

2-27-2023

February 27 Roundtable Update

Jeffrey M. Wice



NEW YORK REDISTRICTING ROUNDTABLE UPDATE

LITIGATION

Desis Rising Up et al vs. NYC Districting Commission et al: New Lawsuit Seeks to Delay NYC Primary Petitioning

The Asian American Legal Defense and Education Fund filed an Article 78 petition in New York County State Supreme Court on behalf of a group of voters seeking to compel the city redistricting commission to redraw the city council map in the Ozone Park/Richmond Hill area to better reflect Asian American voting strength as demonstrated in a "Unity Map" submitted to the commission. The petition also seeks to enjoin the NYC Board of Elections from administering city council elections until an amended plan is in place. Petitioning for the June primary is set to get underway tomorrow.

The petitioners are arguing under the NYC Charter's language that a map must respect the fair and effective representation of the racial and language minority groups in New York City under the federal Voting Rights Act.

The petitioners are seeking a court hearing today for a temporary restraining order to delay the primary process until a new map is in place. Attorneys for the City are expected to oppose the petition's effort to delay the council primary.

Hoffmann v. Independent Redistricting Commission (IRC): Democratic IRC Members Support New Congressional Map

On February 21st, in the Appellate Division (3rd Dept.), IRC Chairman Ken Jenkins, Commissioners Ivelisse Cuevas-Molina and Elaine Frazier filed a brief in support of the Hoffmann Petitioners' request that the Appellate Division reverse the dismissal of a lower court decision rejecting a new congressional redistricting mapping. They contend that the state constitution favors the IRC process over a court-drawn map when possible. They further assert that a court-ordered IRC process would not be futile as the IRC is "fully constituted and adequately staffed to carry out its constitutional duties."

Parietti v. Rockland County: County Legislative Decision Expected Soon

Ramapo activist Michael Parietti and an attorney representing Rockland County appeared before a Rockland County state supreme court judge last Wednesday over the county's recently enacted county legislative map.

The county asked the court to dismiss the lawsuit, maintaining that the petitioner didn't follow state laws, and offered mostly his own opinions without evidence. The petitioner argued that the map favored incumbent legislators and promoted the interests of the county's growing Orthodox Jewish community. A decision is expected shortly.

LOCAL REDISTRICTING

Orleans County Legislature Approves New Map

The Orleans County Legislature approved a new county legislative redistricting plan in a 6-1 vote last week that adjusts the population in four districts and keeps three at-large districts unchanged. Several residents sought to change the legislature to all single-member districts, but the legislature decided to keep a hybrid system with single member and at-large districts.

Nassau County Legislature To Adopt New Map

The Nassau County Legislature plans a public hearing this morning followed by a vote this evening to adopt a new 19-member county legislative map. After a contentious redistricting process where Democrats and minority group activists protested that the new map would create a partisan and racial gerrymander, litigation is expected challenging the map.

STATE ASSEMBLY REDISTRICTING

Hearing summaries for the recent Independent Redistricting Commission hearings in Brooklyn is attached.

HEARING CALENDAR

STATE INDEPENDENT REDISTRICTING COMMISSION

Nassau County - Tuesday, February 28 5:00pm

Nassau Community College (SUNY)
College Center Building, Rm 252/253
1 Education Drive
Garden City, New York 11530

Suffolk County - Wednesday, March 1 5:00pm

(UPDATED LOCATION)

Suffolk County Community College
Michael J. Grant Campus
Van Nostrand Theatre
Crooked Hill Road
Brentwood, New York 11717

Redistricting Institute Resources

The New York Census and Redistricting Institute has archived many resources for the public to view on our Digital Commons Page.

Our Redistricting Resources page contains resources on the John R. Lewis Voting Rights Act. You can access the page here: https://digitalcommons.nyls.edu/redistricting_resources/

Archived Roundtable Updates can be accessed here: https://digitalcommons.nyls.edu/redistricting_roundtable_updates/