

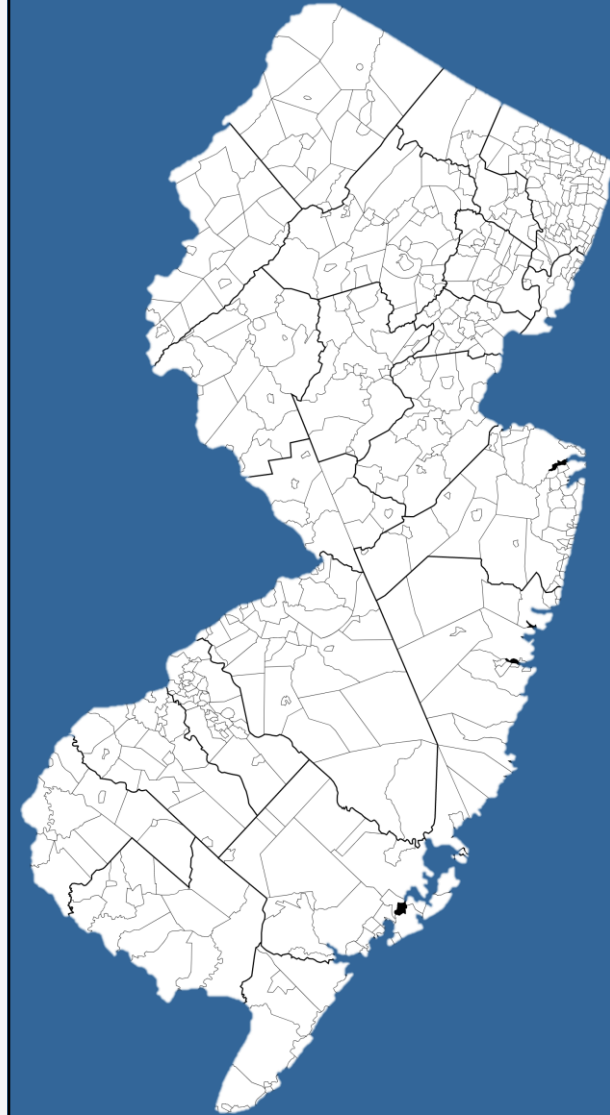
FAIR MAPS FOR NEW JERSEY

November 29, 2018



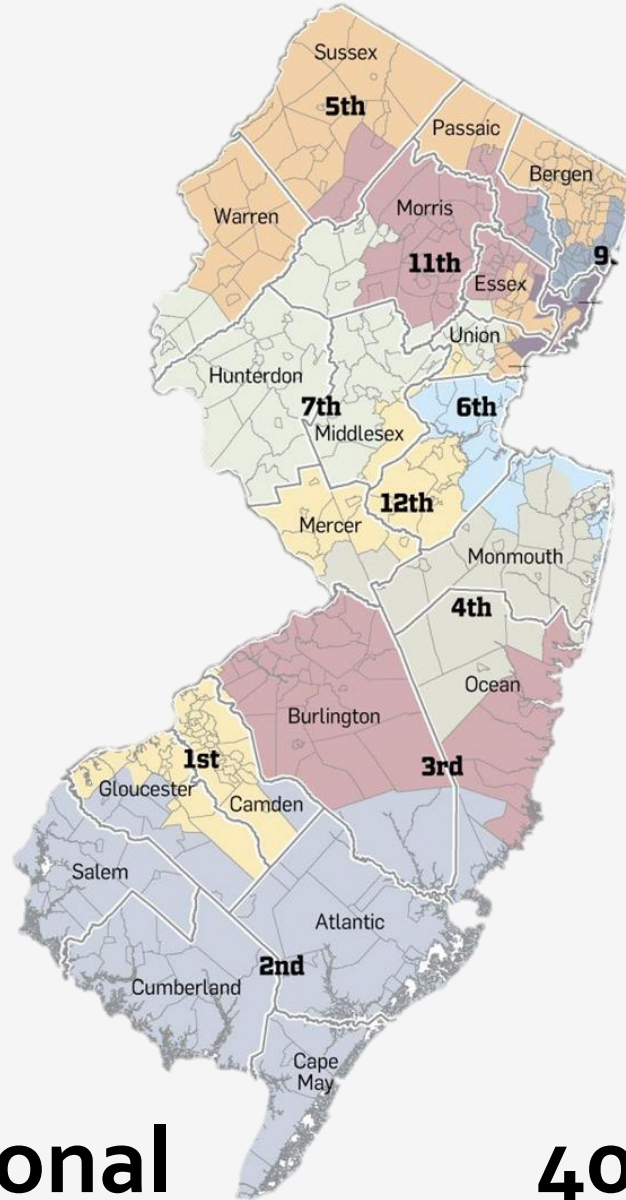
Call Overview:

- Legislative Redistricting 101
 - Current Proposals
 - FAQs
 - Next Steps to Stop Gerrymandering
-



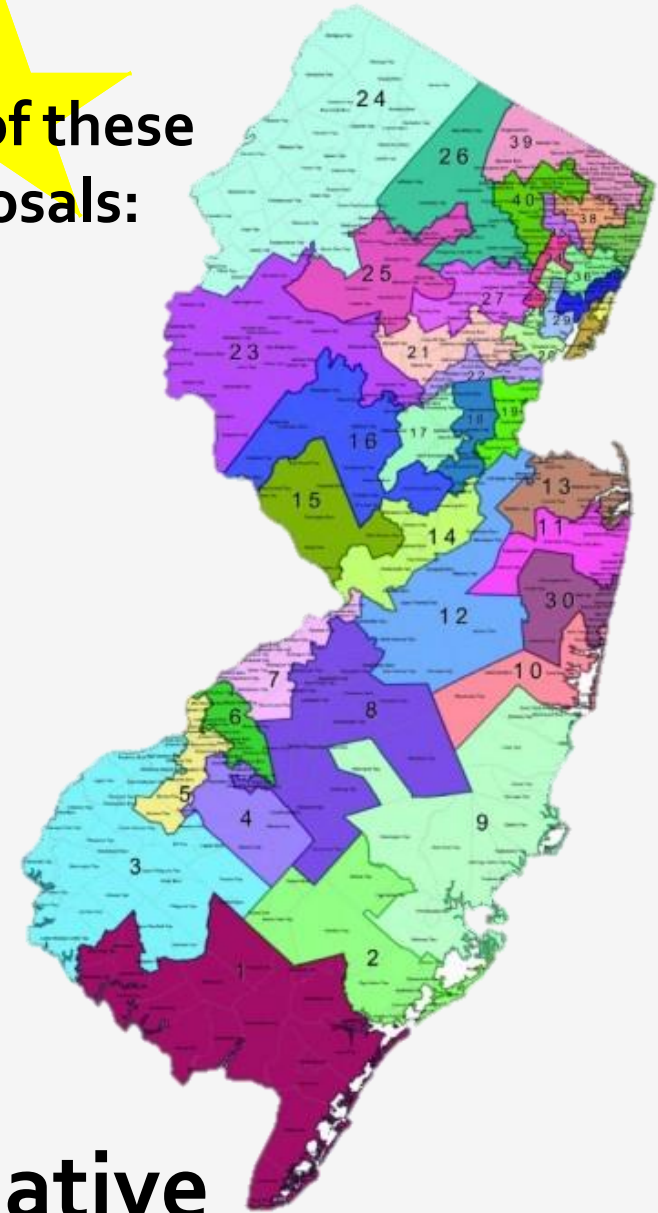
Redistricting 101:

12 Congressional

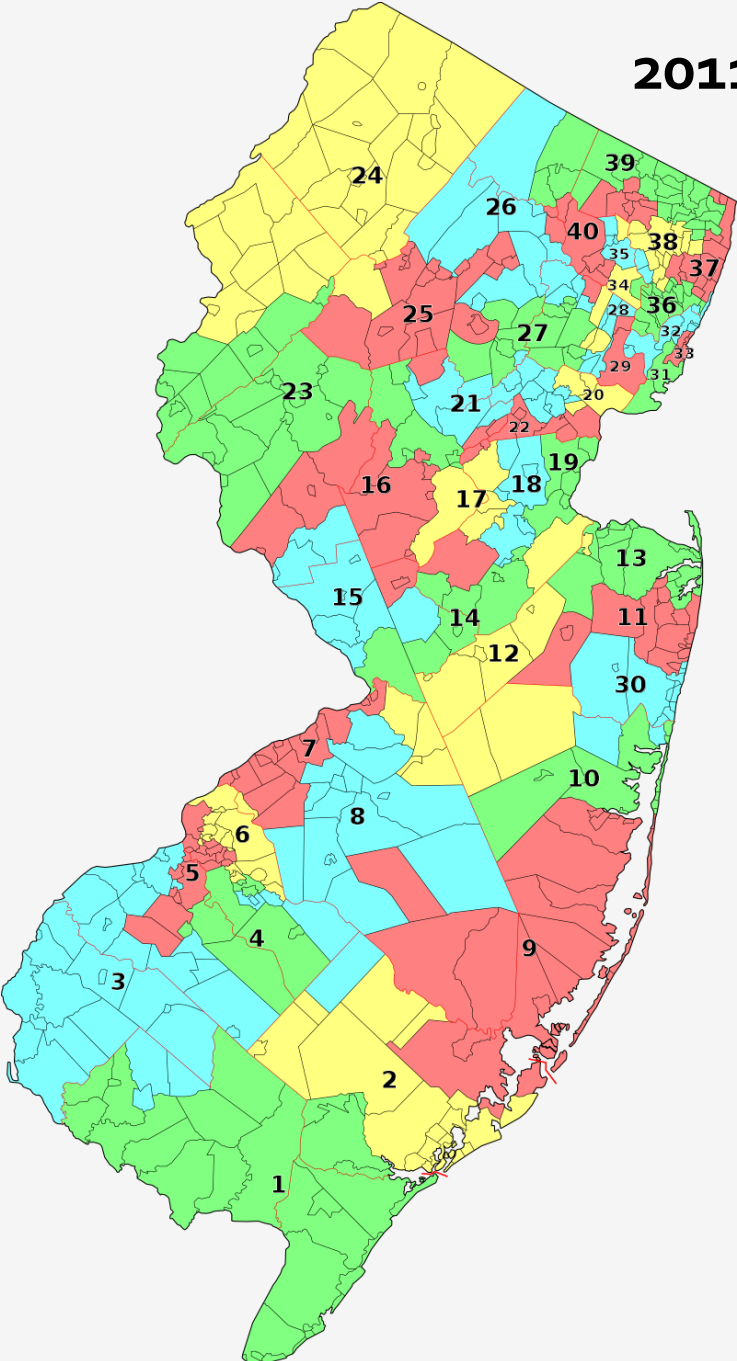
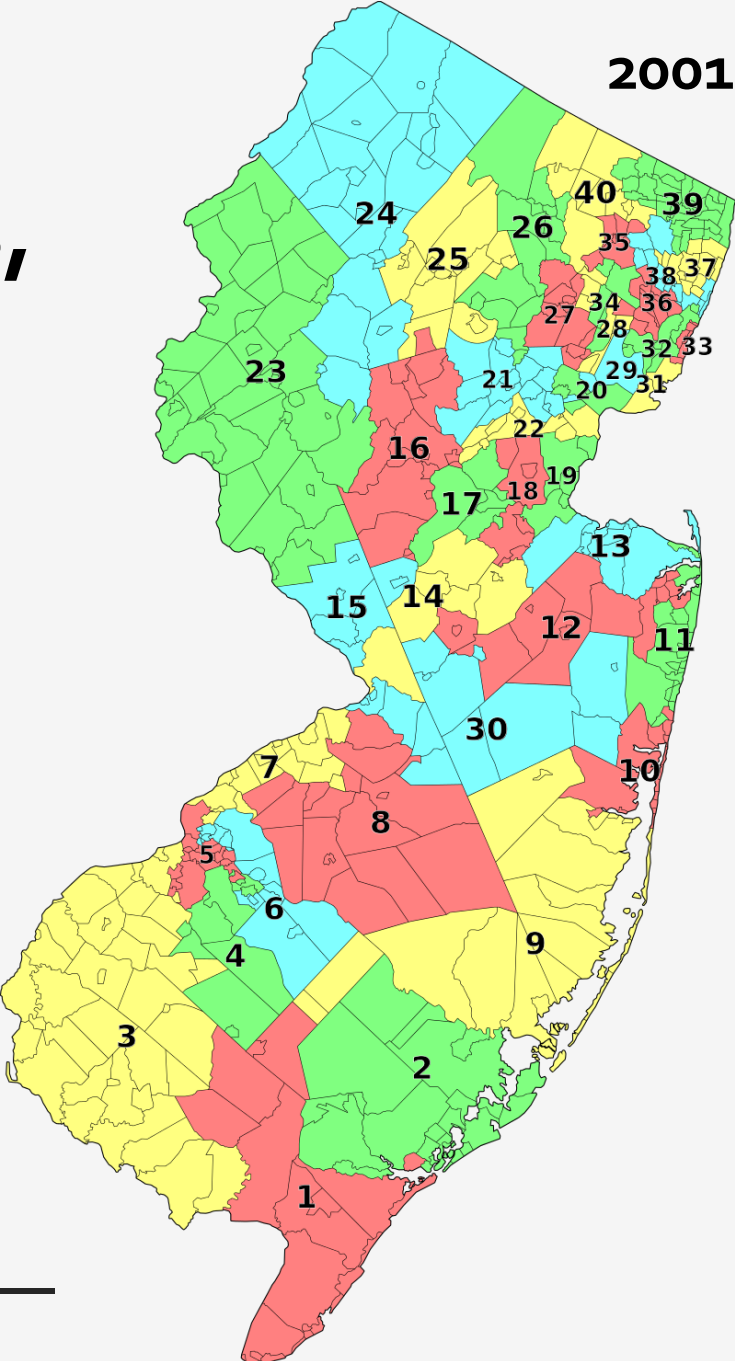


Focus of these
proposals:

40 Legislative

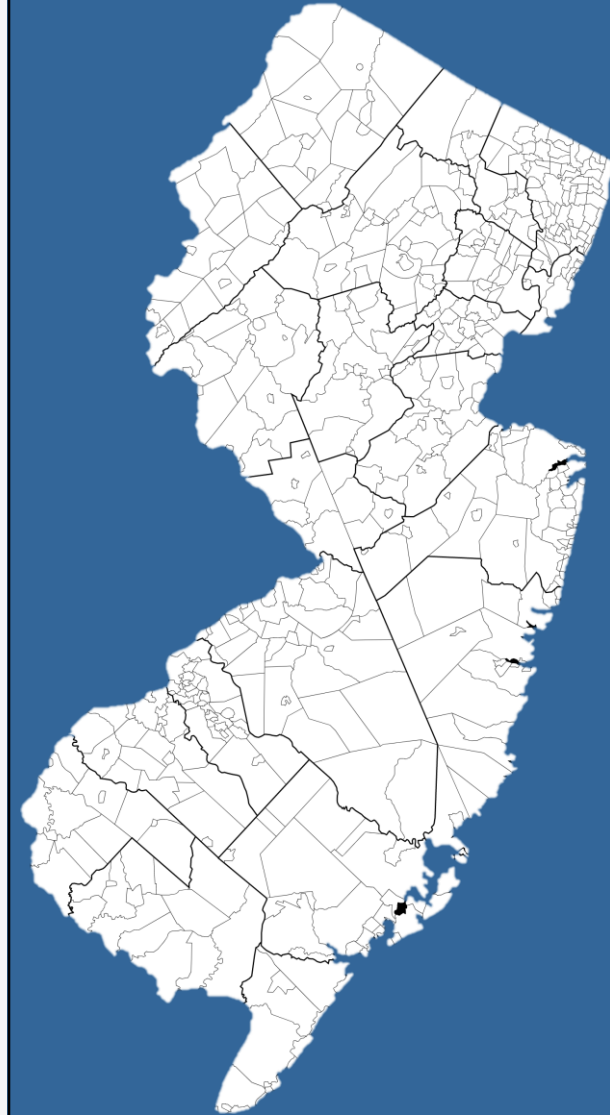


Changes to NJ's 40 Legislative Districts, 2001 to 2011



Why Redistricting Occurs:

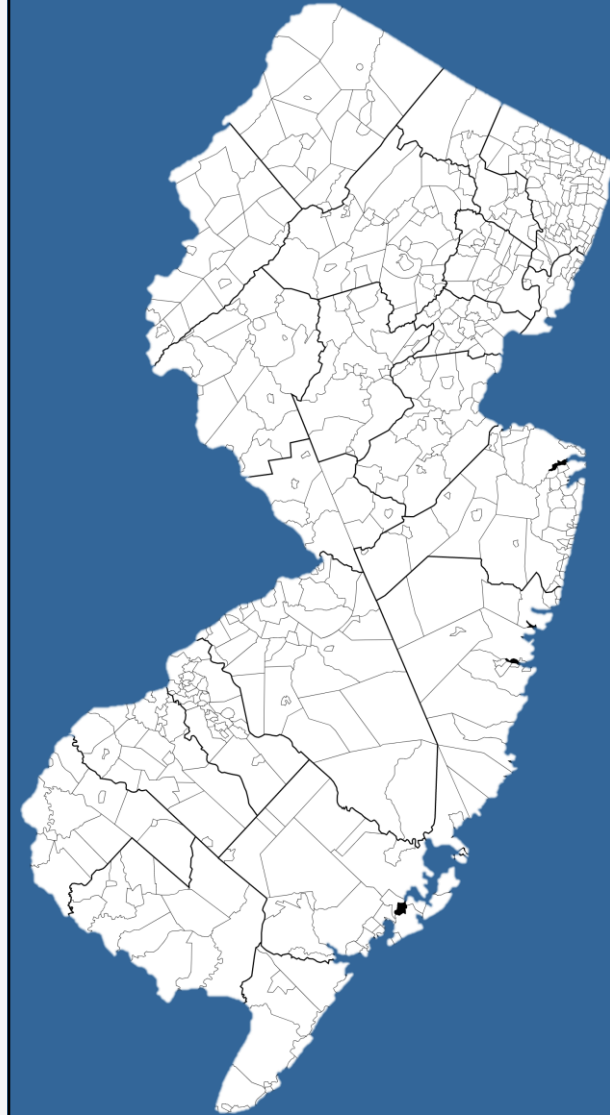
- People move around: communities and demographics change
 - Census counts every individual living in the U.S. once a decade to provide a snapshot of these changes
 - Supreme Court ruling: “one person, one vote.”
When lines are re-drawn, each district must contain roughly the same number of people to achieve equal representation
-



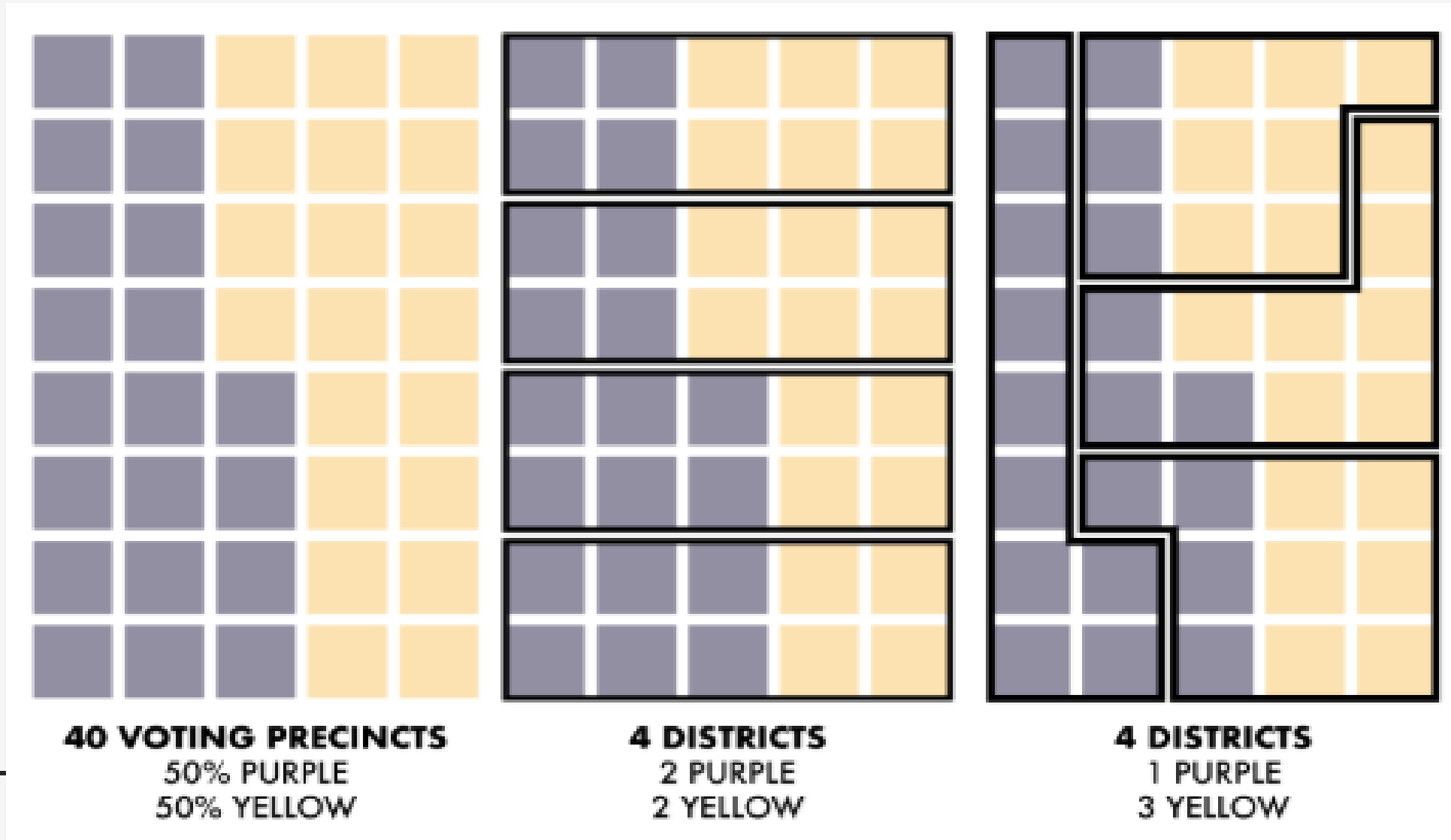
Why Redistricting Matters:

- How political power is redistributed across the state.
- How we ensure everyone is equally and fairly represented.
- How people's voices get heard (or don't get heard).
- How responsive politicians are to constituents' needs.
- How resources are distributed across communities.

Redistricting is a fundamental component of our democracy!



- **Gerrymandering** – strategically redrawing district boundary lines to favor one group or political party over another





‘Partisan’ Gerrymandering Is Still About Race

The Wisconsin case before the Supreme Court claims to be about partisanship. But race is a factor in this case and many others nationwide.

by Olga Pierce and Kate Rabinowitz, Oct. 9, 2017, 6:48 p.m. EDT

Wisconsin’s Democratic Party includes a substantial number of African-American and Latino voters, particularly in cities like Milwaukee. When you look more closely at redistricting plans drawn in Wisconsin and elsewhere, you see that both parties have improved their statewide prospects by diminishing the political power of minority voters.

The record shows that the reliably Democratic voters in communities of color are crucial chess pieces in the partisan game that is redistricting. Republicans often benefit from packing such voters into districts, making other districts safer for Republican candidates. Conversely, a state’s Democratic Party can benefit if it divides communities of color among many districts, giving each a reliable majority of voters who will support the party’s candidates.

**Different
numbers, same
bad proposals**

**SENATE CONCURRENT
RESOLUTION No. 152**

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED NOVEMBER 26, 2018

Sponsored by:
Senator NICHOLAS P. SCUTARI
District 22 (Middlesex, Somerset and Union)
Senator STEPHEN M. SWEENEY
District 3 (Cumberland, Gloucester and Salem)

[First Reprint]
**SENATE CONCURRENT
RESOLUTION No. 43**

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:
Senator NICHOLAS P. SCUTARI
District 22 (Middlesex, Somerset and Union)
Senator STEPHEN M. SWEENEY
District 3 (Cumberland, Gloucester and Salem)

**ASSEMBLY CONCURRENT
RESOLUTION No. 205**

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED NOVEMBER 26, 2018

Sponsored by:
Assemblyman LOUIS D. GREENWALD
District 6 (Burlington and Camden)
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)
Assemblyman JAMEL C. HOLLEY
District 20 (Union)

**ASSEMBLY CONCURRENT
RESOLUTION No. 60**

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:
Assemblyman LOUIS D. GREENWALD
District 6 (Burlington and Camden)
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)

SCR₄₃/SCR₁₅₂/
ACR₆₀/ACR₂₀₅ Sponsors:
Sen. Sweeney, District 3
Sen. Scutari, District 22
Assm. Greenwald, District 6
Assw. Murphy, District 7
Assm. Holley, District 20

Mandating
sitting
legislators serve
on the line-
drawing
commission.

13 Amend Article IV, Section III, paragraphs 1 and 2 to read as
14 follows:

15 1. After the next and every subsequent decennial census of the
16 United States, the Senate districts and Assembly districts shall be
17 established, and the senators and members of the General Assembly
18 shall be apportioned among them, by an Apportionment
19 Commission consisting of **ten** 13 members **five to be** . Twelve
20 of the members shall be appointed as follows: two members, at least
21 one of whom shall be a member of the public, appointed by the
22 each chairman of the State committee of each of the two major
23 political parties whose candidates for Governor receive the largest
24 number of votes at the most recent gubernatorial election ; two
25 members appointed by the President of the Senate, at least one of
26 whom shall be a member of the Legislature; two members
27 appointed by the Speaker of the General Assembly, at least one of
28 whom shall be a member of the Legislature; two members
29 appointed by the Minority Leader of the Senate, at least one of
30 whom shall be a member of the Legislature; and two members
31 appointed by the Minority Leader of the General Assembly, at least
32 one of whom shall be a member of the Legislature. The Chief
33 Justice of the Supreme Court of New Jersey shall appoint the 13th
34 member of the Commission. Each **State chairman** person, in

Public hearings
are crucial.
Three hearings
across all of NJ
not enough to
understand
public's
concerns and
communities of
interest.

20 b. Within the two-month period following the receipt by the
21 Governor of the official decennial census of the United States for
22 New Jersey, the Commission shall hold at least three public
23 hearings in different parts of the State at times and locations
24 convenient to the public. The Commission shall establish a
25 website, to be administered by the Office of Legislative Services, or
26 its successor, starting on January 1 of the year following the year in
27 which the census is taken. By January 1, the website shall describe,
28 in plain language, the process of the Commission; provide the total
29 votes received in each municipality by candidates in all Statewide
30 general elections in the preceding decade for the offices of United
31 States President, United States Senator, and Governor; and provide
32 a process for members of the public to submit written plans for the
33 establishment of legislative districts and more general comments to
34 the Commission. The website shall also provide access to the
35 transcripts and recordings of the public hearings and the materials
36 submitted to the Commission, and provide such other information

12 public meeting.

44 c. The Commission shall only certify a plan to establish
45 legislative districts that ensures fair representation such that each of
46 the two major political parties has an equal number of districts more
47 favorable to that party. A district shall be more favorable to a

1) Using 10 years
of past federal &
gubernatorial
election results
for LEGISLATIVE
districts, and
2) Partisan data
in redistricting =
partisan
gerrymandering

1 political party if the percentage of the combined two-major-party
2 votes received in that district in all Statewide general elections by
3 that party over the preceding decade for the offices of United States
4 President, United States Senator, and Governor exceeds the
5 Statewide percentage of the combined two-major-party votes that
6 party received in those elections. A major political party's
7 percentage of the combined two-major-party votes shall be
8 calculated by dividing the number of votes received by that political
9 party by the combined total number of votes received by the two
10 major political parties.

Mandating at least 25% of seats are competitive with flawed calculations. Arbitrary definition of "competitiveness." And overall, extremely confusing language.

11 d. The Commission shall only certify a plan to establish
12 legislative districts that enhances competitiveness by ensuring that
13 at least 25 percent of all districts are more favorable to either major
14 political party by no more than five percentage points of the
15 average Statewide percentage of the combined two-major-party
16 votes received in all Statewide general elections by that party over
17 the preceding decade for the offices of United States President,
18 United States Senator, and Governor. For each such district
19 included in the foregoing in which the percentage of the combined
20 two-major-party votes for a major political party exceeds that
21 party's percentage of the combined two-major-party votes in those
22 Statewide elections, there shall be a corresponding district in which
23 that party's percentage of the combined two-major-party votes is
24 less than the other major party's percentage of the combined two-
25 major-party votes in the Statewide elections by approximately the
26 same percentage. A major political party's percentage of the
27 combined two-major-party votes shall be calculated by dividing the
28 number of votes received by that political party by the combined
29 total number of votes received by the two major political parties.

“Competitive” District = District in which the majority party can have up to 60% of the total vote share.

Flawed math to rig elections and solidify power of one party.

Misleading the public re: “competitiveness”

As % of “competitive” seats increases, % of “safe” districts for the majority party increases.

Yurij Rudensky, Redistricting Counsel, Brennan Center for Justice at NYU School of Law, November 26, 2018:

“The proposed changes [in SCR43] would leave New Jersey more, not less, vulnerable to abuse and gamesmanship than before. It would set up a process primarily driven by political data. It would create explicitly Democratic and Republican districts. And the competitive district quota is not, on its own, sufficient to guard against partisan overreach. Indeed, some of the worst plans of this decade in gerrymandered states like North Carolina rely by design on one party winning a large number of nominally close contests.”

Protecting
“communities of
interest” is
important. But
refusing to include
separate “race
equity” provision
lumps all
communities of
color under one
“Communities of
Interest” umbrella.

37 f. The Commission shall only certify a plan that best preserves
38 communities of interest within the same district. A community of
39 interest shall mean a geographically contiguous population sharing
40 common interests relevant to the legislative process such as trade
41 areas, communication and transportation networks, media markets,
42 or social, cultural, or economic interests.
43 (cf: Art. IV, Sec. III, par. 2; amended effective December 8, 1966)

Sample language that would ensure equity and fairness in redistricting for communities of color:

“The Commission shall only certify a plan to establish legislative districts if such plan ensures that districts provide racial minorities and language minorities with an equal opportunity to participate in the political process and does not diminish their ability to elect candidates of choice whether alone or in coalition with others.”

Why won't sponsors add this language to their proposal?



Language they propose for the ballot question extremely misleading. This language does not belong on our ballot, and it does not belong in our Constitution.

		<p>CONSTITUTIONAL AMENDMENT REQUIRING STANDARDS AND A PUBLIC PROCESS IN ESTABLISHING LEGISLATIVE DISTRICTS</p> <p>Do you approve changing the Constitution to change the membership of the Apportionment Commission, require public hearings, and set standards for the way it creates legislative districts?</p> <p>Do you approve adding to the commission an independent member at the beginning of the process, and changing who appoints some of the members?</p> <p>Do you approve requiring that at least two members of the public serve on the commission?</p> <p>Do you approve requiring that at least four legislators serve on the commission?</p> <p>Do you approve barring governmental affairs agents from serving on the commission?</p> <p>Do you approve requiring the commission to provide information to and take comments from the public? The amendment would also require the commission to hold at least three public hearings.</p> <p>Do you approve requiring the commission to establish districts that fairly represent voter party preferences in Presidential, United States Senate, and gubernatorial elections in the previous 10 years and to require at least one quarter of those districts to be within five percent of the party average of Statewide election results? This amendment would also require that the commission only certify a plan that best preserves communities of interest within the same district.</p>
	YES	



Politicians picking their voters

Ignoring the will of the people

Eliminating potential opposition

Running incumbents against each other

Carving incumbents out of their current district

Diluting groups' voting power

Skewing groups' voting power

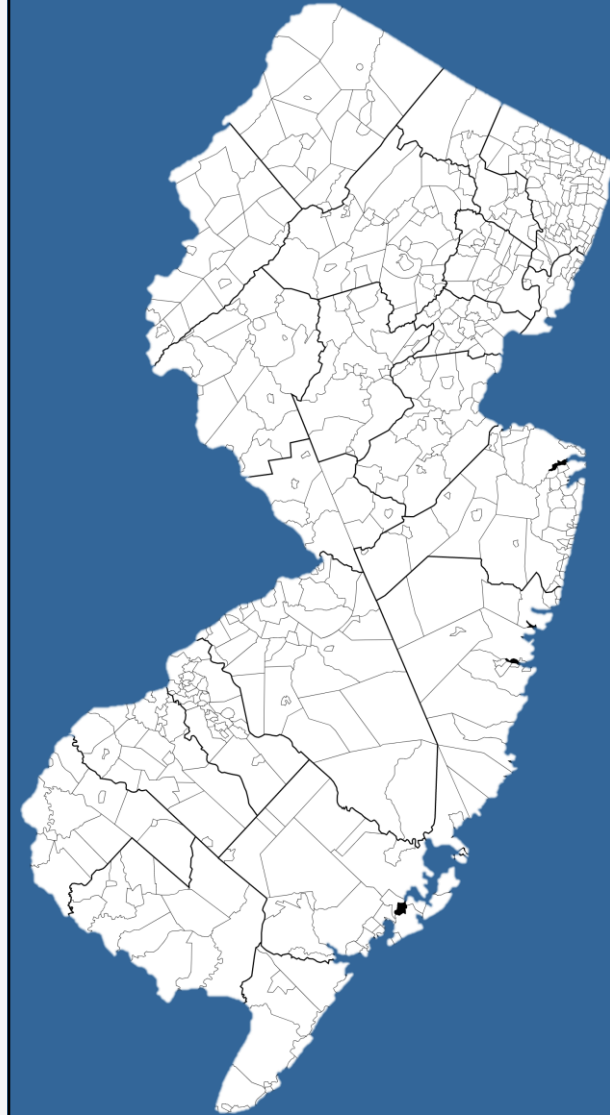
Destroying public's trust in process



FAQ's

- Isn't it better for more people to have appointment power, not just 2 people?

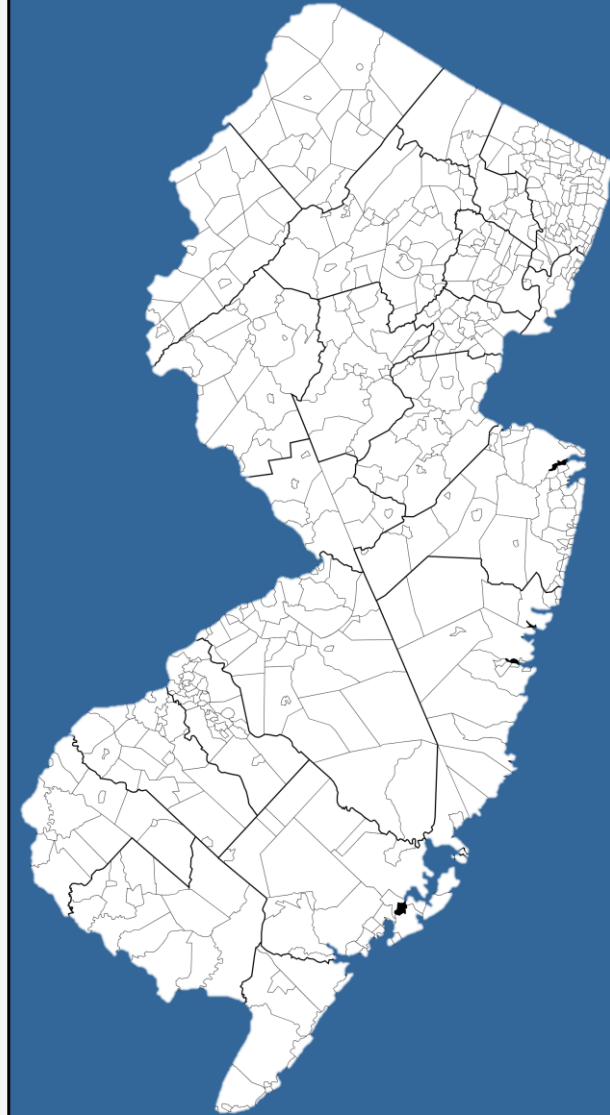
Political appointees are political appointees. Giving more people appointment power doesn't translate to "fairness," especially when some of those appointees are required to be sitting legislators. We believe there's a direct conflict of interest when sitting elected officials and party insiders are responsible for redrawing our district lines. They can redraw boundary lines to protect incumbents or favor or discriminate against one group over another. This is not what the redistricting process should be about.



FAQ's

- Doesn't NJ already have a better redistricting system than most states?

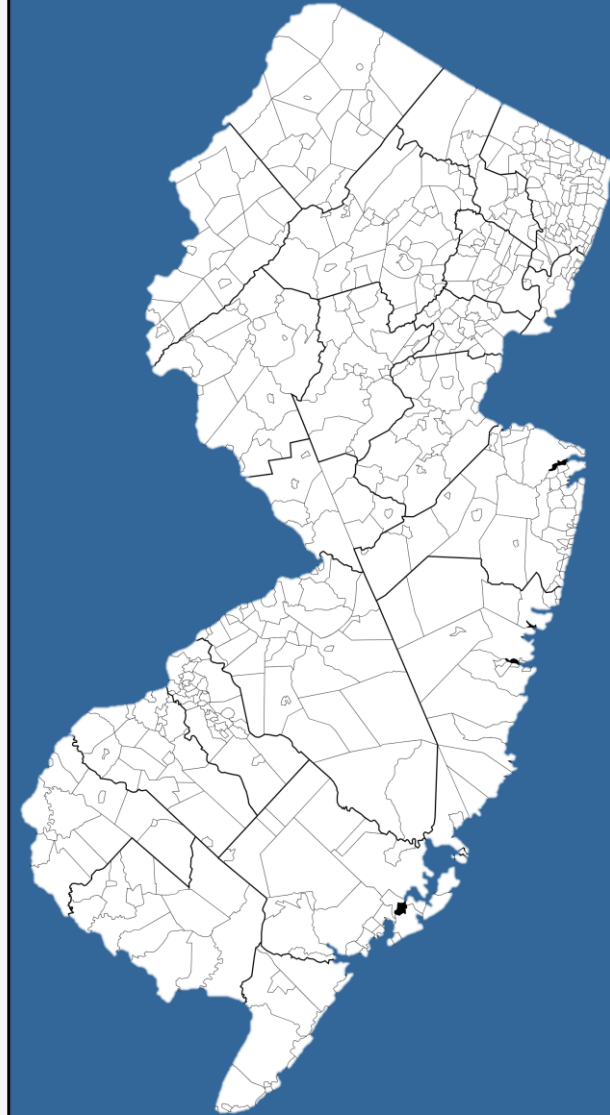
Yes, in NJ, we have a “bi-partisan” line-drawing commission, whereas most other states’ process is controlled by whichever party controls their Legislature. But our commission hasn’t been operating in the spirit of bi-partisanship. The Republicans get in one room, the Democrats get in another room, and they both work on separate district maps that’ll win the favor of the independent tie-breaker. Our redistricting process needs improvements, but SCR43/SCR152/ACR60/ACR205 would not improve the process. It would take New Jersey backwards. So let’s not make our “better” system worse.



FAQ's

- Shouldn't all elections be competitive?

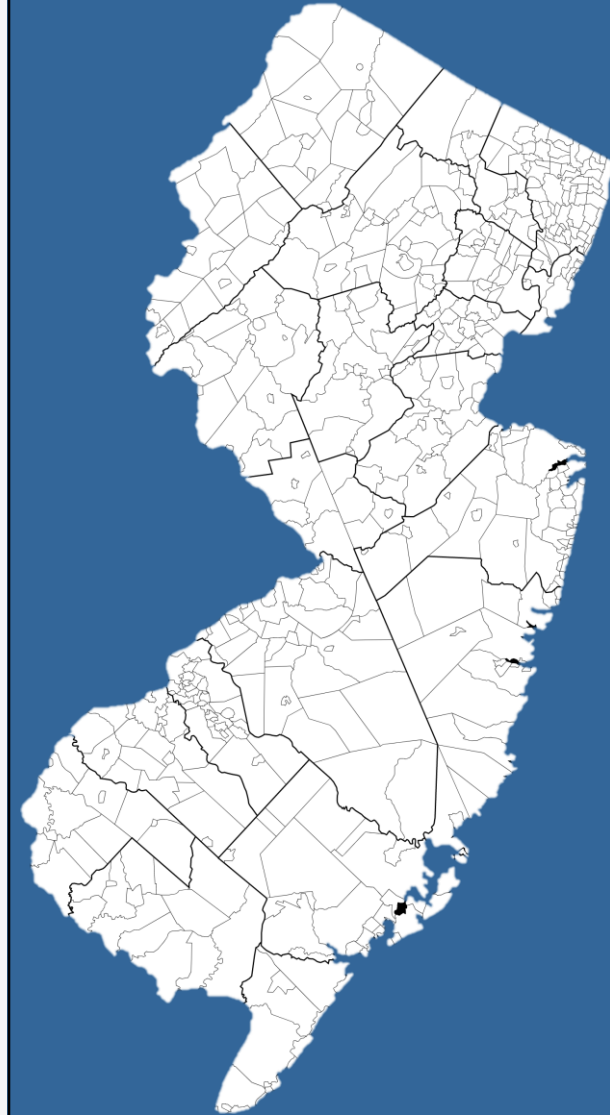
District lines shouldn't be **manipulated** in the name of "competitiveness" or "partisan fairness." We should not apply standards to a set of redistricting criteria that undermine other criteria or violate federal law. The overreliance on arbitrary metrics overshadows the will of the people and ignores political geography. Communities shouldn't be broken apart in the name of competitiveness.



FAQ's

- Isn't this just some Democratic infighting?

According to some, yes. But a nearly-identical proposal was introduced in 2015 by Democratic leaders when Republican Chris Christie was Governor. Both then and now, this is an attempt by one party to more effectively distribute its votes across the state in order to solidify its political power. And that's partisan gerrymandering. Whether there's infighting or not, this is an attempt to mislead the public and a power grab from the people.

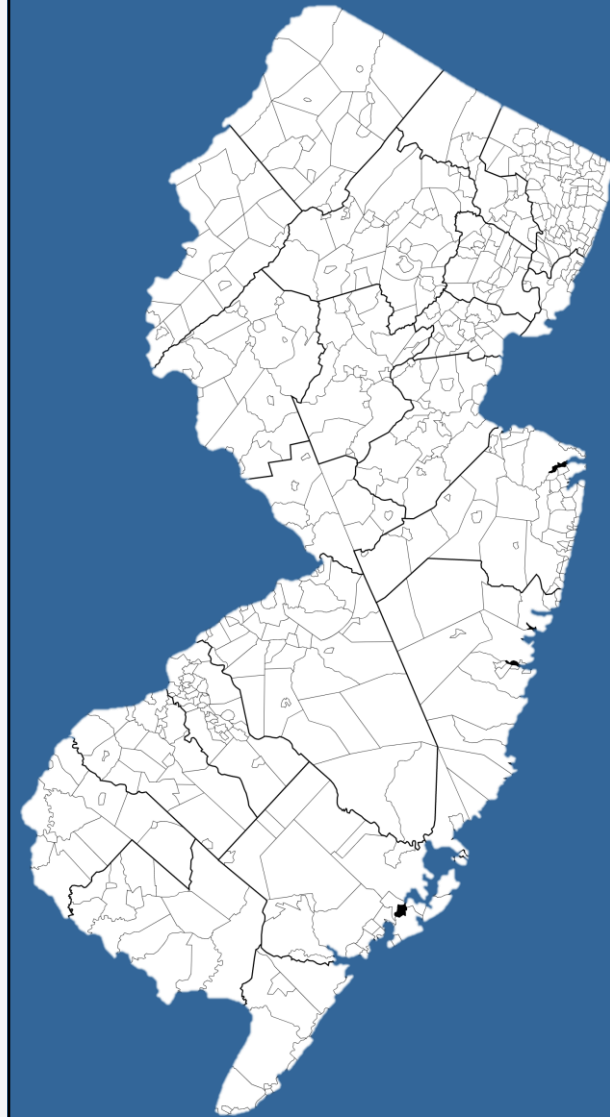


FAQ's

- Can't we just all vote this down on Election Day?

The ballot language is written in an extremely misleading way to drive a "yes" vote on Election Day. We need to stop this from getting on our ballot if we're going to stop this from getting in the Constitution.

Since voters in NJ don't have the ability to circulate a petition to introduce ballot measures of our own, we rely on our legislators to be responsible and introduce proposals for Constitutional Amendments that represent the will of the people and improve democracy. If voters are presented with a ballot question, it should be for real, meaningful improvements. This, on the other hand, is a bad proposal that would take power away from the people.

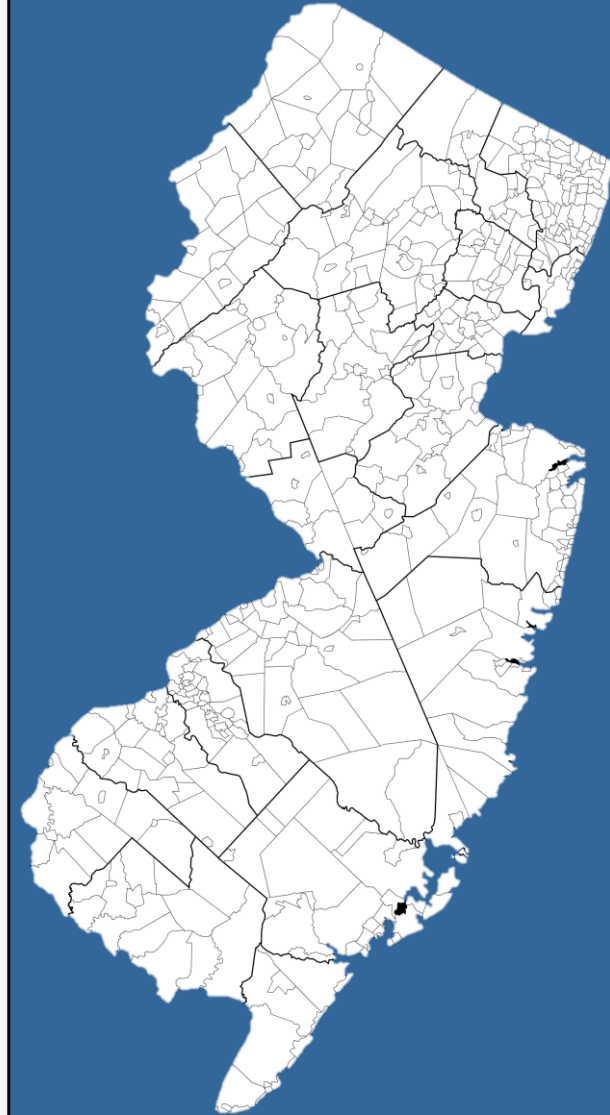


FAQ's

- Shouldn't we just be using Census Data? Just divide the population by 40 and draw the lines!

Ensuring fairness in redistricting goes beyond drawing districts that have equal populations. The Voting Rights Act and its amendments were passed to remedy years and years of systemic racism and discriminatory practices that disenfranchised communities of color and prevented them from electing candidates of their choice. Fair redistricting allows communities of color to have their voices and votes count, and helps us achieve a map that reflects the state's diversity.

Also, people belong to all types of communities of interest, and only through collecting public input can we understand how people want to be grouped together for representational purposes. Communities of interest can include a group of farmers, an ethnic enclave, a shore community or workers who rely on a particular NJ Transit line. Because of how varied communities of interest can be, collecting public input is the only way to understand them and make sure district lines are drawn in a way that's fair. We can't get this type of info from the Census.



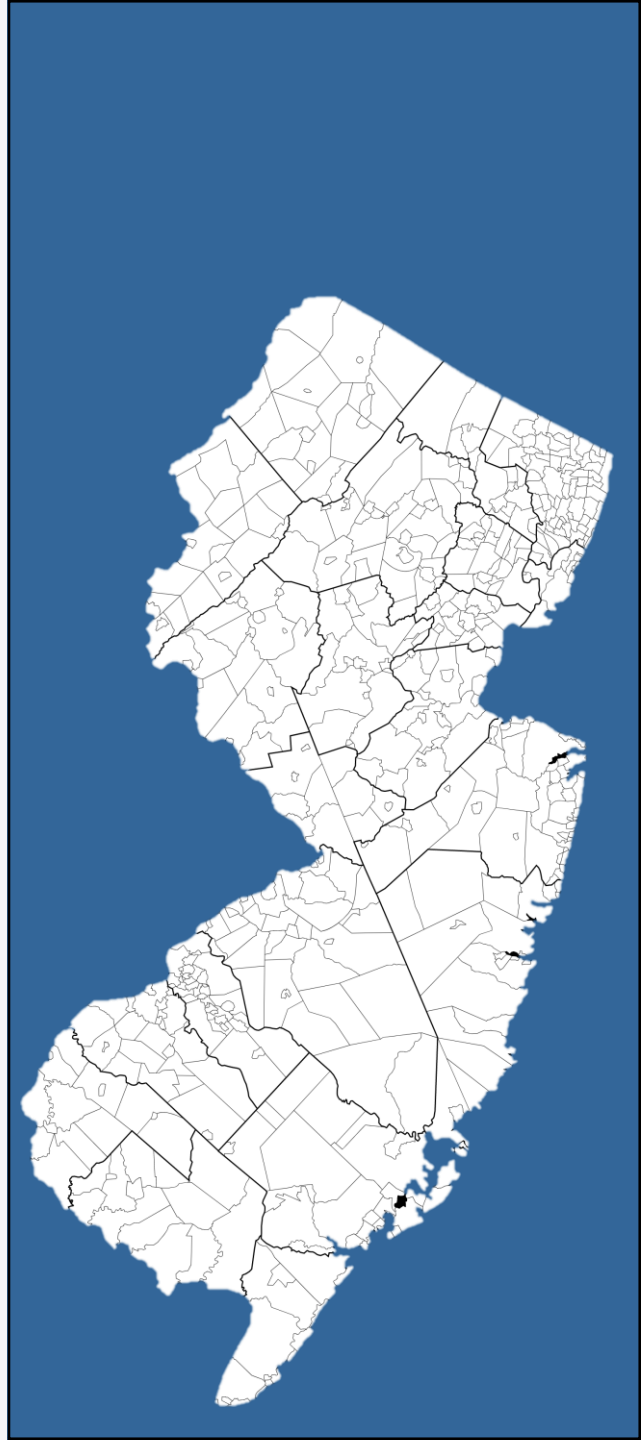
FAQ's

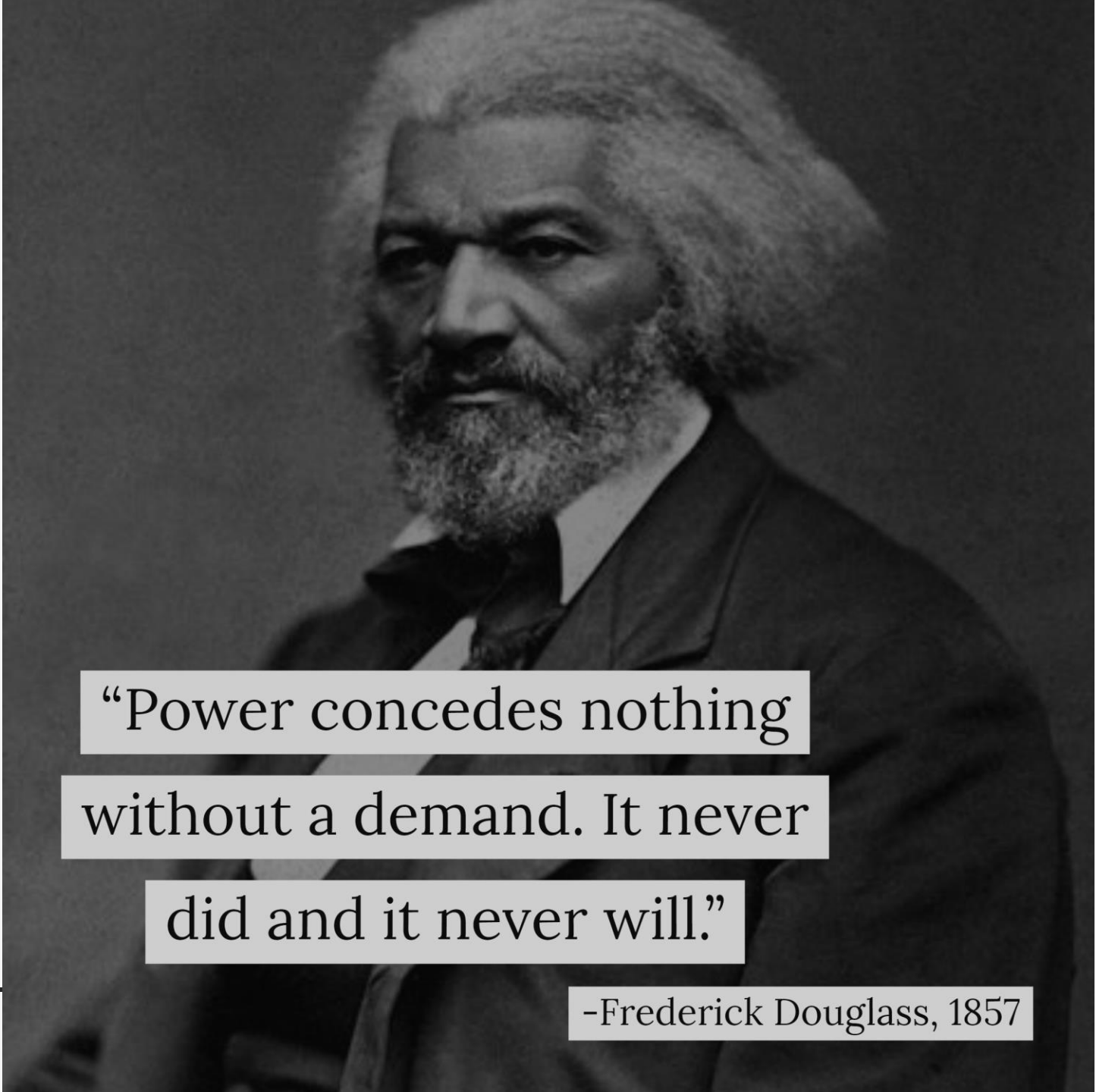
- Why would any Democratic Legislator support this, anyway?

In short, politics.

And self-interest.

So, what do we have to do?



A black and white portrait of Frederick Douglass, an older man with a full white beard and long white hair, wearing a dark suit and a bow tie. He is looking slightly to the left of the camera with a serious expression.

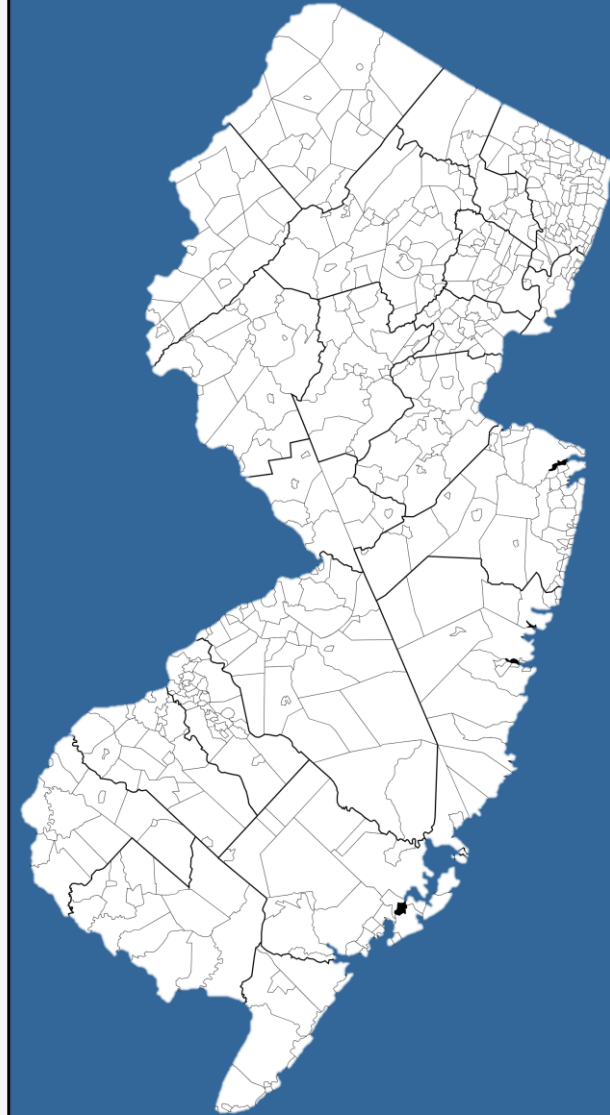
“Power concedes nothing
without a demand. It never
did and it never will.”

-Frederick Douglass, 1857

Next Steps!

Now – Dec. 17

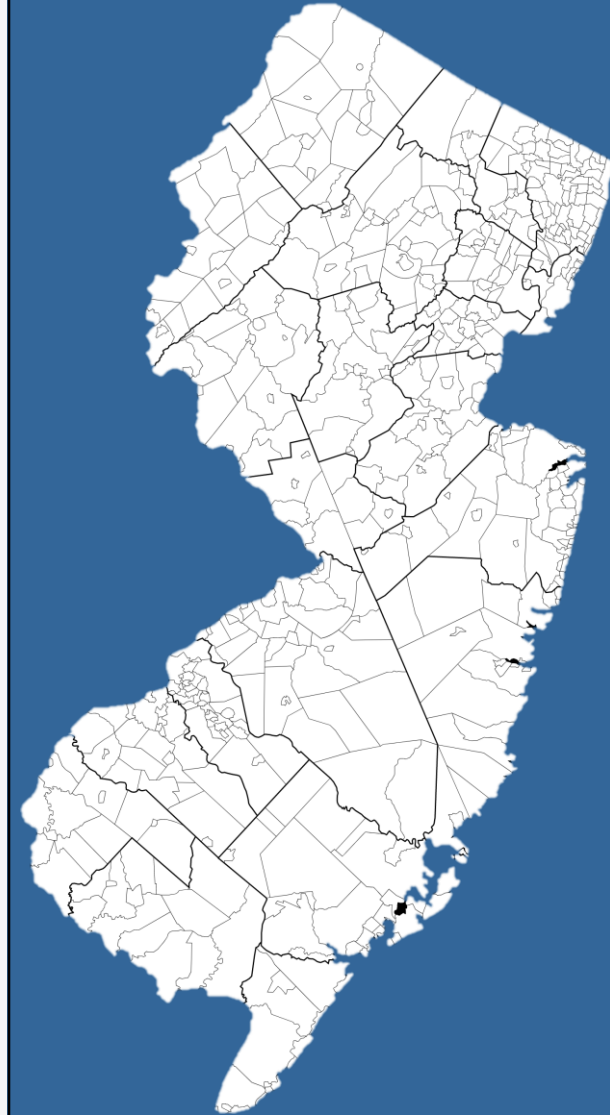
- Call your legislators!
- Call your legislators!
- Call your legislators!



Next Steps!

Now – Dec. 17

- Visit District Offices
 - Come to Trenton for a Press Conference
 - Testify at the Public Hearing
 - Write a Letter to the Editor
 - Call your Legislators some more – get their position! Ask them to explain this bill to you and why they support it!
 - Call your family, friends, coworkers and neighbors, and tell them to call their legislators!
-



Legislative District # (check <https://www.njleg.state.nj.us/districts/districtnumbers.asp> if you're unsure)

Your answer

I am willing to (check all that apply):

- ☐ Submit a Letter to the Editor
- ☐ Visit my legislators' district office with other local advocates
- ☐ Come to Trenton for a press conference (date TBA)
- ☐ Testify at the public hearing

Email Address

Your answer



THANK YOU!

Helen Kioukis,
hkioukis@lwvnj.org

