

COMMONWEALTH OF PENNSYLVANIA
LEGISLATIVE REAPPORTIONMENT COMMISSION

In re: Public Meeting of the Legislative
Reapportionment Commission

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

Thursday
January 6, 2022
3:00 p.m.

MEMBERS OF LEGISLATIVE REAPPORTIONMENT COMMISSION

Sen. Kim Ward	Rep. Kerry Benninghoff
Sen. Jay Costa	Rep. Matthew Bradford, (Deputy Commissioner for Rep. Joanna McClinton)

Also Present:

Robert L. Byer, Esq., Chief Counsel
G. Reynolds Clark, Executive Director
Dr. Jonathan Cervas, Redistricting Consultant
Leah Mintz, Assistant Counsel
G. Carlton Logue, Esq. Deputy Counsel, Senate Majority Leader
Chad Davis, Research Analyst, Senate Republican Policy Office
C.J. Hafner, Esq., Chief Counsel, Senate Democratic Leader
Ronald N. Jumper, Esq. Deputy Chief Counsel, Senate Democratic
Leader
Lora S. Schoenberg, Director, Senate Democratic Legislative
Services
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

Reported by:
Ann-Marie P. Sweeney
Official Reporter

1 Also Present:

2 Justin Klos, Director, House Democratic Office of
Demographic Analysis

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

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

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1 CHAIR NORDENBERG: Happy New Year, everyone, and
2 welcome to the first in a series of hearings that will focus
3 on the preliminary plan approved by the Legislative
4 Reapportionment Commission last month. Let me begin by noting
5 that this is the Commission's 10th hearing, and that we also
6 have conducted 7 public meetings.

7 Now, as Chair of the Commission, it is my
8 privilege to call this meeting to order. I am joined today by
9 three Commission Members - Senator Kim Ward, the Majority
10 Leader of the Senate; Senator Jay Costa, the Democratic Leader
11 of the Senate; Representative Kerry Benninghoff, the Majority
12 Leader of the House. Representative Joanna McClinton, the
13 Democratic Leader of the House, could not be with us today,
14 but arriving just in time is her able Deputy, Representative
15 Matt Bradford, who is the Democratic Chair of the House
16 Appropriations Committee.

17 In the language of the State Constitution, the
18 30-day period through which we now are moving provides an
19 opportunity for any person aggrieved by the preliminary plan
20 to file exceptions. Phrased in a somewhat different way, this
21 period provides us with the opportunity to hear from the
22 public and make improvements to the plan. Some ideas will
23 come to us through this series of hearings, others are being
24 shared through our website portal, where we already have
25 received about 1,800 comments, a thousand of them since the

1 preliminary plan was approved and publicized.

2 As we move into this important stage of the
3 process, it is important to remind ourselves and the public of
4 our basic mission and to take stock of our current context.
5 Article II, Section 16, of the Pennsylvania Constitution
6 provides that the "Commonwealth shall be divided into 50
7 senatorial districts and 203 representative districts...as
8 nearly equal in population as practicable." Section 17(a) of
9 that same article goes on to provide: "In each year following
10 the year of the Federal decennial census, a Legislative
11 Reapportionment Commission shall be constituted for the
12 purpose of reapportioning the Commonwealth."

13 Two unmistakable trends have driven the population
14 changes that inevitably will shape the work of this
15 Commission. One is the ongoing shift in population from rural
16 to urban areas, and the other is the increase in
17 Pennsylvania's non-white population. To give further meaning
18 to these trends, I want to return to the work of Dr. Kyle
19 Kopko, the Executive Director of the Center for Rural
20 Pennsylvania, who appeared at one of our first hearings and
21 was kind enough to present us with updated slides once Federal
22 Census data had been released. The first several slides that
23 I want to share are his.

24 The first is a slide showing which counties of the
25 State are classified as rural, using the convention that those

1 counties with a population density of less than 291 people per
2 square mile are rural, and those with a population density
3 equal to or greater than 291 persons per square mile are not.
4 There are two things in particular to note about this slide,
5 which isn't very visible to me, so I don't know how visible it
6 is to you. One is that most of the land mass of the
7 Commonwealth is taken up by rural areas--they're the ones in
8 the green--though there are non-rural areas located in each
9 quadrant of the State. Second, the variation in population
10 density is striking. One comparison that quickly caught my
11 eye is the fact that Cameron County, in north central
12 Pennsylvania, has a population density of 11.5 people per
13 square mile, while Philadelphia County has a population
14 density of 11,960 people per square mile. That is a
15 population density greater than 1,000 times more.

16 On this second screen, Dr. Kopko shows
17 Pennsylvania population trends over the last century.
18 Basically, low or no growth in our rural areas, and more
19 robust growth in our non-rural areas. Because the focus of
20 our work is on the decade since the last reapportionment, it
21 is particularly noteworthy that over that 10-year period,
22 Pennsylvania's rural population actually declined, while its
23 non-rural population grew.

24 On the next slide, Dr. Kopko becomes a bit more
25 specific about regional growth patterns, concluding that most

1 of Pennsylvania's population growth has occurred in its
2 southeast corner. In fact, by our calculations, the
3 population of southeastern Pennsylvania grew by 344,075
4 people, while the combined population of all of the rest of
5 the State declined by 43,754 people.

6 In terms of reapportionment, it's important to
7 remember that it is absolute, not percentage, population
8 increases that matter. So according to this map, Cumberland
9 County had the largest 10-year percentage increase in
10 population, with growth of 10.2 percent, which is great news.
11 However, converted into absolute population growth, that 10.2
12 percent represents about 22,000 people, far less than half of
13 what is required to support a House district. In
14 Philadelphia, on the other hand, while we have the percentage
15 growth was 5.1 percent, just half of Cumberland County's
16 percentage increase, that percentage growth translated into an
17 increase of about 85,000 people, or nearly four times as many.

18 Dr. Kopko also underscored the fact that increases
19 in the population of people of color have occurred across the
20 State, including rural areas. However, the bulk of that
21 growth in absolute numbers also came from urban areas,
22 particularly in the southeast.

23 The key to our work, of course, is the extent to
24 which these trends resulted in population deviations in
25 legislative districts that we need to address to meet our

1 constitutional charge of creating districts that are as nearly
2 equal in population as is practicable.

3 Because it is our preliminary House map that has
4 attracted most of the attention, I'm going to focus on that
5 map moving forward. And this next slide, which is one we
6 created, provides a clear sense of the impact of that
7 population shift. Again, I think it's hard for you to see,
8 but if we start in the northwest corner of the Commonwealth,
9 we see that the northern-most tip of Pennsylvania includes a
10 House district that is under populated by 10.7 percent. If
11 you work your way across the northern border, that pattern
12 continues with districts that are 8.9 percent, 9.3 percent, 6
13 percent, 7.8 percent, 11 percent, and 9.9 percent
14 underpopulated.

15 If you start in that same corner and head south,
16 you confront the same general pattern, except that there are
17 areas of growth in the greater Pittsburgh region, and there
18 are no areas of growth along the northern border. And the
19 negative districts have population deviations that are even
20 larger. So we see districts that are underpopulated by 9.1
21 percent, 12.2 percent, 11.9 percent, 10.5 percent, 9.7
22 percent, 9.6 percent, 11.8 percent, and 12.1 percent. These
23 dramatically underpopulated northern and western districts are
24 mainly, though not exclusively, districts that are currently
25 represented by Republicans.

1 As you can see--I hope you can see, I'm sorry you
2 can't see better--from this more focused map, which zooms in
3 on the southeast, population trends in that corner of the
4 State are just the opposite of the trends on our northern and
5 western borders. When you look at this enlarged view of the
6 southeast House districts, you see overpopulation numbers like
7 15 percent, 11.6 percent, 10.7 percent, 15.7 percent, 12.7
8 percent, and even 21.1 percent. Responding to those
9 population shifts, we have proposed that new House districts
10 be placed in Lancaster, Montgomery, and Philadelphia Counties,
11 all places where there has been significant population growth.

12 To achieve that goal, we had to consistently
13 overcome the contention, persistently asserted by members of
14 the House Republican team, that if a district occupied by a
15 member of their Caucus needed to be moved because of
16 population trends to another part of the State, they should
17 have the right to determine where that district would go, and
18 also the right to draw that district. It's hard to imagine a
19 position more contrary to the very foundation for
20 reapportionment, which is that legislative districts are not
21 owned by politicians or by their parties but instead belong to
22 the people, and need to be changed every 10 years to meet the
23 changing needs of the people.

24 Moving from the macro to the micro, no single
25 district has received more attention than District 84, which

1 has been labeled Pennsylvania's salamander, and dramatically
2 offered as evidence that the entire House map is a partisan
3 gerrymander. To repeat a basic point, this is a Republican
4 district that is completely surrounded by Republican
5 districts, and its configuration will have no impact one way
6 or another on any Democrat. So by definition, it is not a
7 gerrymander. Within the Commission staff, we actually called
8 this the "question mark" rather than the "salamander," a
9 reflection of the fact that it had also attracted our
10 attention and we thought that it probably could be better
11 drawn. However, as you can see, the current map of District
12 84 is not a work of art either, something that we have called
13 the doughnut hole.

14 With Pennsylvania's topography and irregular
15 municipal and county boundaries, there necessarily will be
16 districts that are far from symmetrical. In this particular
17 case, when incumbent locations are added to the map, it
18 becomes clearer that one reason the district lines were drawn
19 this way was not to disadvantage Republican incumbents but
20 instead to avoid putting them into districts with each other.
21 For example, one obvious pairing would be between the
22 incumbents in Districts 83 and 84. You can also see down in
23 District 85 how it extends up to encompass an incumbent. You
24 can see in the next district over, the white one, how the
25 district comes down to protect an incumbent from going into

1 either of the adjoining districts.

2 I point this out because if, as has been charged,
3 the Commission's goal had been to pair up as many Republican
4 incumbents in the House as possible, we could have added to
5 the list just in this little part of the Commonwealth to which
6 our attention has been drawn. However, though some pairings
7 are inevitable, this Commission team has moved through the
8 process of extending a measure of deference to incumbents. As
9 I said at our last meeting, that probably is the inevitable
10 consequence of having a Commission with four of its five
11 Members serving as Caucus Leaders. But beyond that, it
12 reflects a genuine level of respect for incumbents and those
13 who have elected them to their offices, as well as a desire to
14 avoid being unnecessarily disruptive.

15 At the other end of the spectrum, when we last
16 met, I commented on the number of incumbents who were matched
17 against each other by the Special Master's Report that now has
18 been unanimously approved by the Supreme Court of Virginia.
19 Earlier this week, a *Washington Post* editorial commented on
20 that plan. This is part of what was said: "The decades-long
21 incumbent protection scheme known as redistricting is finished
22 in Virginia, at least for now. Good riddance.... Nearly half
23 of sitting State senators and delegates have been doubled or
24 tripled up in redrawn districts....the bottom line is this:
25 The State's new maps, the products of a radically more

1 transparent process, are fairer. They are fairer to voters,
2 and to the ideals of representative democracy, than any
3 conceivable competing plan that might have been drawn by
4 lawmakers themselves."

5 Because I've never been confident that I'm right
6 about everything, the strong reaction triggered by our far
7 more modest pairing of a dozen Republican incumbents in our
8 preliminary House map led me to wonder whether our approach
9 was as far out of line as some were suggesting it was. So I
10 started to think about relevant comparisons, and I came up
11 with two. The first is the People's Map, developed after a
12 lengthy process involving large numbers of citizens by Fair
13 Districts. The second is the map earlier submitted to us by
14 Amanda Holt, Pennsylvania's most famous mapper, who has
15 appeared before this Commission on a number of occasions, and
16 whose congressional map was adopted by the House Republican
17 Caucus as the basis for its congressional preliminary plan.

18 So that the record is clear, the two maps that I
19 am talking about are the maps that Dr. Kuniholm and Ms. Holt
20 discussed with us at our November 15 hearing. I know that Ms.
21 Holt already has submitted an updated Senate map to us. I
22 imagine she's working on an updated House map, and Fair
23 Districts may be as well. Still, it seemed instructive and
24 appropriate to compare our preliminary map to their
25 preliminary map, and that comparison is, in fact, informative.

1 The Fair Districts' map and the Holt map each pair
2 36 Republican incumbents against each other, three times more
3 than the Commission's preliminary map would do. Now, to be
4 fair, it also is true that each of those maps pairs 24
5 incumbents from the other side of the aisle against each
6 other. But if you look at pure partisan advantage, the simple
7 math tells you that 12 minus 2 leaves 10 more Republican
8 incumbents paired under our map, and 36 minus 24 leaves 12
9 excess Republican incumbents paired against each other on the
10 other two maps. My point, though, is that all three of these
11 maps reflect the fact that to redraw these maps in ways that
12 are consistent with population changes and constitutional
13 requirements, incumbents will need to be paired, and more of
14 those pairings will involve Republicans.

15 A different charge of unfairness recently has been
16 lodged against the preliminary plan. In fact, it was the
17 subject of an op-ed published on Tuesday of this week. This
18 is part of what was said: "...the map is drawn in such a
19 convoluted way that the only conclusion one can come to is
20 that it must have been drawn to cement House Democrats in the
21 legislative majority for the coming decade. If you do not
22 believe me, run the map through Dave's Redistricting App, a
23 citizens' mapping tool, which speculates that the current
24 preliminary map will give House Democrats a legislative
25 majority of 106 seats, up from their current total of 90

1 seats."

2 That statement is so incomplete that it is very
3 misleading. It is true that if you run the preliminary House
4 map through Dave's Redistricting App, it will produce a 106-
5 seat majority for Democrats. However, you have got to go
6 further to accurately report what that means. The default
7 setting in Dave's Redistricting App, which is based on a
8 composite of statewide elections from 2016 to 2020, including
9 blowout wins by Governor Wolf and Attorney General Shapiro, is
10 an election in which Republicans win only 46.37 percent of the
11 vote and Democrats win 51.16 percent of the vote, or nearly 5
12 percent more.

13 If you run both the 2011 House map and the
14 Commission's House map through the app with these default
15 settings in place, this is what you find: Under the 2011 map,
16 Republicans win 105 seats and Democrats win only 98 seats,
17 even when the Democrats win 5 percent more of the vote. Under
18 the Commission's preliminary map, if the Democrats win 5
19 percent more of the vote, they win 106 seats to the
20 Republicans' 97. That is a result that most people would
21 consider to be fair, that if you win a significant majority of
22 the votes, you also ought to win a majority of the seats.

23 Turning to what may be a more easily understood
24 comparison, you can also recalculate to see what would happen
25 under a particular map if there was an evenly split 50-50

1 vote. Here you see that in a perfectly equal election
2 conducted under the 2011 map, the map now in place,
3 Republicans are predicted to win 114 seats to the Democrats'
4 89, an excess of 25 seats in a perfectly equal election. In a
5 perfectly equal election conducted under the Commission's
6 preliminary map, the Republicans still are at an advantage,
7 projected to win 105 seats, while the Democrats are projected
8 to win 98. And that, again, is in a perfectly equal election,
9 which supports what we have been saying about the preliminary
10 House map, that it continues to favor Republicans, but not by
11 as much as the current map.

12 Questions also have recently been raised about who
13 did the mapping. I addressed that topic at our last meeting,
14 but thought that I should probably do so again. Each Caucus
15 had the same ability to be involved in the development of the
16 maps as every other Caucus. When we took the initiative to
17 schedule meetings, we were deliberately evenhanded and uniform
18 in our approaches. Each Caucus also was equally free to
19 request meetings with us and to submit materials in whatever
20 form and at whatever time they believed would advance their
21 case. For example, it was the House Republicans who first
22 asked if our Chief Counsel and I would accept legal memoranda
23 on a confidential basis, which we did, and which we
24 subsequently did for the other Caucuses as well.

25 When it came to the mapping process, as I

1 indicated in our last hearing, very different approaches were
2 taken in the Senate and in the House. I might describe the
3 Senate approach as the pursuit of a consensus map. The two
4 Leaders and their teams were meeting on a regular basis in
5 Harrisburg, in Greensburg, and in Pittsburgh, I believe, and
6 were committed to trying to work out as many issues as they
7 could. When they came to us with a limited number of disputes
8 that could not be resolved, we basically were working from
9 their maps and were doing little mapping of our own.

10 In the House, as I already have reported, there
11 was very limited Caucus-to-Caucus interaction. Instead, we
12 were dealing with the two Caucuses separately. So rather than
13 having a consensus map, we had more of a composite map with
14 our team taking what we thought were the best features of each
15 Caucus submission and knitting them together. That, of
16 course, does require a measure of independent work, but it is
17 a relatively small measure, far short of taking over the
18 mapping process, as some have suggested. We received binders
19 of map proposals from the House Republican team, and we had
20 frequent meetings with them to discuss issues that they
21 raised, as well as issues that we identified.

22 In fact, last evening we quickly identified 20
23 counties in the Commission's preliminary map that are exactly
24 like submissions that came to us from the House Republican
25 team. That list includes: Armstrong, Cameron, Clarion,

1 Clinton, Blair, Butler, Carbon, Bedford, Elk, Forest, Fulton,
2 Huntingdon, Indiana, Jefferson, McKean, Potter, Susquehanna,
3 Sullivan, Union, Warren, and Westmoreland Counties. If the
4 Republican team's submissions had less impact on the final map
5 than the submissions of the Democratic team, that is because
6 we found the submissions from the Democratic team to be more
7 persuasive, and in making those assessments we were engaging
8 in precisely the process that was described by all four Caucus
9 Leaders in the letter that they submitted to the Chief
10 Justice, calling balls and strikes.

11 I was first asked if I would serve as Chair of the
12 Legislative Reapportionment Commission at the time of the 1990
13 Census, now more than 30 years ago. I was the Dean of Pitt's
14 Law School at the time, and I was approached by
15 Representatives of both parties. The Republican inquiry came
16 to me from Mike Fisher, then a member of the Senate Republican
17 Leadership, and someone who later became the State's
18 Republican Attorney General and Republican candidate for
19 Governor. He now is a judge of the Third Circuit Court of
20 Appeals, and I am certain that Judge Fisher, along with many
21 others, would testify to my integrity and fairness.

22 Going back to that now 30-year-old experience, I
23 had been told that there was an agreement between the two
24 parties that I would be the Chair. However, on the day of the
25 vote, something historic happened. The two Republican

1 Majority Leaders voted for me, the Democratic House Leader
2 voted against me, and the Senate Democratic Leader abstained.
3 After giving it some thought, the Senate Majority Leader took
4 the position that a 2 to 1 to 1 vote was, in fact, a majority
5 vote, and that I had been elected the Chair. He then came to
6 Pittsburgh to take me to breakfast and asked if I would
7 litigate that issue with him. Though I declined that
8 invitation, that was the beginning of a long and positive
9 relationship with Republican Caucuses in both the House and
10 the Senate. In fact, there has not been a Census since when I
11 have not been approached by a Republican legislative leader
12 and asked whether I would consider to be the Chair of the
13 Commission. Over that same period of time, I don't believe
14 there has ever been such a request made of me by a member of
15 the Democratic legislative leadership.

16 Shortly after I became Chancellor in the
17 mid-1990s, I was asked by that same House Majority Leader to
18 co-chair a special legislative commission on the problems
19 facing Pennsylvania's urban schools, which was really the
20 beginning of my public service commitment on a statewide
21 level. This was during the administration of Republican
22 Governor Tom Ridge, with whom I did a lot of work,
23 particularly on technology-based economic development.
24 Because I do admire him greatly, I was pleased when Governor
25 Ridge reacted to my appointment as Commission Chair by

1 tweeting, "The appointment of former Pitt Chancellor Mark
2 Nordenberg to Pennsylvania's Legislative Reapportionment
3 Commission is good news for all Pennsylvanians. Mark's
4 integrity, thoughtfulness, and dedication to the future of the
5 Keystone State will serve us all well."

6 I served as Co-Chair of the Education Subcommittee
7 of the Transition Committee for Republican Governor-elect Tom
8 Corbett. Far more recently, I served as honorary Co-Chair of
9 the Transition Committee for Republican Auditor General
10 Timothy DeFoor.

11 When I was about to step down as Pitt's
12 Chancellor, one part of a Senate Session day was devoted to
13 paying tribute to me on the Senate floor. While that was a
14 bipartisan occasion, the principle organizers and principle
15 speakers included both the then Republican President Pro
16 Tempore and the then Republican Majority Leader. Until
17 Majority Leader Ward directed me to put it away, I used to
18 occasionally brandish an oversized gavel that had been given
19 to me by former House Majority Leader and House Speaker Sam
20 Smith. And when I was appointed to this position last spring,
21 one of the first people to reach out to me was Mike Turzai,
22 the former Majority Leader of the House, the former Speaker of
23 the House. He not only congratulated me on the assignment but
24 indicated that he had hoped I would have been the Chair 10
25 years earlier when he was a Member of the Commission.

1 It's awkward to talk about myself, but I don't
2 have teams of public relations professionals like some of the
3 Caucus Leaders do, and there have been so many baseless claims
4 about the maps, the process, the Commission staff, and me that
5 I felt it was important to respond, because the work of the
6 Commission is so important. Now having been forced to reflect
7 on the last 30 years, I realize that if I had come into this
8 position with a hidden agenda, it probably should have been
9 anti-Democrat since they voted against me 30 years ago and
10 slighted me by not talking to me about this position for the
11 last three decades. But I did not agree to serve because I
12 had some secret agenda or because of any other kind of
13 personal motivation. Instead, when I was asked by the Supreme
14 Court, I saw it as a way to make an incredibly important form
15 of public service contribution to the State that has provided
16 me with a wonderful home for most of my adult life, and to the
17 democratic ideals that have made this country great and in
18 which I believe.

19 At earlier points in time, we have talked about
20 the Supreme Court decisions that enshrined the "one person,
21 one vote" principle, which stands at the heart of the
22 reapportionment process as a hallmark of American democracy.
23 One of those opinions, Reynolds v. Sims, put it this way:
24 "Legislators represent people, not trees or acres.
25 Legislators are elected by voters, not farms or cities or

1 economic interests. As long as ours is a representative form
2 of government, and our legislatures are those instruments of
3 government elected directly by and directly representative of
4 the people, the right to elect legislators in a free and
5 unimpaired fashion is a bedrock of our political system.

6 Perhaps others consider expressions like that one
7 to be just so many words, but that is not the way that other
8 Members of the Commission team or I view it. We've been asked
9 to discharge a special set of responsibilities, and we have
10 worked to do that fairly, tirelessly, and to the best of our
11 ability, and we will continue to do so.

12 That concludes my opening statement. Let me ask
13 if there are comments that any of the other Commissioners
14 would like to make.

15 Leader Benninghoff.

16 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
17 Chairman.

18 As you know, this portion of this process, these
19 30 days of hearing from the public, I think you stated very
20 well, is to hear from individuals from the public who feel
21 that they've been aggrieved from the process, so I will
22 refrain from any other comments at this point because I'd like
23 to get on to that, seeing we're about 35 minutes into that,
24 and I appreciate people's testimony, both those that are here
25 presently and those that will be here remotely.

1 Thank you for this opportunity.

2 CHAIR NORDENBERG: Anyone else?

3 (There was no response.)

4 CHAIR NORDENBERG: Our first witness, then, is
5 David Thornburgh, who has been with us before. He is the CEO
6 of the Committee of Seventy and the leader of Draw the Lines.
7 He and our next two witnesses all appeared as we were about to
8 begin the process of drafting our preliminary maps, and so it
9 seemed fitting to invite them back to offer their reactions.

10 Mr. Thornburgh.

11 MR. THORNBURGH: Thank you so much, Mr. Chairman.
12 Before I begin, I just wanted to share my thanks and
13 appreciation to all of you. I know I heard Senator Ward, I
14 think, in your last meeting suggest that perhaps she would not
15 enjoy this assignment again, and I think I can understand
16 something of what you have been through. It's also occurred
17 to me that perhaps one of the reasons that the LRC was formed
18 in 1967 is because the other 249 Members of the General
19 Assembly would gladly hand the duty off to just 4 of you
20 rather than take it on themselves.

21 And also, Mr. Chair, I want to thank you for your
22 leadership of this process, and in particular, the respect
23 which you and the other Members of the Commission have
24 accorded to voters in making it easy to comment, easy to
25 access the materials that you've provided, and maybe most

1 important, to show them the respect that they deserve by
2 telling them the story of what it is that you're doing and the
3 decisions that you're making, which is a real, I think,
4 cornerstone of transparency.

5 So with that, I have three basic points to make,
6 something of a refresher, but I do want to get to the point of
7 making some comment about the maps in front of us, and in
8 closing, how they could be improved.

9 The first point I wanted to make -- let's see if I
10 can do this, there we go. As you did, Mr. Chair, just to
11 begin with some reflection of the Constitution, which sets the
12 table for this discussion, and I'll note, as you know, my
13 father was a delegate to the Constitutional Convention in '66
14 and '67 and participated in this process and in sending this
15 amendment along to the voters.

16 I won't repeat the familiar words that you
17 probably all have tattooed on your eyelids at this point about
18 the constitutional requirements for the map, that they be
19 compact, contiguous, equal population, avoiding splits unless
20 absolutely necessary, et cetera, et cetera. But the comment I
21 would make, and I say this with, I'm not a constitutional
22 lawyer, but I'm someone who has paid a lot of attention to
23 this and tried to come to my own interpretation of how the
24 Constitution sets the table for this, and I've come to the
25 appreciation that, in my view, that language is a floor but

1 not a ceiling for the considerations that can and should be
2 taken into account in developing these maps. And that's an
3 important distinction. If it were a ceiling, these would be
4 the only considerations that we could take into account in
5 drawing maps. If it's a floor, it says this is a base, but
6 there are other things, there are other opinions, there are
7 other perspectives that could be taken into account in this
8 process. And I think the realization that this is, in fact, a
9 floor and not a ceiling is underscored by the fact that here
10 we are today in this process, also mandated by the
11 Constitution, that invites citizens to weigh in, in addition
12 to the 1,800 that you've heard from already, with their own
13 particular questions or observations or suggestions about how
14 the districts could be improved or the overall map could be
15 improved.

16 So I think that is important, because I know there
17 has been some conversation about particularly the use of some
18 variation of partisan data, partisan advantage, partisan lean.
19 There are lots of different ways to frame it. So that's why I
20 think it's important to start with this sense that the words
21 of the Constitution are a floor, and again, not a ceiling,
22 that prescribe exactly what ought to happen.

23 So with that then, and I thought this is perhaps a
24 bit of a review, but I hope an important one, which is to
25 address the question of as best we can tell over the years,

1 what are the values that matter most to Pennsylvania voters?
2 And my organization has a unique perspective on this, because
3 for the last 3 1/2 years, we've invited 7,211 citizens from 40
4 of the 67 counties to actually draw maps themselves. And
5 before we handed over the digital tools to them, we said, you
6 can't do this unless you come to some appreciation of what
7 you're trying to do, what values you're trying to express in
8 the maps. So this is the prelude to the actual drawing of the
9 maps, and we had a little exercise, and I put before you their
10 rank order of those values, of those priorities, beginning
11 with compact districts, going through the ranks and ending up
12 with their number 6 and number 7, their least favorite values,
13 which is that the map should not advantage either party and
14 should not protect incumbents. So that's one, I think,
15 relatively robust, systematic insight into what Pennsylvania
16 citizens want out of these maps.

17 The other systematic approach to answering this
18 question came about through a process that I was privileged to
19 lead, along with Senator Costa and then Majority Leader
20 Dermody, in the bipartisan Pennsylvania Redistricting Reform
21 Commission. And we had -- we're fortunate in that one of our
22 Commissioners was the Chair of the Political Science
23 Department at Penn State and fielded a statewide survey under
24 all the rigorous protocols of academic research to, again, try
25 to come to some understanding of what voters wanted. And

1 there's strong similarities to what we learned through our
2 Draw the Lines process. Again, beginning with compact
3 districts, going through the ranks, and ending to say, please,
4 what I would like least to see expressed in the maps is maps
5 that unfairly advantage either party or that protect
6 incumbents.

7 So I go over that, again, perhaps in the way of
8 review, just to sort of set up this sense that from those two
9 experiences, we arrived at an understanding that what voters
10 actually want is balanced maps. They don't want one-
11 dimensional maps. They don't want maps that are strong in one
12 area but very weak in another area. And you don't have to see
13 the numbers or the fine print of these graphs, but just to
14 acknowledge the shape of the graphs.

15 I will say, the graph at the upper left-hand
16 quadrant is equal population. That is, fortunately, embedded
17 in the Constitution, and that is one that voters feel strongly
18 about. But the others, as you go across the first row, and
19 then the second row, and into the third row, you can see
20 there's not a whole lot of difference when they were asked to
21 rank the importance of these different values. So just
22 abstract from that, a sense that voters want balanced maps.
23 Except, of course, when we come to the last two, which is
24 should the maps convey unfair party advantage to one party or
25 the other? And they said, resoundingly, no. And the same

1 question, which is should the maps protect incumbents in some
2 undue fashion? And they said, even more resoundingly, no. So
3 again, some consistency of what voters want.

4 So, which leads us to the question of the day, of
5 the hour, which is how all of that feeds into that sense that
6 voters want a balance out of these maps into the consideration
7 of the preliminary House and Senate maps that you all have put
8 forward. And, Mr. Chair, you started to take us through a
9 tour of the many metrics that have been applied to maps, and I
10 know reporters and others and we have made great use of all
11 those, but I decided to make this as simple as possible and
12 just begin with some visuals.

13 This is from Dave's Redistricting, and you can
14 argue the pluses and minuses of their particular metrics, but
15 these are my favorite versions of how they display the maps,
16 and I call them the spider graphs, because it looks like a
17 spiderweb. On the left, the current State House, on the
18 right, the preliminary House map that you all have put out.
19 And there are five metrics that are used here, and essentially
20 the further towards the edge of the circle, the better. So if
21 you could have an absolutely perfect map, the entire circle
22 would be filled in and there would be no white space
23 whatsoever. We all know that's not possible, because in fact
24 this process involves a series of tradeoffs, but I think you
25 can see at a glance that the preliminary House map is head and

1 shoulders better than the current State House map, with one
2 exception that I want to pay particular attention to, and that
3 is in the area of competitiveness, which is defined as the
4 number of districts which are competitive, which are within 45
5 to 55 percent, I think, voter registration by district. Your
6 preliminary House map is slightly worse than the current State
7 House map in that regard, but it is much better in
8 proportionality, which is, Mr. Chair, you said earlier,
9 reflects the sense that in a given election, given the
10 preferences of voters across the State, does it deliver
11 results closer to a 50-50 or 51-49 or 55-45, or what have you?
12 And the answer is, again, a resounding yes there.

13 I will point this out, though, the challenge, I
14 think if our voters, the folks that we work with, had their
15 way, you'd have 203 competitive House seats and 50 competitive
16 Senate seats. However, if you were to do that, if you were to
17 draw a map, and we had mappers try to do that, you would slice
18 and dice the districts in such a fashion that the floor would
19 be littered with jurisdictional splits and you would lose all
20 sense of compactness of the districts, which are not only
21 embedded in the Constitution but which voters clearly care
22 about. They care about compact districts and preserving
23 jurisdictions.

24 So I point that out, and in the way of suggestion,
25 I would say as you march down the field, if you were able to,

1 in fact, squeeze a few more competitive districts into the
2 process so that this is at least as good as the current map,
3 that would be one suggestion. But, of course, not to the
4 undue expense of the other important metrics that are out
5 there.

6 When it comes to the preliminary House map, I
7 think the picture is actually quite easier to take in. Your
8 map is a little bit better in all respects than the current
9 State Senate map. The one suggestion that we have brought to
10 this, which I think you will hear, is that it does, in the
11 view of our citizen mappers, perhaps, unduly protect
12 incumbents. And the question is, is there a better way to do
13 that? Is there a better map to be drawn that doesn't provide
14 that kind of safe harbor to incumbents? And so on the right,
15 and this is not an officially endorsed map, just the product
16 of one of our mappers, and we've provided a link to this map
17 in the exceptions that we submitted, just to suggest that,
18 yes, there probably is a better way to -- a better map to be
19 derived if, in fact, you relax that incumbency effect that
20 shows up in the preliminary map.

21 So those are my comments. I hope you find them
22 useful, and, again, I applaud you for your good work. And I
23 hope we can all bring this ship home to port as soon as
24 possible, and I know you do, too.

25 So I would be happy to answer any questions you

1 might have.

2 CHAIR NORDENBERG: Thank you.

3 Are there any questions for David?

4 REPRESENTATIVE BENNINGHOFF: One question.

5 CHAIR NORDENBERG: Leader Benninghoff.

6 REPRESENTATIVE BENNINGHOFF: Just for
7 clarification, all this data that you're providing you said is
8 based on your DLT mappers. What was the number of them?

9 MR. THORNBURGH: Well, we had 7,211.

10 REPRESENTATIVE BENNINGHOFF: Are they all
11 Pennsylvania residents?

12 MR. THORNBURGH: Yes.

13 REPRESENTATIVE BENNINGHOFF: Okay. And there's 13
14 million in Pennsylvania, roughly. Okay. Thanks.

15 SENATOR COSTA: Were they all assessing the
16 preliminary plan, David, or--

17 MR. THORNBURGH: No.

18 SENATOR COSTA: That's just general--

19 MR. THORNBURGH: No.

20 SENATOR COSTA: --mostly the comments about the
21 principles--

22 MR. THORNBURGH: That's right.

23 SENATOR COSTA: --you brought. Okay. Thank you.

24 MR. THORNBURGH: And just so you know, and I know
25 the Chair knows this, our mappers were working on

1 congressional maps, because it was probably a little too
2 daunting to give them 253 maps. But the point is that when we
3 asked them about the values, we weren't asking them about
4 congressional maps or legislative maps, just about values and
5 priorities. So we felt comfortable translating those into
6 this process as well.

7 SENATOR K. WARD: So you're part of the Committee
8 of Seventy?

9 MR. THORNBURGH: Um-hum.

10 SENATOR K. WARD: And they're part of you. And
11 you just mentioned congressional, and I got a piece of mail
12 that said, you know, your legislature draws the congressional
13 maps, and I just want to say that's true, but we don't have
14 the final say on congressional maps. So to put a piece of
15 mail out that says that without including the Governor,
16 because he has veto power, I just thought was not really as
17 straightforward as it needs to be, and it confuses people and
18 it gets us contacted by people saying, you do it, you do it,
19 do your job. We don't do it alone. We do it with the
20 Governor.

21 MR. THORNBURGH: Sure. No, I understand, Senator.
22 And I think what we're encouraging, that's the other side of
23 this process, is that we move expeditiously to put that map
24 together coming out of the General Assembly so that the
25 Governor has a map to consider.

1 SENATOR K. WARD: That he already said he was
2 going to veto. But I'm saying it was just an incomplete
3 message to the voters of Pennsylvania.

4 Thank you.

5 CHAIR NORDENBERG: Any other questions?

6 (There was no response.)

7 CHAIR NORDENBERG: If not, thank you again, David.

8 MR. THORNBURGH: Thank you.

9 CHAIR NORDENBERG: Our next speaker is Dr. Carol
10 Kuniholm, from Fair Districts, and she is going to be joining
11 us by Zoom.

12 DR. KUNIHOLM: I'm here. Can you see me?

13 CHAIR NORDENBERG: We can hear you, but we can't
14 see you. Now we've got you.

15 DR. KUNIHOLM: Am I there?

16 CHAIR NORDENBERG: Yes.

17 DR. KUNIHOLM: Excellent. Well, thank you. Thank
18 you for allowing me to share Fair Districts PA's perspective
19 on the preliminary maps, and thank you for your work. I know
20 having maps, House and Senate maps, with public input, our
21 People's Map is a daunting process, and then to add the layer
22 of the political process and the incumbency questions I know
23 is kind of an overwhelming challenge. So thank you so much
24 for your work on this.

25 I'm going to say a few words about the maps in

1 particular, but first, I wanted to start by saying a few words
2 about metrics, because I know we're going to hear lots about
3 metrics today, but there has been a lot of talk about metrics
4 and how to evaluate the maps, and I've seen a discussion about
5 the Princeton Gerrymandering Project grades, and I would
6 suggest strongly that those be set aside. They focus on a
7 handful of criteria, including a grade for competitiveness
8 which David Thornburgh has talked a bit about and which is not
9 embedded in Pennsylvania or Federal law. They mention
10 minority representation, but then they don't include that in
11 the final grade, which is, to me, a real concern. And the
12 algorithms they use in determining grades do not adequately
13 take into account the challenges of Pennsylvania geography,
14 demography, and the outsized number of House districts, which
15 they acknowledge really does make a difference. So all of
16 that calls into question the usefulness of that particular
17 grade.

18 I've been concerned to hear so many people talk
19 about the House map as a Democratic gerrymander. Gerry-
20 mandering, by definition, is drawing lines for personal or
21 partisan advantage, and the House map, from every assessment
22 that we can see, undoes lines drawn for partisan advantage,
23 which is the exact opposite of gerrymandering. I don't know
24 the word for that yet, but I would say that what the House map
25 does is the exact opposite of gerrymandering.

1 I'm going to share my -- I hope I can share my
2 screen. Is that showing? Can you see that? Oh, wait. I
3 have to figure out how to do this. I apologize. Am I able to
4 share screen? Yes, I am. Here we go. So there we go. Can
5 you see that? Yes. Okay.

6 So this is a slide that I believe Chairman
7 Nordenberg shared when the preliminary maps were voted on,
8 which shows how the LRC map and the People's Maps compare to
9 the current maps. So the current map has a pretty substantial
10 partisan skew. The LRC map and the People's Map come back
11 much closer to balance, but this is a hard metric for people
12 to understand. I thought I would just quickly show a
13 different metric also from PlanScore, which is a nonpartisan
14 Campaign Legal Center project. And going back to 1972,
15 looking at their partisan bias score, which basically just
16 shows in a hypothetical perfectly tied election, how many
17 extra seats would one party get? And so according to the
18 PlanScore, 1972, perfectly hypothetical tied election, that
19 map 1972, which is the first year that the LRC was in
20 existence to draw a map, came out just with a 1-percent
21 Republican skew, a +1.4 extra seats in that election. The
22 next decade, 1982, stayed very close to that, about 1 percent,
23 .8 percent extra seats. The next decade, 1992, 1.2 extra
24 seats. You can see there's a bit of a tiny skew, kind of in
25 an average drawing of the map, and then something happened in

1 2002. It took a leap towards a Republican advantage, and that
2 was kind of the year that really focused effort on
3 gerrymandering began. And you can see that this particular
4 metric showed that Republicans would win 4.3 extra seats in
5 that hypothetical perfectly tied election. In 2012, that
6 moved over to 8 percent, or 7.5 percent extra seats in that
7 perfectly tied election, which is more skewed than 76 percent
8 of enacted plans analyzed around the country, and really has
9 been one of the most locked-in gerrymanders of the last
10 decade. You can look at that little bar graph of how many
11 seats in an perfectly equal election each party would get.

12 So how does this proposed map compare to that?
13 And what we see is that it moves back towards that balanced
14 center. It does not get all the way back to that 1 percent,
15 which we had for three decades after the LRC was formed, but
16 it gets much closer to the 1 percent than what we currently
17 have. So I would say, again, this is not a Democratic
18 gerrymander. This is an attempt to undo two decades of
19 Republican gerrymandering, doesn't quite accomplish it fully,
20 but it gets very close.

21 There's some other ways to look at metrics, and as
22 David Thornburgh mentioned, there are important metrics to
23 consider, not just partisan bias, but compactness is required
24 by law, minimized splits is required by law, and minority
25 representation is an important value that is embedded in the

1 Voting Rights Act and also in legal precedent. By the metrics
2 on those, we've created our own spider graphs, to use the same
3 kind of thing that Dave's Redistricting App does. We use the
4 scores from Dave's because they're composite scores taking a
5 number of different accepted metrics, and then putting them
6 together into a normalized score on a scale of 0 to 100. If
7 you look at that, that orange one in the middle is the current
8 map. It doesn't do very well on partisan bias. It really
9 doesn't do well on any metric. And then the People's Map, we
10 were quite pleased with our metric, and we're really stunned
11 and impressed that the LRC map beat us on several metrics,
12 including partisan bias improvement, less splits, and about
13 the same on compactness, and about the same on minority
14 representation. So I would say there's lots of metrics you
15 can use. There is no metric that I've seen yet that in any
16 way suggests that the House map is anything other than a
17 really well-balanced map attempting to undo two decades of
18 gerrymandering.

19 We have lots of volunteers and they work on really
20 amazing things, and we had a team counting splits on maps and
21 counting municipal splits, school district splits, because we
22 believe that's a way to measure communities of interest. And
23 according to their measurements, the LRC map has far less
24 splits than the current House map; 16 percent less county
25 splits, 12 percent less municipal splits, 13 percent less

1 school district splits. But our folks are very meticulous and
2 exacting, and what they realize is that some splits are simply
3 required by population. So when they account for those, what
4 they find is 70 percent less splits of counties, 16 percent
5 less splits of municipalities, 15 percent less splits of
6 school district. So even if you're going to talk about splits
7 of various entities, jurisdictional splits, the LRC map is far
8 better. And that one county is kind of stunning when you look
9 at it, because a certain amount of splits simply are required
10 by population, but if you account for those, 70 percent less
11 splits for the LRC map.

12 Now, there have been complaints, I know, about,
13 and Chairman Nordenberg referred to this, about places where
14 incumbents are put into opposition with each other, and some
15 of that has a great deal to do with the way districts were
16 drawn in the past. So if you look at this District 10, I'm
17 amazed at anybody complaining about that current House
18 District 84 after living with this District 10 for a decade,
19 because it's obviously not compact, and in some places not
20 even contiguous, and it's not the only one in the State that
21 is like that. But if you look at Lawrence and Mercer
22 Counties, what you see is five different districts kind of
23 wobbling those two counties, and by number now, those two
24 counties deserve to have exactly three districts. To draw
25 those districts properly, what you find is you have five

1 incumbents within those two counties. And so simple math, if
2 you've got five incumbents in a county that needs three
3 districts, you end up with two districts where you have two
4 incumbents facing off. And there's other situations across
5 the State where you can see things happening like that.

6 There's a school district that has two incumbents in the same
7 school district. There's places where incumbents are in
8 neighboring towns in places where the districts are already
9 very badly gerrymandered, and to try to squeeze two districts
10 into those places would make them even more distorted.

11 I know that this district has had plenty of
12 attention, and I confess, those of us who have been studying
13 gerrymandering now for years, we look at this and we say, how
14 would this be of any benefit to any Democrat when there is not
15 a Democratic district anywhere on this particular screenshot?
16 Those are all Republican districts. The challenge here is
17 that Williamsport is a more densely populated area there in
18 District 83, and so when you try to draw districts that keep
19 that kind of population intact, you end up with some strange
20 districts. I remember sitting in Representative Garth
21 Everett's office, he had District 84 several years ago, and he
22 was agreeing that gerrymandering is a bad thing, that it needs
23 to be addressed, and he pointed to his district and said
24 people think it's gerrymandered. It looks kind of strange,
25 but really it's just because there's Williamsport in the

1 middle. To keep Williamsport intact, you end up with a weird
2 district drawn around it. That's my district.

3 Now, I would say our People's Map did not do that.
4 We did it differently, and I think it's quite an elegant
5 solution, but we did not look at incumbents, as Chairman
6 Nordenberg mentioned. We had lots of incumbents who ended up
7 in the same district. We didn't look at that, and when we do
8 look at that, we said, yeah, to do this nicely, you're going
9 to end up with incumbents in the same district. So my
10 question to Representative Benninghoff would be, how did you
11 draw the district? And it would be interesting to see how you
12 drew it, to see who you put in the same district, or how
13 distorted your districts would be to solve this problem. We
14 would be very interested to see your version of this area,
15 because the tradeoffs are clear. Either you have distorted
16 districts, or you have incumbents in the same districts in
17 areas where population has shifted and in areas where you're
18 trying to correct decades of distorted districts.

19 So to move on to the Senate, the Senate map, we
20 would say, needs more work. It is still better than our
21 current Senate map. Obviously, if you look at this same
22 partisan bias metric, you can see the current Senate map gives
23 8.5 extra seats to the Republican Party. The proposed LRC map
24 gives 3.8 percent. That's still right on the margin of a
25 Republican gerrymander and does not really go quite far enough

1 to level out partisan bias. By the other metrics that we're
2 concerned about--where did those go, there they are--again, by
3 the other metrics, the Senate map is a bit better, but it's
4 not as robustly better as the House map. It does not improve
5 as much in terms of compactness. It does not get rid of as
6 many splits. Our People's Map is definitely better by those
7 metrics than the Senate map, although the Senate map, as I
8 said, you can see the purple one there, the Senate map is
9 better, but it is not as much better as we would hope to see
10 from this process.

11 And there's a couple very specific things that
12 we'd like to just call attention to. One is the proposed
13 Senate District 14 has been suggested as a way to address
14 Latino representation. The proposed district would give a
15 27.9 voting age population, according to the metrics we have.
16 We don't have access to the citizen vote, you know, we don't
17 have access to the high-level voting rights mapping technology
18 that I believe -- I'm assuming the LRC has access to. But
19 according to this, they would have, well, this is the current
20 27.9--I'm having trouble with my computer here moving back and
21 forth. So there's the proposed one. That's 27.9, and the
22 current one is also 27.9. So the question is, why would
23 Allentown be divided, and why would this district be changed
24 when there's absolutely no advantage that we can see to
25 representation? And the question would be, why divide

1 Allentown and why divide Bethlehem? And why move that
2 district into this particular place? And, obviously, when we
3 start to look closer, we see the carve-out on Allentown is to
4 give a personalized district to a current Republican Senator.
5 We would say that that is not an appropriate reason for
6 drawing a district. It's certainly not an appropriate reason
7 for dividing a city like Allentown.

8 There was quite a bit of discussion earlier about
9 population shift. I don't want to go into that too much,
10 except just to kind of call attention regionally. The
11 northeast region ends up, the existing districts, regionally
12 overpopulated by about 10,000. That's pretty easy to adjust.
13 The Lehigh Valley ends up about 26,000 over population. That,
14 too, is not too difficult to adjust. The southeast region
15 ends up with about 180,000 over population. That's over the
16 ideal population per district. That's quite a bit. The
17 southwest region evens out--growth in some districts, loss in
18 some districts--evens out to about 3,000 under population.
19 And then if you combine northwest and north central, it's
20 about 150,000 under population. What that suggests is the
21 need to move one district from somewhere in the northwest,
22 north central area, down to the southeast region. That
23 clearly did not happen. There were two districts proposed to
24 move, one from Centre County, central area, down to
25 Cumberland, which there's a little bit of growth in the

1 Cumberland area, but not enough to justify moving a district
2 there. And the other one was to move from the Luzerne/
3 Lackawanna area, down to the Lehigh Valley. And if you look
4 at the numbers there, that certainly doesn't justify moving a
5 district, which suggests that that district is being moved
6 rather intentionally to put the only Independent Senator that
7 we have in this State into opposition with another incumbent,
8 which is not something that I think voters would think was an
9 appropriate reason for moving a district in that way.

10 What we see is a pattern here, and the pattern
11 suggests the southwest region continues--these are new
12 districts, the LRC districts--underpopulation in the southwest
13 region continues by about 72,000, an average of about 7,000
14 per district under the ideal population. And in the southeast
15 region, overpopulation in each district by about 68,000
16 overall, an average of about 5,000. What that means is
17 amplification of vote for those in the southwest region,
18 dilution of vote for those in the southeast region, and not an
19 adjustment of the pattern across the State.

20 I realize I missed, in my trying to get my things
21 to work right, I missed one slide that I want to jump back to,
22 which is another question we had. Our People's Map had
23 suggested taking a district from kind of somewhere northwest,
24 north central, although we weren't looking at existing
25 districts, we were just drawing districts, but suggested

1 putting a Latino opportunity district in the heart of
2 Philadelphia. The minority community has driven the growth in
3 Pennsylvania in the last 10 years. The Latino population has
4 grown significantly. There has never been a Latino Senator in
5 Pennsylvania, and the question is, how to not guarantee one
6 but certainly open the door to make it somewhat easier for the
7 election of a Latino Senator? And this seems to be a really
8 important place to consider that. The district we had
9 proposed in the LRC map is divided into four existing
10 districts. The current Senate districts did not change much
11 at all, and we would say, given population shifts, given that
12 minority population reality, this ought to be considered to
13 put a Latino district in Philadelphia and rearrange districts
14 around it.

15 I want to just call attention to one more pattern,
16 and then I will be pretty much done. One of the patterns we
17 looked at was districts that have prison populations, and this
18 Commission passed a resolution to reallocate prison
19 population. So we looked at the deviations in the districts
20 that have prisons, and we're puzzled to see that some of the
21 largest deviations in population under ideal population are
22 districts where there are prisons. So in other words, not
23 only were those populations not reallocated to other parts of
24 the State, evening out the representation, they were even
25 maximized. So as a puzzle to us, we haven't had a chance to

1 look closely. It's something we want to look at more closely,
2 but we are curious about that.

3 To finish, I will say that, yes, I have been
4 working on a proposed revision, working off of the LRC maps.
5 The House map, as I said, we think the metrics are really
6 good, and yet we think local voices need to matter. And there
7 are specific places that no one mapper knows all the
8 communities across the State. No one mapper knows all the
9 terrain. Pennsylvania's got all sorts of weird territory,
10 terrain, rivers, ridges, gorges, beautiful territory, and yet
11 the local folks know that territory best. And so it's
12 important local voices be included, which is why it's
13 wonderful that you're having these hearings, why it's terrific
14 that you have these online comments, and my own revision will
15 use what I've learned through our People's Map process. So I
16 am just submitting that for the interest of your mapping team
17 for both the House and for the Senate.

18 And I just want to say thank you, again. I know
19 this is a difficult, challenging process. We hope to see
20 really significant changes to the Senate map, we hope to see
21 small improvements in specific areas in the House map, and
22 appreciate your work.

23 CHAIR NORDENBERG: Thank you very much.

24 Are there questions for Dr. Kuniholm?

25 Majority Leader Ward.

1 SENATOR K. WARD: You know I do.

2 Thank you for your evaluation. I'm just going to
3 dispute your numbers for the district. We have 27.9 percent
4 in the new Latino district in 14. The way it is now, it's
5 24.7. It's not 27. It's less. But the originally proposed
6 Latino map had all of Bethlehem city in the map, which brings
7 the Latino district up to almost 34 percent. But that didn't
8 happen. Only half of it came over, it was split at the county
9 line. So there is an opportunity there to make that much
10 stronger. I wanted to point that out.

11 And as for Cumberland County, it has 260,000
12 people. It had the perfect number to put a Senate district
13 in. It was a perfect number, but it ended up being split. It
14 wasn't, again, the original proposal, but.

15 DR. KUNIHOLM: It does have the perfect number,
16 and I think it's possible to rearrange the numbers in that
17 area to do that. But, yes, absolutely, Cumberland should be
18 one Senate district. I agree. I think that would be great.

19 As for the Allentown area, did you look at the numbers
20 for Allentown? If Allentown was drawn as one district with
21 its neighboring communities, what would the number be for
22 that?

23 SENATOR K. WARD: So, I'm going to back up. So,
24 if we took all of Bethlehem, we would be up to almost 34
25 percent. And as for protecting an incumbent, the Latino

1 district as it is put together now would be, if we added the
2 rest of Bethlehem, does not have an incumbent. And that was
3 very important, that the district not have an incumbent, if
4 you're truly trying to give an opportunity to the Latino
5 community. So it was drawn without an incumbent.

6 DR. KUNIHOLM: I haven't seen your version. I'd
7 be happy--in any of these situations, I think it would be
8 really helpful for the public to see what are the options,
9 because as we've all said, every district has tradeoffs.
10 There are, you know, different metrics, different questions
11 that go into it. And it would be amazingly helpful for the
12 public to see what the rationale is as districts are drawn. I
13 will say that in the revision versions that I'm offering,
14 especially for the House, I'm giving a brief explanation of
15 why I am proposing these particular changes. I think the more
16 that we understand about the thought behind specific
17 decisions, the easier it is to trust what's happening within
18 the maps themselves.

19 CHAIR NORDENBERG: Leader Costa.

20 SENATOR COSTA: Thank you very much, Mr. Chairman.

21 Thank you for your testimony and really pointing
22 out and illustrating to us through the maps you provided the
23 shift in population in terms of where the deviations are very
24 high in some parts of the State and low in other areas. But
25 more importantly, recognizing that while it's important for us

1 to do the best job we can, recognizing that you have to
2 prioritize, I guess, where you want to go with if you're going
3 to create a new district. And the question is, in your
4 opinion, that the Lehigh 14th District is not the best place
5 to put a Latino leaning district, you're recommending maybe
6 somewhere in the southeast that achieves that and possibly can
7 get to a much higher number than 27.9, but more importantly,
8 it addresses shifting population from the southeast either
9 north or west, which I think is what you also want us to try
10 to take a look at. So I think what you're recommending makes
11 sense, to some degree, and my position would be to certainly
12 look at something along these lines.

13 DR. KUNIHOLM: Thank you.

14 CHAIR NORDENBERG: Any other questions?

15 (There was no response.)

16 CHAIR NORDENBERG: Thank you very much, once
17 again.

18 DR. KUNIHOLM: Thank you for having me.

19 CHAIR NORDENBERG: Our next speaker is Salewa
20 Ogunmefun, who, again, has been with us on a number of past
21 occasions. Welcome back.

22 MS. OGUNMEFUN: Thank you, thank you. And thank
23 you for having me. And Happy New Year to all.

24 Greetings, distinguished Members of the
25 Legislative Reapportionment Commission. My name is Salewa

1 Ogunmefun, and I am the Executive Director of Pennsylvania
2 Voice, a nonpartisan partnership of over 45 State- and
3 local-based organizations working year-round to create a more
4 and accessible, inclusive, and representative democracy by
5 amplifying the voices, leadership, and expertise of
6 communities that have historically experienced deliberate
7 barriers to civic participation. Our Keystone Counts
8 Coalition began our work around legislative reapportionment to
9 insure each community member across the State of Pennsylvania
10 has the same opportunity to elect the candidate of their
11 choice in 2017 and continues to be led by Action for Climate
12 Emergency, Amistad Law Project, CampusVOTE Project, CASA,
13 Common Cause PA, Make the Road Pennsylvania, and One
14 Pennsylvania, many of which you will hear from throughout the
15 hearings over the next few days.

16 Thank you for the invitation and opportunity to
17 offer comments on the preliminary reapportionment map adopted
18 by this Commission several weeks ago. As you all have
19 consistently noted, delays with the Census Bureau processing
20 the data required to draw the maps have compressed the
21 timeline significantly, and we appreciate the work that you
22 all have done to urgently draft maps to insure more equitable
23 voting power for all of us in the 2022 election cycle.

24 Since receiving the plan, we have worked with our
25 data analysts, expert mappers, and partner organizations to

1 solicit and analyze feedback from residents of the growing
2 Black, Latinx, and Asian American communities across the
3 Commonwealth. While our conversations remain ongoing, with
4 more detailed and specific comments to be submitted to the
5 record, I offer to this Commission today an early summary
6 based on what we have gathered thus far.

7 Our initial feedback suggests the proposed maps
8 are a marked improvement over previous Pennsylvania
9 reapportionment plans in ensuring fair voting power for all,
10 in upholding the State constitutional mandate that equality of
11 rights under the law should not be denied or abridged in the
12 Commonwealth of Pennsylvania because of the race or ethnicity
13 of the individual. It is clear from these maps that the
14 ability for the growing populations across the State to elect
15 candidates of their choice was a priority for this Commission,
16 and we are committed to working with you all to insure the
17 final maps create the ability equally in the Senate and in the
18 House.

19 The Unity Maps submitted by Keystone Counts were
20 developed by soliciting input from over 700 Pennsylvanians
21 across 8 House districts from 5 counties experiencing rapid
22 population growth and demographic changes. While drafting our
23 maps, we focused on citizen voting eligible population to
24 insure the intention, voters electing candidates of their
25 choice in these proposed districts, had the best opportunity

1 to come to fruition. Our early racial polarized voting
2 analysis suggests, with confidence, that polarized voting in
3 Pennsylvania affects the ability of Black, Latinx, and Asian
4 American voters to elect candidates of their choice. Based on
5 the proposed maps, we're continuing this analysis with an
6 emphasis in Berks County, Dauphin County, Lancaster County,
7 and Lehigh County.

8 The map this Commission proposed for York County
9 is most closely aligned with our Unity Map, matching nearly 90
10 percent. While the population growth has not met what is
11 needed for a majority coalition district based on citizen
12 voting eligible population, the proposed map indicates that
13 intention, though there are ways to adjust to be more
14 inclusive of York's significant Black and growing Latinx
15 communities. We continue to seek input from our partners in
16 York so that we can provide specifics of how that may be
17 accomplished, and you will hear from many of the members of
18 CASA over the next few hearings.

19 Currently, there are two House districts in Berks
20 County that represent the city of Reading, a city that is
21 majority Latinx, with a significant Black population. Our
22 Unity Map called for two House districts where a majority
23 coalition, based on voting eligible population, had the
24 opportunity to elect candidates of their choice. The map
25 proposed by this Commission calls for the city of Reading to

1 be represented by three House districts, one with a majority
2 Latinx eligible population. With respect to our priority for
3 the ability of Latinx and Black communities to elect
4 candidates of their choice, we're continuing our research into
5 polarized voting patterns in this region.

6 In Lancaster County, it was critical to allow the
7 growing BIPOC populations within and near the city of
8 Lancaster to elect a candidate as a community of interest. We
9 applaud this Commission for prioritizing that need over
10 existing municipal boundaries and drafting the House
11 preliminary map as required by the intention of this process.

12 At this time, we encourage the use of the citizen
13 voting eligible population when adjusting proposed House
14 District 50 and ask that the Commission propose a Senate map
15 that also aligns with your original intention. The current
16 Senate proposal splits the metro area and its suburbs apart,
17 combining them with the more rural voters with potentially
18 different interests, as testified to earlier in this process
19 by the Center for Rural Pennsylvania.

20 In Allegheny County, there is significant
21 alignment between the proposed maps and the Unity Maps that we
22 submitted. One of the districts we proposed actually remains
23 73-percent intact. We continue to seek input from our
24 partners in Allegheny County, many of whom you will hear from
25 over the next few days of hearings, so that we can provide

1 specifics of adjustments to the boundaries of the proposed
2 maps in the city of Pittsburgh and the Mon Valley, where
3 partners continue in relationship with community members.

4 In Philadelphia, we applaud the creation of two
5 new House districts that allow for the significant Black
6 population to increase their ability to elect candidates of
7 their choice, and ask this Commission to create additional
8 opportunities for the Latinx and Asian American populations to
9 elect candidates of their choice. Our partners at Fair
10 Districts PA are proposing a new opportunity district in the
11 Senate based in southeastern Pennsylvania, and we encourage
12 the LRC to strongly consider this proposal.

13 Though Dauphin County was not a county where our
14 partners collected community of interest maps for members,
15 several of our partners organized and built power in Black and
16 Latinx communities there. It is notable that the city of
17 Harrisburg, which is majority Black, is represented by three
18 House districts in the LRC proposed maps. With respect to the
19 priority of the ability for the Latinx and Black communities
20 to elect candidates of their choice, we're continuing our
21 research into polarized voting patterns in this region.

22 Similarly, Lehigh County remains a priority for
23 several of our partner organizations. As we continue to
24 gather feedback and research polarized voting patterns in the
25 Allentown area, we have serious concerns about the bifurcation

1 of Allentown in the proposed State Senate maps. The inclusion
2 of western Allentown into a district with parts of rural
3 Lehigh and Berks Counties dilutes the voting power of these
4 residents. We encourage this Commission to replicate the
5 trend of previous Commissions by keeping the city of Allentown
6 whole, and additionally the ability of the growing Latinx and
7 significant Black populations living there to elect candidates
8 of their choice together.

9 We thank this Commission for your work to create
10 additional opportunity districts in geographies experiencing
11 population growth, including HD 54 in Montgomery County and HD
12 116, which is located in Luzerne and Schuylkill Counties.

13 In relation to the Senate map, we are researching
14 the variance and population size of Senate districts in rural
15 Pennsylvania and comparing some of those in urban and suburban
16 areas. Based on a cursory analysis, there are trends in this
17 data that appear to show our rural districts are significantly
18 more likely to be far below the average district population.
19 We understand the limitations imposed by Pennsylvania's
20 political geography that have been noted in these hearings,
21 but we want to be certain that the maps do not unduly
22 overrepresent rural voters in a systematic manner, and we
23 encourage this Commission to look into that data as well.

24 As a nonpartisan organization, we are focused on
25 securing fair representation for Pennsylvania's Black,

1 Indigenous, and people of color communities, not on gaining
2 partisan advantage in this process. We believe these maps are
3 a good starting point, an improvement over the maps of the
4 past 30 years, and reflect the commitment by the Legislative
5 Reapportionment Commission to take seriously the cause of
6 racial equity and produce maps that are truly fair to all
7 Pennsylvanians.

8 We appreciate the opportunity to work with you all
9 on this monumental task, and will be happy to provide any
10 further input you may require. With that, I'll be happy to
11 take any questions that you guys have.

12 CHAIR NORDENBERG: Thank you very much.

13 Are there questions or comments?

14 SENATOR K. WARD: I have a comment.

15 CHAIR NORDENBERG: Majority Leader Ward.

16 SENATOR K. WARD: You're acting like you're not
17 surprised.

18 Thank you so much for all of your work and looking
19 at all of this as deeply as you did. I just want to make the
20 comment that all of our Senate districts across the State fall
21 within the Supreme Court's 10 percent in either direction, so.

22 Thank you.

23 CHAIR NORDENBERG: Senator Costa.

24 SENATOR COSTA: Just very briefly. Thank you.

25 I'd like to know who your speed reading instructor

1 is, because you went through your testimony--

2 MS. OGUNMEFUN: I thought I did better this time.
3 This was me trying.

4 SENATOR COSTA: --so well, and I had a chance to
5 read it. You were speaking it faster than I was reading it, I
6 can tell you that. But thank you for your testimony.

7 I think the point we've heard a lot today is about
8 what seems to be this deviation conversation that you've
9 raised for rural versus urban, et cetera, so it sounds like
10 it's something we need to explore. But what your folks
11 together have been putting out, your group working together in
12 that regard, I think is very helpful. So thank you.

13 MS. OGUNMEFUN: Thank you.

14 CHAIR NORDENBERG: Thank you very much.

15 MS. OGUNMEFUN: Of course.

16 CHAIR NORDENBERG: Our next speaker, or speakers,
17 is a bipartisan panel of Representatives from the House who
18 we're lucky to have with us today. Sorry to keep you waiting.
19 Representatives Gaydos, Ortitay, Kulik, and Kinkead, from
20 Allegheny and Washington Counties - three in person and one on
21 the big screen.

22 REPRESENTATIVE GAYDOS: Thank you, Mr. Chairman
23 Nordenberg and Commission Members, for inviting us to make
24 this presentation. I just want to introduce myself. My name
25 is Valerie Gaydos, State Representative from the 44th

1 District. I was elected in 2018, after spending more than 25
2 years in the private sector as an entrepreneur, business
3 owner, and investor in startup companies. My job was to see
4 trends and define markets in communities of interest, if you
5 will, and most importantly, to serve customers. My job as a
6 State Representative might not be too much different in some
7 ways, and today I'm pleased to share my experience and
8 observation about the communities in the western suburbs of
9 Allegheny County, where I grew up.

10 We are four State House Members, respectively,
11 representing the adjoining 44th, 45th, 46th, and the 20th
12 House Legislative Districts in western Pennsylvania and the
13 western part of Allegheny County. Representative Ortitay and
14 I are Republicans, Representatives Kulik and Kinkead are
15 Democrats. We are here on behalf of our respective
16 constituents and to demonstrate the spirit of a bipartisan
17 collaborative process intended to be put forth by the
18 Commission to present our collective corrections and
19 exceptions to the proposed maps.

20 A couple of things that we have learned and agree
21 upon being State Representatives is that our communities are
22 not always defined by government boundaries, and that
23 communities define, or should be the ones that define, their
24 government, and not the other way around. Communities can be
25 defined by roads, bridges, common travel routes; conversely,

1 rivers or counties are not always convenient community
2 boundaries. Communities, for us, means shared public services
3 likes water, sewer, police, fire, parks, school districts, or
4 simply where people live, work, play, or worship together.
5 Focusing on what unites us, not what divides us, is the
6 strength of our representation in communities. Keeping
7 communities of interest together makes for stronger
8 communities and enables us as State Representatives to be more
9 efficient advocates, stewards, or champions for the
10 communities that we represent. This is not a Republican or
11 Democrat issue for us. This is a community issue, and we are
12 here to collectively present our exceptions and present an
13 alternative map for Districts 44, 45, 46, and 20, and each of
14 us are going to have our own details on our maps.

15 I don't know if we have a map that we had proposed
16 that is posted up. Okay. Now I've got to figure out how to
17 do this.

18 CHAIR NORDENBERG: Here comes the man who can do
19 anything.

20 (Laughter.)

21 REPRESENTATIVE GAYDOS: I guess. Can we put that
22 up on the screen? There we go. Okay.

23 So I guess first up is Representative Ortitay.

24 REPRESENTATIVE ORTITAY: Thank you, Representative
25 Gaydos.

1 Thank you, Chairman Nordenberg and Leaders on the
2 Commission. I got to work with each of you in my tenure here.

3 I want to start off by saying this has been a
4 collaborative process with my colleagues, and, more
5 importantly, with the local communities. Equally as
6 important, Chairman Nordenberg, you mentioned this in your
7 opening comments, I want to recognize that I am a steward of
8 the office that I currently hold. I don't own it, it's not
9 mine, and it's not my birthright. I recognize that. My
10 primary goal here today is to insure that the people I
11 currently represent are kept with the communities of shared
12 interest.

13 The preliminary map of the 46th District maintains
14 just under 30 percent of its current configuration. It is my
15 belief, and the belief of the township, that South Fayette
16 Township should not be split in half. The current
17 congressional map does just that. And since those maps went
18 into effect a few years ago, it has caused nothing but chaos
19 and confusion about who their Congressman is, in a completely
20 different level of representation, depending on which side of
21 the street they live on, and keeping in mind that South
22 Fayette also shares about seven different ZIP Codes with
23 neighboring municipalities also makes it more difficult,
24 especially when they call the office. South Fayette should be
25 made whole and doesn't need to be split, as you can see in the

1 drawing. It also keeps together their school district, as
2 well.

3 With the opening of the southern beltway late last
4 year, it has linked all of these communities together, the
5 ones that you see on the map there, and it put them on a
6 shared course for economic development which could see up to
7 \$5 billion to \$10 billion in investment over the next decade.
8 We're already seeing a \$600-million development in progress,
9 and there are several others in the \$100-million range that
10 are being worked out right now, and that's for Robinson
11 Township, McDonald, Midway, Mount Pleasant, Cecil Township,
12 which are all in Washington County, that all go through South
13 Fayette Township. So it all starts in Robinson Township in
14 Washington County and ends in South Fayette Township in
15 Allegheny County. It is important that these communities stay
16 together, as they all have a shared interest in coordinating
17 this development, both commercial and housing developments, as
18 it impacts local roads and local infrastructure. South
19 Fayette doesn't share any of this development with their
20 Allegheny County neighbors, only with their Washington County
21 neighbors. By keeping them together, it makes it easier to
22 apply for State grants, plan out infrastructure, and
23 coordinate meetings with one State Representative.

24 Another important reason to keep South Fayette and
25 Oakdale together in the same district as the Washington County

1 neighbors there is Robinson Run Creek. It is a stream of
2 water that begins in Midway in Washington County, runs through
3 Robinson, McDonald, Cecil Township, South Fayette, and
4 Oakdale. And over the last, at least in my tenure, Oakdale
5 has just been devastated with floods, and this goes back to
6 2004. By keeping them together, they've all worked together
7 for flood remediation, flood prevention, they have a working
8 group, and they do well being grouped together under one House
9 seat.

10 Along with my testimony, I also submit letters
11 from South Fayette Township and the borough of Oakdale, both
12 will go into more details. I'll spare you during this
13 hearing. I think the South Fayette Township Manager is
14 speaking tomorrow, or at the next hearing, and I believe he
15 will go into a lot greater detail than I have here today.

16 And there's one other last exception that I'll
17 just bring to the attention of the Commission, that is the
18 borough of McDonald. I have been doing some research over the
19 past couple of weeks. The borough of McDonald, in Washington
20 County, is small, but it also has an Allegheny portion which
21 nobody I think alive knows why they were ever split into
22 Allegheny County, I think it was done over a hundred years
23 ago, but there's only about 400 people in that area of the
24 Allegheny County portion, and the entire government
25 representation of the borough is in Washington County. So

1 splitting them essentially cuts them off from representation,
2 and being it's such a small number, it makes sense to keep
3 them together.

4 And I want to recognize that drawing a map is not
5 an easy task. I've spent probably 20-plus hours already
6 trying to put something together, as my colleagues here will
7 attest to. Chairman Nordenberg, you've stated publicly that
8 there is no perfect map--I certainly concur with that--and
9 that you expect changes to be made to the preliminary map. So
10 I want to emphasize that the drawing of these four districts
11 with my colleagues is not a complete redraw, it's nowhere near
12 that, in fact. These are small changes that keep the core of
13 those districts intact while reducing splits, keeping
14 districts more compact, contiguous, and communities of
15 interest together, and also population deviations in check.

16 I sincerely appreciate all of your attention and
17 for giving us the opportunity to all work together. So thank
18 you.

19 REPRESENTATIVE GAYDOS: I guess Anita will be
20 next. I guess we'll have to take the map off, or I don't know
21 how that works.

22 REPRESENTATIVE KULIK: Thank you for the
23 opportunity to speak together today. Mr. Chairman, I come to
24 you as a humble graduate of the Duquesne University School of
25 Law. With all due respect to my colleagues coming out of Pitt

1 Law School, I appreciate all the effort, because this is such
2 a difficult task that you all have accepted, and the efforts
3 of the Commission, and the Leaders from both sides, to work on
4 these maps is absolutely remarkable. Taking on the work of
5 analyzing the new Census information and applying it to the
6 hundreds of municipalities in the Commonwealth so as to try to
7 establish fair districts for the State House was certainly not
8 easy.

9 I'll dive right into my portion and what is
10 concerning in my district. There have been multiple
11 testimonies presented regarding keeping the township of Moon
12 whole. The way the new map is drawn, I would have a small
13 portion, sort of a bubble of Moon Township, and Representative
14 Gaydos would have the remainder of Moon Township. Moon
15 Township is a great community. The local officials and
16 residents have tremendous pride in their neighborhoods and
17 school district and in the economic growth that continues in
18 the township, but to divide Moon Township would be a great
19 disservice to these good people. In the 45th District, the
20 addition of McKees Rocks, Collier, and the boroughs of
21 Heidelberg and Bridgeville fit well. These municipalities
22 share commonalities with their area, including schools and
23 business districts. There is a stretch of Route 50 that
24 passes through these three new municipalities that are common
25 travel and shopping routes for residents, and these

1 communities are joined to the 45th District by I-79. In fact,
2 you can travel from one end to the other of the 45th District
3 just on I-79.

4 I respectfully submit that in keeping Moon
5 Township whole, several of the north boroughs should be drawn
6 back in and thus remain in the 45th District. Rivers are not
7 a dividing line, as my colleague Rep. Gaydos has said before.
8 In fact, Neville Island, a complete township of its own, sits
9 in the middle of Ohio River and connects the 45th District.

10 The boroughs of Ben Avon, Kilbuck, Emsworth, and
11 Ben Avon Heights share common borders with the rest of the
12 district and have much in common with the municipalities in
13 the district. The residents travel the I-79 corridor to other
14 District 45 communities for shopping, entertainment,
15 healthcare, et cetera. From Kilbuck down to Bridgeville,
16 these communities share similar economic, educational, and
17 residential growth. They share similar interests and similar
18 backgrounds. They are joined together by memberships in
19 common councils of governments, chambers of commerce, all that
20 address the needs of suburban communities. They also share
21 county and State economic development projects, and they
22 strive to achieve this growth by working in unity, working to
23 accomplish their shared goals and interests.

24 All the communities being considered in my
25 testimony work together through their COGs, volunteer fire

1 departments, emergency services, police departments, and
2 schools. They either maintain police, EMS, and volunteer fire
3 departments that assist their fellow communities, or they
4 share services. Keeping these communities together will keep
5 the district within the purpose of this Commission, which is
6 to keep communities of interest together.

7 There is one addition I would like to speak on
8 today. It came in today as a letter from the township of
9 Scott, which is in the southwest corner of Allegheny County.
10 The board of commissioners has submitted comments and
11 exceptions to the new map. They are respectfully requesting
12 this board's consideration that the township be redrawn into a
13 suburban district so that the township is in a district with
14 communities of similar interest that include similar
15 residential, emergency service similarities, educational
16 similarities, pension similarities, et cetera, all interests
17 of concern to the local officials. I truly believe that the
18 board has expressed their concerns in a good manner.
19 Consistent with the mission of this panel, they are not
20 requesting to be drawn into any specific district, they are
21 requesting to be drawn into a more suburban district.

22 My request would be that Moon Township be kept
23 whole, that the four north boroughs spoken of be returned to
24 the 45th District, and that consideration be given to all of
25 the public comments regarding the district and the letter

1 provided by the Board of Commissioners of Scott Township. I
2 truly appreciate you giving me your time and attention, and
3 thank everyone, from the board to the Leaders from each House
4 and Senate.

5 Thank you, again, for the opportunity to speak
6 today.

7 REPRESENTATIVE KINKEAD: Thank you. I guess I'm
8 next.

9 I am Representative Emily Kinkead. I represent
10 the 20th House District. Chairman Nordenberg, Leaders
11 Benninghoff, Costa, Bradford, and Ward, thank you very much
12 for listening to all of our testimony today. I think that
13 what you have put together is important, and do not at all
14 envy the task that was set before you. I want to say, before
15 I begin my testimony in whole, that as somebody who has spent
16 a considerable amount of time working on reforming our
17 redistricting process nationwide, I am incredibly impressed by
18 these maps. On the whole, they are fair, and they prove that
19 the motivation here was to provide dignity and representation
20 to every Pennsylvanian, and that matters.

21 I also want to thank you for accomplishing
22 something that has not been done for the last 30 years, and
23 that is putting Ross Township back together. Ross Township
24 has been denied its collective power for a generation, and
25 this map fixes that. And it's incredible. But I do not want

1 the reunification of Ross to mean that other communities spend
2 a generation similarly politically isolated, with their votes
3 and power diluted. Just 10 percent of the population of the
4 proposed District 20 lives in the city of Pittsburgh, which
5 dilutes the impact of those voters and they say that they might
6 have over government in much the same way that the citizens of
7 Ross Township were disenfranchised for 30 years.

8 Brighton Heights is the largest neighborhood in
9 Pittsburgh's north side. The eight precincts that mostly, but
10 not entirely, comprise Brighton Heights are the only precincts
11 from the city of Pittsburgh that remain in the new District 20
12 as drawn. Brighton Heights would effectively be a political
13 island separated from all of the neighborhoods that surround
14 it and all of the communities where they work with people to
15 advocate for investment across the north side. The perfect
16 allegory for this is the Davis Avenue Bridge, which was
17 demolished over a decade ago, and Brighton Heights residents
18 have fought tirelessly to rebuild ever since. This year, I
19 worked with Pittsburgh's mayor and city council to secure full
20 funding to rebuild that bridge. The bridge used to connect
21 Brighton Heights to Riverview Park, which is the largest park
22 in the north side, and from there many of the other north side
23 neighborhoods. Brighton Heights will finally be reconnected
24 to Riverview Park, but that bridge will start in one House
25 district and end in another House district. We are rebuilding

1 one connection with Brighton Heights and its surrounding
2 neighborhoods, while proposing to sever another.

3 Additionally, we're removing two other
4 neighborhoods in the north side that are most directly
5 impacted by decisions made in Ross Township, Observatory Hill
6 and Summer Hill, and I believe that that does a disservice to
7 both communities. There are roads that begin in Observatory
8 Hill and Summer Hill that end in Ross Township. Having these
9 areas in the same State House District as Ross Township
10 insures that there is an advocate that serves and understands
11 both areas. It's something that does not exist at any other
12 level of government - not municipal, not State Senate, not
13 county council, not even Congress. It is also important to
14 acknowledge that without sharing a State Representative, these
15 neighborhoods are without a voice in Ross Township, because
16 you cannot even offer public comment in Ross Township if you
17 are not a resident of Ross Township or a taxpayer or an
18 elected official with an interest in Ross Township.

19 Finally, I want to talk about Northview Heights.
20 It's a predominantly black community where fully 41 percent of
21 households make less than \$10,000 a year. It is a food
22 desert, a transportation desert, and it has a reputation for
23 being one of the most dangerous neighborhoods in Pittsburgh.
24 It's a reputation that I feel is undeserved, but that persists
25 because its isolation means that few people who do not live in

1 Northview Heights actually go there. It's led to a feeling in
2 Northview Heights that they are on their own and that no one
3 actually cares about the neighborhood. Past redistricting
4 cycles have only reinforced this feeling, as Northview Heights
5 has been passed back and forth between the 19th and 20th
6 Districts, creating a perception that even the people that
7 they worked to elect do not want them.

8 Northview Heights deserves consistency. They
9 deserve to be able to put their faith and trust in their
10 elected leaders without the fear that it will matter for
11 nothing when the next redistricting cycle comes around. The
12 feeling of ownership over elected leaders that serve your
13 community is exactly what the Voting Rights Act was intended
14 to secure for our minority communities, but I fear that moving
15 Northview Heights back and forth between the 19th and 20th
16 districts is having an unintended diluting effect on the
17 residents of Northview Heights.

18 In addition, Northview Heights is home to the
19 largest segment of Pittsburgh's Somali Bantu community. Many
20 Somali Bantus live in poverty, and the community has not hit
21 many of the markers of immigrant success. They have
22 established two community groups that are working to connect
23 their community with resources and to break the cycle of
24 dependency and poverty, but they cannot do it alone, and trust
25 in public officials is earned. Trust is earned by meeting

1 people where they are and speaking the language that gets them
2 to where they need to be. We certainly do not draw districts
3 for any one legislator, but I do believe that the right person
4 at the right time can make all the difference. Na ninaamini
5 kuwa mimi ndiye mtu sahihi sasa hivi. And I believe that I am
6 the right person at the right time. I speak and read Swahili,
7 a language similar to Kizigua, which is the language of the
8 Somali Bantu. It's related in the same way that Portuguese
9 and Spanish are related, and I believe that my service to this
10 community right now could make all the difference for them.

11 I will close by saying that one of the major goals
12 of the Somali Bantu community is to increase homeownership
13 among their community. One of the places that members of the
14 community have been successful in purchasing property is a
15 place that they call Peace Town, and that all of us here know
16 as Bellevue, which is also in the 20th District.

17 Thank you.

18 REPRESENTATIVE GAYDOS: Thank you, Representative
19 Kinkead.

20 Mr. Chairman and the panel, I guess you can kind
21 of see that we all have pretty diverse districts, but yet we
22 can talk about where each of those that enable us to represent
23 our districts well. My district's the 44th District--and by
24 the way, these maps up here are what we are proposing, not
25 what was on the proposed map--and we believe that this kind of

1 helps us get a more compact, contiguous map for our
2 communities. So for the 44th Legislative District, I have to
3 say that the changes that were made in the new proposed map
4 that I think are super-positive is that I used to have Ohio
5 Township, and Ohio Township is north of the north boroughs,
6 which is at the top of the little cutout there, north of the
7 blue district there. That's a very fast-growing community,
8 and, in fact, for me to represent that community, I actually
9 had to go all the way up into Franklin Park to enter one part
10 of it and then go down into the north boroughs to enter it
11 from the southern part. So while it was contiguous on the
12 top, it's just a distinctly different community. So I think
13 that, while I enjoyed representing them, I think that that
14 actually, from the travel routes, is over the top of the hill
15 and then is beneficial to them.

16 Likewise, the north boroughs that Representative
17 Kulik had before is a very different community. It is an
18 older community, and, Chairman Nordenberg, you're from western
19 Pennsylvania, so you're familiar with those communities, and I
20 think it also fits really well with the rest of those
21 communities. As we heard from so many people, rivers are not
22 boundaries, and I think that demonstrates that.

23 So, for me, for the rest of the proposed 44th
24 District, the preliminary map proposes splitting Moon and
25 Quaker Valley into three different House districts. First,

1 Quaker Valley is a single community made up of 11 boroughs,
2 and those boroughs are very small, tiny boroughs, and I know
3 that from the Constitution that you are splitting it with
4 municipalities and boroughs, but kind of like Ross Township,
5 Sewickley and the surrounding area has always been sliced and
6 diced over the last 40 years. This was actually the first and
7 last -- the last map was the first time in almost 40 years
8 that it was all together. My 44th District had 9 of the 11
9 boroughs and municipalities, and for the first time that
10 community was able to say that they had one representation.
11 So that's a very important part of that. In fact, the mayor
12 of Sewickley has submitted testimony, and I won't go into
13 detail on that because I know you have that. That goes into
14 detail of how they have regular mayor meetings every single
15 month of all the 11 boroughs and municipalities. So keeping
16 them together is absolutely essential. We also have a letter
17 from each of the borough managers, mayors, in the Quaker
18 Valley School District. So keeping all those 11 are very
19 important for them, and, again, they've already submitted
20 those letters, and I won't go into detail on that.

21 Moon Township, which we talked about, in the
22 proposed map it carves out Moon 6, 8, and 12, where all of
23 Moon Township's community centers are. It's the Moon Park,
24 Moon Golf Course, the Miracle League baseball field and
25 adaptive handicapped playground, the community's new dog park,

1 and Montour Park. It's where everybody from the rest of the
2 district goes, plays, and recreates in that area. Part of
3 that is that the Moon Township, the MTA, which is the
4 transportation authority, is putting in new areas, the market
5 district. It is the central location for Moon Township, and
6 to take that particular piece out of Moon Township is a
7 disservice to those people as well.

8 The airport is located in Moon Township, and
9 that's why it's important to keep Findlay, Moon, North Fayette
10 together. They have the adjoining airport, which has
11 infrastructure needs, water, and there's also the 911th Air
12 Wing and the 171st Air National Guard, as well as the Army
13 installation. So those are all within the Moon Township area
14 that is absolutely essential for our national security, if you
15 will. So it makes it easier if we have one Representative.
16 As I said, there's also a letter from the Moon Township
17 supervisors and also testimony from Allan Bross, Moon Township
18 Supervisor, who has submitted that.

19 Third, the valley, to everybody in Moon Township
20 and Sewickley, means both sides of the river. It's not a
21 dividing line, and one only has to look at the Sewickley
22 Bridge between Sewickley and Moon during rush hour to
23 understand the importance of that. The St. James School in
24 Sewickley draws most of its attendees from Moon. Also,
25 private sector consumer data shows that people shop across the

1 river and travel to Robinson before going over the mountain to
2 the north hills. And if you've gone from Sewickley to the
3 north hills, you know how that's quite a trek up and down and
4 around the hills.

5 So I think what demonstrates that the area of
6 Sewickley Valley, Quaker Valley, and Moon should remain
7 together as demonstrated by the Valley Ambulance Authority.
8 Valley Ambulance serves the entire valley, hence Valley
9 Ambulance, and that includes all 11 boroughs and
10 municipalities. It also includes Moon, Crescent Township, the
11 Pittsburgh International Airport on one side. It also serves
12 Coraopolis and Neville Island. So Valley Ambulance is also
13 physically located in Moon Township, and it primarily takes
14 patients across the Sewickley Bridge to the Heritage Valley
15 Hospital in Sewickley.

16 So growth is not contained by counties, as we've
17 pointed out here. When you look at the growth map of
18 Pennsylvania, you could almost see within Allegheny County how
19 it goes along the river, both sides of the river, and it
20 spokes out. I did want to point out, and it's hard to see in
21 this map, but in this growth map, you actually see a couple
22 voids in the 44th District. That is the Pittsburgh
23 International Airport, and there's also the Republic landfill.
24 So those are not going to be areas of super-growth for those
25 reasons, and it's going to be focused on the airport.

1 As I said, there's testimony from these folks from
2 the different parts, and as well as we have from South Fayette
3 and Oakdale. I did want to point out that when I was looking
4 at this heat map, and this is something that was very
5 impromptu to talk about how the growth spokes out and it's
6 almost like the center and the concentric circles going out,
7 and I did this just sort of randomly, and that is, and you
8 probably can't see this, but it's almost like the growth areas
9 are like petals of a flower going out and is not contained on
10 county boundaries. And someone said it looks like a lotus
11 flower, and I said, well, okay, if all of us can get along and
12 try to serve our community.

13 The last thing I'd like to say is that with
14 Representative Ortitay, Representative Kulik, and I, along our
15 borders in the past, we have the Montour Trail, there's also
16 the Pittsburgh Botanic Gardens, and other community assets
17 like Settler's Cabin. And we've always worked very well
18 together to serve those communities, because we know that
19 those assets are not only within our districts but are also
20 community assets, regional assets, and, hopefully, I'd like to
21 say that the Pittsburgh Botanic Gardens will be a statewide
22 asset at some point, so.

23 Thank you very much. We appreciate your time, and
24 I appreciate all the work that you've done, and, like we've
25 said, we recognize, particularly with our efforts to try to

1 make these maps, that this is not easy and nothing is perfect,
2 but we really, truly are here to try to serve our community,
3 and hope we've demonstrated that well.

4 CHAIR NORDENBERG: Well, you have, and I do want
5 to say, I think on behalf of all of us, that we were thrilled
6 when we saw you were coming in together. And you certainly
7 have had great support from the officials of the communities
8 that you have been discussing. In fact, we began hearing from
9 some of them before I heard from you, Representative Gaydos.
10 So both the fact that you're here together and the impressive
11 materials that have been put together by you and by others are
12 going to give us a lot to think about.

13 You know, one of the things that I thought about
14 when I first was reading your materials is the language that
15 you used, that it's not the lines of government boundaries
16 that really define what people do, doesn't seem quite in sync
17 with the language of the Constitution, and I think,
18 Representative Ortitay, in your case in particular, you
19 probably can see that in both the House and the Senate maps,
20 we really were working on that Allegheny County/Washington
21 County border thinking we were doing the right things. Now
22 you've given us more to think about.

23 Representative Kinkead, did you have something?

24 REPRESENTATIVE KINKEAD: Yes. I just wanted to
25 add, I didn't include it in my testimony, but a number of

1 letters, because largely the changes that are related to my
2 district, there were a number of letters that have been
3 submitted by community members and not by elected officials,
4 but the President of the United Somali Bantu Community of
5 Greater Pittsburgh, the North View Heights Tenants Council
6 President, and the Treasurer of the Summer Hill Civic
7 Association, as well as members of the Brighton Heights
8 community, have also submitted testimony, you know, largely
9 raising similar concerns. So Siraji Hassan, from the Somali
10 Bantu community; Marcus Reed, from the North View Heights
11 Tenants Council; Jake George, from Summer Hill, and I wanted
12 to make sure that they were specifically acknowledged here so
13 you guys could look for them.

14 Thank you.

15 CHAIR NORDENBERG: Thank you very much.

16 Comments or question?

17 Leader Benninghoff.

18 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
19 Chairman.

20 Two things, one is just a comment. For those that
21 are watching from afar, there's a lot more opportunities when
22 we work together in the legislature than what some people
23 believe.

24 Two, I just had a question. As lawmakers of
25 different tenures here and working in many different

1 communities, you know, sometimes maybe we get caught up in our
2 own terminology, but I'm curious, when you hear from your
3 constituents or those who come in to see you, or more
4 specifically, in reference to your maps, how many of them come
5 in to talk to you about competitive districts, proportional-
6 ity, versus communities of interest?

7 REPRESENTATIVE KINKEAD: Being the least senior
8 person here, I hear mostly from people related to communities
9 of interest. But at the same time, you know, I have heard
10 repeatedly from people in Ross Township, where, you know, they
11 had been divided into six districts and then into two
12 districts and down and down, eventually getting now to one
13 district, that they are incredibly excited to actually have
14 their voting power concentrated and that they get to have a
15 unified collective voice. So they may not use the specific
16 terminology of competitive districts, but I do think that all
17 of the voters that I talk to, it matters to them that they get
18 to choose somebody that they think actually represents their
19 interests and that they have a real voice in that. And that's
20 largely what I've heard from people in Summer Hill and people
21 in North View Heights and people in Brighton Heights, and all
22 of this is a concern that they are not going to have the kind
23 of ability to impact their communities because they won't be
24 heard in the districts. So I think that they may not use the
25 exact terminology, but I think it's a consideration that they

1 have, yes.

2 REPRESENTATIVE BENNINGHOFF: Thank you. I don't
3 know if any of the other ones want to comment.

4 REPRESENTATIVE ORTITAY: Sure. I think for me,
5 the bulk has been just keeping communities together. I've had
6 a few ask about competitiveness and the way that this, what
7 you see on the screen, actually makes these districts more
8 competitive. I think except for Representative Kinhead.

9 REPRESENTATIVE KINHEAD: I don't like how you drew
10 my district.

11 REPRESENTATIVE ORTITAY: Yeah. But if you take--

12 REPRESENTATIVE BENNINGHOFF: You're referring to
13 your own map?

14 REPRESENTATIVE ORTITAY: Correct. The map up
15 there. It actually makes it more competitive than the
16 preliminary map that the Commission drew. So that's what I've
17 been telling people. I didn't look at the registration
18 numbers until earlier today to see what they actually look
19 like to come up with that number, but the way that it's drawn
20 as you see on the screen is actually more competitive.

21 REPRESENTATIVE BENNINGHOFF: Thank you.

22 REPRESENTATIVE GAYDOS: That's a great question,
23 and I would concur with that. In fact, the proposed map, and
24 while we were sitting back here, I actually looked up that
25 number, and my initial district is 48-49 percent as a

1 competitive Republican-Democrat. The proposed map actually
2 has it being 52-48 Republican. So the proposed one is
3 favorable, but, again, it doesn't represent the community and
4 it bifurcates the community. So what we are proposing here is
5 actually 48-49, and it's pretty competitive. And this is
6 where Representative Ortitay and I and Kulik and Kinkead
7 basically say that we represent the people in our community
8 and I don't really worry about partisan divides for that
9 reason, because if you represent your community and you have a
10 district which has communities that are together, it's
11 actually easier to represent the people that you have, and
12 those party affiliations end up not making any difference, and
13 I think we've seen that in our portions of Allegheny County.

14 REPRESENTATIVE BENNINGHOFF: I appreciate your
15 candor. I've said multiple times, there's not a constituent
16 that's ever come into my office in my tenure that I've asked
17 what party they are, whether they're even registered to vote,
18 and frankly, even if they live in the district. If they need
19 a service, we take care of you.

20 So thank you, guys, for your candid answers and
21 your work.

22 Does she have--

23 REPRESENTATIVE KULIK: I would agree. I would
24 agree with Leader Benninghoff. I will agree with my
25 colleagues that are sitting there. We have people walk into

1 our office all the time, and there's no question. And I think
2 I've been part of one of the most competitive districts in
3 Allegheny County, but it doesn't matter. I mean, the people
4 you represent are everyone in your district, and they don't
5 come in looking for anything but service and assistance.

6 REPRESENTATIVE BENNINGHOFF: Thank you,
7 Representative Kulik.

8 CHAIR NORDENBERG: Thank you all very much.

9 REPRESENTATIVE GAYDOS: Thank you very much.

10 CHAIR NORDENBERG: Our next speaker, who is in
11 person, I believe, is Brian Humphrey, from Harrisburg.

12 Welcome.

13 MR. HUMPHREY: Thank you. Good evening. My name
14 is Brian Humphrey. I'm a citizen of the city of Harrisburg,
15 and I'm here in support of the senatorial Dauphin County map.
16 I think it doesn't give any party an advantage, and I think
17 that it represents the minority community fairly. So I'm
18 asking you if you would keep that map that you have drawn
19 intact and get rid of the old map.

20 CHAIR NORDENBERG: Thank you very much, sir.
21 That's a short, direct, easily understood message.

22 MR. HUMPHREY: Yes. So thank you for giving me
23 the opportunity to speak this evening.

24 CHAIR NORDENBERG: Thank you for being here very
25 much.

1 MR. HUMPHREY: Yes. Thank you.

2 SENATOR COSTA: Thank you, Brian, very much for
3 testifying.

4 MR. HUMPHREY: Yes. Thank you.

5 SENATOR COSTA: It's important. It's important to
6 hear.

7 CHAIR NORDENBERG: Our next speaker is Juan
8 Giarrizzo, from Philadelphia, and everybody from here on out
9 is going to be on Zoom.

10 Welcome, sir.

11 (There was no response.)

12 CHAIR NORDENBERG: Well, so what am I doing?

13 Oh, Mr. Martinez is back.

14 MR. MARTINEZ: Yes.

15 CHAIR NORDENBERG: Sorry, I didn't recognize you
16 in the little square on the big screen. So this is Victor
17 Martinez from Allentown, who has testified before us twice in
18 the past, and it's nice to have you back.

19 MR. MARTINEZ: Thank you very much, and thank you
20 for having me back.

21 First, I would like to acknowledge and recognize
22 the work that you have all put into putting these maps
23 together, and I acknowledge and recognize how difficult it is
24 to come up with a formula where we can all, you know, be happy
25 or agree with or be comfortable with. And the purpose of me

1 coming back for a third time is solely to remind you of the
2 importance, when you're putting together these maps and making
3 these decisions, the importance of having representation. As
4 you very well know, I try to speak on behalf of the Latino/
5 Hispanic community in different parts of the State.

6 For those who don't know me, I own a few radio
7 stations in Pennsylvania in different markets, even though I
8 live here in Allentown, Pennsylvania, I also have a radio
9 station in Philadelphia, one in Reading, one in Allentown, one
10 in the Lancaster, York, and Harrisburg markets. And so for
11 me, I don't belong to any groups. I don't represent any
12 group. I don't speak on behalf of anyone or any party. I
13 speak on behalf of myself and the opportunity, the unique
14 opportunity that I have on a daily basis through my radio
15 stations and my morning show to speak to the Latino community.
16 And for me and for my community, the importance of
17 representation, it's crucial. It's important. And
18 unfortunately, I can't say that these maps bring that option
19 and that opportunity.

20 We have different districts that actually went
21 down in the percentage of Latinos in this new map. So, for
22 example, the changes of District 22 in Allentown, and I'm
23 going to give you some numbers here, the old District 22 in
24 Allentown had a 60-percent Latino representation. In the new
25 134th District that was created, that drops down to 38

1 percent. So where in the current District 22 as it is we had
2 the opportunity to elect a Latino, that dramatically changes.
3 We don't have that opportunity anymore.

4 I hear a lot of, well, this new district is
5 minority friendly or a higher percentage of minority
6 representation. But unfortunately, even though that may be
7 true, it doesn't give any minority an opportunity to elect
8 someone. So when you have a district that is 40-percent
9 minority, that sounds good on paper, but then you don't give
10 any of those minority the opportunity to elect someone. So,
11 yeah, it's 40-percent minority, but it's only 20-percent
12 Latino and it's only 9-percent African American and it's
13 2-percent Asian. Well, those numbers, when you look at them
14 separately, doesn't give us the opportunity, any of us, not
15 the African American community, not the Latino community, not
16 the Asian community, to elect someone that can represent us.

17 And so, once again, as I testified before, when
18 you have 253 legislators in Harrisburg and only 3 or 4 of them
19 are Latino, Hispanics, well, that's not enough, and we don't
20 have a realistic opportunity to elect anyone. So we have none
21 in the Senate. And in reality, we have no opportunity of
22 electing any Senator. We look at the new 14th District that
23 was created, well, that's only 27-percent Latino. And so
24 where do we honestly, truly, have an opportunity to elect a
25 Latino or to elect a minority legislator to go and represent

1 the minorities?

2 So I'm here to remind you that representation is
3 important, and, yes, even though on paper it looks good when
4 you say, well, you know, it's now 30-percent minority or
5 40-percent minority, the reality is that the opportunity for a
6 minority candidate to get elected, it's not there. And not
7 only that, but in the district where we do have a Latino
8 elected official, and I'll give you as an example, Manny
9 Guzman's district in Reading, the 127th, that went down 13
10 percent. The Latino population of that district now went down
11 13 percent. So now we run the risk of, in a cold, bad weather
12 day, lower turnout voting day in November, for us to possibly
13 lose the one Latino that we have to represent us in
14 Harrisburg. The same thing with Angel Cruz's district in
15 Philadelphia. You take that district, the 180th, you split it
16 in two, now that brings down the percentage of Latinos in that
17 district, which now we can run the risk on a cold, rainy,
18 snowy election day to have a low voter turnout and lose a
19 Representative like Manny Guzman. And then going back to the
20 22nd District in Allentown, we had the opportunity, and we
21 came very close, within 55 votes, of electing a Latina and
22 having Latino representation. Well, that all shifted, because
23 now, again, that old District 22 that had a 60-percent Latino
24 representation lost half of it. It went down to 30 percent,
25 while the Anglo white representation went up in the new

1 District 134 that was created.

2 So as you continue to look at this difficult task,
3 as you analyze these maps and figure out how to best come up
4 with a strategy and the lines and so on and so forth, I am
5 here only to remind you of the importance of representation
6 and the importance of having in Harrisburg -- I apologize for
7 that -- and the importance of having in Harrisburg diversity
8 that represents the diversity in the State. Once again, I'm
9 here reminding you that Latinos represented 46 percent of the
10 growth of the State, and that you have cities like Allentown,
11 with a 55-percent Latino population; you have cities like
12 Reading, with a 69-percent Latino population; and
13 Philadelphia, you have 15 percent; and Bethlehem, with a
14 30-percent; and Easton, with a 20-percent, and in none of
15 these cities there is a realistic chance of a Latino or a
16 minority to get elected.

17 So when I saw this map, I felt the need to come
18 back and talk to you again, because again, I felt the need to
19 remind you that diversity is important, that representation is
20 important, and that we need that diversity and we need that
21 representation in Harrisburg. So when I hear people say, oh,
22 this new district that we created is a Latino district because
23 it has 34-percent Latino, District 14 for the Senate, that is
24 not realistic. We won't be able to get someone elected with
25 34 percent. And that's 34 percent of the population, but when

1 you look at the actual eligible registered voters in that
2 district, the number drops below 30 percent. So once again,
3 it may look good on paper, but in reality is not and actually
4 doesn't really give any minority an opportunity and a chance
5 to elect a minority representative.

6 So again, it may look good when you say any
7 particular district is 40-, 45-, 35-percent minority, but once
8 you divide that minority inside that district, none of us have
9 an opportunity to elect a representative. So what happens?
10 You will end up, again, with no diversity and no
11 representation in Harrisburg.

12 So, again, if anybody has any questions, I'm here,
13 but I'm just here to let you know that the way the map stands
14 right now, there won't be any change in diversity in
15 Harrisburg. There won't be different voices with different
16 backgrounds and life experience to represent the diversity
17 that right now our State currently has, and will continue to
18 have, because the Hispanic population is going to continue to
19 grow. And I will again remind you, the Hispanic population
20 grew by 46 percent, the African American population grew as
21 well, while the Anglo white population actually is a negative
22 in the State of Pennsylvania. So we need to have more African
23 American legislators, we need to have more Latino legislators
24 in Harrisburg. And the way these maps are set up right now,
25 that is not a realistic opportunity for minorities. In my

1 case, I'm speaking on behalf of the Latino community, it is
2 not an opportunity for us, the Latino community, to elect a
3 representative to go to Harrisburg.

4 CHAIR NORDENBERG: Thank you.

5 I think we have a question.

6 SENATOR K. WARD: I have a comment. Thank you so
7 much.

8 CHAIR NORDENBERG: We have a comment from Majority
9 Leader Ward.

10 SENATOR K. WARD: Every time it's shocking that I
11 have a comment. I have to talk all the time.

12 Thank you very, very much for being here and for
13 your passion.

14 I just want to talk a little bit about the new
15 14th, where it is only 27.9-percent Latino, voting age Latino,
16 27.9 percent. If we switched a little bit, we could get to
17 33.5, and I just want to point out that 33.5 percent is a
18 pretty big block of votes in a primary. It's a pretty big
19 block of votes, I think.

20 MR. MARTINEZ: My response to that is that, yeah,
21 on paper it sounds good, a pretty chunk of possible voters.
22 It's not reality because that's just possible voting age, but
23 when you look at the actual voters registered in there, then
24 it drops below. And, again, then the possibilities of
25 electing a minority - African American or Latino or Asian -

1 basically disappears. So, once again, we go back to zero on
2 having representation diversity in Harrisburg. So again, I
3 know it's not easy, I know that it's a task for you guys to
4 figure something out. I'm just here to remind you and have
5 you keep that in the back of your minds when you are doing
6 this, that, once again, a 40-percent district of minority
7 doesn't really give an opportunity for minorities to elect
8 someone. And so we end up with no diversity, we end up with
9 no representation in Harrisburg.

10 SENATOR K. WARD: Right. We were just, I believe,
11 responding to the prior hearing statements about the large
12 Latino community in Allentown.

13 MR. MARTINEZ: Yes. Yes. Absolutely.

14 SENATOR K. WARD: Thank you.

15 CHAIR NORDENBERG: Thank you, again. This is
16 three times, and we're grateful three times.

17 Oh, I'm sorry, Majority Leader Benninghoff has a
18 comment or question.

19 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
20 Chairman. I'll try to be quick.

21 First of all, thank you, Mr. Martinez. Probably
22 in all the hearings we had prior, you stuck out in my mind
23 most. I just want to clarify, two quick questions, and then I
24 have a comment. You keep using the number 46-percent
25 increase. Is that overall growth in the last 10 years?

1 MR. MARTINEZ: Yes. That's in the Census. Based
2 on the latest Census, Hispanic/Latino represented 46 percent
3 of the growth of the State.

4 REPRESENTATIVE BENNINGHOFF: And if I remember
5 correctly in your previous testimony, you were talking it was
6 equating to somewhere over 300,000 more Hispanic/Latinos in
7 the State of Pennsylvania?

8 MR. MARTINEZ: In the State. So now we're looking
9 at over a million Hispanic/Latinos here in the State of
10 Pennsylvania.

11 REPRESENTATIVE BENNINGHOFF: Right. And I
12 apologize, I stepped out for a minute, so I came in the middle
13 of some of your comments, and you mentioned multiple
14 districts, some of them having some significant decrease in
15 overall population that were of voting age for Hispanics. I
16 think the 132nd. I didn't hear where you said that one was
17 number wise, but some of them have -- were there any of them
18 that you saw an increase?

19 MR. MARTINEZ: No. There were no increases that
20 I've seen in any of these districts of Latino populations, and
21 my examples were the new created District 134 in Allentown.

22 REPRESENTATIVE BENNINGHOFF: I did hear that.

23 MR. MARTINEZ: Which is a morphosis of the
24 District 22, and then I mentioned District 127 in Reading,
25 where that dropped by 13, 14 percent of Hispanic, where I

1 believe puts at risk a Latino Representative of losing an
2 election. And I also mentioned District 180 in Philadelphia,
3 where it split between two, again, that then drops the
4 percentage of Latinos. In both those, if the 180th gets
5 split, running into the possibility in a bad rainy, snowy,
6 cold day election--

7 REPRESENTATIVE BENNINGHOFF: Right.

8 MR. MARTINEZ: --with a low turnout to lose the
9 one representation that we have. So we only have four and now
10 we're looking at a possibility of, on a bad day, losing two of
11 those four Latinos in Harrisburg.

12 REPRESENTATIVE BENNINGHOFF: Yeah, I was looking
13 through these a little earlier today and some yesterday, and I
14 saw in the 132nd District, it appears that that one's actually
15 cut in half of where the population is. So my concern
16 overall, obviously, kind of echoes your comments, as any
17 progress you may have made in the last 10 years has actually
18 been reduced, that we need to be very careful, because
19 whatever decision or map we finalize is going to be for
20 another 10 years, and I'd surely hate to have a loss over the
21 20 years when you have the significant 300,000-plus more
22 Hispanics come of age to or--

23 MR. MARTINEZ: Well, yeah. Because what happens
24 is that, you know, at a minimum, we are hoping to stay where
25 we're at so we can continue the work. But then when we look

1 at the map and the numbers and we see that we are getting our
2 community being split or divided, then you are right, that is
3 a step backwards. We are not increasing the opportunity of
4 the potential for a Latino or minority to be elected. To the
5 contrary, we're walking backwards, because now we have less of
6 an opportunity to elect a minority or Latino.

7 REPRESENTATIVE BENNINGHOFF: Thank you for taking
8 your time to be again here tonight, because I thought your
9 comments earlier this year were very helpful, and I think we
10 can do better on that, and we appreciate you sharing that.

11 Thank you, Mr. Chairman.

12 MR. MARTINEZ: And that's all I would like, is for
13 us to do better and to figure out a way to do better, to have
14 more representation and more diversity in our State.

15 CHAIR NORDENBERG: I think Representative Bradford
16 has a question or comment.

17 REPRESENTATIVE BRADFORD: Thank you, Chairman.
18 And thank you, sir. Your passion is evident, and it is shared
19 by many of us who, obviously, support the cause.

20 I just, though, want to point out, in the case of
21 the 180th and the 197th in Philadelphia, the challenge there
22 obviously is we have two Latino incumbents. So the issue
23 there really is trying to make those two districts as whole
24 and representative of a community. So I think that's an
25 important distinction that we should mention.

1 I also, just for the sake of the record, the
2 129th, I believe you have a tremendous increase in the Latino
3 population in Reading city, the 50th in Lancaster, the 54th in
4 Norristown, as well as the vacant 22nd. So I think the
5 picture is a little broader than, and, obviously, I don't want
6 the numbers to overwhelm passion, because I think we need both
7 in the discussion.

8 MR. MARTINEZ: Yes.

9 REPRESENTATIVE BRADFORD: But I don't want one to
10 outplay the other. So, again, I just wanted to throw that in
11 for the record. So thank you.

12 CHAIR NORDENBERG: Thank you, again, for being
13 back, and Happy New Year.

14 MR. MARTINEZ: Happy New Year to all. Thank you
15 for having me, and once again, thank you all on the Commission
16 for the work that you are doing and for taking on this task.

17 Thank you.

18 CHAIR NORDENBERG: Thank you.

19 Our next witness is Enid Santiago, also from
20 Allentown.

21 MS. SANTIAGO: Hi, everyone. First of all, I want
22 to thank everyone for doing the work that you're doing. We
23 all know this is not an easy task, and I definitely want to
24 just read a testimony of how I feel and the voice that have
25 been echoed through the community here in the city of

1 Allentown.

2 So I want to start with, after much debate over
3 how my testimony will be perceived, I decided the only
4 disadvantage that I would do to my community was to stay
5 silent. When I heard of the possibility of the new Senate and
6 House seats for Allentown, I was thrilled. Allentown is the
7 third largest city in the State. It is also severely
8 undercounting the minority-majority Latinx community. This
9 community is currently being represented by a white man in the
10 Senate and two white men in the House.

11 I will begin with the Senate. Allentown will
12 benefit from Senate 14, but not by splitting our city. We
13 have a housing crisis, not enough affordable housing, a school
14 district severely underfunded by the fair funding formula,
15 bridges in the heart of the city taking years to become
16 completed, and the list of issues goes on. Now the proposal
17 is to split Allentown in two and dilute the voice of our
18 marginalized communities even more. Who's going to fight for
19 the majority of the minorities? Who's going to fight for
20 majority Latinx students at Allen High School when the Senator
21 is going to be representing a majority suburban district? The
22 proposal as we have it right now will split the largest high
23 school in the city, which is William Allen, on one Senate
24 district, and the other two smaller high schools onto another
25 Senate district. That is just not acceptable. I'm asking for

1 Senate 14 to include the entire city of Allentown. Stop
2 diluting the Latino voice by diluting their voting power. And
3 to understand the catastrophic consequences this map has on
4 our most vulnerable population, and that is our future, our
5 children. Furthermore, a Senate Latino district is needed in
6 Allentown and also Philadelphia. Not one or the other.

7 Now I'm going to focus on the House map. I'm
8 going to focus like Victor just followed on seat 134, and I'm
9 also going to speak on the previous seat 22. Out of full
10 transparency, I'm going to inform you that I was a candidate
11 for D-22 in 2020. I had no name recognition, very little
12 money, and even less political support. However, I had the
13 heart of the city, the trust of my community, and came 55
14 votes short of being the primary Democratic nominee for the
15 State legislature. That year, we had the largest voter
16 turnout in the history of D-22 primaries, and that was with a
17 no-known incumbent.

18 There was no magic trick as to why this happened.
19 It simply happened because we confirmed what the 2020 Census
20 ended up proving: The Latino community was 54 percent of the
21 State, and we know that is still severely undercounted. The
22 community finally saw the opportunity to elect one of us to
23 represent all of us, and the community came out. People say
24 that Latinos don't come out. Please follow what happened in
25 the D-22 elections, and you will see that the numbers speak

1 for themselves. The Latino community came out and voted.

2 The redistricting map comes out, and now the
3 district that almost was won by a Latina is gone. It's now
4 D-134: 48.59 percent white, 38.53 percent Latinx, 12.44
5 percent Black, 2.66 percent Asian. We're going to compare
6 this to the previous D-22: 60.3 percent Latinx, 23.8 percent
7 white, 19.1 percent Black, 2.2 percent Asian. My
8 interpretation is simple: This map, unfortunately, was drawn
9 to protect incumbent Representatives at the expense of the
10 marginalized community that it's suppose to be representing.
11 By changing the district and diluting the Latino voting power,
12 you're not encouraging the Latino community to come out and
13 vote. You're telling them you don't matter and to stay home.
14 That's not okay. We don't need allies to speak for us. We
15 have a voice and can speak for ourselves. Just don't break
16 the city in a way that makes it almost impossible for any one
17 of us to get elected.

18 This type map is not benefitting the 46-percent
19 Latino growth in the State of Pennsylvania, the over 1 million
20 Latinos in this State. It's literally diluting the Latino
21 power and almost guaranteeing that Allentown will not have
22 true representation.

23 With the current map, no minority has a real
24 opportunity of winning a majority-minority city. I am asking
25 for Allentown to be included into D-134. We need to fill it

1 more of what was already taken away. The city of Allentown is
2 to fill that area more, and provide fair representation for
3 the district. I'm asking to please do the right thing, take a
4 look at the maps again, make sure that the Senate, the entire
5 14th District has the entire city of Allentown, regardless of
6 incumbents, and please provide racial equity on all of the
7 maps.

8 Thank you so much.

9 CHAIR NORDENBERG: Thank you.

10 I think Majority Leader Ward has a question or
11 comment.

12 SENATOR K. WARD: Well, you're just assuming that
13 because of my behavior all the time, but.

14 Thank you so much for your in-depth analysis and
15 your passion for something I also think is very important.

16 I just want to comment on Allentown, because I
17 can't help myself. It is split, not a lot, but cities are
18 split. Pittsburgh is split three ways. You know, I don't
19 know how many times Philadelphia is split. Based on
20 population, it does happen. I just wanted to say that to you,
21 and I really do appreciate your heart in this.

22 MS. SANTIAGO: Thank you.

23 CHAIR NORDENBERG: Representative Bradford.

24 REPRESENTATIVE BRADFORD: And again, just in the
25 interest of the record, the 22nd, I believe, has a 51-percent

1 Hispanic voting age population, which obviously would be more
2 than sufficient in a primary to potentially elect a Hispanic
3 candidate. And, obviously, the 134th remains as a coalition
4 district. So I just, again, wanted to give some clarity as to
5 the breakdown of some of those districts.

6 CHAIR NORDENBERG: Leader Benninghoff.

7 REPRESENTATIVE BENNINGHOFF: Thank you, again, for
8 your testimony.

9 I apologize if I was not hearing the numbers
10 correctly. Which district did you say you ran in, the 22nd.

11 MS. SANTIAGO: Twenty-second District, sir, yes.

12 REPRESENTATIVE BENNINGHOFF: And you lost by
13 50-some votes?

14 MS. SANTIAGO: Fifty-five votes.

15 REPRESENTATIVE BENNINGHOFF: Are you still living
16 in the same place in the same district, or was the district
17 moved?

18 MS. SANTIAGO: It is no longer the 22nd. It's now
19 the 134th, with the demographics severely changing. Literally
20 every area that I won, except two wards, were removed from the
21 district that we almost had.

22 REPRESENTATIVE BENNINGHOFF: So what do you
23 believe the district you're now living in is as far as
24 percentage of Hispanic population?

25 MS. SANTIAGO: So it is 38.53-percent Latinx, and

1 that is not voting age, that is just overall.

2 REPRESENTATIVE BENNINGHOFF: And that's the 134th
3 now?

4 MS. SANTIAGO: That is the new 134th, yes.

5 REPRESENTATIVE BENNINGHOFF: I appreciate your
6 clarification on that.

7 MS. SANTIAGO: Absolutely.

8 REPRESENTATIVE BENNINGHOFF: Thank you for taking
9 the time to testify, too.

10 Thank you, Mr. Chairman.

11 CHAIR NORDENBERG: Thank you very much, and have a
12 good new year.

13 MS. SANTIAGO: Thank you. You too, sir.

14 CHAIR NORDENBERG: Our next witness is, on my
15 list, Phyllis Blumberg, who is from Bala Cynwyd.

16 MS. BLUMBERG: Thank you for allowing me the
17 opportunity to offer my testimony. I further explain my
18 position in my written comments previously submitted.

19 Am I being heard and being seen? Am I being heard
20 and being seen?

21 Hello, am I being heard and being seen?

22 CHAIR NORDENBERG: Yes. We hear you.

23 SENATOR COSTA: Yes, we can hear you.

24 MS. BLUMBERG: Okay. Thank you.

25 I am Phyllis Blumberg, as you said, and I live in

1 Bala Cynwyd, Montgomery County, in the current 17th
2 Pennsylvania Senate District. I have concerns about the
3 overall Pennsylvania Senate district maps. I have specific
4 concerns about Montgomery County's representation. Here are
5 my concerns.

6 One, the proposed LRC district maps indicate
7 gerrymandering. A key principle that must be kept in mind is
8 that voters should pick legislators, rather than legislators
9 picking the voters. Unfortunately, gerrymandered districts
10 lead to legislators picking the voters. My gerrymandering
11 conclusion is based on our Pennsylvania Constitution, which
12 requires that districts should be drawn compact and
13 contiguous, without unnecessary geopolitical splits, and
14 maintain as nearly as possible in population as practical.
15 Unfortunately, the proposed map, at least for the Senate, does
16 not meet these requirements.

17 Number two, it strongly favors incumbents. This
18 is due to the partisan representation on the LRC, as the Chair
19 of the LRC stated himself. Valuing incumbents as a top
20 priority stifles the democratic process. It denies realistic
21 opportunities for new candidates to emerge and get elected.

22 Number three, the overall representation on the
23 proposed map does not reflect the current Pennsylvania
24 population distribution. Other people have mentioned this.
25 The southeast region is growing, and it is not adequately

1 represented. The voting power in these regions that has lost
2 population is unfairly maintained. Many districts in the
3 southwest and central Pennsylvania are well below the ideal
4 population size, which gives them greater influence and power
5 than they deserve. However, districts in Philadelphia and in
6 the seven collar counties around Philadelphia are packed into
7 more people in these districts than they should have,
8 according to these guidelines. These irregularities in
9 population consistency dilute the voting power of the regions
10 of the southeast region of the State, particularly Montgomery
11 County. These discrepancies should be adjusted in the next
12 version of the map.

13 Number four, the proposed Senate map does not
14 adequately expand minority representation to reflect the
15 Census data in both the Lehigh Valley and Philadelphia, as the
16 previous speakers have just indicated.

17 Number five, Montgomery County is the third most
18 populous county in Pennsylvania. Thus, it should have greater
19 dedicated representation in the Senate, but this was not
20 achieved. The current proposed map divides Montgomery County
21 to such an extent that I consider the proposed maps have
22 sliced the county to diminish its influence. For example,
23 some of the northern and western parts of the county are
24 included in Philadelphia districts. Urban and suburban voters
25 have different priorities. Other parts of Montgomery County

1 are packed into more rural districts, and they, too, have
2 different priorities. Previously, we had been sliced into
3 other districts, which meant that we were not even represented
4 in Harrisburg because our Representatives never talked to us
5 and they never addressed any of our concerns. I attended the
6 House State Government Committee's southeast regional public
7 hearing on congressional redistricting on Tuesday, October 19.
8 I heard testimony from former elected officials who confirmed
9 my experiences, that token sections of their districts were
10 not paid attention to or even cared about. And that's what
11 I'm concerned about.

12 Number six, communities of interest should be kept
13 intact as much as possible. Local voting precincts, school
14 districts, townships, municipalities, and cities are strong
15 and natural communities of interest. Yet the proposed map
16 often splits these communities of interest. The Pennsylvania
17 House maps are more fairly drawn because the proposed map
18 splits fewer counties and municipalities and is more compact.
19 Therefore, I am not going to make any comments about the
20 Pennsylvania House districts as proposed.

21 I would also like to express my appreciation to
22 the Commission, and especially to Chairman Nordenberg's
23 leadership. His transparency, honesty, and clarity throughout
24 the process has shown his integrity. I especially appreciate
25 Chairman Nordenberg's remarks that the participation of Caucus

1 Leaders on the Commission led to more partisan objectives than
2 there would have been if there had been an independent
3 Commission. In the future, to be more objective, we should
4 create an independent nonpartisan Commission.

5 Thank you for allowing me the opportunity to
6 provide my comments, I'm a private citizen and do not
7 represent anybody, and for your attention to these concerns.

8 CHAIR NORDENBERG: Thank you very much.

9 Are there any questions or comments?

10 (There was no response.)

11 CHAIR NORDENBERG: If not, thank you, again.

12 And our final speaker for this hearing is Freda
13 Tepfer, who is from Erie, yet another part of the State
14 represented.

15 MS. TEPFER: Can you hear me? Can you hear me?

16 CHAIR NORDENBERG: Yes. We can hear you.

17 MS. TEPFER: Okay. I'm on my phone so that you
18 don't get my cats.

19 So I'm not going to be quite as sophisticated as
20 some of the other speakers. I'm a regular retired person
21 living in Erie County. I'm actually a member of the
22 commission that is putting together the Erie County Council
23 map. So in a very small way, I'm experiencing some of what
24 you're doing.

25 I'm basically in favor of the proposed LRC House

1 map, although I know there are some local changes which could
2 be added in various areas, as I've been hearing today. I
3 think it's important that I speak in favor of this map,
4 because there have been a lot of statements made that it's an
5 unfair Democratic gerrymander, which isn't true. The prior
6 map was so disproportionately Republican that in order to move
7 even part way in the other direction, as Dr. Kuniholm showed
8 us, there is going to be some loss in Republican seats, yet
9 they still will have the advantage. But overall, this map
10 goes a long way to correcting that.

11 But the disproportionate Republican representation
12 has led to a situation where there is very little
13 responsiveness to the concerns of the average citizen because
14 so many bills do not move in the State legislature. So many
15 of the bills brought by Democratic legislators do not move,
16 and there have been many Republican bills that were vetoed.
17 And there's a dangerous precedent that the Republicans have
18 started to use to amend our Constitution in order to
19 circumvent the veto, and this is a very, very dangerous
20 precedent. The effect that such a large portion of the
21 American Rescue Plan funds have been set aside by the
22 legislature demonstrates the lack of responsiveness to local
23 needs.

24 In the State House, my Representative would
25 change. It's as if the map in Erie, Pennsylvania, is flipped.

1 I'm not sure that matters. I know both of them. They know
2 me. That's how Erie is. My former Representative would
3 actually have a more competitive district. But in the past,
4 he and my proposed new Representative both ran unopposed,
5 which I think they should have opposition. There should be
6 opposition. They should have to work harder.

7 The Senate map does have issues I wanted to
8 address, which you've already heard. We've heard there are
9 districts in the Lehigh Valley and other areas that appear to
10 have been drawn to protect incumbents. This is an extremely
11 undesirable situation. My district, number 49, is 10,000
12 people over the desired number. There are districts in
13 southwest PA that are markedly under the desired number, as
14 also there are in other parts of the State. If the extreme
15 southeast corner of Erie County were moved into the district
16 to the east, and I don't know the number of that, there would
17 be more equal representation. That district is currently
18 under the number, which means they're overrepresented, and
19 that district is not sociologically dissimilar to the lower
20 southeast portion of Erie County, basically Corry going into
21 Warren County.

22 I urge you to approve the House map with only
23 minor changes as needed. I've just been so impressed by the
24 presentations by the Latino community, and we are very proud
25 in Erie that we have elected our first Latina to the city

1 council. I request you to revisit the Senate map to correct
2 the over- and underrepresentation, and to correct boundaries
3 drawn to protect incumbents rather than having fair
4 representation. I also understand there are no real districts
5 that reflect the increase in population of Latino voters, that
6 a Latino candidate who I've been privileged to hear speak
7 today, who almost won her district in 2020, now finds the
8 district redrawn to exclude where she lives.

9 Thank you for your time, and I will be providing
10 written testimony.

11 CHAIR NORDENBERG: Thank you very much.

12 Are there any questions?

13 (There was no response.)

14 CHAIR NORDENBERG: If not, thank you. Thanks for
15 coming in from that northwest corner of the State.

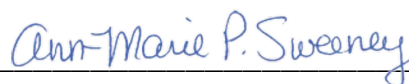
16 MS. TEPFER: Thank you.

17 CHAIR NORDENBERG: Well, as Majority Leader Ward
18 said, we're almost going to run these two sessions right into
19 each other. And as Leader Benninghoff said, I bear some of
20 the responsibility for that. But I think we ought to take a
21 15-minute break and come back, and we'll start with the 6
22 o'clock session.

23 Thank you.

24 (Whereupon, the proceedings were concluded at 5:46
25 p.m.)

1 I hereby certify that the proceedings and evidence
2 are contained fully and accurately in the notes taken by me
3 during the hearing of the within cause, and that this is a
4 true and correct transcript of the same.

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10 ANN-MARIE P. SWEENEY
11 Official Reporter
12 Legislative Reapportionment
13 Commission

14
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22 Legislative Reapportionment Commission
23 P.O. Box 203079
24 Harrisburg, PA 17120
25

EXHIBITS

Agenda

Hearing #10

Pennsylvania Legislative Reapportionment Commission

January 6, 2022

3:00 p.m. to 5:00 p.m.

North Office Building, Hearing Room 1

Comments on Preliminary Plan

1. Call to Order and Opening Remarks
2. Comments from Interested Citizens
3. Closing Remarks and Adjournment

Opening Remarks of Chairman Mark A. Nordenberg
Pennsylvania Legislative Reapportionment Commission Hearing
January 6, 2022
Hearing Room #1, North Office Building, State Capitol Complex

Happy new year, everyone, and welcome to the first in a series of hearings that will focus on the Preliminary Plan that was approved by the Legislative Reapportionment Commission last month. Let me begin by noting that this is the Commission's 10th hearing and that we also have conducted seven public meetings.

I am joined today by three other Commission members. They are: Senator Kim Ward, the Majority Leader of the Senate; Senator Jay Costa, the Democratic Leader of the Senate; and Representative Kerry Benninghoff, the Majority Leader of our House of Representatives. Representative Joanna McClinton, the Democratic Leader of the House, could not be with us, but she is ably represented by Representative Matt Bradford, the Democratic Chair of the House Appropriations Committee.

In the language of the state Constitution, the thirty-day period through which we now are moving provides an opportunity for "any person aggrieved by the preliminary plan . . . to file exceptions." Phrased in a somewhat different way, this period provides us with the opportunity to hear from the public and make improvements to the plan. Some ideas will come to us through these hearings, and others are being shared through our website portal, where we already have received some 1,800 comments, 1,000 of which have been submitted since we approved and released our preliminary plan.

As we move into this important stage of the process, it is important to remind ourselves, and the public, of our basic mission and to take stock of our current context.

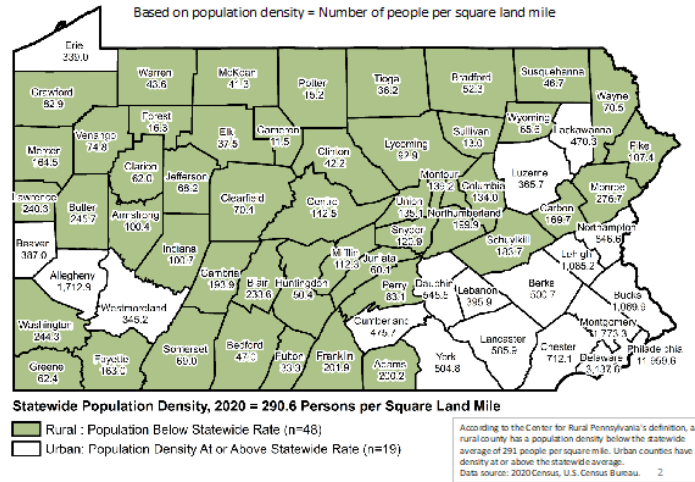
Population Shifts

Article II, Section 16 of the Pennsylvania Constitution provides that the “Commonwealth shall be divided into 50 senatorial and 203 representative districts . . . as nearly equal in population as practicable.” Section 17 (a) of that same article goes on to provide, “In each year following the year of the Federal decennial census, a Legislative Reapportionment Commission shall be constituted for the purpose of reapportioning the Commonwealth.”

Two unmistakable trends have driven the population changes that inevitably will shape the work of this Commission. One is the ongoing shift in population from rural to urban areas, particularly from the North and West to the South and East, and the other is the increase in Pennsylvania’s non-white population.

To give further meaning to those trends, I want to return to the work of Dr. Kyle Kopko, the Executive Director of the Center for Rural Pennsylvania, who appeared at one of our first hearings last summer and who was kind enough to present us with updated slides when census data later became available. The first several slides that I want to share are his.

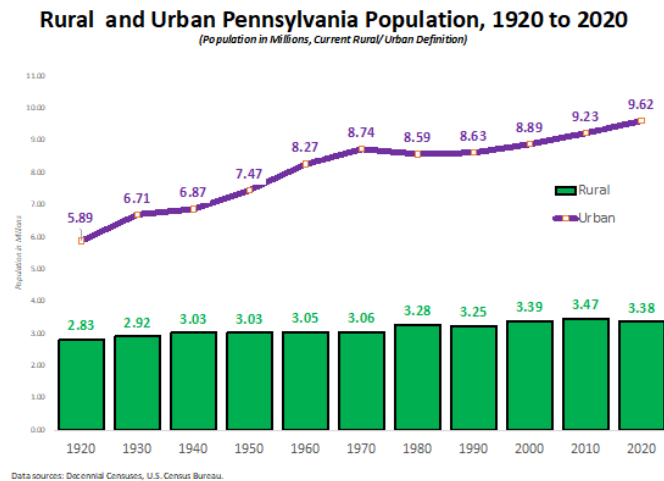
This is Rural Pennsylvania in 2020



The first is a slide showing which counties of the state are classified as “rural,” using the convention that those counties with a population density less than the state average of 291 persons per square land mile are rural, and those with a population density equal to or higher than 291 persons per square land mile are not. There are two things, in particular, to note about this slide.

- First, most of the land mass of the state is classified as rural, with some non-rural counties located in each of the four quadrants of the state.
- Second, the variation in population density is striking. One comparison that quickly caught my attention is the fact that Cameron County, in the North Central region of the state, has a population density of 11.5 people per square

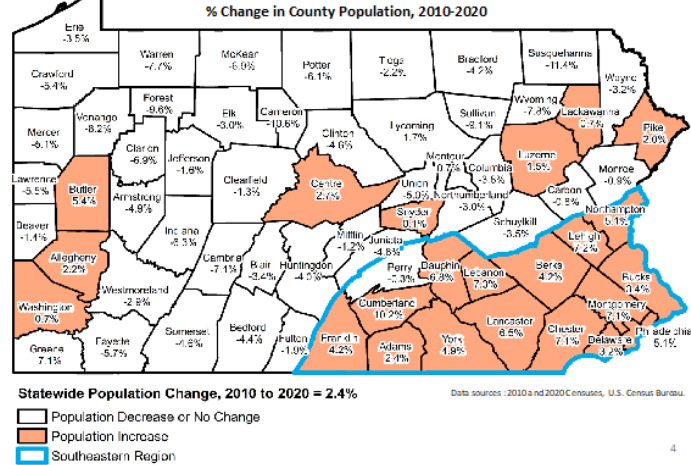
mile, while Philadelphia County has a population density of 11,960 people per square mile . . . that is, a population density more than 1,000 times greater.



3

On this second screen, Dr. Kopko shows Pennsylvania population trends over the last century – basically, low or no growth in our rural areas and more robust growth in our urban areas. Because the focus of our work is on the decade since the last reapportionment – it is particularly noteworthy that, over that ten-year period, Pennsylvania’s rural population actually declined, while its non-rural population grew.

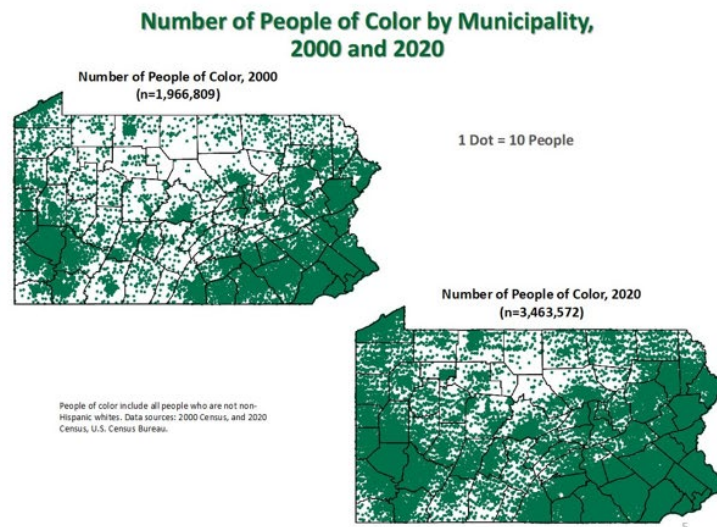
Pennsylvania’s Population Growth is Happening Mostly in the Southeast Region



On the next slide, Dr. Kopko becomes a bit more specific about regional growth patterns, concluding that most of Pennsylvania’s population growth has occurred in the Southeast region. In fact, by our calculations, in the last ten years, the population of Southeastern Pennsylvania increased by 344,075 people, while the combined population of all of the rest of the state declined by 43,754.

In terms of reapportionment, it is important to remember that it is absolute, and not percentage, population increases that matter. So, according to this map, Cumberland County had the largest ten-year percentage increase in population – with growth of 10.2%, which is great news. However, converted into absolute population growth, that 10.2% represents just over 22,000 people, considerably less than half the population required to support a single House district, while Philadelphia

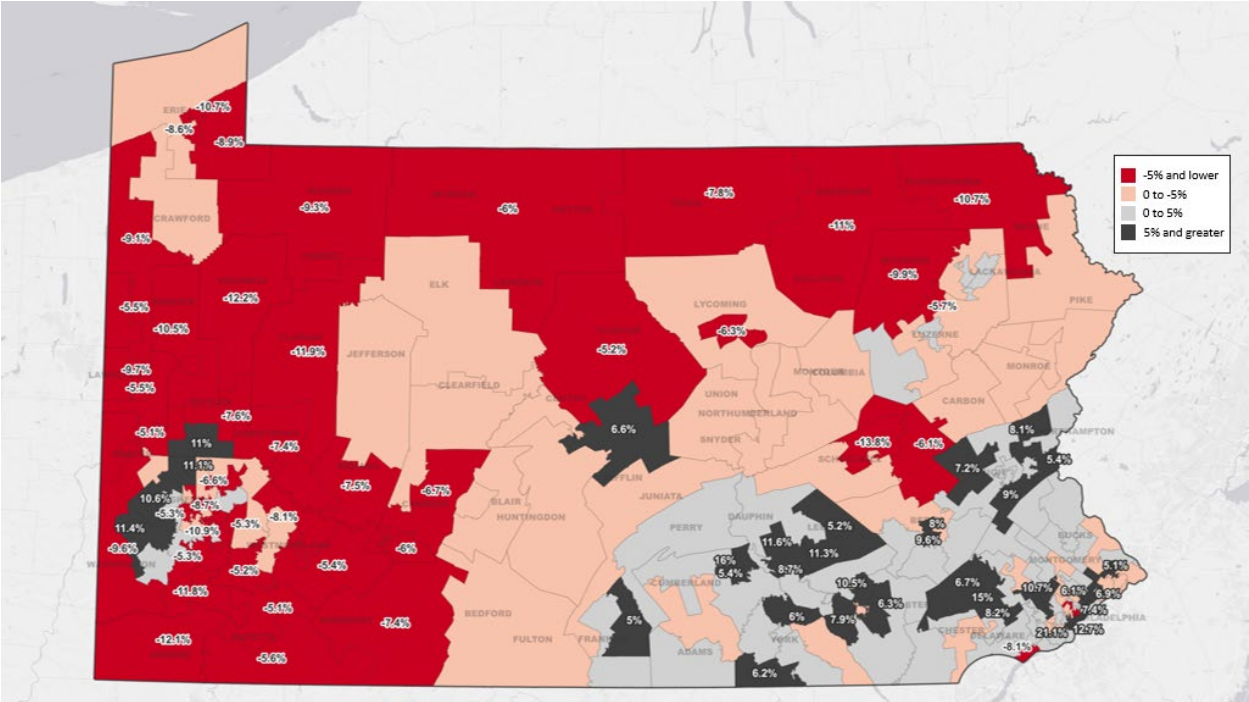
County's percentage growth of 5.1%, though just half of Cumberland County's percentage increase, translates into a population increase of about 85,000 or nearly 4 times as much.



Dr. Kopko also underscored the fact that increases in the population of people of color have occurred across the state, including in rural areas. However, the bulk of that growth in absolute numbers also came in urban areas, particularly in the Southeast.

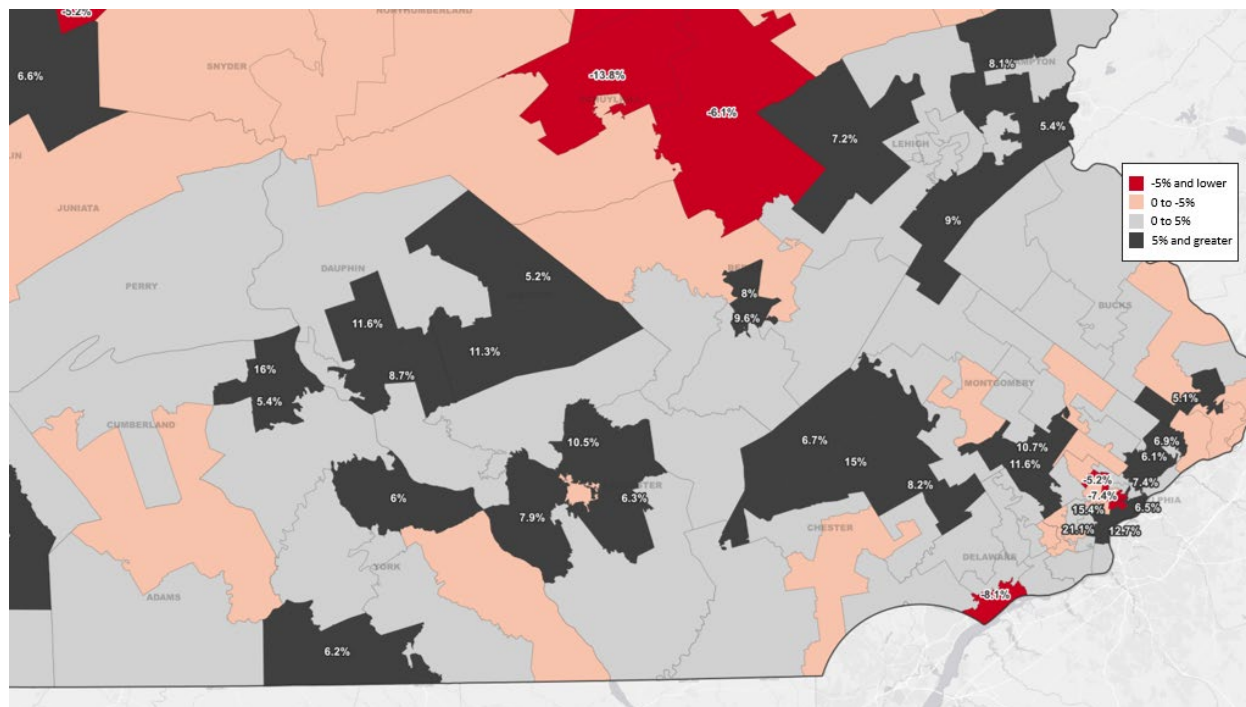
The key to our work, of course, is the extent to which these trends resulted in population deviations in legislative districts that we need to address to meet our constitutional charge of creating districts “as nearly equal in population as practicable.” Because it is our preliminary House map that has generated the most attention, I am going to focus on the House moving

forward, and this next slide, which is one that we have created, provides a clear sense of the impact of that population shift.

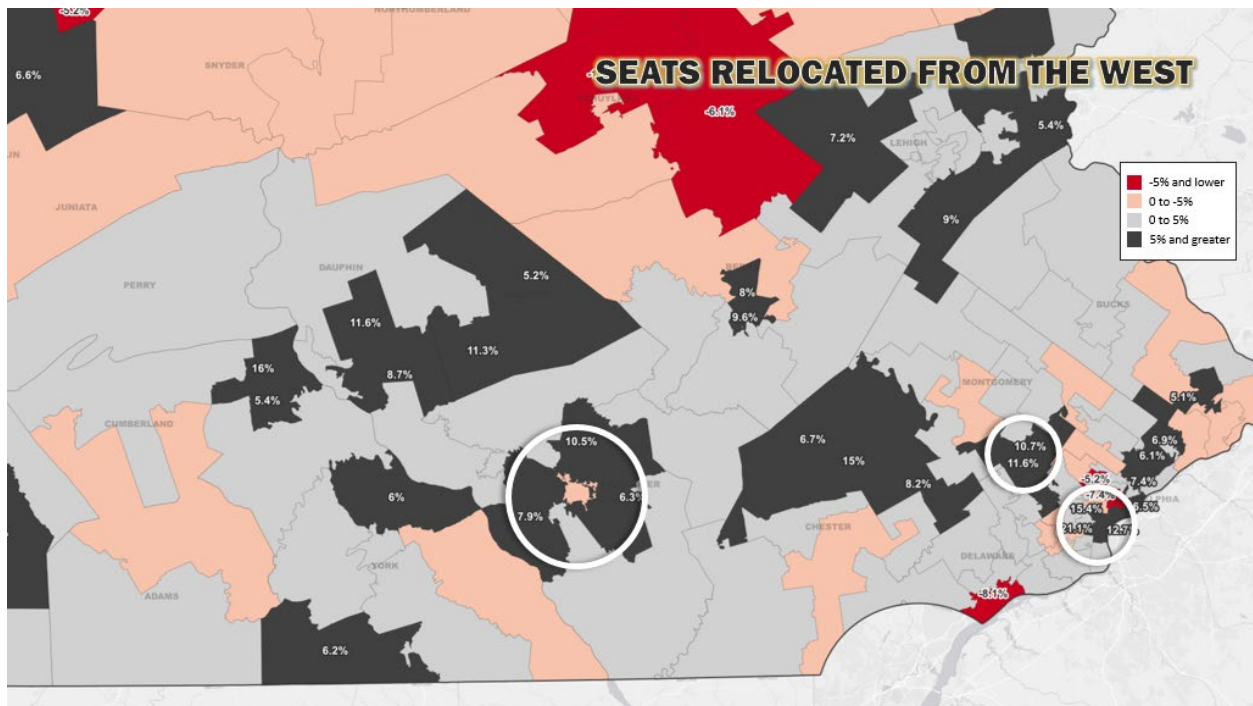


- If we start in the Northwest corner of the Commonwealth, we see that the northern-most tip of Pennsylvania includes a House district that is underpopulated by 10.7%. If you work your way across our northern border, that pattern continues, with districts that are 8.9%, 9.3%, 6%, 7.8%, 11% and 9.9% underpopulated.
- If you start at that same spot in the Northwest corner and head South, you confront the same general pattern, with two exceptions: (1) there are some areas of population growth in the Greater Pittsburgh area, and (2) the negative population deviations are even larger, so that we see districts that are underpopulated by 9.1%, 12.2%, 11.9%, 10.5%, 9.7%, 9.6%, 11.8% and 12.1%.

- These dramatically underpopulated Northern and Western districts are mainly, though not exclusively, districts that currently are represented by Republicans.



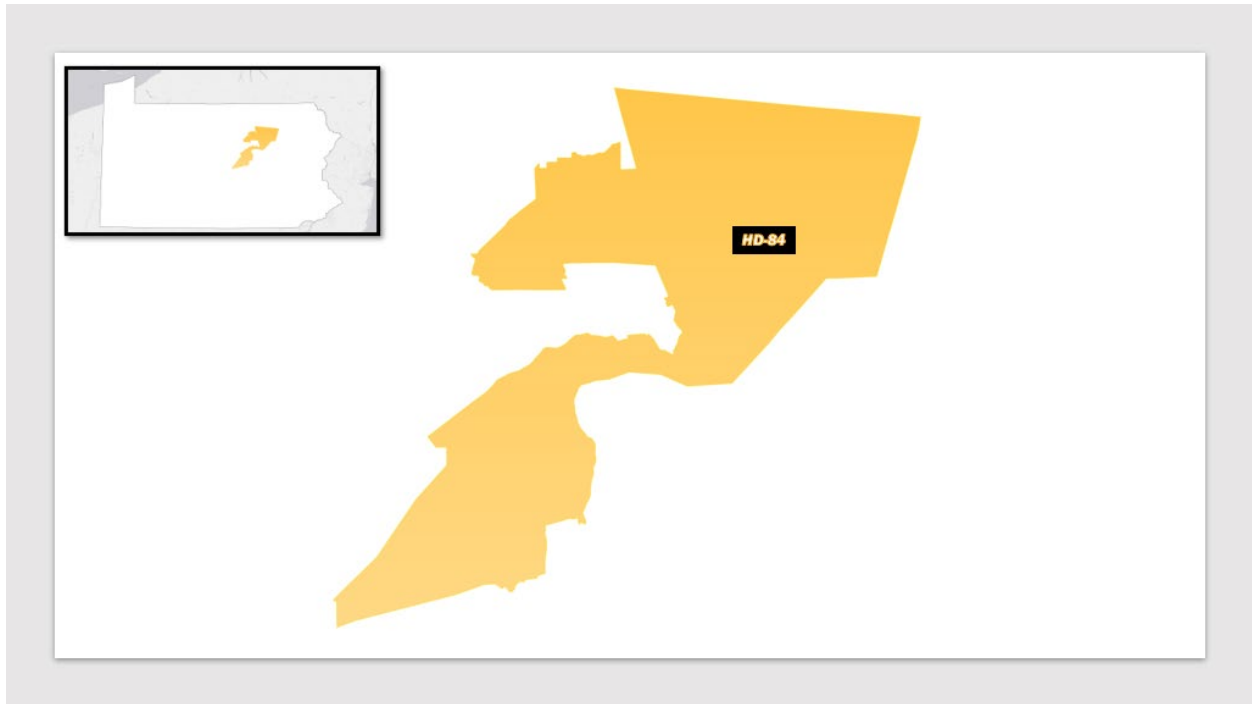
As you can see from this more focused map, which zooms in on the Southeast, population trends in that corner of the state are just the opposite of the trends on our Northern and Western borders. When you look at this enlarged view of Southeast House districts, you see over-population numbers like 15%, 11.6%, 10.7%, 15.7%, 12.7%, and even 21.1%.



Responding to these population shifts, we have proposed that new House districts be placed in Lancaster, Montgomery, and Philadelphia Counties, all places where there has been significant population growth.

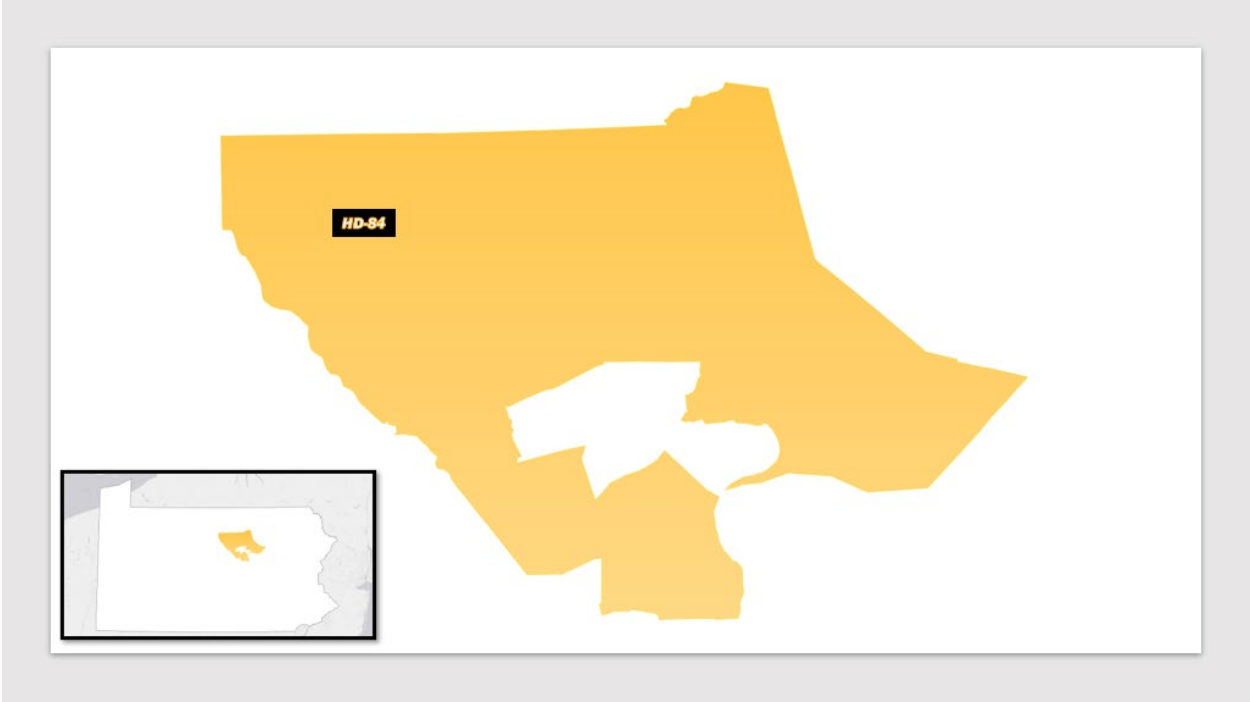
To achieve that goal, we had to consistently overcome the contention persistently asserted by members of the House Republican team that if a district now occupied by a member of their caucus needed to be moved, because of population trends, to another part of the state, they should have the right to determine where that seat would go and to draw the new district. It is hard to imagine a position more contrary to the foundation for reapportionment – that legislative districts do not belong to either politicians or their parties but, instead, belong to the people.

The Salamander

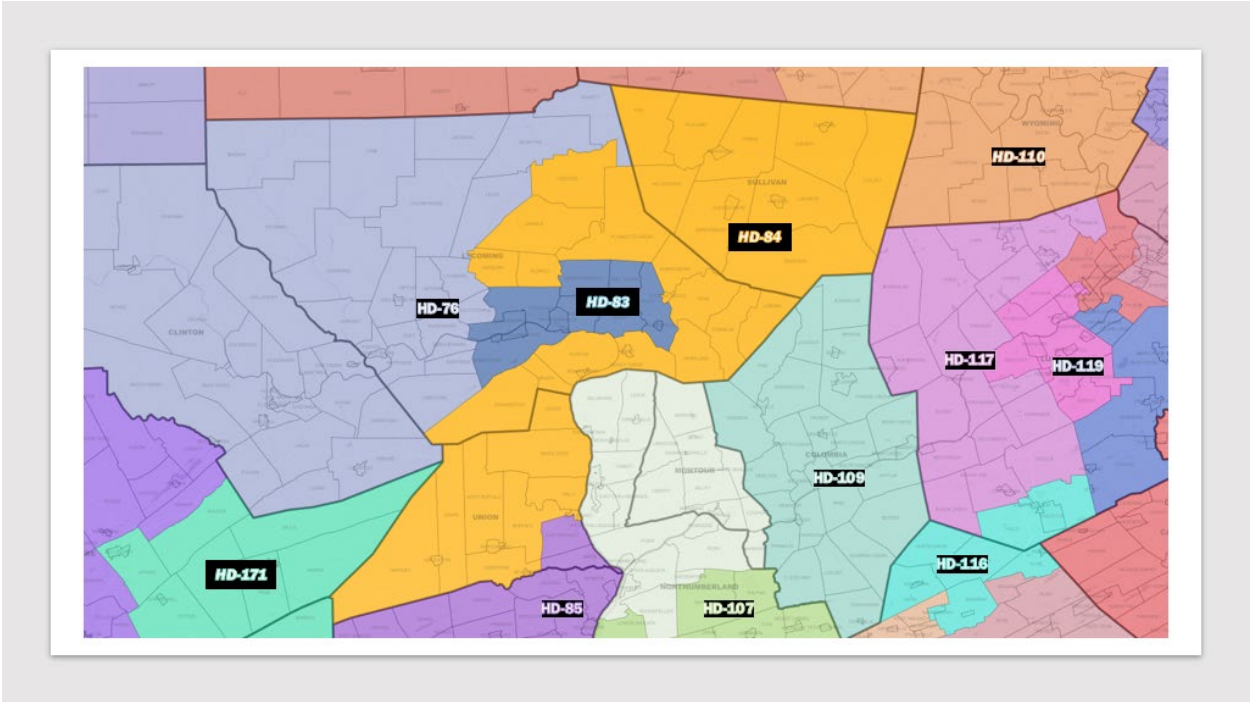


Moving from the macro to the micro, no single district has received more attention than District 84, which has been labeled Pennsylvania's salamander and dramatically offered as evidence that the entire House map is a partisan gerrymander. To repeat a basic point, that is a Republican district, which is surrounded by Republican districts, so its configuration does nothing to benefit any Democrat and, by definition, is not a gerrymander.

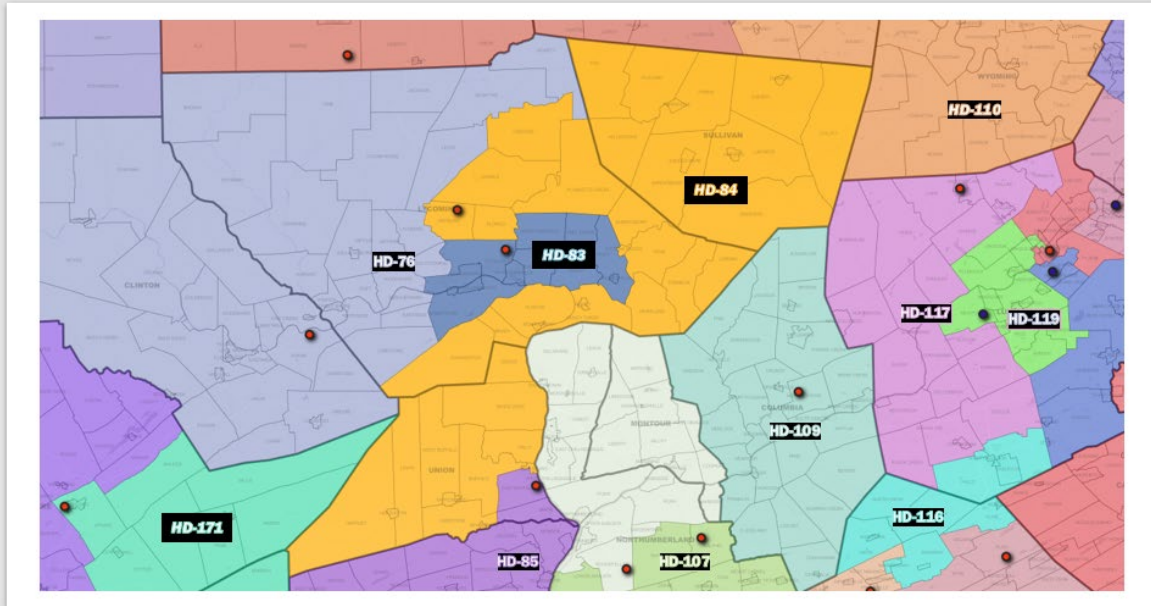
Within the Commission's staff, we actually called this redrawn District 84 the "question mark," rather than the "salamander," a reflection of the fact that it had attracted our attention and that we, too, thought it probably could be better drawn.



However, as you can see, the current map of that district is not a work of art either, something that we have called “the donut hole.”



With Pennsylvania's topography and irregular municipal and county boundaries, there necessarily will be districts that are far from symmetrical.



In this particular case, when incumbent locations are added to District 84 and its neighboring districts on this preliminary map, it becomes somewhat clearer that one reason the district lines were drawn as they were was not to disadvantage Republican incumbents but to shield them from being paired with other Republican incumbents. For example, one obvious pairing might have been the incumbents in House Districts 83 and 84. Beyond that, you also can see how HD 85 extends up in a somewhat unusual way to keep that incumbent out of HD 84. Similarly, you can see how HD 108 dips down so that its incumbent is not paired with the incumbent in HD 107.

My basic point is that, if it had been our intention to match-up as many Republican incumbents as possible, we could easily have added to that list right here in this one small part of the state. However, though some pairings are inevitable, this Commission team has moved through this process extending a measure of deference to incumbents. As I said at our last public meeting, this probably is inevitable when four of the five Commission members are caucus leaders who naturally are going to be protective of the incumbents in their caucuses, but it also reflects genuine respect for incumbents and those who have elected them, as well as a desire to avoid being unnecessarily disruptive.

Incumbent Pairings

At the other end of the spectrum, when we last met, I referred to the number of incumbents who were matched against each other by the special master's report that now has been approved unanimously by the Virginia Supreme Court. Earlier this week, a *Washington Post* editorial commented on that plan. This is part of what was said:

The decades-long incumbent-protection scheme known as redistricting is finished in Virginia, at least for now. Good riddance. . . .

Nearly half of sitting state senators and delegates have been doubled or tripled up in redrawn districts. . . .

[T]he bottom line is this: The state's new maps, the products of a radically more transparent process, are fairer. They are fairer to voters, and to the ideals of representative democracy, than any conceivable competing plan that might have been redrawn by lawmakers themselves. . . .

The strong reaction triggered by our far more modest pairing of a dozen Republican incumbents in our preliminary House map led me wonder whether our approach was as far out of line as it was being portrayed by some. So, I started to think about relevant comparisons, and I identified two. The first is the People's Map developed, after a lengthy process involving large numbers of citizens, by Fair Districts. The second is the map earlier submitted to us by Amanda Holt -- who is Pennsylvania's most famous mapper, who has appeared before this Commission on a number of occasions and whose Congressional map was adopted by House Republicans themselves as the foundation for their own preliminary Congressional map.

So that the record is clear, the two maps that I am describing are the two that were discussed by Dr. Kuniholm and Ms. Holt at our November 15 hearing. I know that Ms. Holt has sent us an updated Senate map and believe that she still is working to improve her House map, and Fair Districts may be as well. Still it seemed instructive to compare our preliminary House map to their preliminary maps.

Same-Party Incumbent Pairings

	Republican v. Republican	Democrat v. Democrat	Difference
LRC Preliminary Map	12	2	10
Fair Districts People's Map	36	24	12
Amanda Holt Map	36	24	12

Note: Number of representatives who will have to face another in a primary. Holt and Fair Districts PA maps presented to the commission at the November 15th hearing.

The results are revealing. The Fair Districts map and the Holt map each paired 36 incumbent Republican House members against each other. That is, in each case, three times more than the 12 incumbents who would be paired under the Commission's preliminary map. In fairness, I want to point out that each of these maps also paired 24 incumbents from the other side of the aisle against each other – which, for better or for worse, necessarily would generate a higher level of disruption.

But we also should look at the comparative partisan advantages that might result from the implementation of these maps. Simple math tells you that our differential is twelve Republican incumbents versus two Democratic incumbents paired, or ten more Republicans put at risk. The differential for the Fair Districts and Holt maps is slightly larger, thirty-six Republican incumbents versus twenty-four Democratic incumbents paired,

or twelve more incumbents put at risk. My point, though, is that all three of these maps reflect the fact that to redraw these maps in ways that are consistent with both population changes and constitutional requirements, incumbents will need to be paired and more of those pairings will involve Republicans.

Dave's Redistricting App

A different charge of unfairness recently has been lodged against the preliminary plan. In fact, it was the subject of an op-ed published on Tuesday of this week. This is part of what was said:

[T]he map is drawn in such a convoluted way that the only conclusion one can come to is that it must have been drawn to cement House Democrats in the legislative majority for the coming decade.

If you do not believe me, run the map through Dave's Redistricting App – a citizens mapping tool, which speculates that the current preliminary map will give House Democrats a legislative majority of 106 seats, up from their current total of 90 seats.

That statement is so incomplete that it is very misleading.

Default Settings in DRA

“To evaluate the likely future election outcomes for a set of districts, you need actual past election results.”

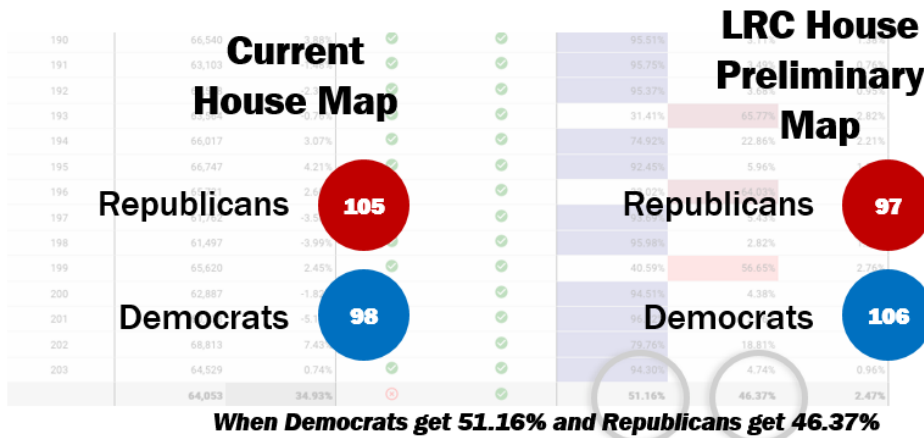
190	66,540	3.88%	✓	✓	95.51%	3.11%	1.38%
191	63,103	-1.48%	✓	✓	95.75%	3.49%	0.76%
192	62,578	-2.30%	✓	✓	95.37%	3.68%	0.95%
193	63,564	-0.76%	✓	✓	31.41%	65.77%	2.82%
194	66,017	3.07%	✓	✓	74.92%	22.86%	2.21%
195	66,747	4.21%	✓	✓	92.45%	5.96%	1.59%
196	65,721	2.60%	✓	✓	33.02%	64.03%	2.95%
197	61,762	-3.58%	✓	✓	93.69%	5.43%	0.88%
198	61,497	-3.99%	✓	✓	95.98%	2.82%	1.20%
199	65,620	2.45%	✓	✓	40.59%	56.65%	2.76%
200	62,887	-1.82%	✓	✓	94.51%	4.38%	1.11%
201	60,738	-5.18%	✓	✓	96.22%	2.76%	1.01%
202	68,813	7.43%	✓	✓	79.76%	18.81%	1.43%
203	64,529	0.74%	✓	✓	94.30%	4.74%	0.96%
	64,053	34.93%	⊖	✓	51.16%	46.37%	2.47%

<https://medium.com/dra-2020/election-composites-13d05ed07864>

It is true that if you run the preliminary House map through Dave’s Redistricting App, it will produce a 106-seat majority for Democrats. However, you have got to go further to accurately report what that means. The default setting in Dave’s Redistricting App – which is based on a composite of state-wide elections from 2016 to 2020, including blow-out wins by Governor Wolf and Attorney General Shapiro – is an election in which Republicans win 46.37% of the vote and Democrats win 51.16% of the vote, or nearly 5% points more.

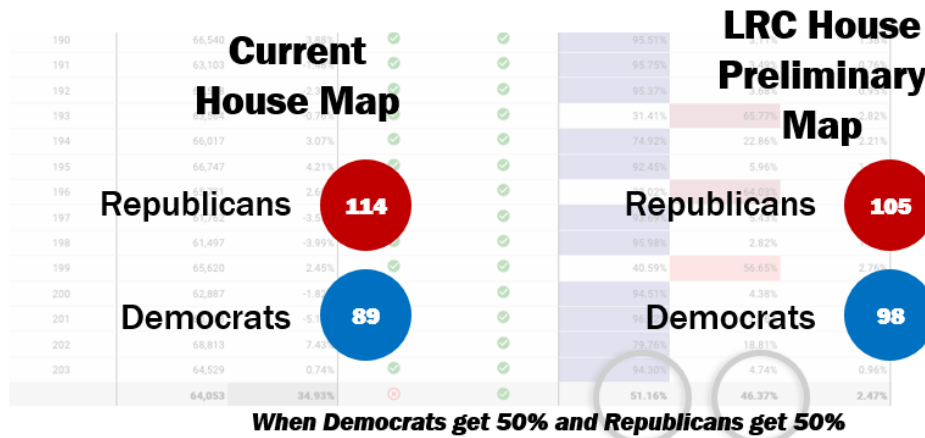
If you run both the 2011 House map and the Commission’s preliminary House map through the app with those default settings in place, this is what you find.

Default Settings in DRA



- Under the 2011 map, Republicans win 105 House seats, and Democrats win only 98 House seats, even when the Democrats win 5% more of the vote.
- Under the Commission’s preliminary map, if the Democrats win 5% more of the vote, they win 106 seats to the Republicans 97. That is a result that most people would view as fair – that is, if you win a substantial majority of the vote, you also ought to win a majority of the seats.

DRA (adjusted to 50/50 election)



Turning to what may be a more easily understood comparison, you also can recalculate to see what would happen under a particular map if there was an evenly-split 50 / 50 vote. Here you see that:

- In a perfectly equal election conducted under the 2011 map, the map now in place, Republicans are predicted to win 114 seats to the Democrats 89, an excess of 25 seats in a perfectly equal election.
- In a perfectly equal election conducted under the Commission's preliminary map, the Republicans still are at an advantage, projected to win 105 seats, while the Democrats are projected to win 98 seats.

That, of course, supports what we have been saying about the preliminary House map – that it continues to favor Republicans but not by as much as the current map.

Righting Past Wrongs

It also has been charged that the preliminary map is one gerrymander designed to make up for an earlier gerrymander and that two wrongs do not make a right. First, let me say that this does not constitute a gerrymander – which typically is considered to exist when the party in power draws maps that are designed to prevent the other party from ever getting into power. In the case of this preliminary map, as was just discussed, control of the House will vary, depending on the vote-share that each party receives in any given election.

Perhaps more to the point, I never have felt that it was my mission to right past wrongs. The person I know who feels most wounded by the maps of ten years ago is Senator Costa, who served on the Legislative Reapportionment Commission and then sued to keep its preliminary maps from going into effect. I feel quite certain that Senator Costa will verify the fact that I told him in one of our very first meetings and repeated at several subsequent points along the way that I did not want to talk about ten years ago, that we had no ability to go back and change that history. Instead, we should be forward-looking and focused on developing fair maps for the next decade.

Who Did the Mapping?

Questions also have recently been asked about who did the mapping. I addressed that topic in our last meeting but let me do so again.

Each caucus had the same ability to be involved in the development of maps as every other caucus. When we took the initiative to schedule meetings, we did that in a very uniform, even-handed way. Each caucus also was equally free to request meetings with us and to submit materials in whatever form and at whatever time they believed would advance their case. For example, it was the House Republicans who first asked if they could provide our Chief Counsel and me with legal memoranda on a confidential basis. We agreed to accept their documents on those terms, as we later did from other caucuses.

When it came to the mapping process, as I did indicate in our last meeting, very different approaches were taken in the Senate and the House. I might describe the Senate approach as the pursuit of a consensus map. The two leaders and their teams were meeting on a regular basis – in Harrisburg, Greensburg and Pittsburgh, I believe -- and were committed to trying to work out as many things as they possibly could. Near the end of that process, after identifying the things that they

could not negotiate, they came to us for resolution. Even then, we were largely working with their proposed alternative maps and not with maps of our own.

In the House, as I already have reported, there was very limited caucus-to-caucus interaction. Instead, we were dealing with the two caucuses separately and trying, without much success, to bridge the gaps between them. So, rather than having a consensus map, we had more of a composite map, with our team taking what we thought were the best features of each caucus submission and knitting them together. That, of course, does require some small measure of independent work, but it hardly amounts to taking over the mapping process, as some seem to be suggesting.

We received binders of map proposals from the House Republican team, and we had frequent meetings with them to discuss issues that they raised, as well as issues that we identified. In fact, last evening, we identified twenty counties in the Commission's preliminary map that are identical to submissions made by the House Republicans. That list includes Armstrong, Cameron, Clarion, Clinton, Blair, Butler, Carbon, Bedford, Elk, Forest, Fulton, Huntington, Indiana, Jefferson, McKean, Potter, Susquehanna, Sullivan, Union, Warren and Westmoreland.

If the Republican team's submissions had less impact on the final map than the submissions of the Democratic team, that is because we found the submissions from the Democrats to be

more persuasive and better supported. In assessing them, of course, we were discharging the responsibilities described by all four caucus leaders in their letter to the Supreme Court – calling balls and strikes . . . and, I might add, sometimes dealing with wild pitches.

Secret Agendas

I first was asked if I would serve as Chair of the Legislative Reapportionment Commission at the time of the 1990 census, now more than thirty years ago. I was the Dean of Pitt's law school at the time, and I was approached by representatives of both parties. The Republican inquiry was made by Mike Fisher, then a member of the Senate majority's leadership team and someone who later became both the state's Republican Attorney General and the Republican candidate for Governor. He now is a Judge of the United States Court of Appeals for the Third Circuit, and I am quite sure that Judge Fisher is one of many who would vouch for my fairness and integrity.

Going back to that now thirty-year-old experience, I had been told that there was an agreement between the two parties that I would be the Chair. However, on the day of the vote, something historic happened – the two Republican majority leaders voted for me, the Democratic leader from the House voted against me, and the Democratic leader from the Senate abstained. After giving it some thought, the Senate majority leader, who had been chairing the meeting, took the position that I had been elected Chair because a 2 to 1 to 1 vote was a

majority vote. A few days later, he came to Pittsburgh to request that I litigate that issue.

Though I declined that invitation, that was the beginning of a long and positive relationship with Republican caucuses in both the House and Senate. In fact, there has not been a census since 1990 when some Republican legislative leader has not reached out to ask me if I would consider serving as Commission chair. To the best of my recollection, no Democratic legislative leader, on the other hand, has inquired about my interest or availability since 1990, and the Democrat's inquiry that year came from a very junior House member who had been my student..

Shortly after I became Chancellor, in the mid-1990's, I was asked by that same House majority leader to co-chair a special legislative commission on the problems facing Pennsylvania's urban schools, which really was the launch of my state-wide public service activities.

This was during the administration of Republican Governor Tom Ridge -- with whom I did a lot of work, particularly on technology-based economic development. Because I do admire him greatly, I was pleased when Governor Ridge reacted to my appointment as Commission Chair by tweeting: "The appointment of former Pitt Chancellor Mark Nordenberg to PA's Legislative Reapportionment Commission is good news for all Pennsylvanians. Mark's integrity, thoughtfulness &

dedication to the future of the Keystone State will serve us all well.”

I served as co-chair of the Education subcommittee of the transition committee for Republican Governor-Elect Tom Corbett. As some have noted, he and I subsequently had disagreements about funding for higher education. However, those differences always were handled very professionally on both sides, and, in fact, he named me to his special advisory commission on post-secondary education. Far more recently, I served as an honorary co-chair of the transition committee for Republican Auditor General-Elect Timothy DeFoor.

When I was about to step down as Pitt’s Chancellor, one part of a Senate session-day was devoted to paying tribute to me on the Senate floor. While that was a bipartisan occasion, the principal organizers and speakers included both the then-Republican President Pro Tempore and the then-Republican Majority Leader. Until Majority Leader Ward directed me to put it away, I occasionally would brandish a very large ceremonial gavel that had been presented to me by Sam Smith, who served as both the Republican Majority Leader and as Speaker of the House. And when I was appointed Chair of this Commission, one of the first messages I received was from Mike Turzai, who served on this Commission as the House Republican Majority Leader ten years ago and who subsequently became Speaker. He not only congratulated me but reminded me that he had wanted me to serve as Chair ten years ago.

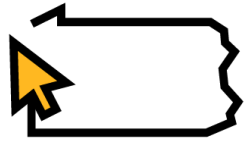
It is awkward to talk about myself, but I do not have teams of public relations professionals at my disposal as caucus leaders do, and there have been so many baseless claims made about the maps, the process that produced them, my team and me that I felt it was important to respond, because the work of the Commission is so important. Now having been forced to reflect on the past thirty years, I guess that if I had been going to embark on this assignment with a secret agenda, perhaps that agenda should have been driven by a grudge against the Democrats, both for voting against me in 1991 and for slighting me by not expressing more interest in my service in this role during the intervening three decades.

But I did not agree to serve because I had some secret agenda or because of any other kind of personal motivation. Instead, when I was asked by the Supreme Court, I saw this as a way to make an incredibly important form of public service contribution -- to the state that has provided me with a wonderful home for most of my adult life and to the democratic ideals that have made this country great and in which I believe.

At earlier points in time, we have talked about the great Supreme Court decisions that enshrined the “one person / one vote principle,” which stands at the heart of the reapportionment process, as a hallmark of American democracy. One of those cases, Reynolds v. Simms, put it this way:

Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. As long as ours is a representative form of government, and our legislatures are those instruments of government elected directly by and directly representative of the people, the right to elect legislators in a free and unimpaired fashion is a bedrock of our political system.

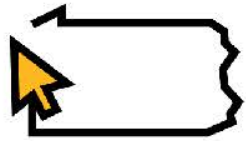
Perhaps others consider expressions like that one to be just so many words, but that is not the way that the other members of the Commission team or I view it. We have been asked to discharge a very special set of responsibilities, and we have worked to do that fairly, tirelessly, and to the best of our ability, and we will continue to do so.



Draw the Lines

Testimony from David Thornburgh Preliminary Legislative Maps

January 6, 2022



Draw the Lines

The Constitution of Pennsylvania

§ 16. Legislative districts.

The Commonwealth shall be divided into 50 senatorial and 203 representative districts, which shall be composed of compact and contiguous territory as nearly equal in population as practicable. Each senatorial district shall elect one Senator, and each representative district one Representative. Unless absolutely necessary no county, city, incorporated town, borough, township or ward shall be divided in forming either a senatorial or representative district.

(Apr. 23, 1968, P.L.App.3, Prop. No.1)

What values matter most to 7,211 DTL mappers?

A state map that...

1. Features compact districts
2. Encourages competition
3. Respects communities of interest
4. Respects communities of color
5. Limits splits
6. Does not advantage either party
7. Does not protect incumbents



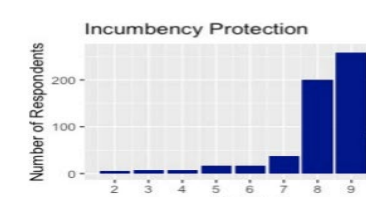
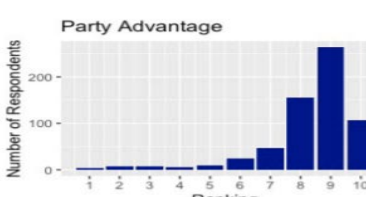
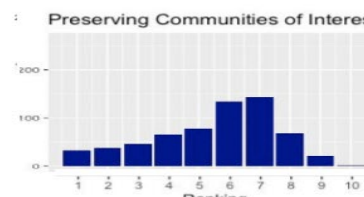
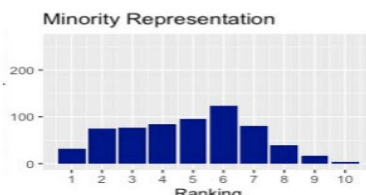
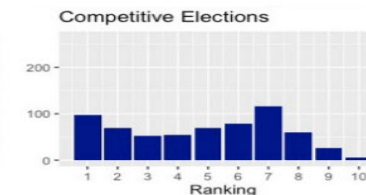
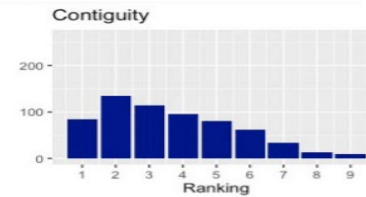
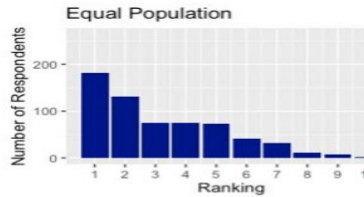
What values matter most to voters?

2019 statewide survey by PA Redistricting Reform Commission

A state map that...

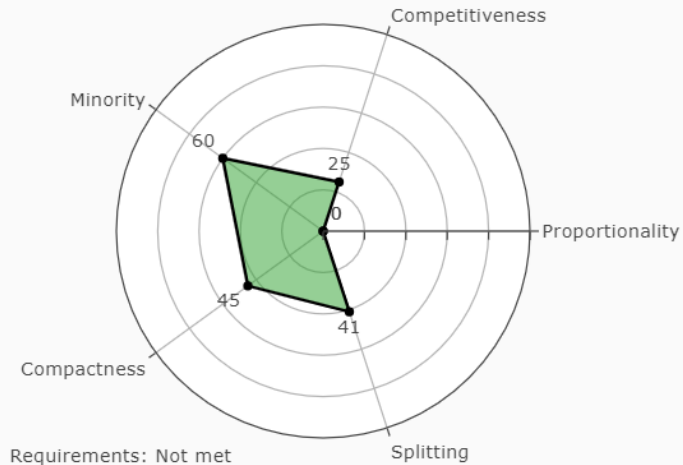
1. Features compact districts
2. Limits splits
3. Encourages competitive elections
4. Represents communities of color fairly
5. Respects communities of interest
6. Does not advantage either party
7. Does not protect incumbents

Voters want balanced maps, reject partisan advantage

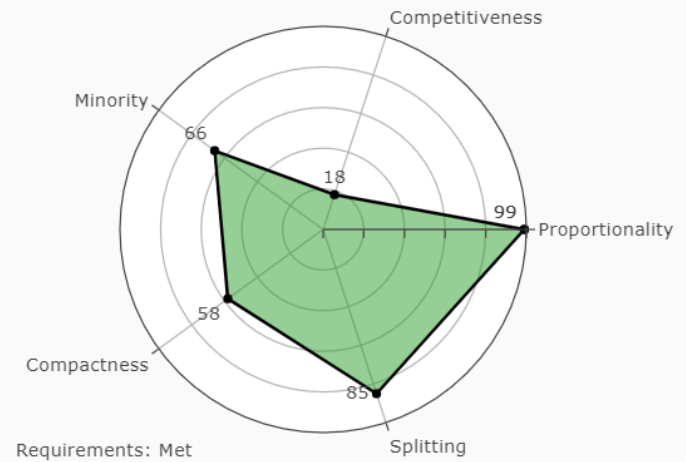


Is the preliminary House map better?

Current State House

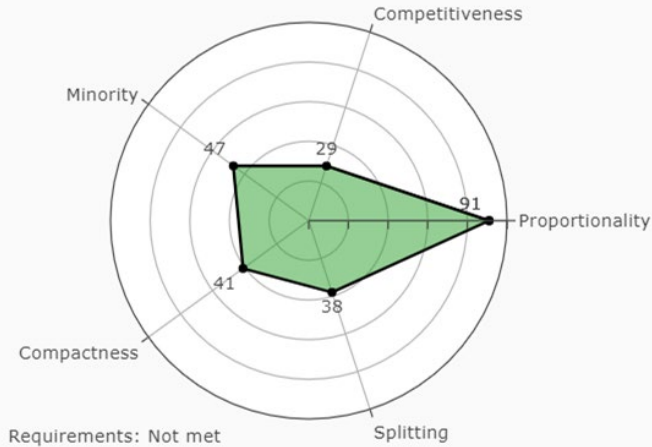


Prelim House Map

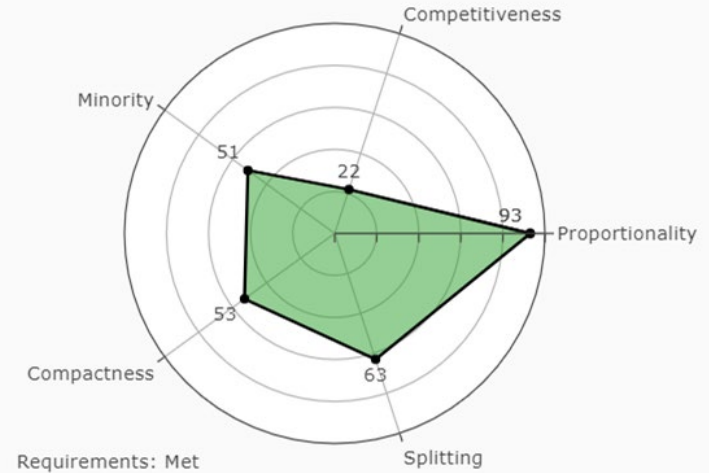


Is the preliminary Senate map better?

Current State Senate

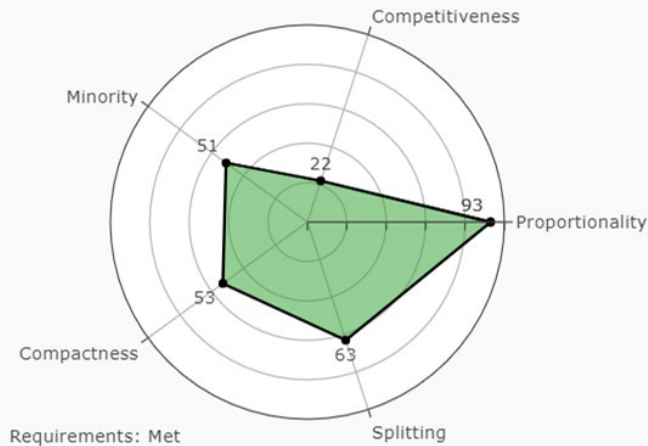


Prelim Senate Map

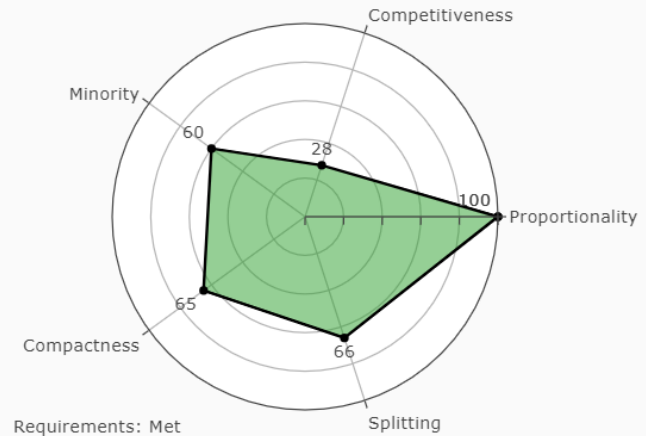


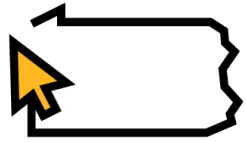
Can we do better on the Senate map?

Prelim Senate Map



Citizen revisions to preliminary Senate map





Draw the Lines

Testimony from David Thornburgh Preliminary Legislative Maps

January 6, 2022

Carol Kuniholm, Fair Districts PA Chair, Testimony to the Legislative Reapportionment Commission regarding LRC Preliminary Maps, January 6, 2022

Happy New Year and thank you, Commissioners, staff, and all who are invested in the hard work of getting district maps right for the people of Pennsylvania. Thank you for doing all you can to make this work accessible - providing easy virtual participation during this strange pandemic season, and providing an accessible, informative website with such an easy to use comment portal. You have logged far more hours in public hearings than we envisioned in our reform legislation and have fielded far more public comment than we would have imagined.

I know you are in the final weeks of this very challenging, complicated process. I know there's been lots of attention on the proposed maps. Some people don't understand that redistricting is required by law. Some don't understand that population shifts demand changes in district boundaries. Many of the comments you receive are contradictory and confusing: current districts work great for people in some areas. For far more Pennsylvanians, the current maps have not served us well, which is why so many passionate volunteers and supporters have joined our efforts for reform.

I'd like to share some overview thoughts about both preliminary maps, but first I want to address some questions of metrics. There are many ways to evaluate maps. Some have the force of law and legal precedent behind them. By metrics with the force of law behind them, both proposed maps are better than current maps.

I've seen discussion about the Princeton Gerrymandering Project grades and ask that you set those completely aside. Our FDPA team has appreciated the work of that project in a number of ways, but we do not find their grades helpful. They focus on just a handful of criteria, including a grade for competitiveness, which is not a value embedded in PA or federal law or legal precedent. They mention minority representation, but do not include that in the final grade, a glaring oversight. And the algorithms used in determining grades do not adequately take into account the challenges of Pennsylvania geography, demography and the outsize number of House districts, all of which call into question the usefulness of their grades.

By our FDPA assessments, the House map is by far the better of the two proposed maps. It adds several majority-minority districts, undoes several decades of extremely distorted districts, and goes a long way toward balancing partisan bias. It has less split counties & municipalities than the current map, is more compact, and still manages to keep most incumbents in their current districts.

I've been concerned to hear legislators speak of the proposed map as a Democratic gerrymander. (SLIDE ONE) Chairman Nordenberg shared one PlanScore metric when the map was introduced, the same one I used when we submitted our People's Maps.

(SLIDE TWO) I'd like to share a different metric that might be easier to understand, also from the Campaign Legal Center's PlanScore project. Their partisan bias score shows how many extra seats one party might win in a hypothetical, perfectly even election: assuming 50% of the votes are cast for both Republicans and Democrats. In 1972, the first year of LRC redistricting, the plan contained a slight Republican bias, an extra seat in that hypothetical election.

(SLIDE THREE) The same was the case in 1982

(SLIDE FOUR) and again in 1992.

(SLIDE FIVE) In 2002 the LRC delivered a map with a clear Republican gerrymander: 4 extra seats in that hypothetical election.

(SLIDE SIX) In 2012, the gerrymander became more pronounced: 7.5 or 8 extra seats. That's been the case throughout this past decade, with a clear locked in advantage, and persistent majority, even when Democrats vote in larger numbers.

(SLIDE SEVEN) The map proposed by this commission would correct that, not all the way back to the 1 extra seat advantage of the 70s, 80s, and 90s, but closer to even, with a 2.5 extra seat advantage for Republicans.

Fair Districts PA is a non-partisan organization, with members from all parties. We would love to see that partisan bias number at zero. That would level the playing field completely, so the party with the best record, the best solutions, the best candidates would have a chance of winning the chamber. We will gladly take 2.5%, especially if that's balanced by other essential values.

(SLIDE EIGHT) The values we see embedded in law include compactness, minimized splits to counties and municipalities, minority representation, and free and equal elections. Dave's Redistricting App combines well-established metrics for those to create normalized scores from zero to 100. We were proud of the metrics on our People's House proposal, and very impressed that the LRC preliminary House map matched or exceeded those metrics.

(SLIDE NINE) You can see how the current House map compares. The current map is one of the worst in the country: non-compact, deeply biased, and in some places not even contiguous. The proposed map is a huge improvement.

(SLIDE NINE) We have a team of volunteers who have been counting split counties, municipalities, and also school districts, since we believe those are in many places a good stand-in for communities of interest. Here's some of their work. By their analysis, the proposed map splits less counties, less municipalities, and less school districts, a 12 to 15% improvement in each area.

(SLIDE TEN) I've heard the outcry from incumbents who find themselves facing other incumbents in the same district. Given the distorted districts of the past two decades and the shifts in population reflected in the census numbers, it would be impossible to avoid most of those pairings. For instance: there are currently five representatives living in Mercer and Lawrence Counties, which by numbers should have exactly 3 districts. That means 2 of those 3 districts will have incumbents facing each other in the primary. It's simple math. There are several other places where incumbents live in the same school district, or in closely adjoining municipalities. To keep them in their own districts would mean making that the top priority over all other concerns. The PA constitution and legal precedent do not allow that.

(SLIDE ELEVEN) It's important that voters know that there are mathematical constraints to the drawing of lines: some municipalities and counties will need to be split. Some district lines will not look smooth or compact. Pennsylvania's towns and counties often have strange lines, and much of our geography consists of large areas with low population, punctuated by densely packed towns and cities. Keeping those towns and cities intact can sometimes cause strange lines. Dividing them, as has been done so often in the past, can skew representation in an entire region. The best approach should involve listening to voters and finding a way to provide the

most accurate representation to the largest group in the area. That solution may not always be clear.

When commissioners, legislators or others raise concerns about aspects of ANY map, it would be helpful for citizens to see proposed alternatives and hear some clarification of required tradeoffs. This district - HD 84- has been described as a Democratic gerrymander. The district and every district surrounding it has a Republican majority. The challenge is to balance population without dividing Williamsport. The current district looks oddly shaped. The proposed one even more so,

(SLIDE TWELVE) On our People's Map, we proposed a much neater solution, but that was drawn without reference to incumbents. (SLIDE THIRTEEN) That solution would put two nearby incumbents in the same district. I'd be interested to see Representative Benninghoff's alternative. It's clear that HD 84 was drawn strangely to address population loss and to protect Republican incumbents. That configuration provides no benefit to any Democrats. The trade-offs in areas losing population are inescapable; oddly shaped districts, or incumbents facing each other in the same district.

I'm including in my written testimony my own proposed revisions to the House map. I believe the House map, as is, is a far more fair, more representative map than Pennsylvania has seen in at least two decades. Even so, it could be strengthened by attention to some local concerns not immediately evident to mappers, who can't possibly know the challenges, history and terrain of every PA locality. I've had the honor of talking about district maps with Pennsylvanians across the commonwealth, and also have the benefit of the many community mapping conversations Fair Districts PA held in preparation of our People's Maps. Even so, there are areas I don't know well enough to be certain of the best approach. And there are also areas where I've heard arguments in a variety of directions and could support a mix of solutions.

My proposed revision map is not an FDPA endorsed product, but my own attempt to work my way through the preliminary map, using what I've learned over the past six years. I must say I am impressed with much of what I see in the proposed map, appreciative of new minority districts created in places I would not have seen. I was pleased to see use in some places of the PA Voice unity districts, and other aspects of our FDPA People's Map.

With some adjustments to keep more school districts intact, and to fine-tune minority communities, I was able to create 29 majority-minority districts but I don't have the benefit of legal expertise or the kind of fine-tuned mapping tools that might verify those districts. My map addresses some areas of concern in testimony submitted so far and lowers the population deviation by a point.

The commission has promised revisions following the January 18 deadline. I hope my draft revision might be helpful in that. I've encouraged other of our FDPA mappers to submit their own proposals, along with explanatory notes. We are not providing FDPA endorsed proposals in part because there's no way to ensure the principles we stand for while also protecting incumbents, and in part because there has not been time for the kind of extensive community review we employed in creating our People's Maps.

(SLIDE 15) Turning to the Senate, while the metrics for the preliminary map are better than for the map currently in use, they are not as impressive as the improvements in the House map. The current plan gives a partisan bias of 8.5 to 9 extra Republican seats. The proposed map brings that down to 3.5,

(SLIDE 16) Comparing the Senate proposal to the current senate, and to proposed House map

and People's Maps, it seems clear there is plenty of room for improvement. The map is a step forward in three of four metrics, but fall short of what is easily possible.

(SLIDE 17) An obvious area of concern is the Lehigh Valley. Current SD 18 has a Latino population voting age population of about 29%. (SLIDE 18) The proposed new Senate District 14 has about the same. It does not expand opportunities for Latino representation. Rather, it fractures the Latino community self-identified as running from Easton to Bethlehem to Allentown to Reading. It also splits two cities. While there is not total consensus about whether or not to divide Bethlehem along county lines, there is very strong consensus that Allentown should not be divided to create a safe seat for one senator.

(SLIDE 18) The primary purpose in redistricting is to ensure that representation aligns with population shifts. In Northeastern PA, some areas grew in population while others lost population, with a net gain of about 10,000 in the overall region. It's easy to draw that region keeping current districts in place, without putting any incumbents in opposition.

(CLICK) Lehigh Valley districts are about 26,000 over ideal population.

(CLICK) Southeast PA districts, together, are about 180,000 over.

(CLICK) Population loss in the southwest region was mostly offset by growth in Allegheny County.

(CLICK) Districts in the Northwest and North Central regions combined are about 150,000 under population.

(CLICK) Looking at population numbers it seems clear that if some districts are to remain relatively in the same locations, an entire district should be moved from somewhere in the North West and North Central regions to Philadelphia or its collar counties.

(CLICK) Moving Senate District 34 from Center County to Cumberland does not address the larger population shift, and in fact makes it more difficult to adjust as needed from the southwest corner of the state toward the growing south-central area.

(CLICK) And there's no clear reason to move SD 14 from Luzerne to the Lehigh Valley.

(CLICK) Our People's Map proposed a new majority-minority district in the heart of Philadelphia with a substantial Latino population. The preliminary map divides that community into four existing districts. We would argue - strongly - for creation of a new district, without incumbent, in the Kensington/Hunting Park area of Philadelphia, with current senate districts adjusted around it.

Despite growth in the PA minority population, and repeated testimony on that issue, it's troubling to see nothing in the preliminary map that addresses that or creates more opportunity for minority representation. Rearrangement in the Lehigh Valley and an additional minority district in Philadelphia, keeping the Latino community intact, would be a good corrective.

(SLIDE 19) Looking at population deviations in the proposed map, it appears that most districts in Allegheny County and other southwest counties are well below the ideal population, often at the very edge of allowable deviation, while districts in Philadelphia and other Southeast PA counties show average deviations above that ideal number. In effect, the map as drawn dilutes the voting power of our fastest growing region, maintains voting power in regions that have lost population, and amplifies voting power in Southeastern PA..

(SLIDE 20) One final issue of concern involves another potential pattern in population deviation. Despite this commission's passage of a resolution providing for reallocation of prison data, most districts that contain prisons now have population deviations - that is, populations below the ideal senate size - even greater than their prison populations. The amplification of votes in those districts continues. The vote dilution in other areas also continues. (END SLIDES)

Adjusting those patterns will take more than small tweaks. As our FDPA mappers have attempted to devise revisions, it's become clear that at least one or two pairs of incumbents will need to land in the same district to avoid the kinds of distorted districts we've seen in past decades. That pairing seems most likely along the southern edge of the state, where several districts are already stretching in odd ways across multiple counties.

I've submitted my own proposed revision of the senate map. It includes 7 majority-minority districts, one pairing of incumbents of the same party, and multiple smaller rearrangements to address population deviation patterns and bring the overall deviation down to 8.02. Again, this is not an FDPA endorsed revision, and others of our mapping team will be submitting their own proposals. There will likely be some common themes as our team shares ideas and revisions.

We have learned a great deal throughout this process and hope to translate what we've learned into legislation to safeguard future redistricting. We appreciate the hard work of this commission and commission staff and believe our commonwealth owes a significant debt to Commissioner Nordenberg and his team for their integrity and commitment to keeping a very partisan process as non--partisan as possible. We look forward to maps we can all celebrate. I am happy to answer any questions now, or at any time as the final process unfolds.

**Carol Kuniholm, Fair Districts PA Chair,
Addendum to Testimony regarding LRC Preliminary Maps, January 6, 2022**

These notes accompany submission of proposed revisions to both LRC preliminary maps. The revisions are not endorsed by Fair Districts PA and do not reflect a finished product. They are my own responses to the preliminary maps, with suggestions and adjustments reflecting prior mapping work, many conversations across PA, ideas and revisions by the FDPA mapping team, and consideration of testimony and emails and correspondence sent to me during both the People's Map process and LRC map review.

The attached notes are an attempt to document the rationale for proposed changes. LACRA, the Legislative and Congressional Redistricting Act, would require documentation of certain mapping decisions. I appreciate the LRCs efforts to put a more transparent process in place and offer these notes as a partial attempt to model what documentation might look like. The notes, like the map, are not a fully-finished product.

Asterisks mark the revisions I recommend most highly, in that I have a high degree of confidence they would make a significant difference to those communities without adverse impact on other communities or criteria and have not heard any compelling reason to avoid making those changes.

Many revisions requested in comments on the LRC portal are not reflected in this draft. In some cases, that's because suggestions are not feasible or reflect a lack of understanding of the

process and legal criteria. In other cases, I lack enough understanding of the issue to support a proposed solution or ran out of time to put revisions into place.

Small revisions have been made to both preliminary LRC maps to address three concerns:

1. Overly large population deviations. Although there is legal precedent for deviations of up to +/- 5% (with a total range under 10%) for both senate and house maps, given district populations and our FDPA experience in mapping, it seems possible and appropriate to bring deviations down to around +/- 4% (for a total range under 8%).

2. Unnecessary splits to municipalities and school districts. Although school district divisions and Legislative and Congressional Redistrict Act (LACRA) county protections are not in PA law, they make a large difference in how voters experience district maps. In all but our most urban areas, school districts serve as de facto communities of interest. Families organize around the school calendar, meet at school sporting events, and hold and publicize candidate events within their school networks. In the current maps, some school districts, even fairly small ones, are divided multiple times. While it's not possible to keep all school districts intact, ideally, none except the largest urban districts should be split more than once.

3. Counties split more times than LACRA provisions (mathematically necessary plus one for Senate, plus two for House. There were two of these in the Senate map: Luzerne and Montgomery County). Historically, some counties have borne the burden of excessive division, while other counties remain whole in every map. LACRA provisions are intended to prevent that.

House Map Submission:

By all metrics the LRC preliminary map is far more compact, with far less county and municipal splits than the current House map. The proposed map still has a slight bias toward the Republican party, but by different measures about a third the level of bias as the current map.

		Higher is better				Lower is better	
	Population Deviation	# VRA districts (* by Voting Age Population, not Citizen VAP)	# Districts with Race Specific Minority VAP > 50%	DRA Compactness Rating	DRA Splitting Rating	Vote Bias (excess votes required for half the seats)	Seat Bias (half the difference in seats at 50% vote share)
Current House		22	16	45	53	3.93	8.29
LRC Version	9.29	25	12	58	85	1.22	2.2
People's House	8.04	*29	14	64	76	1.8	3.64

Carol Kuniholm submission	7.74	*29	8	62	78	1.45	2.86
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While public response to the House map has been in most areas very positive, there are areas where addressing local concerns could make the map even stronger. It should be possible to make small improvements without significant impact on the overall metrics. The proposed revision offers some adjustments for consideration or inclusion.

Philadelphia:

Districts crossing the Schuylkill River are a topic of concern in areas where there is no public transportation, little opportunity for foot traffic and no shared communities of interest. General agreement among every Philadelphia group we talked with: districts that cross the river between University and Center City make sense. Many people work, live and study on both sides, with easy transportation and foot traffic across. North of that, there are few bridges, and either Fairmount Park or steep cliffs along the river edges. South of that, the river widens and is edged by refineries on both sides.

*Proposed HD 185 crosses the river in an area where there are highways across but only two local roads, neither friendly to foot traffic. Major development projects in the Navy Yard area of South Philadelphia provide specific areas of concern and attention, and are attracting a diverse, highly educated, mostly young, population, with resultant concerns about gentrification and change in the surrounding neighborhoods. The airport/ Darby Creek area is very different, with its own unique concerns. That area shares much more in common with the adjoining areas of Delaware County. Since that district already crosses the line into Delaware County, it makes sense to move it to the west side of the river, straddling the county line more evenly.

*Proposed HD 190 crosses the river where there are no bridges and combines three very distinct communities: the Wynnefield area of West Philadelphia, the more affluent community of East Falls, and half of the area proposed in the PA Voice Unity Map as a distinct majority-minority district. This revision proposes shifting the entire district to the west side of the river.

*Public comment has called attention to the common interests of East Falls and the Roxborough area, both along the east side of the Shuylkill. Comments have also questioned the rationale of a district that combines Manayunk and Roxborough with Chestnut Hill and Mount Airy. The Wissahickon Gorge separates the area, with few roads, no public transportation and very distinct demographics and communities of interest. This revision proposes restoring the Wissahickon as a divider between HD 194 and 200, and incorporating as much of the proposed unity district in the Strawberry Mansion/Brewerytown area (Wards 28 and 32) as possible.

*The People's Map proposed three Latino majority-minority districts. The LRC map provides two with well-established incumbents ((180, 197). With small rearrangements, a third (203), **without incumbent**, could be added northeast of those two in an area of the city where the Latino community continues to grow quickly.

Those changes require additional changes throughout the city and into Delaware County. Those revisions have been suggested with attention to incumbents, existing neighborhoods and potential for adding and clarifying majority-minority neighborhoods.

Montgomery

*The LRC proposed division of Horsham prompted dozens of comments calling attention to the challenges surrounding the partially-decommissioned Air Force Base, which include toxic wastes contaminating that land and surrounding water, cancer clusters and ongoing efforts to leverage state and national resources to remedy and redevelop the area. [As one comment on the LRC site explained](#): “Horsham is unique due to the extensive involvement of the state Department of Environmental Protection, Department of Health, Department of Transportation and the state-run remediation and infrastructure authority, and needs one, unified voice in the Pennsylvania House of Representatives.” The growing Korean community in the area has also expressed concern about having their vote diluted by the proposed division of Horsham and request to have Horsham and Montgomery Township kept in one district. The proposed revision keeps all incumbents in their own districts and divides five municipalities in the county, one less than the LRC proposal.

Chester and Delaware Counties

Both counties have large school districts that straddle county lines and include multiple municipalities. Proposed revisions reflect concerns for the most challenged districts in these counties: Coatesville, in Chester County, and Chester-Upland, William Penn and Southeast Delco, in Delaware County, with attention to other school districts as possible.

Dauphin/Lebanon/Cumberland

Many comments objected to HD 103 crossing from Dauphin to Cumberland, objected to the split in Harrisburg, asked that Hummelston be connected with communities surrounding it, rather than drawn as an odd appendage to HD 104. There were also some requests from the southwest corner of Lebanon County to be connected to the Hershey area of Dauphin County, where many work or shop, rather than the more rural area of northwest Lancaster County. The reworking of that area reflects those concerns, including requests from residents of Mount Gretna to be part of HD 101 rather than 104.

Those changes prompt changes in northern Lancaster County, spreading into the southwest corner of Berks.

Berks:

Two questions have been raised about the Reading area: Why split Reading into 3 districts? Why does only one of them reach the 50% majority-minority level?

Some rearrangement of HB 126, 127 and 129 leaves incumbents in place, removes one split in the city of Reading, and creates an additional majority Latino district with no incumbent. The proposed 50% district is left as proposed. Districts around it are adjusted.

Other revisions in the area are prompted by changes in Lancaster and the Lehigh Valley.

Lehigh and Northampton Counties

Multiple comments asked that the McCungies be kept together. Others asked that Hellertown be kept in HB 136, (including [resolution from township supervisors](#)) and still more called attention to too many districts straddling county lines, or stretching through regions that have little similarity. The proposed revisions address those while keeping the urban districts mostly

unchanged. It separates two R incumbents in proposed HD 187 and instead *combines Reps Freeman (D) and Milou Mackenzi (R) in HD 136.*

Lackawanna, Luzerne and Neighboring Counties

The proposed revision reduces splits in Scranton from four to two. It also reunites some school districts in the overall region. The entire region would benefit from further work, with attention to requests from the [West Side COG](#).

North Central Region surrounding Lycoming County and House District 84

As Representative Benninghoff has made very clear, HD 84 is not a compact district. It appears to have been drawn to protect incumbents in the region while reflecting loss of population. The best way to correct this is to put two incumbents in Lycoming or a neighboring county in the same district. There are multiple options for this. The one I propose seems to reflect the local communities the best.

Mifflin, Juniata, and neighboring counties

Many comments from this region are confusing, contradictory, and in some cases impossible. It is not possible to keep Mifflin, Juniata and Perry together. It is also not possible to unite Mifflin and Juniata completely and at the same time not have the two incumbents in the same district. It would be inappropriate to leave either HD 82 or HD 86 as they are, given the long appendages stretching into other counties, leaving residents at the far ends of those appendages many miles from a district office. The proposed revision separates the districts in a way that keeps incumbents in their districts and also may lower the number of split municipalities in the area.

Centre

*As many commenters have made clear, Happy Valley, home of State College, is a valley, in many ways cut off from the surrounding region, with population almost equal to two PA representative districts. Historically it has been cut into multiple districts to dilute the voting power of the State College area. Cutting it into more than two districts is not appropriate or supported by any residents of the region. The proposed revision divides the valley in two, rather than three. One challenge in mapping State College is a very large precinct, with a population of over 13,000, and precinct lines that split through campus and senior housing. This revision attempts to avoid splintering those, as has been done too often in the past. (Sample comments: [re not splitting the valley more than once](#); [re splitting State College & school district in 2, but not 3](#))

Cumberland County

Cumberland residents asked not to be drawn into districts crossing into Dauphin unless absolutely necessary. They also asked to have districts stay within the county if possible. This revision accomplishes both while keeping incumbents in their own districts. That change required small changes in surrounding counties. A case can also be made for keeping this area as seen in the LRC map. An ideal public process would allow ranked choice voting on several options, since public opinion here seems divided.

Cambria

[One local testimony](#) called attention to the current revitalization of Johnstown and concerns that the city remain in HD 71. Area residents second this concern. In community conversations, residents of the area have also suggested that if part of Cambria is to spill over into Somerset County, it makes most sense to have that in the area just south of Johnstown, since the city serves as a hub for northwest Somerset County. This is another area that would benefit from further community input.

Erie and Crawford

Changes in Erie reflect an effort to maximize the influence of the minority community in the city of Erie. Many Crawford County residents have complained of having their county cut into multiple districts in past maps. This reduces that by one.

Allegheny County

Rearrangements around the outer edges of the county attempt to reduce the number of split municipalities and school districts - not very successfully.

Washington, Greene and Fayette

Adjustments to remove some split municipalities and school districts *remove Rep. Ortity and Puskaric from the same district* in Washington. In Fayette, *Reps. Snyder and Warner are in adjoining municipalities* in the same school district. It would not be possible to separate them without badly distorted districts.

Senate Map Submission:

Proposed revision to the Senate map is far more extensive than to the House, since an appropriate readjustment of population deviations requires rethinking what districts should be moved and where they should be placed. These notes suggest major changes, which then create many smaller adjustments across the commonwealth.

The most appropriate revision would be to start over, moving an entire district from North West and Central PA to the Southeast. This revision attempted to incorporate work already done, but even population deviations. The result was to keep SD 34 centered on Centre County, keeping the State College region whole and instead moving a district from the area of the state most difficult to make population adjustments along the south central border.

To allow Bucks County to be mapped closer to the North/Central/South Bucks approach most favored by Bucks County residents, open the door to a district centered on the 1200 acre Horsham/Willow Grove Air Force and decommissioned Naval Base [Superfund site](#).

That also makes room in the region for 2 new majority-minority districts without incumbents: a Latino opportunity district in the Kensington/Hunting Park area of Philadelphia (SD 35), and a district along the edge of Philadelphia in Delaware County (SD 24), for a total of 7 majority-minority districts in the Philadelphia region. These may not be VRA compliant districts, but would in any case extend the opportunity for communities of color to elect candidates of their choice.

The map also attempts to maximize Latino influence in Allentown, keeping that city intact and drawing in appropriate close suburbs in a way that reflects that growing community far better than the LRC proposed SD 14. Population numbers suggest that district would be best left in it's current location, with current incumbents intact.

The map also attempts to provide Latino opportunity districts in Reading and Lancaster, and to create minority-coalition districts in the far Northeast of Philadelphia and south Philadelphia, and to keep Asian communities together in places like Horsham and Chester County.

Cumberland County is exactly the right size for a senate district; SD 34 is moved to that location.

Other revision options have been suggested by FDPA mappers Michael Waxenberg and Ruth Yeiser. There are some commonalities. All reflect work needed to adjust population deviations and ensure representation more evenly across the commonwealth. All may provide creative solutions in specific areas.

	Population Deviation	Higher is better				Lower is better	
		# VRA districts (* by Voting Age Population, not Citizen VAP)	# Districts with Race Specific Minority VAP > 50%	DRA Compactness Rating	DRA Splitting Rating	Vote Bias (excess votes required for half the seats)	Seat Bias (half the difference in seats at 50% vote share)
Current Senate		5	4	41	54	3.09	8.79
LRC Map	9.59	5	4	53	63	2.13	4.57
People's Senate	4.98	5	3	62	77	1.21	3.57
Carol Kuniholm submission	8.02	7	2	60	57	1.33	3.68
Michael Waxenberg submission	3.99	5	4	65	66	1.43	4.06
Ruth Yeiser submission	6.45	7	1	64	69	1.44	3.92
Integrated RY/MW submitted by Michael Waxenberg	5.20	5	4	71	64	1.32	3.74

SENATE DISTRICTS COMPARISON

OVERPOPULATION VS. UNDERPOPULATION BY REGION

REGION	Overpopulated Districts		Underpopulated Districts		TOTAL	
	Number	Percentage	Number	Percentage	Number	Percentage
EAST	18	67%	9	33%	27	100%
CENTRAL	7	70%	3	30%	10	100%
WEST	3	23%	10	77%	13	100%
TOTALS	28		22		50	

District Geographic Assignment:

East: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 22, 24, 26, 27, 29, 40, 44, and 48

Central: 15, 23, 25, 28, 30, 31, 33, 34, 35, 36,

West: 21, 32, 37, 38, 39, 41, 42, 43, 45, 46, 47, 49, and 50

Notable Findings:

- 77 percent of western senate districts are underpopulated compared to only 33 and 30 percent in the east and central districts, respectively.
- 67 and 70 percent of the overpopulated districts are in the east and central regions, respectively.
- 64 percent of overpopulated districts are in the east.
- Residents of western districts benefit disproportionately from the preliminary Senate map.

SENATE DISTRICT POPULATION VARIANCES:

TEN MOST OVERPOPULATED DISTRICTS VS. TEN MOST UNDERPOPULATED DISTRICTS

(Target Population: 260,054)

TEN MOST OVERPOPULATED DISTRICTS			TEN MOST UNDERPOPULATED DISTRICTS		
District	Variance	Density	District	Variance	Density
40	12,265	Rural	29	-12,663	Rural
19	12,102	Suburban	32	-12,395	Rural
44	11,811	Suburban	26	-12,068	Suburban
2	10,887	Urban	37	-11,402	Suburban
49	10,303	Suburban	27	-12,068	Rural
24	10,150	Suburban	21	-11,144	Rural
10	9,871	Suburban	3	-11,139	Urban
6	9,645	Suburban	45	-10,393	Suburban
22	9,051	Suburban	30	-10,211	Rural
17	8,423	Suburban	46	-9,588	Rural

Notable findings:

- 90 percent of the most overpopulated districts are in suburban or urban areas.
- 60 percent of the most underpopulated districts are in rural areas.

Current House Plan

Mean-Median Difference: 4.9%

LRC House Preliminary Plan

Mean-Median Difference: 1.0%

FDPA People's House Plan

Mean-Median Difference: 1.2%

Mean-Median Difference

The mean-median difference is a party's median vote share minus its mean vote share, across all of a plan's districts. For example, if a party has a median vote share of 45% and a mean vote share of 50%, then the plan has a mean-median difference of 5% against this party. When the mean and the median diverge significantly, the district distribution is skewed in favor of one party and against its opponent. Conversely, when the mean and the median are close, the district distribution is more symmetric. (PlanScore, 2021)

1

1972

PARTISAN BIAS

+1% Republican

This metric indicates a balanced plan. Republicans would win 1.4% extra seats in a hypothetical, perfectly tied election.

How Does This Plan Compare?


No consistent skew was found in favor of either party. This plan is more skewed than 18% of the enacted plans we have analyzed nationwide.

Seat Share at 50% of the Vote

Party	Seat Share at 50% of the Vote
D	~48%
R	~48%

Partisan bias is the difference between each party's seat share and 50% in a hypothetical, perfectly tied election. [Learn more about Partisan Bias](#) >

2

 **PlanScore**
A PROJECT OF CAMPAIGN LEGAL CENTER

PARTISAN BIAS

1982

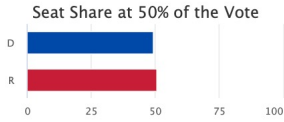
+1% Republican

This metric indicates a balanced plan. Republicans would win 0.8% extra seats in a hypothetical, perfectly tied election.

How Does This Plan Compare?


No consistent skew was found in favor of either party. This plan is more skewed than 10% of the enacted plans we have analyzed nationwide.

Partisan bias is the difference between each party's seat share and 50% in a hypothetical, perfectly tied election. [Learn more about Partisan Bias >](#)




Seat Share at 50% of the Vote

Party	Seat Share
D	50
R	50



+18% D Balanced +18% R

3

 **PlanScore**
A PROJECT OF CAMPAIGN LEGAL CENTER

PARTISAN BIAS

1992

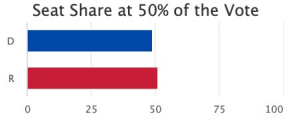
+1% Republican

This metric indicates a balanced plan. Republicans would win 1.2% extra seats in a hypothetical, perfectly tied election.

How Does This Plan Compare?


No consistent skew was found in favor of either party. This plan is more skewed than 16% of the enacted plans we have analyzed nationwide.

Partisan bias is the difference between each party's seat share and 50% in a hypothetical, perfectly tied election. [Learn more about Partisan Bias >](#)



Seat Share at 50% of the Vote

Party	Seat Share
D	50
R	50



+18% D Balanced +18% R

4

PlanScore
A PROJECT OF CAMPAIGN LEGAL CENTER

PARTISAN BIAS

2002

+4% Republican

Republicans would win 4.3% extra seats in a hypothetical, perfectly tied election.

How Does This Plan Compare?

This plan is more skewed than 47% of the enacted plans we have analyzed nationwide.

Partisan bias is the difference between each party's seat share and 50% in a hypothetical, perfectly tied election. [Learn more about Partisan Bias >](#)

5

PlanScore
A PROJECT OF CAMPAIGN LEGAL CENTER

PARTISAN BIAS

2012

+8% Republican

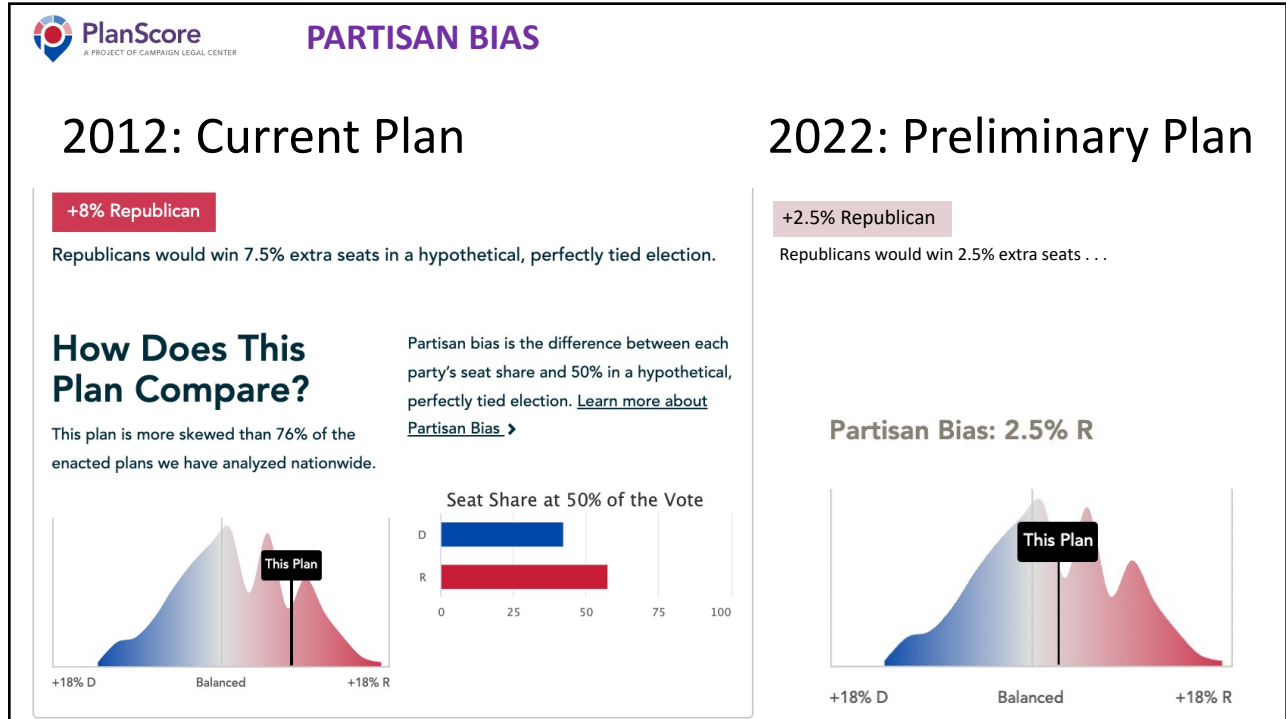
Republicans would win 7.5% extra seats in a hypothetical, perfectly tied election.

How Does This Plan Compare?

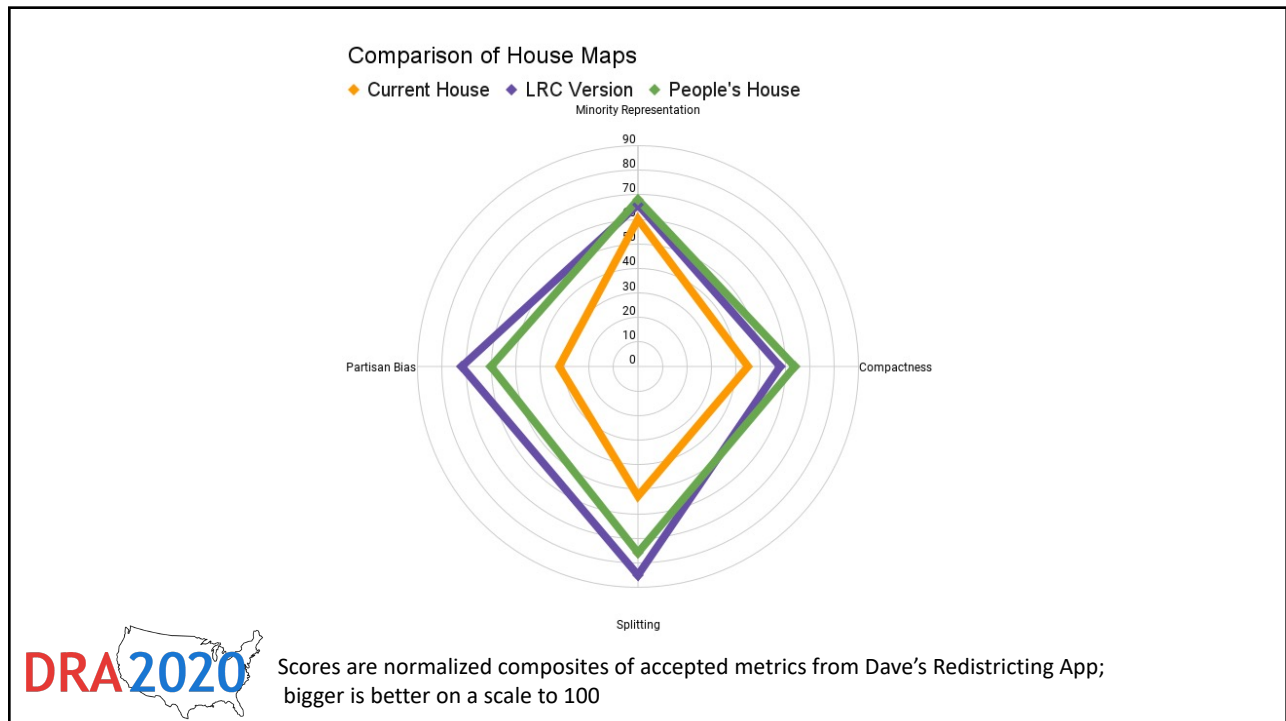
This plan is more skewed than 76% of the enacted plans we have analyzed nationwide.

Partisan bias is the difference between each party's seat share and 50% in a hypothetical, perfectly tied election. [Learn more about Partisan Bias >](#)

6



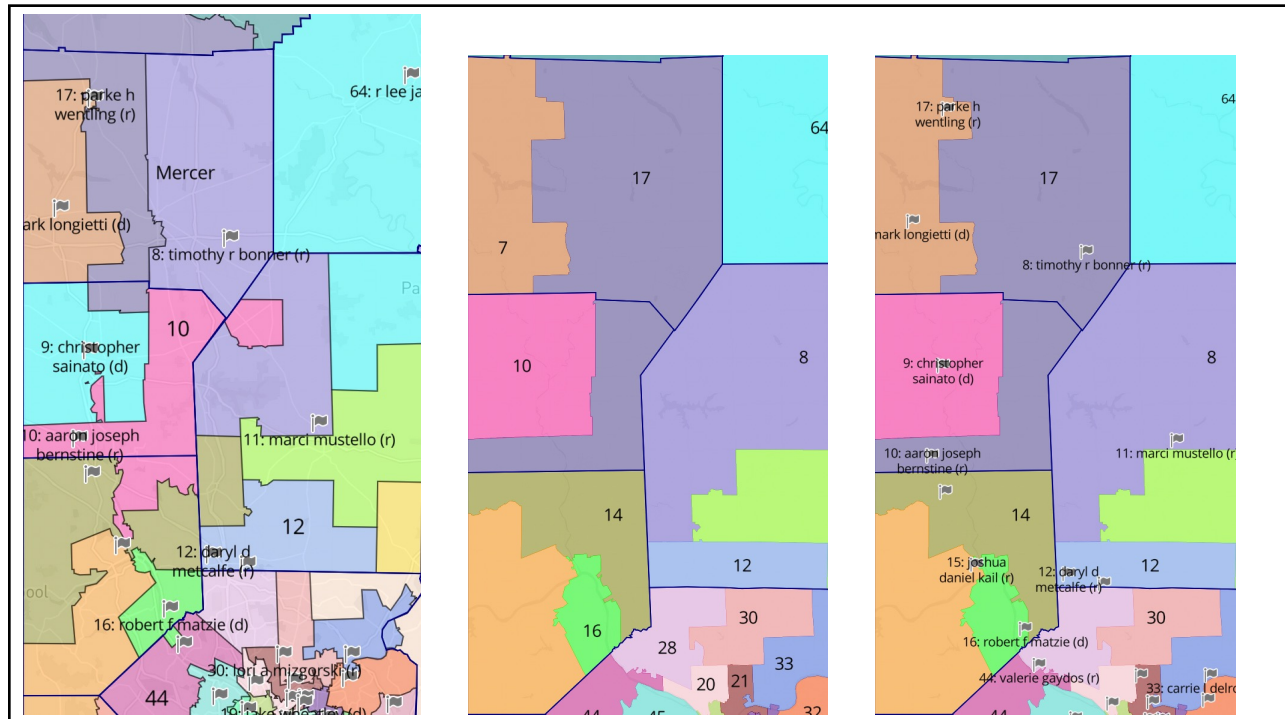
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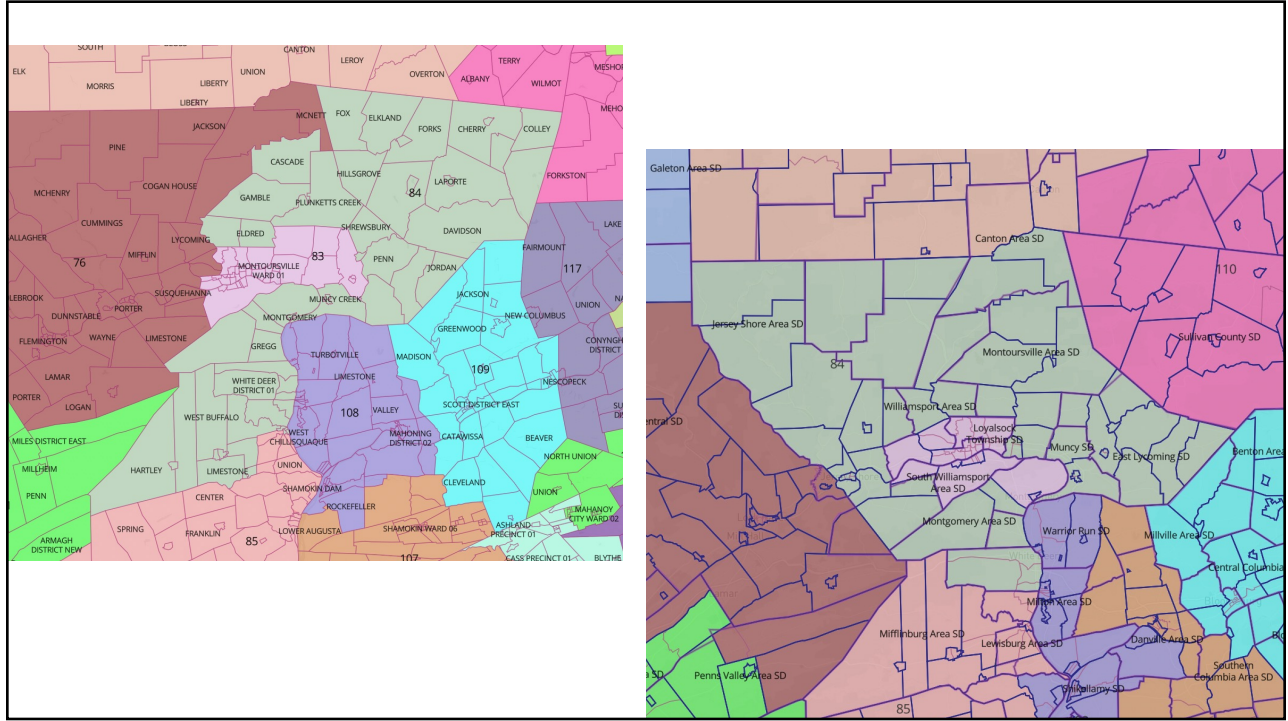
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LRC PRELIMINARY HOUSE MAP							CURRENT (2012) HOUSE MAP						
	TOTAL SPLITS COUNT	ADJUSTED* TOTAL SPLITS COUNT	EXCESS SPLITS COUNT (beyond what required by population)	ADJUSTED* EXCESS SPLITS COUNT	How many Entities (Counties, Municipalities or School Districts) are split?	Count of LACRA non-compliant counties		TOTAL SPLITS COUNT	ADJUSTED* TOTAL SPLITS COUNT	EXCESS SPLITS COUNT (beyond what required by population)	ADJUSTED* EXCESS SPLITS COUNT	How many Entities (Counties, Municipalities or School Districts) are split?	LACRA non-compliant counties
COUNTIES	184	na	16	na	45	0	COUNTIES	220	na	53	na	50	4
MUNICIPALITIES	109	98	76	65	71	na	MUNICIPALITIES	124	115	90	81	77	na
SCHOOL DISTRICTS	336	na	291	na	241	na	SCHOOL DISTRICTS	387	na	341	na	276	na
*ADJUSTED Municipalities Counts- multi-county Boro splits made at the county border are subtracted from the total number of splits			Multi-county municipalities split at county border = 11				*ADJUSTED Municipalities Counts: multi-county Boro splits made at the county border are subtracted from the total number of splits			Multi-county municipalities split at county border= 9			

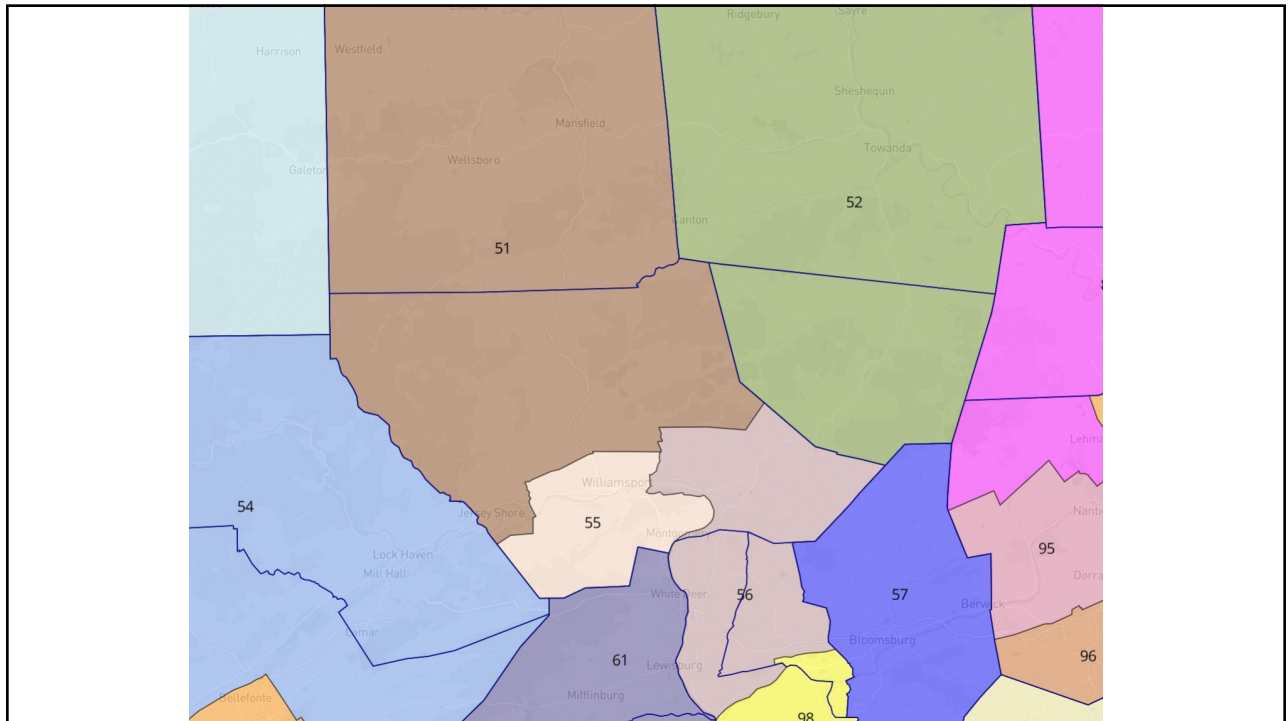
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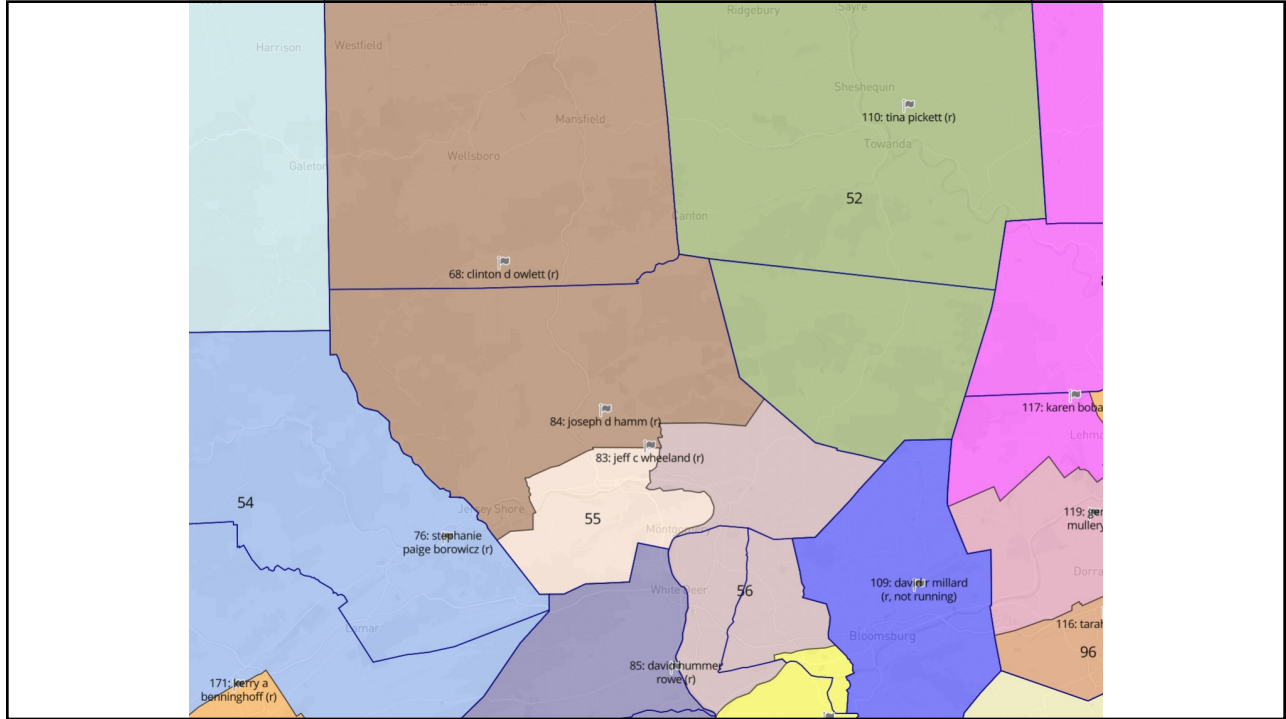
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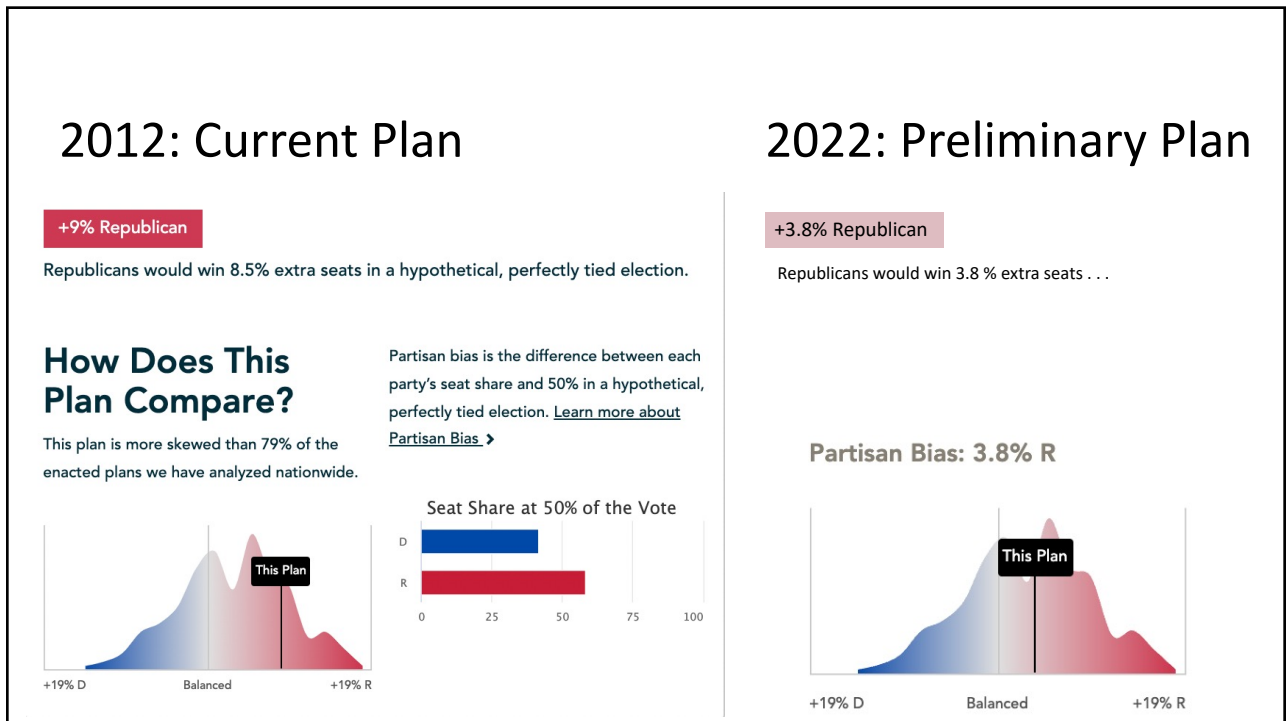
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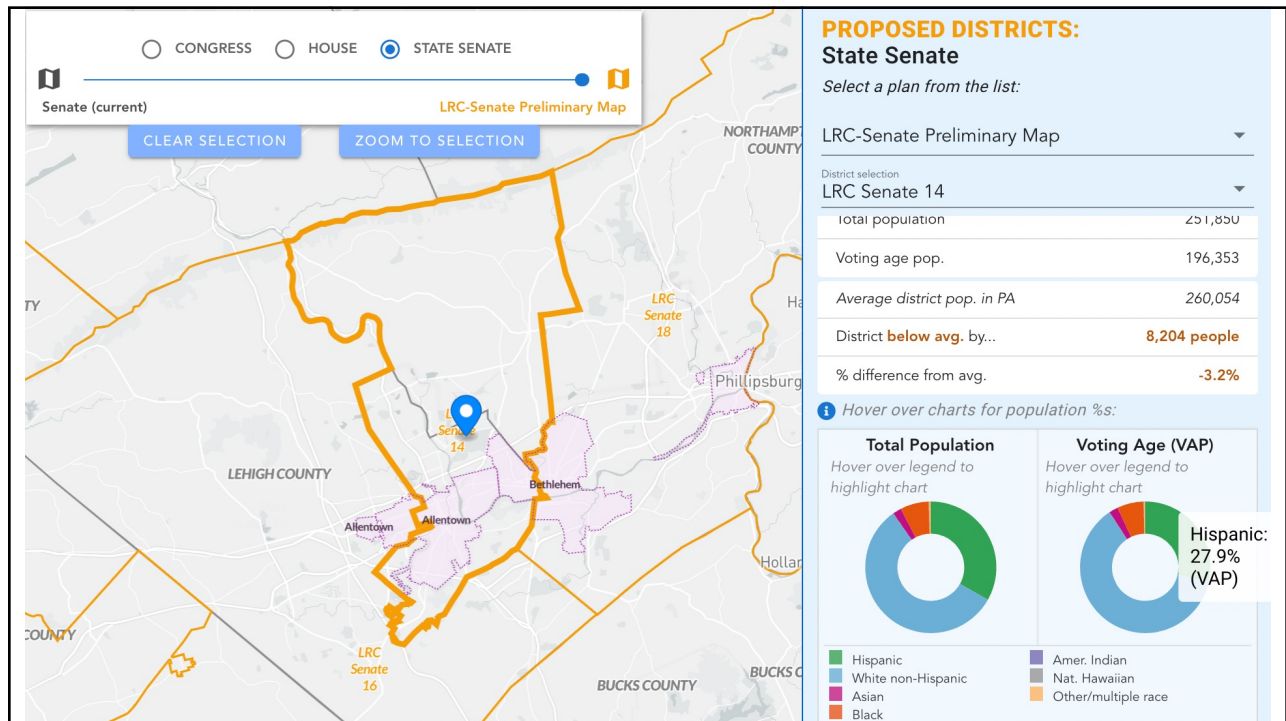
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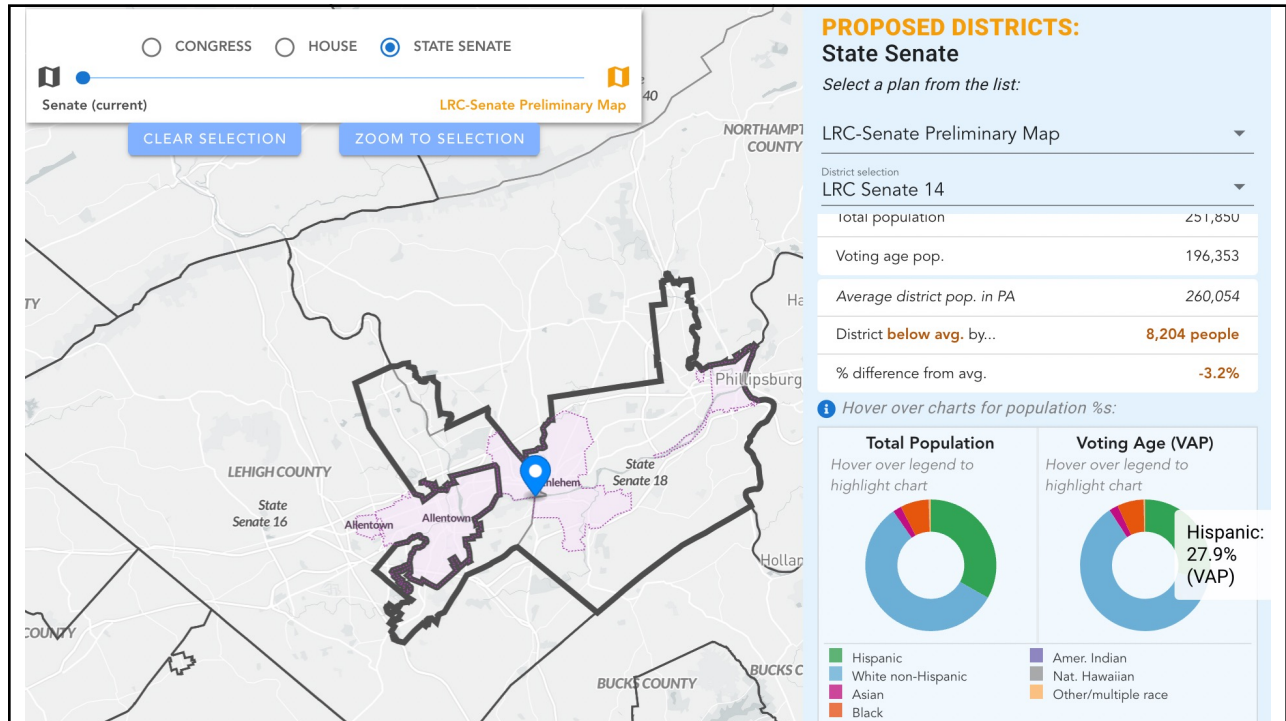
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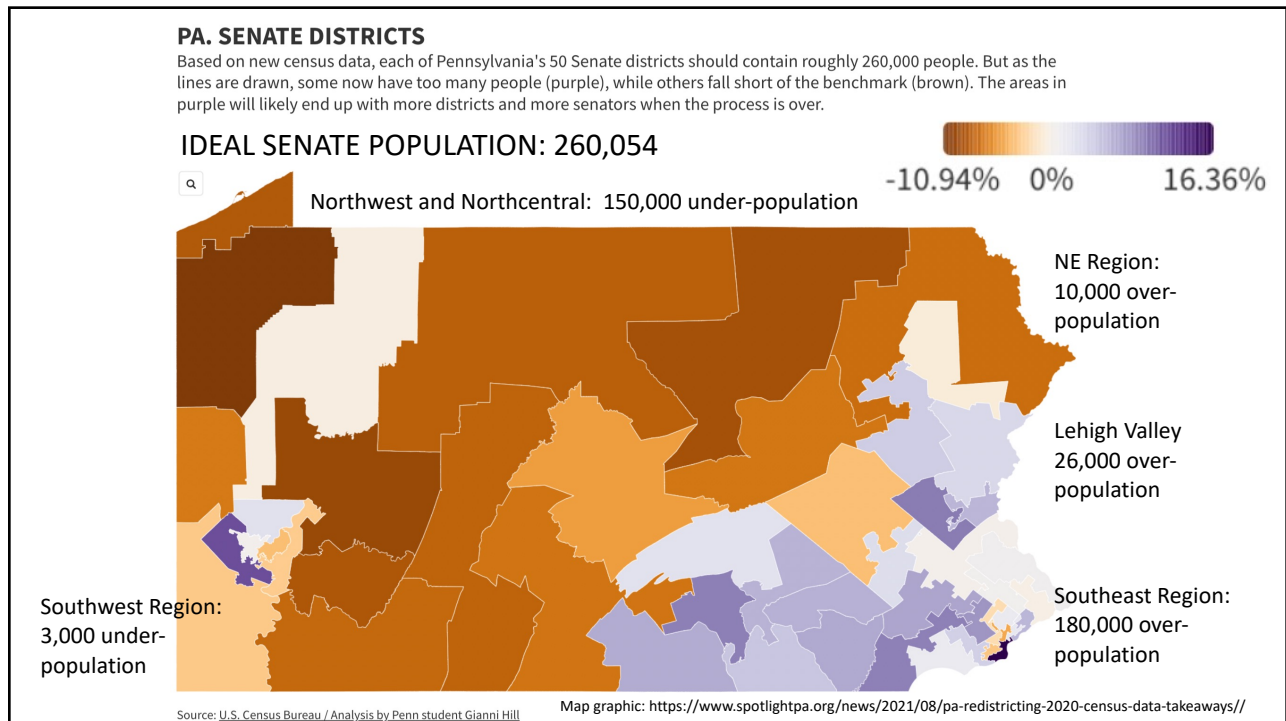
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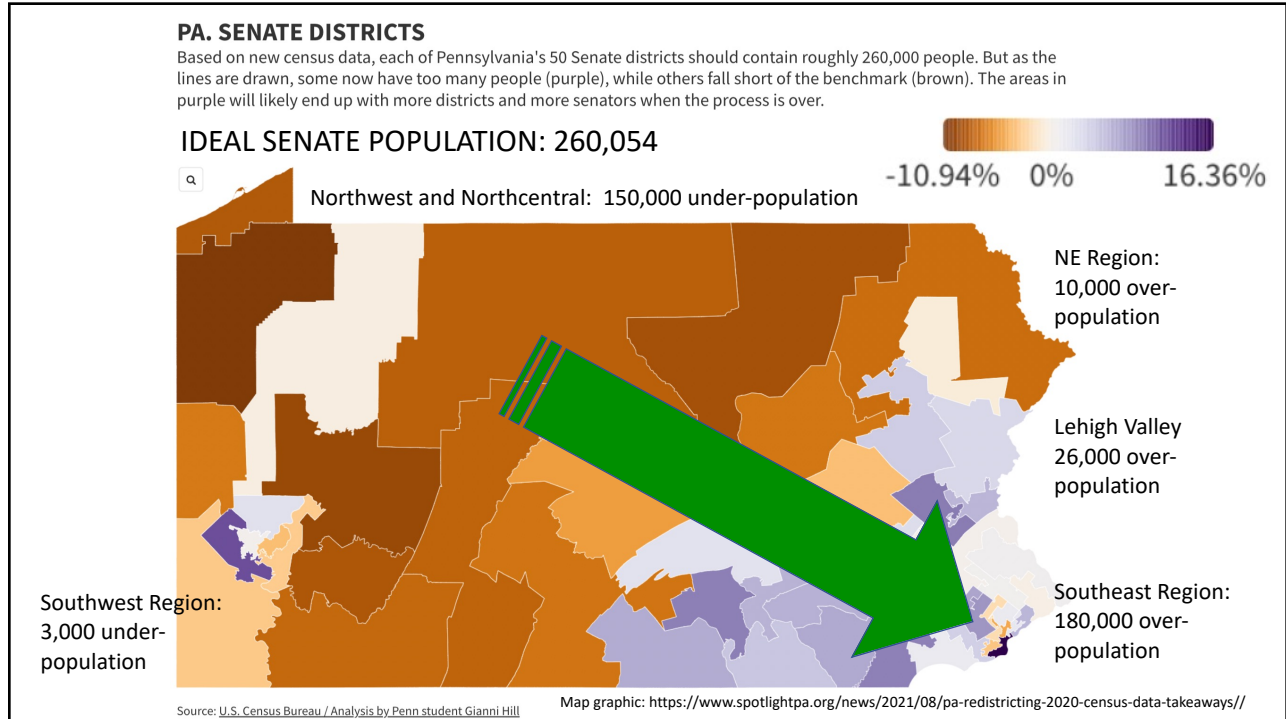
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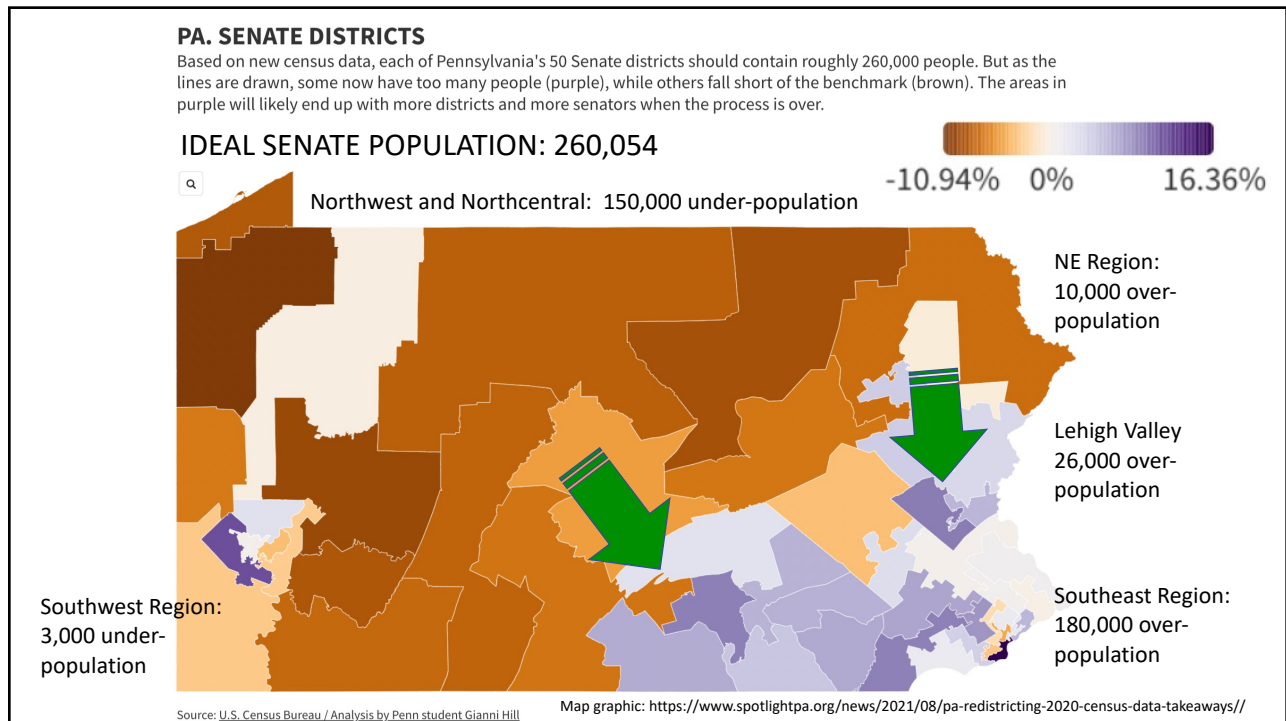
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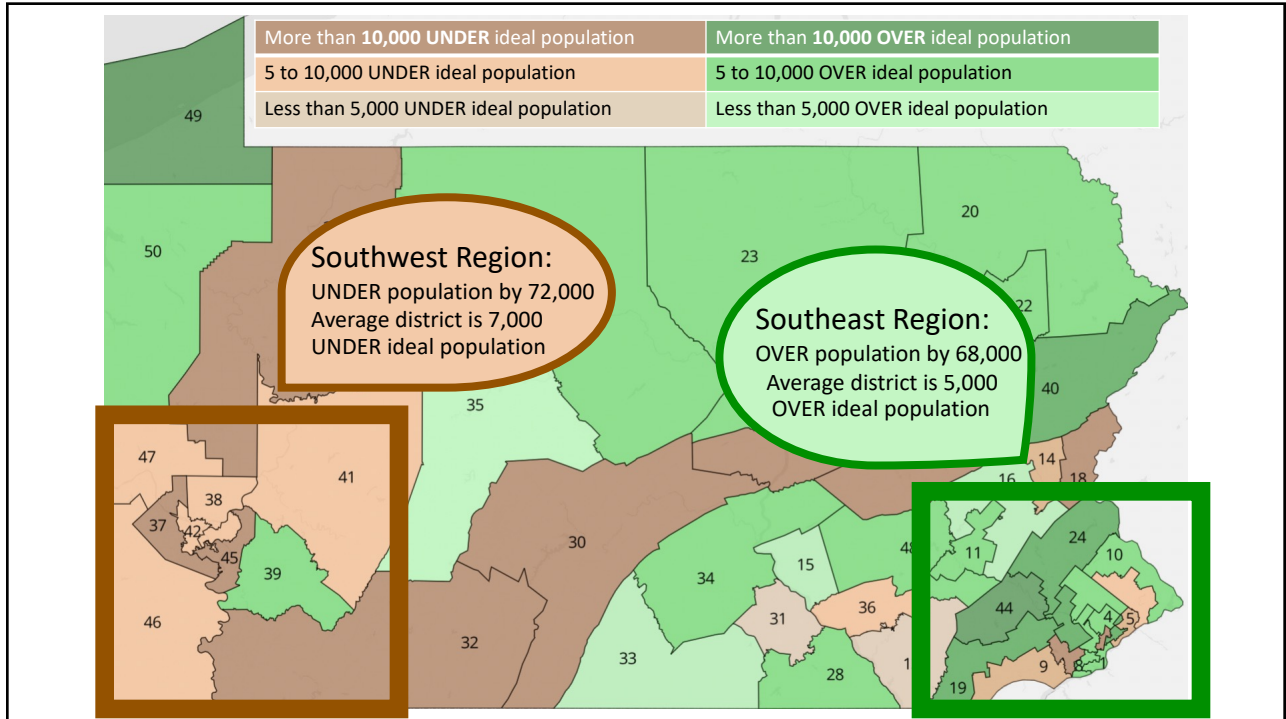
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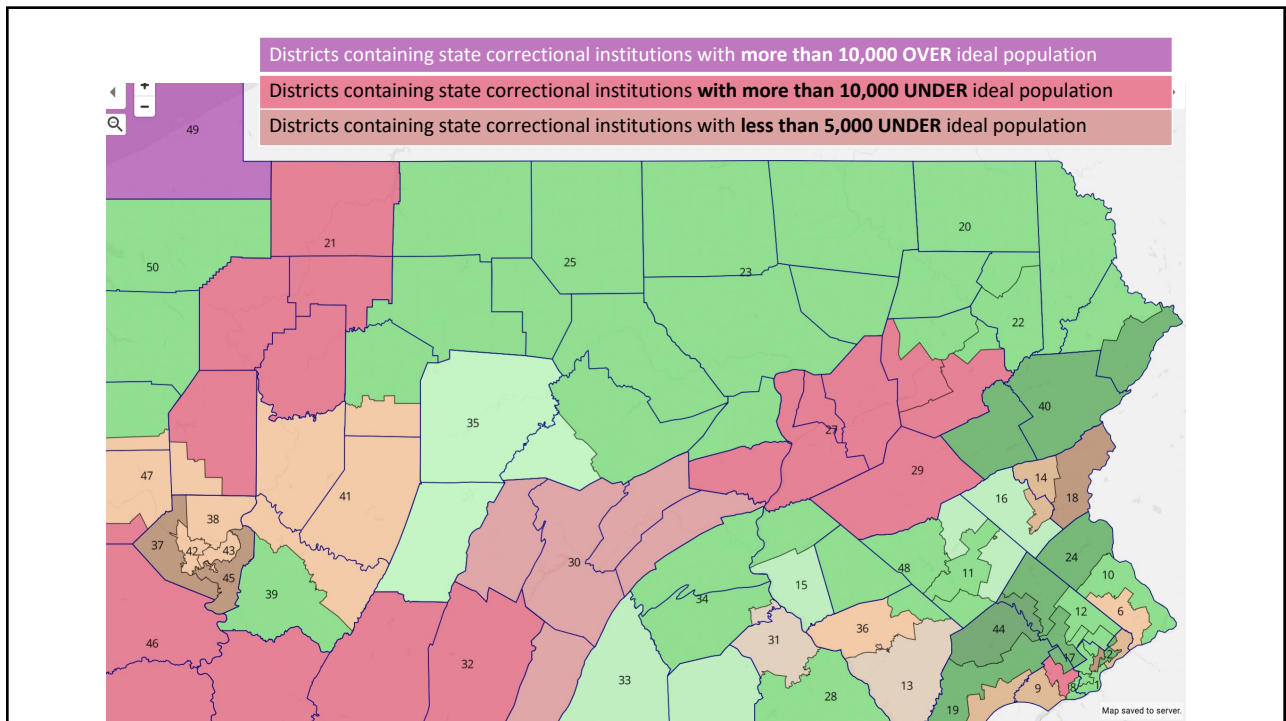
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123 South Broad Street, Suite 630
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267-804-7025
www.pavoice.org

Greetings distinguished members of the Legislative Reapportionment Commission.

My name is Salewa Ogunmefun and I am the Executive Director of Pennsylvania Voice, a nonpartisan partnership of over 45 state and local based organizations working year round to create a more accessible, inclusive, and representative democracy by amplifying the voices, leadership, and expertise of communities that have historically experienced deliberate barriers to civic participation. Our Keystone Counts coalition began our work around legislative reapportionment to ensure each community members across the state of Pennsylvania have the same opportunity to elect a candidate of their choice in 2017 and continues to be lead by

Alliance for Climate Education, Amistad Law Project, CampusVOTE Project, CASA, Common Cause PA, Make the Road Pennsylvania, and One Pennsylvania

Thank you for the invitation and opportunity to offer comments on the preliminary reapportionment map adopted by this commission several weeks ago. As you all have consistently noted, delays with the Census Bureau processing the data required to draw the maps have compressed the timeline significantly, and we appreciate the work that you all have done to urgently draft maps to ensure more equitable voting power for all of us in the 2022 election cycle.

Since receiving the plan, we have worked with our data analysts, expert mappers, and partner organizations to solicit and analyze feedback from residents of the growing Black, Latinx, and Asian communities across the Commonwealth. While our conversations remain ongoing, with more detailed and specific comments to be submitted to the record, I offer to this commission today an early summary based on what we have gathered.

Our initial feedback suggest the proposed maps are a marked improvement over previous Pennsylvania reapportionment plans in ensuring fair voting power for all and upholding the state constitutional mandate that “equality of rights under the law shall not be denied or abridged in the Commonwealth of Pennsylvania because of the race or ethnicity of the individual.” It is clear from these maps that the ability for the growing populations across the state to elect candidates of their choice was a priority for this commission, and we are committed to working with you all to ensure that the final maps create that ability equally in the Senate and in the House.

The Unity Maps submitted by Keystone Counts were developed by soliciting input from over 700 Pennsylvanians across 8 house districts from 5 counties experiencing rapid population growth

Democracy requires full participation and representation.

and demographic changes across the commonwealth. While drafting our maps we focused on citizen voting eligible population to ensure the intention, voters electing candidates of their choice in these proposed districts, had the best opportunity to come to fruition. Our early racial polarized voting analysis suggests, with confidence, that polarized voting in Pennsylvania affects the ability of Black, Latinx, and Asian voters in Pennsylvania to elect candidates of their choice. Based on the proposed maps we're continuing this analysis with an emphasis in Berks, Dauphin, Lancaster, and Lehigh counties.

The map this commission proposed for **York** County is the most closely aligned with our Unity Map, matching nearly 90%. While the population growth has not met what is needed for a majority coalition district based on citizen voting eligible population, the proposed map indicates that intention, though there are ways to adjust to be more inclusive of York's significant Black and growing Latinx communities. We continue to seek input from our partners in York so that we can provide specifics of how that may be accomplished, you will hear from many of them over the next few hearings.

Currently, there are two House Districts in **Berks** County that represent the city of Reading, a city that is majority Latinx with a significant Black population. Our Unity map called for two house districts where a majority coalition based on voting eligible population had the opportunity to elect candidates of their choice. The map proposed by this commission calls for the city of Reading to be represented by three House Districts, one with a majority Latinx voting eligible population. With respect to our priority of the ability for the Latinx and Black communities to elect candidates of their choice, we're continuing our research into polarized voting patterns in this region.

In **Lancaster** County, it was critical to allow the growing BIPOC populations within and near the city of Lancaster to elect a candidate as a community of interest. We applaud this commission for prioritizing that need over existing municipal boundaries in drafting of the house preliminary plan, as required by the intention of this process. At this time, we encourage the use of the citizen voting eligible population when adjusting proposed house district 50 and ask that the commission propose a Senate map that also aligns with your original intention. The current Senate proposal splits the metro area and its suburbs apart, combining them with more rural voters with potentially different interests, as testified to earlier in this process.

In **Allegheny** County, there is significant alignment between the proposed maps and the Unity Maps we submitted. One of the districts we proposed remains 73% intact. We continue to seek input from our partners in Allegheny County, many of whom you will hear from over the next few days of hearings, so that we can provide specifics of adjustments to the boundaries of the proposed maps in the city of Pittsburgh and Mon Valley where partners continue in relationship with community members.

In **Philadelphia**, we applaud the creation of two new house districts that allow for the significant Black population to increase their ability to elect candidates of their choice, and ask this

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commission to create additional opportunities for the Latinx and Asian populations to elect candidates of their choice. Our partners at Fair Districts PA are proposing a new opportunity district in the Senate based in Southeastern PA, and we encourage the LRC to strongly consider this proposal.

Though **Dauphin** County was not a county where our partners collected community of interest maps from members, several of our partners organize and build power in the Black and Latinx communities. It is notable that the city of Harrisburg, which is majority Black, is represented by three house districts. With respect to our priority of the ability for the Latinx and Black communities to elect candidates of their choice, we're continuing our research into polarized voting patterns in this region.

Similarly, **Lehigh** County remains a priority for several of our partner organizations. As we continue to gather feedback and research polarized voting patterns in the Allentown area, we have serious concerns about the bifurcation of Allentown in the proposed State Senate maps. The inclusion of Western Allentown into a district with parts of rural Lehigh and Berks counties dilutes the voting power of these residents. We encourage this commission to replicate the trend of previous commissions by keeping the city of Allentown, and the ability of the growing Latinx and significant Black populations living there, to elect candidates of their choice, whole.

We thank this commission for their work to create additional opportunity districts in geographies experiencing population growth, HD54 in **Montgomery** County and HD 116 which is located in **Luzerne** and **Fayette** Counties.

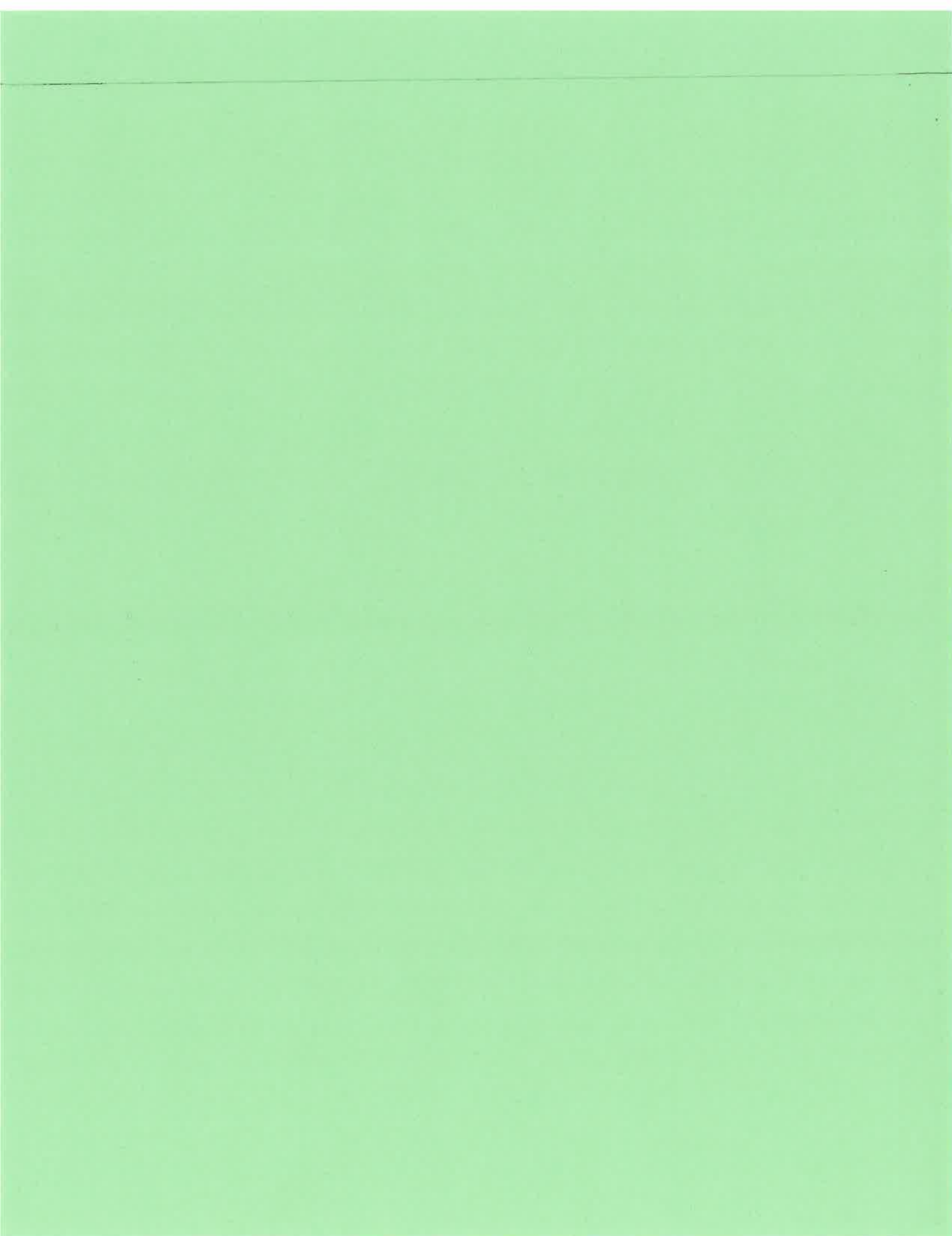
In relation to the **Senate** Map in general, we are researching the variance in population size of Senate districts in rural Pennsylvania as opposed to those in urban and suburban areas. Based on a cursory analysis, there are trends in these data that appear to show rural districts are significantly more likely to be far below the average district population. We understand the limitations imposed by Pennsylvania's political geography that have been noted in these hearings, but we want to be certain that the maps do not unduly overrepresent rural voters in a systematic manner, we encourage this commission to look into this data as well.

As a nonpartisan organization, we are focused on securing fair representation for Pennsylvania's BIPOC communities, not on gaining partisan advantage in the process. We believe these maps are a good starting point, an improvement over the maps of the past 30 years, and reflect a commitment by the Legislative Reapportionment Commission to take seriously the cause of racial equity and produce maps that are truly fair to all Pennsylvanians.

We appreciate the opportunity to work with you on this monumental task, and will be happy to provide any further input you may require.

With that I'll be happy to take any questions you may have.

Democracy requires full participation and representation.



TESTIMONY
JANUARY 6, 2022
HARRISBURG, PA

Exceptions and Corrections to Proposed Redistricting Map
presented by PA House Representatives Gaydos, Ortitay, Kulik, Kinhead
before the Pennsylvania Legislative Redistricting Commission

We are four State House Representatives respectively representing adjoining 44th, 45th, 46th and 20th House legislative districts in the Western part of Allegheny county. Representative Ortitay and I are Republican. Representatives Kulik and Kinhead are Democrats. We are here on behalf of our respective constituents and to demonstrate the spirit of the bipartisan collaborative process intended to be put forth by the Commission to present our collective “corrections and exceptions” to the LRC proposed maps.

A couple of things that we have learned and agree upon being state Representatives is that our communities are not always defined by government boundaries and that communities define or should be the ones to define their government and not the other way around. Communities can be defined by roads, bridges and common travel routes. Conversely, rivers or counties are not always convenient community boundaries. Communities for us mean shared public services like water, sewer, police, fire, parks and school districts. Or simply where people live, work, play, or worship together. Focusing on what unites us, not what divides us is the strength of our representation. Keeping communities of interest together makes for stronger communities and enables state representatives to be more efficient advocates, stewards or champions for the communities represented. This is not a Republican issue or a Democrat issue. This is a community issue and we are here to collectively present our exceptions and present an alternative map for Districts 44,45,46,20.

(Each Representative will briefly describe specific communities of interest and present detailed exceptions and corrections based on keeping communities of interest and school districts together, restoring locations of community centers to the district they serve, reducing splits, proportionality, acceptable deviation and historic collaboration on regional projects of interest)

1. Representative Jason Ortitay – Keep South Fayette together with communities of greater interest to the South in Washington County. Supported by letter from communities.
2. Representative Anita Kulik- Restore North Boroughs. Restore Moon Twp’s Community center back into 44th together with the community it serves. Supported by letter from communities.
3. Representative Emily Kinhead - Restores consistency in representation to minority communities in a largely city rather than a suburban district. Supported by letter from communities.

4. Representative Valerie Gaydos - Keep all of 11 Municipalities and Boroughs of Quaker Valley together with the Community of Common Interest in Moon Twp and Airport area and puts Moon Twp's Community centers of Moon Park and Montour park (located in Moon 6,8,12) back with the community it serves. Connecting north boroughs and Ohio Twp. in one district. Supported by letter from communities.

Thank you for allowing us to present our comments. Through the additional process and changes, I am sure that we can get to a map we all agree is in the best interest of our Allegheny county communities and not partisan politics.

Contacts

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4. Representative Valerie
Gaydos
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(412) 528-1360

**TESTIMONY
JANUARY 6, 2022
HARRISBURG, PA**

Exceptions and Corrections to Proposed Redistricting Map
presented by PA House Representatives Gaydos, Ortitay, Kulik, Kinhead
before the Pennsylvania Legislative Redistricting Commission

<https://davesredistricting.org/maps#viewmap::c5d13787-cfee-44ff-9cd8-63926d32de60>

#46

ALLEGHENY County.
South Fayette
Oakdale
Cecil
Robinson
McDonald
Midway
Mt. Pleasant
Canonsburg
Chartiers
Houston

#45

ALLEGHENY County
Kilbuck
Emsworth
Ben Avon
Neville

Coraopolis
Robinson
Kennedy
McKees Rocks
Pennsbury
Collier
Bridgeville
Carnegie

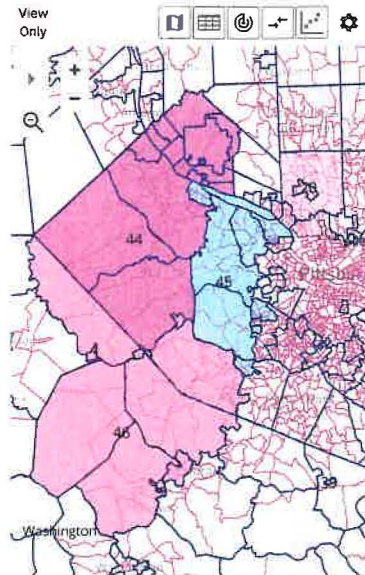
#46

Part of ALLEGHENY County
CITY of Pittsburgh (PART, Ward
27 [PART, Divisions 01, 02, 03,
04, 05, 06, 07 and 08]) PART,
Ward 26 [PART, Divisions 12, 13,
14, 15, 05, and 06
Ross
Avalon
Bellevue

West View

#44

North Fayette
Findlay
Moon
Crescent
Sewickley
Sewickley Heights
Sewickley Hills
Edgeworth
Leet
Leetsdale
Glen Osborne
Aleppo
Bell Acres
Glenfield
Haysville



Exceptions and Corrections to Proposed Redistricting Map
presented by **PA House Representative Valerie Gaydos**
before the Pennsylvania Legislative Redistricting Commission
January 6, 2022
Harrisburg, PA

Thank you Chairman Nordenberg and Commission Members for inviting us to make our presentations. I was elected in 2018 after spending more than 25 in the private sector as an entrepreneur, business owner and investor in start-up companies. My job was to see trends, define markets – “communities of interest” if you will - and most importantly to serve customers. My job as state Representative might not be too much different in some ways. And, today I am pleased to be able to share my experience and observations about the communities in the western suburbs of Allegheny county where I grew up.

For the 44th legislative district, the preliminary map did indeed make some positive changes to current district I serve. For example, I currently represent Ohio Township. In the new proposed map Ohio Township is added to the 28th district. Ohio Twp. is a fast growing community along the I 79 corridor. It is part of the Avonworth School district. And while I feel like I serve the community well much of Ohio Township has newer communities which has similar infrastructure needs to the faster growing communities to the north - unlike the older historic communities of Ben Avon, Ben Avon Heights in the North Boroughs. As we have heard from so many, rivers are not boundaries, especially in these older river towns. Likewise Counties are not boundaries either as communities like South Fayette identify more with the communities to the south as indicated by South Fayette Township officials.

For the rest of the proposed 44th district, the preliminary map proposes splitting the Moon and Quaker Valley into 3 different House districts.

1. First, the Quaker Valley is a single community made up of 11 boroughs and municipalities. It is not and should not be the location where redistricting goes to conveniently reallocate population into one district or another. The entire Quaker Valley should remain together in one House and one Senate district.
 - a. All 11 Municipalities but Leetsdale and parts of Leet have the same 15143 “Sewickley” zip code but all attend the Quaker Valley School District which is a Small School District with approximately 1,300 students and shrinking. Collectively the 11 boroughs and municipalities are called Sewickley.
 - b. Letter from QV Boroughs and Municipalities collectively signed by democrat, republican and independent borough and township officials as well as school board members requesting to stay together.
 - c. Letter from Sewickley Mayor George Shannon describing Sewickley Borough as the community center for the 11 boroughs and municipalities, holding regular monthly meetings amongst the leaders of the 11 boroughs and municipalities and crucial connections to communities across the river.
2. Moon Township is the center which connects the communities of the Quaker Valley and the entire Airport area. Specific to Moon Township, the current LRC map carves out

Moon 6,8,12 where ALL of the Community's community centers are located. This includes Moon Park, the Golf Course, the Miracle League baseball field and adaptive handicap playground, the community's new dog park and Montour park. They should absolutely be in the same legislative district of the community they serve.

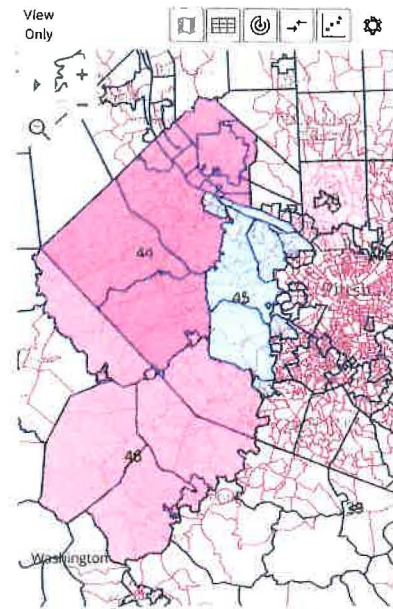
- a. Moon 6, 8, 12 is where Moon is driving the growth as seen by the current projects for the community such as the rebuilding of schools and their new market district.
 - b. The Airport is an integral part of the community. It is located in the center of the area and intersections of Moon Twp, Findlay Twp. and North Fayette Twp. The Infrastructure needs of these three communities are directly tied by the complex needs of the Airport. The water, roads and more. This includes the 911th Air Wing, The 171st Air National Guard, along with an Army installation.
 - c. Letter from all Moon Township Supervisors/Testimony of Alan Bross, Moon Township Supervisor.
3. Third, the Valley means both sides of the river. The river is not a dividing line for this community. One only has to look at The Sewickley Bridge between Sewickley and Moon during rush hour to understand the importance of this connection.
- a. The St. James School in Sewickley draws most of its attendees from Moon. Private Sector consumer data shows people shop across the river and travel to Robinson before going over the mountain to the North Hills.
 - b. The service area of the Valley Ambulance Authority demonstrates this well. Valley Ambulance serves the entire Valley - it is why it is called Valley Ambulance - because it serves both sides of the river. This includes all 11 boroughs and municipalities of the Quaker Valley on one side (Sewickley, Sewickley Heights, Sewickley Hills, Aleppo Twp, Bell Acres, Edgeworth, Leet Township, Leetsdale, Glenfield, Haysville and Glen Osborne). And, Moon Township, Crescent Township, and the Pittsburgh International Airport on the other side. It also serves Coraopolis Borough and Neville Island. Valley Ambulance service is physically located in Moon Township and primarily takes patients across the Sewickley Bridge to Heritage Valley Hospital in Sewickley.
4. Growth is not contained by counties and should not be divided strictly by boroughs and municipalities. Looking at the growth map, particularly Allegheny County, one can see the community patterns arise which support our assertions. Growth patterns here actually resemble a flower. *Note: the white spots in the 44th are an exception because it is the Pittsburgh Airport property in Findlay/Moon and Republic Services Allied Imperial Landfill in Imperial.*

Growth is not contained by counties and should not be divided strictly by boroughs and municipalities. Looking at the growth map, particularly Allegheny County, one can see the community patterns arise which support our assertions.

I Thank you for allowing us to present our comments. Through the additional process and changes, I am sure that we can get to a map we all agree is in the best interest of our Allegheny county communities and not partisan politics.

Population of Pennsylvania (2020 Census)

In 2020, Pennsylvania had a population of over 12 million people, and the population is projected to increase by the 2030 Census.



Note: the white spots in the 44th indicate Pittsburgh Airport property in Findlay/Moon and Republic Services Allied Imperial Landfill in Imperial.

TESTIMONY OF STATE REPRESENTATIVE ANITA ASTORINO KULIK, 45TH LEGISLATIVE DISTRICT

Members of the Board,

Thank you for the opportunity to speak today. I appreciate your efforts with the difficult task you have accepted. Taking on the work of analyzing the new census information and applying it to the hundreds of municipalities in the Commonwealth so as to draw fair districts for the State House was certainly not easy.

I likewise appreciate the work done to redraw the 45th District. The new communities that have been fully drawn into the district are communities that share many commonalities with those remaining in the 45th District.

I offer testimony today on behalf of communities that have been drawn out of the 45th District. I also speak for a community that has been divided.

There have been multiple testimonies regarding keeping Moon Township whole. Moon Township is a great community. The local officials and residents have tremendous pride in their neighborhoods and school district and in the economic growth that continues in the township. To divide Moon Township would be a great disservice to these good people.

The addition of Collier Township and the Boroughs of Heidelberg and Bridgeville to the 45th District fit well. They again share commonalities with their area including schools and business districts. The stretch of Route 50 that passes through these three municipalities is a common travel and shopping route for residents. These communities join the 45th District which is geographically tied together along Interstate 79.

I respectfully submit that in keeping Moon Township whole, the North Boroughs should be drawn into and thus remain in the 45th District. Rivers are not a dividing line. The Boroughs of Ben Avon, Kilbuck, Emsworth and Ben Avon Heights share common borders with the rest of the District 45 and have much in common with the municipalities of the 45th District. The residents travel the I-79 corridor to the other District 45 communities for shopping, entertainment and health care.

From Kilbuck down to Bridgeville, these communities share similar economic, educational and residential growth. They share similar interests and similar backgrounds.

They are joined together by memberships in common Councils of Governments and Chambers of Commerce that address the needs of suburban communities. They also share county and state economic development projects. They strive to achieve this growth by working in unity, working to accomplish their shared goals and interests.

All the communities being considered in my testimony work together through their COG's, volunteer fire departments, emergency services, police departments and schools. They either maintain police, EMS or volunteer fire departments that assist their fellow communities or they share services.

Keeping these communities in the 45th District will keep the district within the purpose of this Commission, which is keeping communities of interest together.

I again ask that Moon Township be kept whole and that the North Boroughs be returned to the 45th District.

I truly appreciate you giving me your time and attention. Thank you again for the opportunity to speak today.

LRC Testimony

Jason Ortitay, State Representative 46th District

January 6, 2022

Thank you Chairman Nordenberg and Leaders on the commission. I want to start off by saying this has been a collaborative process with my colleagues and more importantly with the local municipalities. Equally as important, I want to recognize that I am a steward of the office I currently hold. I don't own it. It's not mine and it's certainly not a birthright. My primary goal here today is to ensure the people that I currently represent are kept with communities of shared interests.

The preliminary map of the 46th District maintains just under 30% of its current configuration. It is my belief and the belief of the township that South Fayette Township should not be split. The current congressional map did just that, and since those maps went into effect it has caused nothing but chaos and confusion about who their congressman is and a completely different level of representation. South Fayette should be whole and doesn't need to be split as you can see in the drawing.

With the opening of the Southern Beltway late last year, it has linked all of these communities together and put them on a shared course of economic development, which could see up to \$5 billion in investment over the next 10 years. We're already seeing a \$600 million development in progress, which is the largest investment ever in that area. From Robinson Township, McDonald, Midway, Mt. Pleasant, and Cecil Township in Washington County through South Fayette Township in Allegheny County, it is important these communities stay together as they all have a shared interest in coordinating this development, both commercial and housing developments, as it impacts local roads and infrastructure. South Fayette doesn't share any of this development with their Allegheny County neighbors, only their Washington County neighbors. By keeping them together it makes it easier to apply for state grants, plan out infrastructure and coordinate with one state representative.

Another important reason to keep South Fayette and Oakdale in the same district as the Washington County portion of the 46th district is flood prevention. Robinson Run Creek, which begins in Midway and runs through Robinson, McDonald, Cecil, South Fayette and Oakdale has brought these communities together. Oakdale has been devastated by floods recently and if it wasn't for the help of the communities along this creek, flooding could have been worse. They all partner with each other with shared services and equipment as well as work together to apply for federal funding. Again, all of this is much easier under one state representative instead of multiple, especially when trying to coordinate meetings with local government officials.

Along with my testimony, I also submit letters from South Fayette Township and the Borough of Oakdale. Both go into more detail about why they are asking for exceptions to the preliminary map. I believe South Fayette will be providing testimony at a later hearing to this commission.

One last exception I'd like to suggest is keeping the Borough of McDonald together. In the preliminary map, the Allegheny County portion, which is governed by the borough in Washington County, is split on the county line, and essentially leaves those 400+ people without representation. McDonald should be whole and not split because of a county line.

I recognize drawing this map is not an easy task. Chairman Nordenberg, as you have stated publicly, there is no perfect map and you expect changes to be made to the preliminary map passed last month, I want to emphasize the drawing of these 4 districts with my colleagues is not a complete redraw. Nowhere near it in fact. These are small changes that keep the core of those districts intact while reducing splits, keeping districts more compact, contiguous, communities of interest together, and population deviations in check.

I sincerely appreciate your time and attention for giving the four of us the opportunity to work together in a bipartisan fashion, but more importantly to work with our local communities.

Redistricting Testimony of Rep. Emily Kinhead, 20th Legislative District

Chairman Nordenberg and Leaders Benninghoff, Costa, McClinton, and Ward:

I want to begin by saying that as someone who spent a considerable amount of time working on reforming our redistricting process nationwide, I am incredibly impressed by these maps. On the whole, they are fair, and they prove that the motivation here was to provide dignity and representation to every Pennsylvanian. That matters.

I also want to thank you for accomplishing something that has been 30 years overdue. You put Ross Township back together again. Ross Township has been denied its collective power for a generation and this map fixes that. It's incredible.

But I do not want the reunification of Ross Township to mean that other communities spend a generation similarly politically isolated, with their votes and power diluted.

Just 10% of the population of this proposed district lives in the City of Pittsburgh, which dilutes the impact of those voters and the say that they might have in our government in much the same way that the citizens of Ross Township were disenfranchised for 30 years.

Brighton Heights is the largest neighborhood in Pittsburgh's Northside. The eight precincts that, mostly, comprise Brighton Heights are the only precincts from the City of Pittsburgh that remain in the new District 20, as drawn. Brighton Heights would be a political island, separated from all of the neighborhoods that surround it and all of the communities that the people who live there work with to advocate for investment across the Northside.

The perfect allegory for this is the Davis Avenue bridge, which was demolished over a decade ago, and Brighton Heights residents have fought to have rebuilt ever since. This year, I worked with Pittsburgh's mayor and City Council to secure full funding to rebuild that bridge. This bridge used to connect Brighton Heights to Riverview Park, the largest park in the Northside, and from there many of the other Northside neighborhoods. Brighton Heights will finally be reconnected to Riverview Park, but the bridge will start in one House District and end in another. We are rebuilding one connection between Brighton Heights and its surrounding neighborhoods while proposing to sever another.

Additionally, removing the two other neighborhoods in the Northside most directly impacted by decisions made in Ross Township – Observatory Hill and Summer Hill – does a disservice to both. There are roads that begin in Observatory Hill and Summer Hill and end in Ross. Having these areas in the same state house district as Ross Township ensures that there is an advocate that serves and understands both areas. It's something that does not exist at any other level of government – not municipal, not State Senate, not County Council, not even Congress. It is also important to acknowledge that without sharing a state representative, these neighborhoods are without a voice in Ross Township because you cannot even offer public comment before the Ross Township Commissioners unless you are resident or taxpayer in Ross Township – or an elected official with an interest there.

LEGAL EXCEPTIONS AND REQUEST TO TESTIFY

COLLECTIVE TESTIMONY OF STATE REPRESENTATIVES GAYDOS (44), ORTITAY(46), KULIK (45), KINKEAD (20)

We are four State House Representatives respectively representing adjoining 44th, 45th, 46th and 20th House legislative districts here in Allegheny county. Representative Ortitay and I are Republican. Representatives Kulik and Kinkead are Democrats. And, we are here on behalf of our respective constituents demonstrating the spirit of the bipartisan collaborative process intended to be put forth by Commissioner Nordenberg to present our collective community “corrections and exceptions” to the LRC proposed maps.

A couple of things that we have learned and agree upon being state Representatives is that our communities are not always defined by government boundaries and that communities should be the ones to define their government and not the other way around. Communities can be defined by roads, bridges and common travel routes. And, rivers or counties are not always convenient boundaries either. Communities can mean shared public services like water, sewer, police, fire and school districts. Or simply where people live, work, play, or worship together. We are here to focus on what unites us, not what divides us. Keeping communities of interest together under consistent representation makes for better communities and enables state representatives to be better advocates, stewards and champions for our communities. This is not a Republican issue or a Democrat issue. This is a community issue and we are here to collectively present our exceptions and show our bipartisan collaboration on a collective map for Districts 44,45,46, 20

(Each Representative will briefly describe communities of interest and present the specific exceptions and corrections based on issues of keeping communities of interest and school districts together, locations of community centers, reducing splits, proportionality, acceptable deviation and our historic collaboration on regional projects of interest to support our constituents.)

1. Representative Jason Ortitay

Our proposed map keeps South Fayette together with communities of greater interest to the South in Washington County.

2. Representative Anita Kulik

Reduces split communities of Carnegie and Stowe. Puts Moon Twp's Community center back together with the community it serves.

3. Representative Emily Kinkead

Puts suburban north boroughs in Avonworth School district together in district with Ohio Township where there is more common interest. Restores consistency in representation to minority communities in a largely city district rather than suburban district.

4. Representative Valerie Gaydos

Keeps all of 11 Municipalities and Boroughs of Quaker Valley together with the Community of Common Interest in Moon Twp and puts Moon Twp's Community center back together with the community it serves.

Therefore we respectfully submit the proposed changes and proposed map and wish to testify in person.

<https://davesredistricting.org/maps#viewmap::ab78f986-7c3b-4396-80b3-c4bb7d7cadfb>

Thank you for allowing us to present our comments. Through the additional process and changes, I am sure that we can get to a map we all agree is in the best interest of our communities of Pennsylvania and not partisan politics.

Ortitay (BLUE) 46
ALLEGHENY County.
South Fayette
Oakdale
Cecil
Robinson

McDonald
Midway
Mt. Pleasant
Canonsburg
Chartiers
Houston

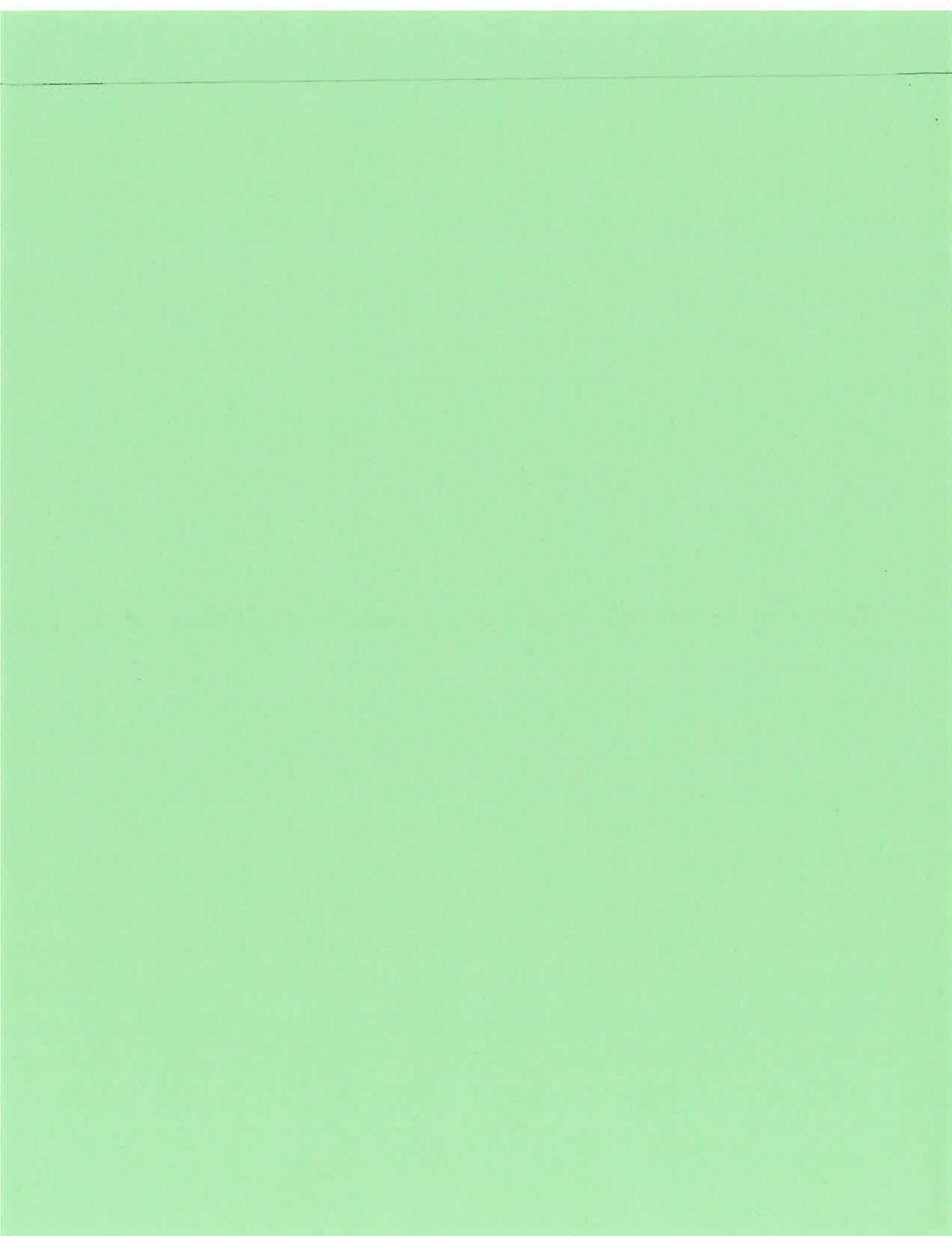
Kulik (YELLOW) 45
ALLEGHENY County
Kilbuck
Emsworth
Ben Avon
Neville
Coraopolis
Robinson
Kennedy
McKees Rocks
Pennsbury
Collier
Bridgeville
Carnegie

Kinkead (LIGHT BLUE) 46
Part of ALLEGHENY County
CITY of Pittsburgh (PART, Ward 27 [PART, Divisions 01, 02, 03, 04, 05, 06, 07 and 08]) PART,
Ward 26 [PART, Divisions 12, 13, 14, 15, 05, and 06
Ross
Avalon
Bellevue
West View.

Gaydos (RED) 44
North Fayette (all)
Findlay (all)
Moon (all)
Crescent
Sewickley
Sewickley Heights
Sewickley Hills
Edgeworth
Leet

Leetsdale
Glen Osborne
Aleppo
Bell Acres
Glenfield
Haysville





PA Senate districts

I live in Bala Cynwyd, Montgomery County, in the current 17th PA Senate District. I have lived in this district over 25 years. I am a white, middle class, suburban woman but I care deeply about proper representation for all people especially those of color and frontline communities.

I have concerns about the overall PA Senate district maps as well as specific concerns about Montgomery County's representation. It is unfortunate that the Senate plan was created with limited interaction and input from the LRC and their mapping team.

Here are my concerns:

- A quick glance at the proposed LRC district map indicates significant gerrymandering. A key principle that must be kept in mind is that voters should pick legislators rather than legislators picking the voters. Unfortunately, gerrymandered districts lead to legislators picking the voters.

- My gerrymandering conclusion is based on our PA Constitution, which requires that:

- o Districts should be drawn compact and contiguous

- o Districts should be drawn without unnecessary geopolitical splits, unless absolutely necessary

- o Districts should maintain 'as nearly equal in population as practical'

- It strongly favors incumbents. It is due to the partisan representation on the LRC as even the chair of the LRC stated.

- o Valuing incumbents as a top priority stifles the democratic process. It denies realistic opportunities for new candidates to emerge and get elected.

- o If the boundaries had been redrawn such that two incumbent officials might have to run against each other, this could have been an effective way for the voters to choose who represent them.

- The overall representation on the proposed map does not reflect the current Pennsylvania population distribution. The Southeast region is growing and is not adequately represented, but the voting power in regions that have lost population is unfairly maintained. Districts that contain prisons still are overrepresented even though they are below the ideal Senate population size even if the prison population is counted. Many districts in the southwest and central Pennsylvania are well below the ideal population size which gives them greater influence and power than they deserve. However, districts in Philadelphia and in the seven collar counties around Philadelphia

are packed with more people in these districts than they should have according to the guidelines. These irregularities in population consistency dilute the voting power of the regions of the southeast regions of the state, especially Montgomery County. These discrepancies should be adjusted in the next version of the map

- The proposed Senate map does not expand minority representation to reflect the census data the census data. Because the Lehigh Valley has been divided into both Allentown and Bethlehem districts it would make it harder to elect a Latino senator in the Lehigh Valley where the Latino community is growing. In addition the Latino community in Philadelphia is split between four districts in the LRC proposed map. Because of both splits it is unlikely that Pennsylvania will be able to elect a Latino senator in the next decade.

- Montgomery County is the third most populous county in Pennsylvania. Thus it should have greater dedicated representation than other counties with less population. Yet, Lancaster County with far less population has greater representation.

- Montgomery County's 2020 census requires us to have four state senate districts, with at least three of those districts wholly within our county borders. We deserve focused representation in the senate. Today, we have six state senate districts – and not one senate district is located strictly within our county borders. The current map divides Montgomery County to such an extent that I consider the proposed maps have sliced the county to diminish its influence. For example, some of the Northern and Western parts of the county are included in Philadelphia districts. Urban and suburban voters have different priorities. Other parts of Montgomery County are packed into Upper Bucks County or Upper Chester County, which are much more rural than Montgomery County.

- o Previously we have been sliced into other districts, the elected official only was interested in courting our money when they were up for reelection but had no interest in in talking to us once they were elected. In fact we felt that we were not even represented in the Harrisburg because they never came to our neighborhood, they never talked to us, and they never addressed any of our issues.

- o I attended the House State Governance Committee Southeast Regional Public Hearing On Congressional Redistricting on Tuesday October 19th. I heard testimony from former elected officials who confirmed my experiences that token sections of their district are not paid attention to or even cared about.

- Communities of interest should be kept intact as much as possible. School districts, townships, municipalities, and cities are strong and natural communities of interest. Yet the proposed maps often split these communities of interest. Local voting precincts should be kept intact. The PA House districts are more fairly drawn than the present

districts because it provides districts that make more sense for the people who live in them. The proposed map splits fewer counties and municipalities and is more compact. I hope that it will allow more minority representation. I also would like to express my appreciation for Chairman Nordenberg's leadership, transparency, honesty, and clarity throughout this process. He served this LDR effectively. I especially appreciate Chairman Nordenberg's remarks that the participation of caucus leaders in the Commission led to more partisan objectives than if there would have been an independent Commission. In the future to be more objective we should create an independent nonpartisan Commission such as has been created in other states

Thank you for allowing me to the opportunity to provide my comments and for your attention to these concerns.

Sincerely,

Phyllis Blumberg, PhD
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