

REDISTRICTING REFORM: **Support the Creation of an Independent Redistricting Commission**

Background:

Elections are supposed to allow voters to choose their representatives, but here in New York it seems as if representatives have succeeded in turning the tables by drawing district lines to choose their voters! New Yorkers want their elections to offer voters a choice in their representation. Unfortunately, the winners of New York State legislative elections are typically elected in non-competitive contests within gerrymandered districts. As a result, New York's state legislature has one of the highest rates of incumbency in the nation.

Redistricting is required after each decennial census. Under New York State's system, each legislative house's majority leader draws district lines for his or her house, allowing the leaders to manipulate districts to suit their political aims. They often choose their voters by shielding themselves from competitive races, leaving most voters with a predetermined outcome. This has helped to create a body of legislators that is not as responsive to their constituents' concerns as it should be and electoral districts that divide communities. In short, New York's representative democracy has been undermined because of the current redistricting process. To address these concerns, these are some of the changes to New York's redistricting process that are urgently needed before 2011.

Actions:

- Pass meaningful redistricting reform that includes the creation of an independent redistricting commission
- Pass well-defined guidelines to ensure fair and effective representation for all citizens of the state.

- **Create an Independent Redistricting Commission to Draw District Boundaries for the 2012 Elections and Beyond.** The current system of gerrymandered districts prevents progress in Albany and throughout New York. Over the last 30 years, New York State has experienced dramatic changes. However, when it comes to our legislature, not much has changed. Since the Democrats took control of the Assembly in the 1970s – and redrew the maps in 1980 – the majority party in each house maintained its dominance, and failed to address critical issues. As districts have become increasingly polarized, so too have their elected officials. Creation of an independent redistricting commission to draw legislative and congressional district lines removes the inherent conflict of interest from the elected officials and gives responsibility to an independent body charged with drawing district lines in a fair and sensible manner.
- **Require that Commissioners Be Appointed from A Pool of Diverse and Qualified Candidates.** Currently, the redistricting process is not reflective of, or responsive to, New York's diverse citizenry. The Commissioners should be representative of both genders and the state's racial, ethnic, and cultural diversity, neither hold, nor have held, an elective office, a party position, or other positions or employment that would confer partisan influence. There should be additional procedures to ensure that the commission itself is also reflective of the state's voters.

ISSUE: REDISTRICTING REFORM

- **Prohibit Drawing Districts Based on Voters' Party Affiliations or Factors That Could Serve to Disenfranchise Voters and Decrease Competitive Elections.** Under the current gerrymandering system, New York State elections are incredibly one-sided. New York's incumbent return rate is one of the highest in the nation, hovering close to 95%. This phenomenon is caused, in part, by the way in which district lines are drawn. Indeed, incumbents can draw district lines in order to marginalize their most potent challengers, even within the same party. For example, after Hakeem Jeffries won 41% of the 2000 primary vote against 20-year Assemblyman Roger Green, the district lines were redrawn, leaving Jeffries' residence just outside of Green's new district. When districts are manipulated to avoid electoral challenges, the voters are denied a choice on Election Day.
- **Require That Districts Be Compact and Contiguous, Roughly Equal in Size, and Drawn So As Not To Favor Or Disfavor Any Candidate or Political Party.** If district lines were consistently drawn to benefit constituents or communities of interest, one would expect that Senate and Assembly districts would share many common boundaries. Instead, the lines for each body look radically different. The current process has allowed communities to be divided to ensure that legislators are re-elected to office every two years.
- **Set Guidelines to Ensure That Racial and Language Minorities Have Fair and Effective Representation.** Only 29 of 212 legislative districts (14 percent) are within one percent of the "ideal population size." Indeed, New York's legislative districts can be dramatically different in size, pushing the threshold of the legally permissible. A recent analysis of district populations found that State Assembly districts ranged in size from 121,111 people to 133,038 people, and State Senate districts ranged in size from 290,925 people to 320,851 people. Those districts with greater population are denied the same level of representation as those with far fewer residents.
- **Require ample public hearings and opportunities for public comment, including full access to data, maps, criteria, software used, and proposed plans.** For too long the public has been shut out of the process, which leads to cynicism and public skepticism.
- **Make It Difficult for the Legislature to Make Alterations and Encourage the Approval of the Independent Redistricting Commission's Plan.** In order to insure that the end result of the process does indeed address all of these concerns, a mechanism must be developed which allows the Legislature to address appropriate issues, but prevents lawmakers from substituting a partisan plan favoring incumbents for the plan developed in accordance with the statutory guidelines by the Independent Redistricting Commission.