of the public can submit state senate maps to the court for consideration by Wednesday, May 4th. Preliminary maps for the congressional and senate districts will be made public on Monday, May 16th followed by a comment period ending on Wednesday, May 18th. Judge McAllister will finalize the plans on Friday, May 20th.

On Friday, April 29th, Judge McAllister ordered that the congressional and state senate primaries be held on August 23, 2022. Please see the attached for the full order and submitted maps.

New York City Districting Commission Sets May 11th Meeting

The next meeting of the New York City Districting Commission will be on Wednesday, May 11th at 6:00 PM at 22 Reade Street in Manhattan.

Tompkins County Redistricting

The Tomkins County redistricting committee released a map proposed and is seeking the widest possible discussion among members of the County Legislature, municipal officials, neighborhood and civic organizations, and the general public. The committee invites the public either to comment at its next meeting on May 10 at 5:30 p.m. or to [submit written comments](#) via the [Tompkins County Redistricting website](#).

Latino Justice to Hold NYC Council Redistricting Roundtable Training Session

The NYC [Latino Redistricting Roundtable](#), hosted by the Latino Civic Engagement Coalition, will hold a meeting on Saturday, May 7th, 2022 from 9:30 AM - 1 PM at LatinoJustice's headquarters at 475 Riverside Dr. in Morningside Heights, Manhattan.

The NY Latino Civic Engagement Coalition is a made-up of four non-profit organizations - LatinoJustice PRLDEF, Hispanic Federation, National Association of Latino Elected & Appointed Officials, and Dominicanos USA. The coalition advocates for a more equitable democracy and an active Latino electorate in New York and beyond. Click on the link (above) to register.

Other Upcoming Redistricting Hearings

Syracuse, May 22, 3:00 pm
Syracuse, May 23, 5:30 pm
Syracuse, May 24, 5:30 pm
Albany County, May 26, 5:00 pm