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**THE LEAGUE
OF WOMEN VOTERS**
of New York State

**TESTIMONY BEFORE THE NEW YORK STATE SENATE MAJORITY CONFERENCE
SENATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND
REAPPORTIONMENT
VAN BUREN HEARING ROOM A-LOB
DECEMBER 16, 2010
ALBANY, NEW YORK**

My name is Barbara Bartoletti, Legislative Director of the League of Women Voters of New York State. Thank you for having this hearing on the 2011-2012 redistricting process and for inviting us to speak. The League is not a newcomer to this subject, having first proposed guidelines for redistricting in 1966.

We believe that in addition to improving goals and criteria for the redistricting process, this is an opportunity to fundamentally change elections in New York State by removing the process from partisan influences. The most important point we wish to make today is that the drawing of district lines for legislative and Congressional district lines should not be done by legislators. The current process allows elected officials to choose their voters before the voters have a chance to choose them. It is in the self-interest of legislators and legislative leaders to preserve both the careers of individual legislators and the dominance of their political party. The resulting partisan gerrymandering has significantly reduced the rights of New Yorkers to be fairly represented and resulted in one of the highest rates of incumbents being reelected in the country.

We believe that an independent commission to draw the lines for legislative and Congressional districts can operate under existing state constitutional requirements. The members of the commission

should be fairly chosen, nonpartisan, and reflect the diversity of the state. The lines should be drawn in a manner that does not favor any incumbent or political party, and under guidelines that provide for fair and effective representation of racial and language minorities. The process should be transparent and open to public input. Finally, there should be an effective mechanism for legislative approval of the commission's plans. We believe that Senator Valesky's bill S.1614B accomplishes all these things and strongly support its passage as soon as possible to draw the lines for the next decade.

We urge that the following criteria and guidelines for redistricting, which are to a large extent listed and prioritized in the Valesky bill, be adopted. Districts should be of contiguous territory with the smallest perimeter possible. Areas divided by water should not be included in the same district except if connected by bridge or tunnel. Districts should be drawn to protect the voting rights of racial and language minorities.¹ Districts should not be drawn to favor or disfavor any candidate or political party.

Subject to the above guidelines, state legislative districts should be drawn with no more than a 1 percent deviation from the mean population of districts within that house. Counties and county subdivisions should not be divided, except when necessary to comply with the requirements described above, and in that case, more populous counties or subdivisions should be divided before those with smaller populations. Villages should not be divided. Again subject to the first set of guidelines, districts should be as compact as possible and legislative districts should be drawn to keep communities of interest together.

¹ Under the Voting Rights Act, states must draw district lines in a way that gives minority voters the same opportunities as other voters "to participate in the political process and elect representatives of their choice." District lines in some New York counties, Brooklyn, Bronx and Manhattan must be drawn in a manner which does not leave minority voters worse off than current lines. We recognize that complying with these federal requirements may in some instances result in legislative districts that are not as "compact" as otherwise possible.

Open source software designed by social scientists and computer programmers has been developed recently to make the process more transparent.¹² We believe that the process should be transparent in all respects both through multiple public hearings throughout the state and by using technology to have citizens participate at all stages of the process. All data on which the commission relies should be available to the public, both in writing and electronically through the Commission's website, including all draft and proposed final maps of districts, criteria used to generate each draft and proposed final map of districts, software used to generate each draft and final proposed map of districts, and proposed plans.

In all of its 90 plus years of history, the League has stood for fair and equitable representation for the people of our state. We believe that the overriding concern in drawing new districts is to provide all New York residents fair representation in Congress and the Legislature. To do otherwise discourages participation in the political process and increases voter cynicism. Ten years ago we went before this body during hearings on the last round of redistricting and lamented the fact that New York had a voter turnout of 49%. That number of 49% ten years ago looks pretty good compared to what the New York Times recently called the lowest turnout in the nation for the 2010 mid-term elections.

The League believes it imperative that an independent redistricting process be adopted so that people, not parties, are protected. We hope that this series of public hearings is in fact the beginning of a fair, transparent and objective redistricting process.

² See <http://news.gmu.edu/articles/4605> for a description of the project and <http://www.publicmapping.org/> for the project's website.
