

REDISTRICTING REFORM: Support the Creation of an Independent Redistricting Commission

Background:

Elections are supposed to offer voters a choice in their representation. Unfortunately, the winners of New York State legislative elections are typically elected in non-competitive elections aided by 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 leaders draw district lines for their 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 should be and electoral districts that divide communities.

To address these concerns, legislation should be passed that creates an independent redistricting commission to draft the state legislative and congressional district boundaries for the 2012 elections and beyond. New York should adopt a system where redistricting guidelines are developed to ensure that racial and language minorities have fair and effective representation. Districts should be compact and contiguous, with greater population equality, and should be drawn neither to favor nor to oppose a candidate for office or political party. Commissioners should be prohibited from creating districts based upon voters' party affiliations or other information that could serve to disenfranchise voters.

Action:

The Legislature and the Governor should pass meaningful redistricting reform that includes the creation of an independent redistricting commission and the development of well-defined guidelines to ensure fair and effective representation for all citizens of the state.

New York's Representative Democracy has been Undermined because the Current Redistricting Process:

- **Distorts Legislative Representation.** 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.
- **Denies the Concept of "One Person, One Vote."** 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.
- **Contributes to New York State's Lack of Competitive Elections.** 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.

ISSUE: REDISTRICTING REFORM

- **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 parties in each house maintain their dominance, and fail to address critical issues. As districts have become increasingly polarized, so too have their elected officials.

Recommendation:

Our groups urge the Governor, the Senate and Assembly to develop and enact meaningful redistricting reform that includes the following key elements:

- Creation of an independent redistricting commission that 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;
- Appointment of commissioners from a pool of diverse and qualified candidates that are representative of both genders and the state's racial, ethnic, and cultural diversity, who do not hold, or have not held, an elective office, a party position, or other positions or employment that would confer partisan influence, with additional procedures to ensure that the commission itself is also reflective of the state's voters;
- The development and use of fair and well-defined redistricting guidelines that limit the influence of partisan interests during the process, protect against the manipulation of district lines to favor or oppose any incumbent officeholder or candidate for office, provide and protect the unified representation of communities of interest, and ensure fair and effective representation for all citizens of the state;
- A fair and transparent reapportionment process that provides for ample public hearings and opportunities for public comment and full access to data, maps, criteria, software used, and proposed plans;
- A mechanism for passage that encourages the approval of the independent redistricting commission's plan and limits the ability of the legislature to make alterations.