

1 COMMONWEALTH OF PENNSYLVANIA
2 LEGISLATIVE REAPPORTIONMENT COMMISSION

3 In re: Public Meeting of the Legislative
4 Reapportionment Commission

5 VOLUME II - Pages 98-149

6 Stenographic report of hearing held
7 in Hearing Room No. 1, North Office
8 Building, Harrisburg, Pennsylvania

9 Tuesday
10 April 27, 2021
11 9:00 a.m.

12 MEMBERS OF LEGISLATIVE REAPPORTIONMENT COMMISSION

13 Sen. Kim Ward Rep. Kerry Benninghoff
14 Sen. Jay Costa Rep. Joanna McClinton

15 Also Present:

16 Brent McClintock, Executive Director, Legislative Data
17 Processing Center
18 G. Carlton Logue, Esq. Deputy Counsel, Senate Majority Leader
19 Chad Davis, Research Analyst, Senate Republican Policy Office
20 C.J. Hafner, Esq., Chief Counsel, Senate Democratic Leader
21 Ronald N. Jumper, Esq. Deputy Chief Counsel, Senate Democratic
22 Leader
23 Lora S. Schoenberg, Director, Senate Democratic Legislative
24 Services
25 Rod Corey, Esq., Chief Counsel, House Republican Caucus
James Mann, Esq., Senior Deputy Chief Counsel, House
Republican Caucus
Katherine Testa, Esq., Senior Legal Counsel, House
Republican Caucus
William R. Schaller, Director, House Republican District
Operations
Michael Schwoyer, Esq., Special Counsel, Deputy Chief of
Staff for Legislation and Policy, House Democratic Caucus
Justin Klos, Director, House Democratic Office of
Demographic Analysis

24 Reported by:
25 Ann-Marie P. Sweeney
Senate Chief Official Reporter

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Also Present:

David Brogan, Esq., Director, House Democratic Legislation
and Policy

Andrew McGinley, Esq., General Counsel, House Democratic
Government Oversight Committee

INDEX

<u>Applicant</u>	<u>Page</u>
Fred Baldwin	101
Daniel Brier	105
John Kromer	110
Maureen Roth	114
Dr. Frederic Murphy	117
Dr. Myra Forrest	120
Christopher Fowler	124
Jerold Grupp	129
Jo Lin	134
David Thornburgh	139
Joseph Venti	144

1 INTERIM CHAIR SENATOR K. WARD: So good morning,
2 everyone. We're back. We have about 13 people on today's
3 list. This is our second meeting. I have no opening comments
4 other than some brief instructions, so that I can say them
5 again and you can all hear them. So we will hear -- now it's
6 marked down to 12 applicants today. Each applicant will have
7 5 minutes to speak, followed by questions, if there are any,
8 from the Commissioners. The light in front of me will be
9 green, and then when you have 30 seconds left it will turn
10 yellow, and then it will turn red. That means your time is
11 up. For those on Zoom, it's not that we're being rude, but we
12 might let you know if you go too far over the time limit. And
13 if you are testifying in person, please make sure your
14 microphone is on right here. And if you're participating via
15 Zoom, make sure your camera is turned on when you're speaking
16 and you will be unmuted when it's your turn.

17 So we'll begin with the in-person applicants, and
18 the first testifier is Fred Baldwin. Good morning.

19 Is there a button there? There you go.

20 MR. BALDWIN: There.

21 INTERIM CHAIR SENATOR K. WARD: There you go.

22 Have a seat.

23 MR. BALDWIN: Senator Ward, thank you.

24 Representative Benninghoff, Senator Costa, Representative
25 McClinton.

1 REPRESENTATIVE McCLINTON: Good morning.

2 MR. BALDWIN: Good morning. I've been vaccinated.
3 I hope all of you have.

4 INTERIM CHAIR SENATOR K. WARD: We all have been.

5 MR. BALDWIN: Do you wish me to leave the mask on?

6 INTERIM CHAIR SENATOR K. WARD: That's up to you.

7 You are not even around anybody, but we've been vaccinated,
8 so.

9 MR. BALDWIN: All right, with your permission
10 then.

11 INTERIM CHAIR SENATOR K. WARD: That's fine. It's
12 much easier to hear you without that mask on, so.

13 MR. BALDWIN: It is.

14 First, thank you very much for having me here
15 today and giving me this opportunity and just speaking as a
16 citizen of Pennsylvania. I want to thank you for opening this
17 process up. That you have a lot of applicants for a difficult
18 job I think is evidence of the public interest in fair
19 districting, and we're all aware that past LRC Chairs have
20 been distinguished attorneys. I want to commend you for
21 inviting people with more diverse backgrounds and a diverse
22 set of experiences.

23 Speaking just for myself, I could explain very
24 easily why I'm here. I have friends who are at least as well
25 qualified as I am who said, well, I really ought to apply for

1 this, I've thought about it, and then they decided they
2 couldn't make the commitment of time and energy. I can make
3 that commitment. I'm here because I'm convinced it's one of
4 the most important things that a citizen can do, that the
5 media has made the obvious point that the work of this
6 Commission will have a major influence on the future of the
7 General Assembly. The point that I wish that the media had
8 been making and that people understood is that how this
9 Commission does its work will have a huge impact on just the
10 civic health of the Commonwealth. If it does its work, as I
11 trust it will, conscientiously and honestly and openly, that
12 will help do a lot to dispel some of the cynicism that
13 surrounds public office, and of course, if it were not to do
14 that, the results would be unfortunate.

15 You have my resume. It lists what I think is a
16 fairly substantial body of experience as an administrator, as
17 an analyst working with people who understand a lot more than
18 I do about statistics, but I know how to ask those questions,
19 and my experience as a freelance writer. It also notes some
20 personal things that are very relevant, I think, that I've
21 spent more than, until very recently, I stepped down, but I
22 spent 26 years on a public school board, which as you know is
23 nonpaid and nonpartisan. And my resume even mentions that I
24 am something called the clerk of our local Quaker meeting.
25 And as I suggest, only people that have never chaired a church

1 committee or a parish committee think that's trivial.

2 There's one other thing, and I'll depart from my
3 prepared statement. As I reread it, it seemed to me that it
4 did not sufficiently emphasize how I think of the LRC doing
5 its work. It may have implied, and this was not my intent,
6 that I somehow assumed that there would be a lot of back and
7 forth on a district-by-district basis. I realize there could
8 be some of that, but I see the principle role of the LRC as
9 arriving at clear and understandable and consistently applied
10 standards, that we all understand that how computers do their
11 work depends on the assumptions you feed into them, and the
12 challenge of the LRC will be to be clear about what those
13 assumptions are, what those standards will be, so that the
14 Constitution's rather simple and basic requirements for
15 reapportionment are given some clarity. In a way, the test of
16 the work will be all the inevitable litigation. My guess is,
17 the world being what it is, that there will be lawsuits. And
18 the best defense will be we did our work fairly and openly and
19 by standards that anybody can follow.

20 That's it for me, I think. I'd be glad, of
21 course, to answer any questions. Thank you.

22 INTERIM CHAIR SENATOR K. WARD: Thank you, sir.

23 Are there any questions for Mr. Baldwin?

24 Yes, Representative.

25 REPRESENTATIVE BENNINGHOFF: Thank you, Madam

1 Chair.

2 Sir, I was looking at your resume you supplied
3 with us. I apologize. You had mentioned some interest in
4 redistricting, some mapping, and experience in that.

5 MR. BALDWIN: No, sir. I'm not experienced in
6 mapping. I've had some experience in working with
7 statisticians and people who use computers to work with
8 difficult problems, but, no, sir, not with mapping.

9 REPRESENTATIVE BENNINGHOFF: Okay, I was just
10 trying to get an example. I appreciate that.

11 Thank you, Madam Chair.

12 INTERIM CHAIR SENATOR K. WARD: Did you have a
13 question? No.

14 Thank you, sir.

15 MR. BALDWIN: Okay, thank you again.

16 INTERIM CHAIR SENATOR K. WARD: Thank you.

17 Next we have Daniel Brier. Good morning.

18 MR. BRIER: Good morning, Madam Chair. Good
19 morning, Leader Benninghoff, Leader Costa, and Leader
20 McClinton. I'm Dan Brier, and I am from Lackawanna County. I
21 know you have my CV, but I just want to fill in a little bit
22 that's not on my CV. I am the sixth of my parents' seven sons
23 and married for 35 years and have four adult children, the
24 youngest of which will graduate this weekend. So that's a
25 great moment for our family.

1 I have never applied for a position in 35 years.
2 I'm a full-time practicing lawyer, and have been for the past
3 35 years. So why am I applying? I'm applying because in the
4 course of my legal career, I have come to believe that free
5 and fair elections are the heart and soul of our democratic
6 republic and of our Commonwealth. Over the course of my
7 career, I have had the privilege to litigate cases at the
8 intersection of law, politics, government, and policy. I have
9 represented elected officials from both parties. I have
10 vigorously defended clients against Attorneys General Corbett,
11 Shapiro, and others, including Jerry Pappert and others. So
12 I've been on the other side of those elected officials, as
13 well as the Department of Justice under President Clinton,
14 President Bush, and President Obama. So I'm an advocate, and
15 as an advocate, I take my job very seriously, and I have had
16 the opportunity to litigate a heavy diet of election cases.
17 So I'm very familiar with the Pennsylvania election process,
18 the Pennsylvania Constitution. I have litigated cases
19 involving the separation of powers, the authority of the
20 judiciary, as well as due process and equal protection and the
21 importance of every vote being counted equally.

22 I've also, I think, developed a couple of skills
23 that would be relevant for this particular assignment. One is
24 that, as usually the first chair in a case, I have tremendous
25 responsibility for multitasking, for dealing with deadlines

1 imposed by others, and for management of a team, and project
2 management. I've also had tremendous experience in working
3 with experts who are data analytics experts involving cases
4 with terabytes of data. While I'm not a data expert, I have
5 worked with many data experts and am familiar with the need to
6 manage and control large amounts of data.

7 I would welcome the opportunity to serve as the
8 Chair, and I would have as my North Star throughout that
9 process the development of a map that is fair,
10 constitutionally sound, and based on the law and the
11 principles that every vote should be counted equally.

12 I'm happy to answer any questions, but I think
13 that's a full sense of where I come from.

14 INTERIM CHAIR SENATOR K. WARD: Thank you.

15 Does anyone have any questions?

16 Go ahead.

17 SENATOR COSTA: Just a very brief question. Thank
18 you for your presence here today and your remarks. You're
19 part of a large firm. In this likely to be somewhat of a
20 full-time position, would you be able to manage -- would you
21 be able to manage our work as a priority as relates to the
22 next 14 months or so?

23 MR. BRIER: Yes, Leader Costa, this would be my
24 highest priority. I have great people that I work with, and
25 they would be able to manage and successfully balance the

1 demands of our practice. I thought very carefully about that
2 because I wouldn't get into this unless I thought and believed
3 in my heart that I could manage the obligation of this without
4 compromise.

5 SENATOR COSTA: I see from your resume, you and I
6 were at the same law firm back in '88 through '90.

7 MR. BRIER: Is that right?

8 SENATOR COSTA: I was in Pittsburgh. You were in
9 Philly.

10 MR. BRIER: Yeah, Baskin Flaherty.

11 SENATOR COSTA: As you know.

12 MR. BRIER: Right. Right.

13 SENATOR COSTA: Thank you.

14 MR. BRIER: Thank you.

15 SENATOR COSTA: Thank you, Madam Chair.

16 INTERIM CHAIR SENATOR K. WARD: Any other
17 questions?

18 REPRESENTATIVE BENNINGHOFF: Thank you, sir.
19 Obviously, a very impressive career and background. I'm just
20 curious, as Chair, what would you tell us you were bringing as
21 your two or three top priorities to accomplish as the Chair of
22 this committee?

23 MR. BRIER: I think the top priorities would be
24 the development of a process that is transparent and fair,
25 always with the goal of developing a constitutionally sound

1 map that would hold up to a challenge. So I find that
2 collaborating with colleagues is the best way to sort of
3 understand where compromise is available. I've litigated
4 vigorously, and then I've found ways to compromise in cases
5 where stakeholders thought there was no compromise available.
6 So I believe that if selected, I would bring that same skill
7 set, which is to understand people's interests and to try to
8 find the path that is equally agreeable but also equally
9 disagreeable when appropriate.

10 REPRESENTATIVE BENNINGHOFF: A quick follow-up to
11 that, if I may. The word "fair" gets thrown around in this
12 discussion a lot--inside, outside--today by many interested
13 groups outside of what a fair district is. How do you define
14 the word "fair"? Whether it's fair process. Again, it's easy
15 to say words like that, but I think it's hard for the general
16 public to understand exactly what's trying to be accomplished
17 with that.

18 MR. BRIER: So I have a pretty basic acid test for
19 fair. It's the one I apply when I'm in front of judges, and
20 that is, does the strike zone move? Am I dealing with the
21 same strike zone irrespective of the issue that is being
22 presented? And I think if the strike zone is the same and you
23 apply the rules equally and without favor, without putting
24 your thumb on the scale, that's what I consider fair. And I
25 think when judges do that, I might not always like the result,

1 but I know that I got a fair hearing and that the judge did
2 what the judge believed was required by the law. And that's
3 what I consider to be fair.

4 INTERIM CHAIR SENATOR K. WARD: Thank you, sir.

5 MR. BRIER: Thank you.

6 INTERIM CHAIR SENATOR K. WARD: Next on the list
7 is John Kromer. Good morning.

8 MR. KROMER: Good morning, and thanks for the
9 opportunity to be here, and also for the opportunity to wear a
10 tie for the first time in many months. Why am I interested in
11 this position? I'm interested because I'm convinced that this
12 is the year in which we can do redistricting right. We can
13 actually make the process as open, fair--to use that word
14 that's been discussed the last couple of minutes--and
15 transparent, as it needs to be.

16 What do I mean by fair? What I mean by fair is a
17 process in which the people who are affected by the decision
18 understand what's at stake, understand the process, feel that
19 they are being listened to and feel that the outcome of that
20 process is consistent with -- is reasonable, although it may
21 not be the first priority and the first choice of everyone.
22 And I think that's the position we're in now. So I
23 congratulate you on undertaking this extremely challenging
24 role.

25 Why do I think I'm qualified? Because over the

1 years, I've learned how to manage a public dialogue, how to
2 resolve differences among political constituencies, and how to
3 support policies that make sense for urban and rural
4 communities across Pennsylvania. This position has been
5 characterized as a tiebreaker position. I am not interested
6 in being a tiebreaker. My goal is to be the person who works
7 with all of you to reach the best conclusion, the best outcome
8 for all of Pennsylvania, and if we can do that, the process
9 will be very different. That's what I want. That's kind of
10 idealistic, but I think it's doable, or I wouldn't be here.
11 And I've been able to accomplish a lot of doable things during
12 my career.

13 A few examples in my testimony, I was Director of
14 Housing for the City of Philadelphia for 11 years. I got 11
15 budgets through an often-contentious city council unanimously
16 11 times, and I did that by working with council members and
17 their constituencies to find areas of common agreement and to
18 work out from there. Again, not everybody was thrilled with
19 the outcome, but everybody agreed that they had been heard and
20 that there was an attempt to be responsive to what had been
21 said on the public record. As a planning and development
22 consultant, I've worked for government agencies and nonprofit
23 organizations in Allentown, Altoona with Mayor Pacifico, Erie,
24 Reading, and York on blight remediation strategies, the use of
25 tools to deal with blight and neglected properties. And I

1 learned that no one really is opposed to that. There are
2 disagreements over what actions should be taken with respect
3 to issues such as code enforcement and eminent domain, but I
4 can tell you, there's a common agreement across the State that
5 blighted properties are a problem in urban and rural
6 communities, and there were good opportunities to do something
7 about that.

8 I think the best opportunity was the passage of
9 land bank legislation in 2012, signed by Governor Corbett,
10 that created an opportunity to match surplus vacant properties
11 with responsible developers. A leading role in the passage of
12 that legislation was played by Senator David Argall, and as it
13 turns out, after nearly 20 years, some of the most effective
14 land banks are being operated in rural counties - Lackawanna,
15 Somerset, Lancaster, and others. So again, there are areas of
16 commonality and in some cases opportunities to work across
17 party lines and across regions to come to an appropriate
18 resolution.

19 And then on a microscale, I served as judge of
20 elections in my neighborhood. I spent a lot of time this past
21 weekend circulating a flyer that described some of the changes
22 in the election process that had occurred since the November
23 election so that my neighbors would be fully informed about
24 what's going on. And I have a good understanding -- a
25 reasonably good understanding -- of why redistricting is

1 important. My new book, *Philadelphia Battlefields:*
2 *Disruptive Campaigns and Upset Elections in a Changing City,*
3 describes several critical redistricting decisions that were
4 made over the past years, and is accompanied by some graphics,
5 and I'd like to give this to the Commission, if that's okay.
6 One candidate who benefitted from a particular reapportionment
7 years ago described it as the least illegal way of drawing the
8 lines. That's obviously not where I want us to be.

9 I'd like to suggest that this year we can reach a
10 different outcome, and it's going to be tough. As you're well
11 aware, many people are inclined to view any new government
12 initiative with distrust, and some people are concerned that
13 redistricting is going to produce real political
14 disadvantages. We don't have to end up that way, and I think
15 there's an opportunity, again, for us to work together. I
16 know how to do that and would welcome the opportunity to be
17 part of this Commission for that purpose. Thank you.

18 INTERIM CHAIR SENATOR K. WARD: Well, thank you
19 very much. You wrote a book about it? You wrote a book about
20 redistricting?

21 MR. KROMER: Well, about political campaigns, but
22 clearly redistricting in Pennsylvania has influenced and will
23 influence the outcomes of many campaigns, as you're aware.

24 INTERIM CHAIR SENATOR K. WARD: Thank you.

25 Any other questions?

1 (There was no response.)

2 INTERIM CHAIR SENATOR K. WARD: Thank you very
3 much, sir.

4 MR. KROMER: Thank you.

5 INTERIM CHAIR SENATOR K. WARD: Next, we have
6 Maureen Roth.

7 MS. ROTH: Good morning. I am probably the least
8 qualified candidate for this position. I think my license as
9 a counselor lends itself to the Chairperson position in that I
10 would work to make the Members of the group understand and
11 come together on a cooperative decision. I have also lived in
12 several areas of Pennsylvania. When my husband and I were
13 first married, we lived in Zionsville, which is in Lehigh
14 County. Then we moved to Allentown, which is also in Lehigh
15 County. We currently live in Harrisburg. We lived in the
16 Allison Hill section of Harrisburg, this was when my kids were
17 very small. We recently moved back from Blairsville. We
18 lived in Blairsville, which is Indiana County, for 13 years.
19 So I kind of understand the demographic of western
20 Pennsylvania. My husband worked in Pittsburgh. When we lived
21 in Harrisburg, he worked in Reading, which is another totally
22 different neighborhood. My grandmother currently lives in the
23 Poconos, which is another whole scheme of things.

24 I am very familiar with most of Pennsylvania.
25 Erie is another area that I would really like to learn more

1 about. Our daughter currently lives in Beaver, which is
2 another whole population of western Pennsylvania. So I think
3 the different types of communities that are across
4 Pennsylvania lend themselves to a congruency and a wholeness
5 of the citizens of Pennsylvania. My work as a hospice
6 chaplain was wonderful to get to know people in central
7 Pennsylvania - Lewistown, Centre County - just talking with
8 families, meeting the Amish community there was wonderful.
9 And I believe that all of the people of Pennsylvania need to
10 know that their voices are heard as voters, and that includes
11 those in urban and rural and suburban settings.

12 So I welcome any questions you have.

13 INTERIM CHAIR SENATOR K. WARD: You know, you did
14 nail it that we are all over the State and we all represent
15 different kinds of constituencies, and that's something that
16 should be considered with the redistricting, right, keeping
17 groups--

18 MS. ROTH: Yes, seeing that we're losing probably
19 at least one, if not two, seats in the House of
20 Representatives, according to the new Census numbers that came
21 out yesterday.

22 INTERIM CHAIR SENATOR K. WARD: Yeah, I think
23 we're going to lose one Congressman.

24 MS. ROTH: Yeah.

25 INTERIM CHAIR SENATOR K. WARD: We're going to

1 lose a Congressman.

2 Are there any questions?

3 SENATOR COSTA: Just a comment. I agree, I think,
4 with Senator Ward. I think that you have demonstrated your
5 breadth of experiences living in different parts of
6 Pennsylvania, which I think is something, and I disagree with
7 your comment that you're the least qualified, because I think
8 you are--

9 MS. ROTH: Thank you.

10 SENATOR COSTA: --somebody who I think we need to
11 be looking at--

12 MS. ROTH: Thank you.

13 SENATOR COSTA: --through this process.

14 MS. ROTH: Thank you.

15 SENATOR COSTA: So I appreciate your time here and
16 appreciate the work that you've been doing.

17 MS. ROTH: Sure.

18 SENATOR COSTA: So thank you very much.

19 MS. ROTH: Sure.

20 INTERIM CHAIR SENATOR K. WARD: Thank you so much.

21 Anyone else? Oh, I didn't see you. I'm sorry.

22 REPRESENTATIVE McCLINTON: I'm at the far end.

23 INTERIM CHAIR SENATOR K. WARD: Yes.

24 REPRESENTATIVE McCLINTON: Excuse me, Madam Chair.

25 I also wanted to say, you know, don't start

1 another interview saying that, because as I look over, again,
2 your resume and all the schooling you've had and the vast
3 experiences you've had serving, whether it's inside a hospital
4 or other, I mean, those are really significant experiences.
5 So we really appreciate your leadership in--

6 MS. ROTH: Well, thank you.

7 REPRESENTATIVE McCLINTON: --even putting forth
8 your name, going through the application process, and coming
9 down today to talk to us. So thank you--

10 MS. ROTH: Thank you.

11 REPRESENTATIVE McCLINTON: --so very much.

12 MS. ROTH: You're welcome. Thank you so very
13 much. I appreciate that.

14 INTERIM CHAIR SENATOR K. WARD: Thank you.

15 Next, we're going to start Zooms now, and we have
16 Frederic Murphy.

17 MR. MURPHY: Hello. Thank you for allowing me to
18 testify. This has been an interesting experience. Let me
19 summarize my qualifications. I understand the technical
20 issues of mapping and redistricting. I have actually
21 published research papers in the area, and I've been involved
22 in looking at redistricting issues since 2007. And I've
23 actually won a contest on producing the most compact map for
24 the City of Philadelphia, and I've been involved with Common
25 Cause and its redistricting committee for over a decade now.

1 And another qualification I have is long experience in public
2 policy analysis. During the energy crisis years when the
3 legislation was going through, I was actually running the
4 forecasting systems of the Department of Energy. You know,
5 I'm not that old. I was 31 when I was doing that, and I was
6 producing the numbers that the Congresspeople were using to
7 make their decisions on the energy legislation. And I've been
8 involved in energy for a lot of years.

9 Most recently, after I retired from Temple, I
10 commuted to Saudi Arabia for several years through 2018 where
11 I learned the differences between policymaking in a democracy
12 and an absolute monarchy. And that was quite an experience to
13 see that different world. I've also been involved in a lot of
14 other policy and analysis issues. I was an advisor to the Tax
15 Reform Commission in Philadelphia that led to the substantial
16 reductions in the wage tax that have helped the city economy
17 recover. I advised PGW on the customer responsibility program
18 back when natural gas prices were high and it looked like
19 there was the potential for it bankrupting PGW.

20 And so I would look forward to helping in this
21 process in any way I can, you know, because clearly, I've
22 managed in highly political environments. It was remarkable
23 being in Washington during those crisis years and seeing how
24 the Tax Reform Commission had to negotiate its public
25 presence. And the other thing is that I've led teams where

1 it's both public policy and the sensitivity one has to have to
2 public policy issues yet also dealing with deeply technical
3 issues. And so I'm looking forward, if you select me, to
4 contribute to an open process that is accepted by all
5 Pennsylvanians. Thank you.

6 INTERIM CHAIR SENATOR K. WARD: Thank you very
7 much, sir.

8 Do we have any questions here from--

9 Yes, Representative Benninghoff.

10 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
11 Murphy, and thank you for bringing your comments to us in
12 paper ahead of time. I did read over them. You had said that
13 you have been a member of Common Cause. Are you still a
14 member of that organization, or any other kind of political
15 action committee?

16 MR. MURPHY: I'm a part of Common Cause as a
17 member of the redistricting committee. I don't get involved
18 in the other issues related to Common Cause.

19 REPRESENTATIVE BENNINGHOFF: One other quick
20 question, if I may. You have an obviously extensive
21 experience and resume. A lot of it seems to be based in the
22 urban areas of our Commonwealth. How do you strike, as a
23 Chairman, the balance between those life experiences and
24 education with the interests of rural Pennsylvania, which is
25 kind of the heart of the T?

1 MR. MURPHY: Well, one of the research projects we
2 undertook, I with some colleagues, was to actually go around
3 and interview people. So we did a few interviews in the rural
4 areas to catch the key interests of the people in the rural
5 areas. And what we found was very interesting. In the urban
6 areas, people focused on compactness. In the rural areas,
7 people are concerned about having their political districts
8 split, and the smaller towns and metropolitan areas losing
9 their ability to have voice in the State legislature. So
10 what's critical is to balance those interests and reflect
11 those needs. And in doing a lot of mapping for Common Cause
12 and on my own, it's very clear that one has to balance the
13 interests of the different communities in the State.

14 REPRESENTATIVE BENNINGHOFF: Thank you, sir.

15 Thank you, Madam Chair.

16 INTERIM CHAIR SENATOR K. WARD: Anyone else
17 before?

18 (There was no response.)

19 INTERIM CHAIR SENATOR K. WARD: Okay. Thank you
20 very much, sir.

21 Next on the list is Myra Forrest. You may be
22 muted, Ms. Forrest. You may be muted.

23 MS. FORREST: Good morning, Senators Costa and
24 Ward, and Representatives Benninghoff and McClinton. My name
25 is Dr. Myra Forrest. I'm honored to be here as a candidate

1 for the Chairperson of the Legislative Reapportionment
2 Committee. I am a lifelong educator, a teacher, principal,
3 director of curriculum, assistant superintendent,
4 superintendent, college professor at three different
5 universities, executive director of an education foundation,
6 and an education advocate for a health and wellness
7 foundation. In these various positions, I've been a leader
8 and have been able to bring groups to consensus. I've always
9 loved working with people, assisting them with solving
10 problems, and all of these occupations have offered me that
11 opportunity. I believe helping our fellow man is why we are
12 here on this Earth.

13 During my career, I served on numerous boards, and
14 I've become the Chair of many of them. I'm going to share
15 some of those experiences with you. In June 2020, my
16 nine-year board member commitment came to an end at the
17 Pottstown Area Health and Wellness Foundation, and for the
18 last three years of being on that board, I was the Chair. I'm
19 the Chair of the Board of Trustees of the Pottstown Hospital
20 Tower Health.

21 I'm active in my church and serve as both the
22 church pianist and as the church moderator, as well as being
23 the director of Bible School, and the director of children's
24 choir quite a number of years ago. I served as Vice President
25 of the Montgomery County Office of Children and Youth Advisory

1 Board, which is a position appointed by county supervisors. I
2 also served as President of the Board of Directors of a
3 professional orchestra, the Pottstown Symphony, for 17 years,
4 as well as being the keyboard player for the symphony.
5 Playing in an orchestra is the ultimate example of teamwork:
6 Everyone needs to work and think together the entire time in
7 order to have a successful outcome.

8 The topic of redistricting is very important to
9 me. I believe it is a totally nonpartisan issue. As a former
10 school district superintendent, I've dealt with redistricting
11 many times and the handwringing and worry that parents go
12 through when their child needs to attend a new school. I
13 cannot tell you how many school board meetings were attended
14 by upset parents contemplating the terrible fate that their
15 child would come to if they were moved to a different school.
16 The parents were a nervous wreck, and the children fell in
17 love with their new school on the very first day. All of the
18 angst and the anger from redistricting magically disappeared,
19 and the parents wrote letters to me about how wonderful the
20 new school was and thanked me for the decisions that were
21 made.

22 I've experienced firsthand unfair district
23 boundaries by merely being an employee in the small town of
24 Pottstown in Montgomery County for a number of years. The
25 town is only 5.5 square miles, yet it's divided in half by

1 inappropriate districting. It has two State Representatives,
2 of two different parties, to the point that even one of the
3 wards is divided in half. This serves no purpose, and the
4 people of the town are not well-represented by this process.
5 I would like to see a fair solution put in place that could
6 better assist all the residents of the State of Pennsylvania.

7 My own family is representative of the entire
8 State. My maternal grandfather was born in Pittsburgh, where
9 his entire family resides. My family was born in a small town
10 called Snow Shoe, which is in Centre County. My paternal
11 grandmother and grandfather, respectively, were born in Howard
12 and Bellefonte in Centre County. My mother, maternal
13 grandmother, and I were born in Delaware County. I was born
14 at Fitzgerald Mercy Hospital in Darby, and my husband was born
15 in Hahnemann Hospital in Philadelphia, and both of our
16 children were born in Montgomery County. I have a very broad
17 and deep interest in every section of this great State and
18 want its people to be fairly and justly represented.

19 Thank you, again, for the opportunity to speak
20 with you. The processes of reapportionment and redistricting
21 are very important and a serious commitment to the people of
22 Pennsylvania. During my career, as well as all my work on
23 boards, I have worked successfully with people on both sides
24 of the aisle representing both political parties. I know I
25 could be a fair, just, ethical, and amicable Chair of this

1 committee. I believe I have the background and demeanor to
2 bring people to compromise and consensus.

3 Again, thank you for the time you have provided
4 for me to speak today.

5 INTERIM CHAIR SENATOR K. WARD: Any questions?

6 (There was no response.)

7 INTERIM CHAIR SENATOR K. WARD: Thank you very
8 much.

9 Next is Christopher Fowler.

10 MR. FOWLER: Thank you. I'm assuming everyone can
11 hear. Thank you, first, to the Commission for having us here.
12 I applaud your efforts at creating an open and transparent
13 committee. I think this is a wonderful first step. My name
14 is Chris Fowler. I'm Associate Professor of Geography and
15 Demography here at Penn State, where we are limping to a
16 bittersweet conclusion to what has been a very challenging
17 school year.

18 I'm here for one thing, and that's representation.
19 And I want to say thanks to Representative Benninghoff for
20 questioning the term "fair" from the get-go, because it is a
21 loaded term, and I think you all are here to provide fairness,
22 because fairness implies a set of parties who have vested
23 interests that need to be balanced. My vision for this
24 committee is to serve representation, to make sure that the
25 voters, the people of the Commonwealth, have that

1 representation through their districting. And I want to give
2 you some of the basis for my concern about that.

3 Three years ago, my class Geography 426 went out
4 and surveyed people in Pennsylvania about what they wanted in
5 their maps. Before sitting down to draw our own, we wanted to
6 know what the voters wanted, and so we went to the tailgate at
7 the OSU/Penn State football game and asked voters from all
8 over the Commonwealth what they wanted. There was one thing
9 they all agreed on, which was that Penn State should beat OSU.
10 Other than that, they were all over the place. They wanted
11 competitive, compact, representative, non-boundary splitting
12 things. No perfect map exists. No perfect map is possible.
13 And if we make a very competitive map, in this current
14 polarized political climate, you're going to have a lot of
15 people who feel like they lost by 1 percent and their views
16 aren't being represented. Okay. This is the difference
17 between fairness and representation.

18 What can we do to incentivize legislators to serve
19 their electorate? What can we do to make it in their best
20 interests to give the best service they possibly can? And I
21 think that can be done partially through good maps. I really
22 do. If we have a homogenous district where everyone thinks
23 the same way and votes the same way, there aren't incentives
24 for a representative to do good service because they're not at
25 risk of losing their job if they don't. Conversely, if we

1 have a really competitive district, in the current political
2 climate, there's all the incentive to get your base out and
3 shut the other person's down. That doesn't lead to good
4 representation either because you have people who are left
5 out.

6 So what can we do to change the districting
7 process to make people feel included and to make it so that
8 the legislators themselves are responding to their
9 constituents? That's why I'm here. That's what I want to do.

10 My experience in this regard, my whole life's work
11 is about helping people draw boundaries that produce outcomes
12 that are beneficial. I've worked with planning and zoning
13 committees. I've worked with school districts. I've worked
14 with the Census on how they draw tracts and blocks. I've
15 worked with the Office of Management and Budget on defining
16 urban. I've worked with the Health Resources Services
17 Administration on how to define rural. These things are
18 critical. The way we draw those boundaries, where those
19 boundaries get drawn, shape billions and billions of dollars
20 in policy, and I've been there looking at rural, looking at
21 urban, looking at schools, looking at neighborhoods. Yes,
22 even looking at legislative districts. This is the experience
23 I bring, and it is someone who wants to see a good outcome.
24 Not the perfect outcome, I don't think that's possible; but a
25 good outcome that increases representation.

1 In terms of what I can offer to the Committee, I
2 do have expertise in all the things. Expertise with data,
3 expertise with methods and metrics, all the things. I teach
4 mapping, this is what I do. But beyond that, I also knew who
5 the people are out there who do a really good job doing that,
6 who the experts in these fields truly are.

7 One thing I want to mention, I do have particular
8 detailed knowledge on the differential privacy tools that the
9 Census is using, or at least proposing to use, in the
10 redistricting data. I can say right now that the quality of
11 that data is going to be very different from what's been
12 provided in the past by Census, and it's a nonsignificant
13 issue to figure out how we get good districts drawn with less
14 than perfect data.

15 So again, representation is my thing. This is
16 what I have to offer is a lifetime, 20-plus years spent
17 helping people better draw maps. Thank you.

18 INTERIM CHAIR SENATOR K. WARD: Thank you, sir.

19 Do we have any questions?

20 Okay.

21 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
22 Fowler. First of all, I obviously can tell you're very
23 sincere about these comments. Prefacing it with a win of PSU
24 over OSU is always a good place to start. I like the fact
25 that you differentiate between fairness and representation,

1 not that they're not interchangeable, but I think it is hard
2 for the average person to understand when they hear this
3 dialogue about fair, fair, fair. I represent several
4 different districts because I came in midstream one time, and
5 I often tell people that come to talk to me about this, no
6 squiggly line on a map dictates who I take care of. We take
7 care of many people that don't live in our district. I get
8 calls from all over the State, and we have people coming in
9 from the neighboring districts. Sometimes just by geography,
10 I'm just closer to get to, or the fact that I have been
11 blessed with great staff that gives good service. So at the
12 end of the day, I would just close with that our Members, I
13 can't speak for the rest of the panel, but I think they concur
14 that, you know, we are here to be in the service business. We
15 want to help people. Our goal is to try to get maps drawn
16 out. We encourage you to continue to share some of your
17 knowledge, obviously.

18 I want to close on the one comment you made, and
19 it's not a perfect process when you're trying to target a
20 population number, which are one of the guidelines, be
21 compact, and deal with geographic boundaries. If you look at
22 the Pennsylvania maps, which I suspect you already have, you
23 know the size of the geography of these districts are
24 significantly different as you move more towards urban areas.
25 Some of my friends in the urban areas I joke because they can

1 walk across their district in three hours. It would take me
2 three days, and some of my friends up in the north, you know,
3 they have to have multiple counties, and that is not done
4 because we want to make squiggly line maps, and the Members
5 are traveling pretty good distances to do that. So I just
6 want to give you the reassurance, I appreciate your sincerity,
7 that we are keeping all that stuff in mind as we go through
8 this process.

9 Thank you, Madam Chair.

10 INTERIM CHAIR SENATOR K. WARD: Thank you.

11 And thank you, sir.

12 Next on the list is Jerold Grupp.

13 MR. GRUPP: Good morning.

14 INTERIM CHAIR SENATOR K. WARD: Good morning.

15 MR. GRUPP: I'm pleased to have the opportunity to
16 speak with you today and to provide you with an understanding
17 of my capabilities and experience as it relates to the
18 legislative redistricting task ahead. The last 30 years of my
19 40-year professional career were supporting clinical research.
20 My responsibilities focused primarily on implementing
21 technology to gather and manage data which improved the speed,
22 quality, and safety of the conduct of clinical trials, and
23 some of those efforts have been incorporated into the trials
24 which supported the recent vaccine approvals.

25 Today, I want to focus on my public service as a

1 school board director for the Council Rock School District in
2 Bucks County from March 2000 until January 2019. I joined
3 that board because I was interested in ensuring good education
4 for the children of our district. During my term, I never
5 treated it as a political position. It wasn't about party, it
6 was about delivery. In that role, I was one of nine members
7 whose authority only came when we acted together. As in the
8 role under consideration today, all the members of the
9 committee were peers. Our authority only came when a majority
10 came to agreement on an item. And like the Reapportionment
11 Commission, my board was made up of people with different
12 backgrounds, life experiences, and political affiliations.
13 Our decisions were based on law and our own informed
14 individual assessment of what was best for our community. And
15 by community, to build upon what Representative Benninghoff
16 had said, I mean the entire school district, not the
17 individual region from which we were each elected.

18 On that board, there are two specific instances
19 that have direct application on the task laying ahead of the
20 Commission. In 2002, there was a legal challenge regarding
21 the boundaries of the voting districts from which the nine
22 board members were elected. The law requires that the voting
23 districts be of approximately equal size. One region had
24 grown to 29,000 electors, and two other regions had only 1,200
25 electors. To comply with law, we needed to create nine

1 districts of roughly equal numbers of electors, or some other
2 plan providing equal representation of the electors. Some of
3 the constraints we faced are similar to what will confront the
4 Commission. We had to create voting boundaries with lines
5 that did not split voting districts or wards. We had nine
6 sitting elected school board directors with staggered terms,
7 some of whom would be up for reelection in the next municipal
8 cycle, and others with two more years in their terms. Various
9 groups within our communities felt the realignment of
10 boundaries meant they'd lose representation, and others saw it
11 as an opportunity to gain representation. And we had to meet
12 publicly. Any meeting of a quorum of the board had to be
13 advertised a public meeting. And the board-approved
14 realignment plan would have to be confirmed by a court. We
15 were able to develop a plan which met the general acceptance
16 of the community and was approved by the court.

17 The second related experience came in 2018. As
18 part of our capital planning efforts, we needed to realign the
19 students and the schools. This meant evaluating the current
20 and planned capacity for the 10 elementary schools, 2 middle
21 schools, and 2 high schools. With over 11,000 K-12 students,
22 our challenge was large and complicated, like the one the
23 Commission faces today. A little different than the
24 Commission faces, we had to consider projections for future
25 changes in the population, not only the number today but also

1 as it grew and as children came in because of aging in and
2 aging out.

3 Some of the constraints we faced there were we
4 were potentially moving families from schools where they might
5 have had a long family association or had purchased a home in
6 a specific sending area because they wanted their children to
7 attend a specific school. We had to account for families
8 where there was a possibility that older children from that
9 family might still be going to the different school than their
10 younger siblings, since we wanted to minimize disruption to
11 the upper level primary grades. We wanted to keep additional
12 bus transportation costs to a minimum. We received a great
13 deal of public input, ranging from items or aspects which we
14 should consider, up to and including detailed and alternate
15 sending plans. It wasn't just receiving input. It had to be
16 reading, interpreting, and weighing the value of each
17 alternate plan and incorporating parts of that into ours.

18 We held public meetings to present our plans and
19 received feedback. The emotions in the public ran high. Many
20 people bought in the district specifically for the schools and
21 now had incredible dedication to the schools in which they
22 were familiar. And we wanted to respect cultural aggregations
23 within our communities and the different nature of our
24 communities and municipalities. At that same time, our new
25 boundaries could not be discriminatory to any groups or

1 individuals. Ultimately, we were successful and implemented a
2 plan which became the basis for the new sending areas within
3 our school district.

4 So as you can see, having been a longtime leader
5 in a successful district, I have a proven track record of
6 working with others as one of a group of equals; creative
7 problem-solving while in the public eye; receiving,
8 evaluating, and incorporating public feedback on proposed
9 plans; complying with the rules and regulations which relate
10 to how to realign sending voting or voting districts;
11 communicating to stakeholders in a manner that is both open
12 and informative; and driving towards consensus with my team
13 but not afraid to make tough decisions when necessary.

14 And so, I have offered my services to serve as the
15 Chair of the Legislative Redistricting Committee, and hope
16 that I'll have the opportunity to work with you to serve the
17 citizens of the Commonwealth in this important task. Thanks
18 again for letting me address the Commission today.

19 Parenthetically, I will mention that I grew up in
20 Allegheny County, went to school at Penn State, lived for 20
21 years or so up in Bucks County, and have recently moved to
22 Philadelphia. Any questions? I'm glad to answer.

23 INTERIM CHAIR SENATOR K. WARD: Thank you very
24 much.

25 Are there are any questions?

1 (There was no response.)

2 INTERIM CHAIR SENATOR K. WARD: Thank you very
3 much, Mr. Grupp.

4 Next on our list is Jo Lin.

5 MS. LIN: Good morning, Senator Ward,
6 Representative Benninghoff, Senator Costa, and Representative
7 McClinton. My name is Jo Lin. I stand, or rather sit, before
8 you today as a child of immigrants raised in the middle class
9 suburbs who went off to college in the big city. Like many of
10 my generation, I graduated into the big recession, and despite
11 student loan debt, turned away from making money in order to
12 make a difference. Not that there were that many
13 opportunities to make money, having graduated into the
14 recession and all. I was a real average Joe among my peers,
15 you might say. I worked for community-based nonprofit
16 organizations and in local government trying move the needle
17 on issues like homelessness and hunger, but as you well know,
18 those issues stayed persistent, and many times actually got
19 worse.

20 But then I had a chance to work on something that
21 might actually move the needle on those issues and so many
22 others. A chance for everyone who had ever been homeless or
23 hungry before to matter, to count. My role was to lead a
24 coalition of nonprofit organizations to insure that the 2020
25 Census counted everyone, especially the folks that those

1 nonprofits served. Not only the homeless and the hungry, but
2 the renters, single parent households, the elderly and
3 homebound, the working poor, all too often in communities of
4 color. These were, coincidentally, the same populations that
5 the Census Bureau has undercounted cycle after cycle. The
6 discounting of marginalized people has literally hurt our
7 bottom line, giving us a smaller slice of \$883 billion of
8 Federal funds that are distributed every year to States based
9 on Census data and through programs and grants to local
10 communities.

11 So the stakes were high to get this
12 once-in-a-decade Census right, to make sure folks mattered in
13 dollars and in common sense. And it wasn't lost on me that
14 the people that would be missed by the Census Bureau were
15 people that looked like me, people like my mother, who works
16 the swing shift at the USPS mail sorting facility. Her
17 overtime shifts and pinching of every penny are what gave me a
18 college education. My mother, who only fills out the
19 government forms she has sought out herself, who double-checks
20 with me before going through any online process. People like
21 my grandfather, mostly homebound now in his 70s, since gout
22 ravaged his extremities. My grandfather, who has never
23 personally filled out a government form, as he is unable to
24 read in English, though he did manage to become a citizen
25 after over 20 years of residency, waving a tiny American flag

1 with tears in his eyes.

2 People like me, like my mother, like my
3 grandfather, are all over Pennsylvania. And through Keystone
4 Counts, the coalition of nonprofits I led for two years, we
5 were able to reach out to 405,381 households of color filled
6 with people just like them, just like me. People who worked
7 too hard to survive. People who know only work and family and
8 community. People who have felt not quite fully accepted in
9 our society for far too long. So I knew I had to be here
10 today on behalf of all the people that we got counted, because
11 redistricting is the next step of the Census. Every person
12 who got counted enables additional funding to come to
13 Pennsylvania from the Federal government, and every single one
14 of them needs to be accounted for when the LRC is drawing
15 districts. Because how are we to tell people that they
16 matter, that they count, if they're not being represented?
17 And remember, each of those 405,381 households we spoke to
18 directly, either in person by knocking on their door, or over
19 the phone by texting and calling them, they started out being
20 hesitant or even unaware of the Census until we shared how it
21 would affect them and their communities. It's through these
22 conversations that folks overwhelmingly chose to get counted
23 for their communities to receive funding and representation.

24 Again, these are the folks like my mother, like my
25 grandfather, who have never and will never sit down for a

1 policy-wonky debate over mapping criteria like compactness or
2 contiguity. To them, compactness is squeezing all of the
3 family members into a vehicle, and contiguity is mapping a
4 carpool route that includes all of the cousins. And you know
5 what? It shouldn't have to be any deeper than that, because
6 they, like the 405,381 households we spoke to, know who they
7 belong with. In other words, they know their community of
8 interest. And I'm here to insure their voices are heard,
9 whether it's as Chair of this Commission or anywhere.

10 Thank you.

11 INTERIM CHAIR SENATOR K. WARD: Thank you.

12 So you actually went out and found people? I
13 think it's great. Everybody should count, I agree with you.
14 But there's some passion there with you. So you actually went
15 out and found folks?

16 MS. LIN: That's right. So through Keystone
17 Counts, this coalition of 100 nonprofit organizations, we were
18 able to coordinate amongst all of these nonprofits that
19 decided to participate in our field campaign, so each
20 nonprofit actually had teams of canvassers prepandemic that
21 would go out and knock on doors of folks living in what the
22 Census Bureau calls hard-to-count Census tracks, because we
23 wanted to reach those that were least likely to be counted by
24 the Census Bureau.

25 INTERIM CHAIR SENATOR K. WARD: Wow, that is some

1 good work. That is some good work.

2 Senator Costa.

3 SENATOR COSTA: Thank you very much.

4 So in those hard-to-count folks, was it normally
5 in urban settings, or was it rural or suburban Pennsylvania as
6 well?

7 MS. LIN: So I would say all over Pennsylvania
8 there are these hard-to-count Census tracks, and there are
9 various reasons why somebody may be easily missed by the
10 Census Bureau. It could be that their address has changed, it
11 could be that they don't have a mailbox at their residence, it
12 could be that they rent and are under the impression that only
13 people who own homes can participate in the Census. So really
14 everywhere in Pennsylvania.

15 SENATOR COSTA: If you were chosen for this
16 position, would you be able to step away from the work you're
17 currently doing to be able to work with us for 14 or so
18 months--

19 MS. LIN: Absolutely.

20 SENATOR COSTA: --through the process?

21 MS. LIN: Yes.

22 SENATOR COSTA: So thank you very much for the
23 work you did. I think it will have long-lasting impact in
24 terms of getting folks counted, as you described what it
25 means, resource wise in particular, as it relates to programs

1 and the like. So thank you for doing that. Thank you for
2 being here today.

3 MS. LIN: Thank you, Senator.

4 INTERIM CHAIR SENATOR K. WARD: Any other
5 questions?

6 (There was no response.)

7 INTERIM CHAIR SENATOR K. WARD: Thank you very
8 much.

9 Next on the list we have Ken MacBain. Is he here?
10 Did he come here? Okay, Mr. MacBain is not here.

11 So next we'll have David Thornburgh.

12 MR. THORNBURGH: Thank you, Leaders of the LRC.
13 It's quite a pleasure to be with you today and to share
14 thoughts, along with a lot of other distinguished and active
15 Pennsylvania citizens. I don't need to tell you how important
16 this process is, but I was reminded of that yesterday. I was
17 in the Heinz History Center in Pittsburgh, which has a great
18 new exhibit on the development of our democracy here in this
19 country since its founding, and it reminds us that
20 representation is always a never-ending challenge, and there's
21 tension built in, there are no perfect outcomes, there are no
22 perfect results, but in the great example of the American
23 experiment, we have to keep on trying to improve the way in
24 which our democracy works, and this redistricting process is
25 certainly a vital part of that.

1 We're also in a period of time in our nation's
2 history and our Commonwealth's history where there are lots of
3 questions being asked about our democratic process, and there
4 is an enormous challenge we have in front of us to restore
5 people's trust in that process. And I think this
6 redistricting process that will unfold over the next 14
7 months, again, is a key pillar in that challenge. We do have
8 an opportunity, though, in front of us, and this is one I
9 would like to be a part of realizing as the fifth Member and
10 Chair of the LRC, and that's to carry out the most transparent
11 and accessible redistricting process in our history, because I
12 truly believe, based on my experience with this issue, that if
13 we do that, we will go a long way towards moving people to a
14 greater sense of trust and faith in the way our democracy
15 works.

16 So let me make three points about my experience
17 that I think prepares me well for this role. First of all, I
18 think I know this issue pretty well. Two years ago, I served
19 as Chair of the Pennsylvania Redistricting Reform Commission
20 with, among others, Senator Costa, and his then-colleague
21 Representative Dermody, and we spent an awful lot of time
22 talking to people around the Commonwealth about what they
23 wanted to see in the way that the maps were drawn. We made 9
24 stops, talked to close to 900 people. We did an extensive
25 online opinion survey, thanks to one of the Commissioners

1 who's Chair of the Political Science Department at Penn State,
2 and that resulted in a report that we're very proud of that I
3 think made some critical suggestions about how the process
4 could be improved.

5 I've also, through my role as President and CEO of
6 the Committee of Seventy, led the Draw the Lines PA effort
7 over the last three years, which is a biennial competition for
8 average citizens to literally pick up the digital pen and draw
9 their own maps for themselves, and we've engaged over 6,000
10 Pennsylvanians in that process. We have formed from them a
11 core group of about 50 members of what we call the citizen map
12 corps, and I've had lots and lots of conversations with those
13 folks that affirm my sense and confidence that the people of
14 Pennsylvania are ready, willing, and able to contribute to
15 this process.

16 It's also, along the way, I think, left me with
17 some important lessons. I think there is a great despair and
18 distrust, honestly, about how this process has unfolded in the
19 past. Gerrymandering was once an obscure phrase that I think
20 has become a lot more familiar to people, and they have a
21 sense that it contributes to the cynicism and dysfunction and
22 disengagement that we too often see. It also reminds me that
23 citizens care deeply about their vote and their communities.
24 Pennsylvania, as I know well and you know well, is a network
25 of small communities and small municipalities all over the

1 Commonwealth, and people find great comfort and identity in
2 those places and don't like to see those sliced and diced by
3 the mapping process. Finally, I think there's clearly a
4 realization when you talk with citizens that they understand
5 that there are no such thing as perfect maps, but as I said at
6 the outset, the continuous pursuit of better is what this
7 country is all about, and I think we have that opportunity in
8 front of us here.

9 Second point I'd like to make is I think I know
10 Pennsylvania pretty well. I've lived the first 20 years of my
11 life in Pittsburgh, and I've lived 35 years in Philadelphia.
12 Through the generations of my family, I have deep roots in
13 rural Pennsylvania. My wife is a native of Hollidaysburg in
14 Blair County, and we spent many, many years there with her and
15 her family, and I have, I think, an unusual appreciation of
16 the complexities, political and social and cultural, all of
17 them wonderful, of this Commonwealth.

18 I mentioned the redistricting commission tour in
19 2019 that I think gave me some important insights into the
20 process. We were actually just on the last leg of another
21 tour of the Commonwealth with a similar purpose of educating
22 people around this issue. This is, you may have seen some
23 reference to the Great Voteswagon Tour of Pennsylvania, where
24 we made 46 stops around the Commonwealth, racked up over 2,000
25 miles, everywhere from Clarks Summit to Titusville to

1 Shippensburg, and everywhere in between, talking to people in
2 communities about this issue of redistricting and what they'd
3 like to see from it the next time around.

4 Finally, you have my full commitment to do this
5 job with integrity and a commitment to process, consensus, and
6 accountability. I hope I demonstrated that, and I hope
7 Senator Costa can vouch for me in the reform commission
8 process in 2019. My background, which often involved
9 intersection with members of the business community, I think
10 confirmed my sense that good process produces good outcomes,
11 so I would want to make sure we have not only a transparent
12 and accessible process, but one that produces accountability.

13 If I could--

14 INTERIM CHAIR SENATOR K. WARD: Thank you, Mr.
15 Thornburgh.

16 Are there any questions?

17 SENATOR COSTA: Just a comment.

18 Mr. Thornburgh, thank you very much for your
19 testimony today, and more importantly, for the work that
20 you've done over the course of the past several years. You
21 have certainly heightened the awareness of, as you indicated,
22 the term "gerrymandering" and the process, and most
23 importantly, collectively as we work, whether we select a
24 fifth person or not, this Commission must work to ensure that
25 our process is open, transparent, and accountable. And that's

1 the goal of this Commission going forward, and I think that's
2 something that you've highlighted in terms of making sure that
3 we do that in terms of ensuring the trust of the public
4 through this process. And I think your work has helped lead
5 to that point, and I appreciate your time today, and thank you
6 very much for being willing to participate in this process
7 again. Thank you.

8 MR. THORNBURGH: Thank you, Senator.

9 INTERIM CHAIR SENATOR K. WARD: Any other comments
10 or questions for Mr. Thornburgh?

11 (There was no response.)

12 INTERIM CHAIR SENATOR K. WARD: Thank you, sir.

13 Next, and last, is Joseph Venti.

14 MR. VENTI: Good morning, Honorable Members of the
15 Commission. My name is Joseph Venti. I'm an attorney in
16 Philadelphia, and I'm here speaking to you today because I
17 want to be the Chair of the Legislative Reapportionment
18 Commission.

19 I should be the next LRC Chair if the Committee is
20 looking for real commitment to the job. If selected, the
21 Chairship would be my sole professional endeavor for the
22 duration of the work at hand.

23 I should be the next Chair of the LRC because I
24 have a distinct understanding of neutral decisionmaking. That
25 understanding is informed by things like successful mediation

1 of around 100 disputes in county court serving as an
2 arbitrator at the Court of Common Pleas here in Philadelphia,
3 and nine years of providing objective, dispassionate
4 assessment of contentious legal issues for a Federal appeals
5 court.

6 I should be the next Chair if the Commission is
7 looking for an even temperament. Disagreements will be part
8 of the job. They may even be most of the job, but I
9 understand the importance of disagreement without being
10 disagreeable, and of finding common ground if you look hard
11 enough, because it is there.

12 I should be the next Chair of the LRC if the
13 Commission is looking for a Chair who is vehemently
14 nonpartisan, and I believe that this is my most important
15 qualification. I say most important because the issue of
16 redistricting has never been more politically divisive. So
17 the time is now to choose a Chair with no present or future
18 political affiliation or ambition. No past campaigns for
19 office, no past work as a lobbyist, no campaign contributions
20 to speak of. I fit that description. In fact, I meet all the
21 criteria set forth in Senator Argall's recent bill, Senate
22 Bill No. 441.

23 I should be the next Chair of the LRC because I
24 believe that the Reynolds v. Sims directive of one person, one
25 vote, means what it says. The goal should not be to keep one

1 legislator for one district for one's lifetime. The goal
2 should have nothing to do with partisan advantage on either
3 side, nor geographic advantage. The goal is to serve the
4 people, to give them the best representation that we can.

5 As Chair, I would encourage a shared commitment to
6 certain guiding principles and priorities, including maximum
7 feasible transparency - think more public meetings, greater
8 digital access to the data that we're using, real outline
9 engagement, you know, meet the people where they're at - as
10 well as concerted effort toward LRC unanimity at each turn in
11 the process. If the LRC gets this right, we won't be able to
12 avoid all litigation, but perhaps we can avoid years of costly
13 litigation and map revision as in years past, and
14 Pennsylvanians will know sooner rather than later who will be
15 properly serving their interests in the General Assembly.
16 More importantly, the LRC could deliver a product that
17 Pennsylvanians will trust. I believe that's what the people
18 of the Commonwealth want and what they deserve, and I hope to
19 play a part in making that happen.

20 Thank you for your time. I yield the balance of
21 mine.

22 INTERIM CHAIR SENATOR K. WARD: Thank you very
23 much.

24 Do we have any questions or comments?

25 Yes, Representative Benninghoff.

1 REPRESENTATIVE BENNINGHOFF: Thank you, sir. I'm
2 just curious of what your knowledge and interest is in the
3 rural parts of Pennsylvania as we try to have maps that are
4 fair all across the Commonwealth.

5 MR. VENTI: Thank you for the question. The
6 interest is in Pennsylvania as a whole, and so I don't look at
7 it as a rural versus urban issue, although those are certainly
8 components of the process. I think the Chair should be
9 focused on the entire State. So representation - one person,
10 one vote - that one person lives in Erie County, that one
11 person lives in Philadelphia County, that person lives in
12 Greene County, they live all over the State, and they are
13 equal in terms of the fair representation that we need to try
14 to achieve.

15 REPRESENTATIVE BENNINGHOFF: Thank you.

16 Thank you, Madam Chair.

17 INTERIM CHAIR SENATOR K. WARD: Thank you very
18 much.

19 MR. VENTI: Thank you.

20 INTERIM CHAIR SENATOR K. WARD: So that concludes
21 our applicants for right now, and in concert with past
22 practice of Legislative Reapportionment Commissions, we will
23 now take a short recess for the purpose of an Executive
24 Session pursuant to Section 708(a)(1) of the Sunshine Act.
25 We'll be back. Thank you.

1 (Whereupon, the proceedings were recessed at 10:19
2 a.m., and were reconvened at 10:42 a.m.)

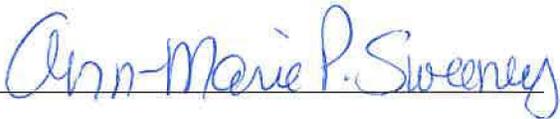
3 INTERIM CHAIR SENATOR K. WARD: Okay, we're ready.
4 Okay, we're calling our meeting back to order, and I'm going
5 to call the meeting back to order.

6 We've heard from many good, qualified individuals
7 yesterday and today. However, the Commission is not yet in a
8 position to vote on a Chair. The Commission has until Friday,
9 April 30, to make the decision on the fifth member. Under
10 Article II, Section 17, of the Pennsylvania Constitution, if
11 the Commission does not act by Friday, the decision goes to
12 the Pennsylvania Supreme Court.

13 We are now adjourned until the call of the Chair.
14 Thank you.

15 (Whereupon, the proceedings were concluded at
16 10:43 a.m.)
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2 I hereby certify that the proceedings and evidence are
3 contained fully and accurately in the notes taken by me during
4 the hearing of the within cause, and that this is a true and
5 correct transcript of same.
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10 

11 ANN-MARIE P. SWEENEY
12 Chief Official Reporter
13 Senate of Pennsylvania
14
15

16 THE FOREGOING CERTIFICATION DOES NOT APPLY TO ANY
17 REPRODUCTION OF THE SAME BY ANY MEANS UNLESS UNDER THE DIRECT
18 CONTROL AND/OR SUPERVISION OF THE CERTIFYING REPORTER.
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21 ANN-MARIE P. SWEENEY
22 Chief Official Reporter
23 Senate of Pennsylvania
24 Room 644, Main Capitol Building
25 Harrisburg, PA 17120
(717) 787-4205

EXHIBITS

Legislative Reapportionment Commission Hearing

April 27, 2021 | 9:00 a.m.

Hearing Room 1, North Office Building

Testimony of Jo Lin, former Coalition Manager of Keystone Counts

To the Legislative Reapportionment Commission:

Senate Majority Leader Kim Ward

House Majority Leader Kerry Benninghoff

Senate Democratic Leader Jay Costa

House Democratic Leader Joanna McClinton

My name is Jo Lin. I stand before you today as a child of immigrants, raised in the middle-class suburbs, who went off to college in the big city. Like many in my generation, I graduated into the big recession and, despite student loan debt, turned away from making money in order to make a difference. I worked for community-based nonprofit organizations and in local government, trying to move the needle on issues like homelessness and hunger, but as you well know those issues stayed persistent. And many times actually got worse.

But then I had a chance to work on something that might actually move the needle, on those issues and so many others. A chance for everyone who had ever been homeless or hungry before to matter, to count. My role was to lead a coalition of nonprofit organizations to ensure that the 2020 Census counted everyone, especially the folks that those nonprofits served. Not only the homeless and the hungry but the renters, the single-parent households, the elderly and homebound, the working poor – all too often in communities of color. These were coincidentally the same populations that the Census Bureau has undercounted, cycle after cycle. The discounting of marginalized people has literally hurt our bottom line – giving us a smaller slice of the of \$883 billion dollars of federal funds that are distributed every year to states – and through programs and grants to local communities.

So the stakes were high to get this once-in-a-decade Census right, to make sure folks mattered, in dollars and in common sense. And it wasn't lost on me that the people that would be missed by the Census Bureau were people that looked like me. People like my mother, who works the swing shift at a USPS mail sorting facility, her overtime shifts and pinching of every penny what gave me a college education. My mother who only fills out the government forms she has sought out herself, who double checks with me before going through any online process. People like my grandfather, mostly homebound now in his 70s since gout ravaged his extremities. My grandfather who has never filled out a government form as he is unable to read in English, who managed to become a citizen after over 20 years of residency, waving the tiny American flag with tears in his eyes.

People like me, like my mother, like my grandfather, are all over Pennsylvania. And through Keystone Counts, the coalition of nonprofits I led for two years, we were able to reach out to 405,381 households of color filled with people just like them. People who work too hard to survive, people who know only

work and family and community, people who have felt not quite fully accepted in our society for far too long.

So I knew that I had to be here today on behalf of all the people that we got counted – because redistricting is the next step of the census. Every person who got counted enables additional funding to come to Pennsylvania from the federal government – and every single one of them needs to be accounted for when the LRC is drawing districts. Because how are we to tell people that they matter, that they count, when they're not being represented?

And remember, each of those 405,381 households we spoke to directly – in-person by knocking on their door or over the phone by texting and calling – they started out being hesitant or dismissive of the Census – until we shared how it would affect them and their communities. Through conversation, folks overwhelmingly chose to get counted – for their communities to receive funding AND representation.

Again, these are the folks like my mother, like my grandfather, who have never and will never sit down for a policy wonk-y debate over mapping criteria like compactness or contiguity. To them, compactness is squeezing all the family members into a vehicle and contiguity is a carpool route that includes all of the cousins. And you know what, it shouldn't have to be any deeper than that – because they, like the 405,381 households we spoke to, know who they belong with. In other words, they know their community of interest. And I'm here to ensure that their voices are heard, whether it's as Chair of this Commission or anywhere else. Thank you.

Testimony By John Kromer
Legislative Reapportionment Commission Hearing
April 27, 2021

Thank you for giving me an opportunity to speak with you about my interest in serving as chair of the Legislative Reapportionment Commission and to describe my qualifications for this position.

Why am I interested? I'm interested because I'm convinced that this is a year in which we can do redistricting right—we can actually make the process as open, fair, and transparent as it needs to be.

Why do I think that I'm qualified for this position? Because, over the years, I've learned how to manage a public dialogue, how to resolve differences among political constituencies, and how to gain support for constructive policymaking in urban and rural communities across Pennsylvania.

- As Philadelphia's Director of Housing for more than ten years, I worked closely with elected officials and community constituencies to reach agreement on the best ways to allocate funding from a \$100 million dollar annual budget in order to support reinvestment activity in Philadelphia neighborhoods.
- As a planning and development consultant, I have worked for government agencies and nonprofit organizations in Allentown, Altoona, Erie, Reading, and York to organize and

implement strategies for addressing blighted, neglected properties in both urban and rural communities.

- Working as a consultant to the staff of the Housing Alliance of Pennsylvania, I made presentations to the Senate Housing and Urban Affairs Committee and the House Urban Affairs Committee and participated in meetings with committee members and staff in order to advance the Pennsylvania land bank enabling legislation that Governor Corbett signed in 2012.
- I serve as Judge of Elections in my Northwest Philadelphia neighborhood, and I spent much of the past weekend leafletting households in order to provide my neighbors with up-to-date information about the changes in vote-by-mail and in-person voting that took effect after the November election.

I also understand why redistricting is important. My new book, *Philadelphia Battlefields: Disruptive Campaigns and Upset Elections in a Changing City* (Temple University Press, 2020), includes an analysis of several key elections in which redistricting decisions influenced voting results in major ways.

This year, the redistricting process will be especially challenging. As you're well aware, many people are inclined to view any new government initiative with distrust, and some people are

concerned that redistricting will produce politically skewed results that will create new disadvantages for some voters.

At this moment, many Pennsylvania voters don't fully understand what redistricting is and how the reapportionment process works. To address this knowledge gap, the commission could immediately deliver some value to the public by sponsoring a statewide public education campaign. A campaign of this kind could get started before the census results are published—it could begin this month, and I'd welcome the opportunity to organize and lead it.

The commission can also make some early decisions about the how to use the information technology that is now much more accessible and user-friendly than it had been at the time of the last reapportionment. The increased availability of digital mapping software gives us an opportunity to demonstrate, on a statewide and a county-by-county basis, how alternative redistricting scenarios would play out.

For example, nine state house districts are currently located within the boundaries of Berks County, where I've worked on government- and foundation-sponsored consulting projects for a number of years. Several of these districts extend into adjacent counties. Would a revised Berks County map that placed more state house districts entirely within county boundaries, with less overlap into adjacent counties, be superior to the map that currently exists? I don't know—but with the technology that's readily available now, it would be easy to produce maps that illustrated alternative redistricting outcomes, so that intelligent decisions could be made about

how each of these outcomes might affect future governance in Berks County and the surrounding area.

Thanks again for the opportunity to speak with you.

John Kromer

jkromer@gmail.com

<https://johnkromer.com>

<https://philadelphiabattlefields.org>

To: Senator Jay Costa and Senator Kim Ward
Representative Kerry Benninghoff and Representative Joanna McClinton

Thank you for this opportunity to be considered as chair of the Legislative Reapportionment Commission and to make this statement today.

Speaking simply as a citizen, I also thank you for your decision to open up this process to citizen volunteers. Previous LRC chairs have been distinguished attorneys with impressive credentials. Whoever your final choice as LRC chair may be, your willingness to consider citizen applicants with a diverse set of qualifications and experience is commendable. I applaud you for that. I understand that your call has attracted something like sixty volunteers. This is evidence of a broad base of public support for drawing legislative district maps fairly and on a nonpartisan basis.

My own reasons for asking for your consideration are simple. The press and news media – and social media – have noted that the work of the LRC will play a major role in determining the composition of the General Assembly for the next decade. That's true as far as it goes, but it's not the main point. What the media should emphasize is that how the LRC does its work will have a major impact on the civic health of this Commonwealth. If the Commission does its job carefully, honestly and openly, that process will do a lot to reduce the level of cynicism that exists today about public service. If it were to do its job less objectively, the reverse would be true.

Having written and spoken on the importance of fair districting, I felt a moral obligation, as the cliché has it, to put my money where my mouth has so often been. Others, at least as well qualified as I am, have told me that they “thought about applying.” In the end they decided that they could not make the commitment of time and energy that this work is likely to require. I can make that commitment.

I am under no illusion that the Commission's work will be easy. The Pennsylvania Constitution sets clear and apparently simple standards for legislative reapportionment, but there will be instances where equally honest individuals would apply those standards differently. In submitting my name for your consideration, I affirm my commitment to making any judgments that I may be called on to make as objectively and as consistently as possible.

You have my application letter and resume. They summarize my professional experience as an administrator, as an analyst and as a writer, as well as my more than two decades of unpaid and non-partisan service on a school board. I have a record of working for transparency in government operations at every level. My resume also notes that I have a doctorate in American history – and a leadership role in a small Quaker meeting. Anyone who thinks that last bit of service is too trivial to mention must never have chaired a church or a parish committee.

Thank you again for this opportunity to be here. I will of course be happy to answer any questions you may have.

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