

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

Saturday
January 15, 2022
9:00 a.m.

MARK A. NORDENBERG, CHAIRMAN

MEMBERS OF LEGISLATIVE REAPPORTIONMENT COMMISSION

| | |
|----------------|------------------------|
| Sen. Kim Ward | Rep. Kerry Benninghoff |
| Sen. Jay Costa | 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

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Also Present:

Justin Klos, Director, House Democratic Office of
Demographic Analysis
David Brogan, Esq., Director, House Democratic Legislation
and Policy
Andrew McGinley, Esq., General Counsel, House Democratic
Government Oversight Committee

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1 CHAIR NORDENBERG: Good morning, everyone. My
2 name is Mark Nordenberg. As Chair of the Legislative
3 Reapportionment Commission, I call this meeting to order and
4 extend a welcome to everyone who, at 9 o'clock on a Saturday
5 morning, has chosen to spend time with us either in person or
6 through our livestream.

7 As we have moved through this process, we have
8 come to even more fully appreciate the wonders of modern
9 technology. Yesterday, we moved forward with Senator Costa,
10 one of the Commission Members; Rob Byer, our Chief Counsel;
11 Renny Clark, our Executive Director; all joining us by Zoom.
12 And this morning, we have two Commissioners on the big screen.
13 They are Senator Costa, the Democratic Leader of the Senate;
14 and Senator Kim Ward, the Majority Leader of the Senate.
15 Seated to my left is the Majority Leader of the House of
16 Representatives, Kerry Benninghoff; and right on cue, here
17 comes the Democratic Leader of the House of Representatives,
18 JoAnna McClinton.

19 In addition to permitting Commission Members and
20 staff to participate from a distance, this technology has
21 enabled us to really reach out to the public in ways that we
22 might not have imagined a half-dozen years ago. I was just
23 thinking about the most recent set of hearings where we have
24 had participation from citizens from Erie to Philadelphia, and
25 from Washington County to Luzerne County, and lots of places

1 in between. By the end of today, we will have -- oh, I lost
2 it -- completed nine, I'm sorry, I'm not going be able to say
3 anything about that. We've completed a lot of hearings and
4 heard from a lot of people.

5 In addition, we have received a great deal of
6 input through our portal. As of this morning, we've had more
7 than 3,800 submissions through the website. We've had more
8 than 100 written submissions that have been delivered to us in
9 other ways, so we're up to about 4,000 submissions of that
10 type. And I should say that the deadline for submitting
11 written exceptions to the preliminary plans expires at 11:59
12 on Tuesday, January 18. And so the website portal will be
13 disabled at that point, and we will stop receiving submissions
14 delivered to us in other ways at that point. So I issue that
15 as a reminder to anyone who has suggestions to share and who
16 has not yet delivered them to us.

17 At the very end of yesterday's hearing, we had
18 received from the House Republican Caucus a submission from
19 Jonathan Katz, a professor at the California Institute of
20 Technology. That submission was distributed by members of the
21 House Republican team to the Commissioners and was also
22 tendered to our reporter for the record. As I indicated at
23 that time, and almost simultaneously, I was receiving a
24 submission from Fair Districts that related to the expert
25 testimony that we had received yesterday. I have forwarded

1 that to the other Commissioners, and it, too, according to the
2 transmittal message, was being submitted to the portal.

3 In a certain sense, the first two witnesses that
4 we will hear from this morning represent an extension of what
5 we were doing yesterday in the sense that each of them is an
6 expert, though neither of them has been retained by any Caucus
7 or by the Commission itself. They are here instead to offer
8 testimony as citizens of Pennsylvania who also are experts.

9 I would say that one of the beneficial by-products
10 of this process is that my first and only meeting with
11 Professor John Nagle, our first witness, who is from the
12 faculty at Carnegie Mellon, which means we've been working
13 next door to each other for decades, but my first and only
14 meeting with Professor Nagle came when he testified before the
15 Commission at one of our earlier hearings, also by Zoom.
16 Professor, it's nice to see your face up on the screen again.

17 Dr. Nagle is a Professor Emeritus at Carnegie
18 Mellon, where he had appointments in both the Department of
19 Physics and the Department of Biological Sciences. His work
20 for many, many years was tied heavily to data acquisition and
21 assessment, including the use of simulations. For the last 10
22 years, he has focused much of his talent in this area, on the
23 areas of elections and redistricting. To give some sense of
24 the extent of his involvement, he was the inventor of two of
25 the measures of bias used by Dave's Redistricting App. He

1 also has published four articles in the peer-reviewed
2 political science journal *Election Law* relating directly to
3 these areas of expertise.

4 On the sheet that came to me and that originally
5 came to all of you, the topic of Professor Nagle's testimony
6 was broadly defined as the Commission's House map. I believe
7 he wants to offer some perspectives on fairness, and that also
8 now he would like to offer some responses to testimony that he
9 heard yesterday from the retained experts.

10 Professor Nagle. Welcome, again.

11 DR. NAGLE: Thank you, Chair. Can I be heard
12 okay?

13 CHAIR NORDENBERG: Yes, you can be heard well.

14 DR. NAGLE: Good. Thank you for the kind
15 introduction. May I say, Chairman, how much I admire that
16 you're able to so graciously endure the criticism of the work
17 of your Commission, and with such good humor. You're clearly
18 the right person for this job. I'm not sure I could endure it
19 the way you have.

20 So let me share my screen, please, because I have
21 a PowerPoint presentation. And now I will have to bring up my
22 presentation next. And so you'll see, I'm rather proud of
23 writing these papers sort of out of my original discipline.
24 But what I want to emphasize is that the papers really are
25 focused on this issue of partisan bias. By the way, I like to

1 use my pointer to highlight different things that I'm going to
2 be talking about, so you can see my cursor there. So I really
3 have been focused on the issue of measuring partisan bias, and
4 I have also, as Chairman Nordenberg mentioned, I've been very
5 much involved with DRA--I'll use the acronym of Dave's
6 Redistricting App--people in my latest paper. And much of my
7 methodology is implemented in the DRA software.

8 So, rather than diving right into the methodology,
9 let me not keep you in suspense regarding the bottom line of
10 what I'm going to talk about. The LRC proposed House map is
11 biased in favor of Republicans. Now, you've heard that from
12 Chairman Nordenberg, and from Dr. Warshaw yesterday, and from
13 many others, but I think I can add some important analysis,
14 and I appreciate being given the extra time that this will
15 take. And as Chairman Nordenberg mentioned, I'm doing this as
16 a private citizen, and I've not been compensated for my work.

17 So proceeding now into a little bit of the
18 methodology. So this is a screenshot from the DRA advance
19 section. Anybody who's serious about this issue should go to
20 the advance section, not just stop at one of the earlier
21 sections. A user can choose different election data, and so
22 in this particular screenshot I used the Presidential
23 2016-2020 election data, which had a two-party vote, two-party
24 being between just Republicans and Democrats, the two-party
25 Democratic vote was very close to 50 percent. That's actually

1 advantageous, and a lot of political scientists try to find
2 data sets like this, because then it's clear that the metrics
3 are close to the democratic principle that half the votes
4 should get half the seats.

5 So now this table lists the bewildering variety of
6 metrics over here, each of which measures bias in different
7 ways, and I'd love to explain each of them in detail,
8 Professor Warshaw yesterday gave a number of them, especially
9 because two of them are mine, as Chairman Nordenberg has
10 already mentioned, but there's not time to do all of that. I
11 will give some of that. But it turns out it won't be
12 necessary, because when one has an election close to 50
13 percent, so many of these measures are identical, or at least
14 when it's not quite 50 percent, they're very close to being
15 the same. Proportional, efficiency gap, my gamma, seats
16 bias--forget votes bias for the moment--partisan bias, all
17 have the same number. And that's a very convenient thing, and
18 I'll emphasize that later on.

19 What's especially relevant though when you look at
20 all of these numbers with all different sorts of metrics, they
21 all are positive, okay. And the DRA convention is that
22 positive numbers signify bias in favor of the GOP, and
23 negative numbers signify bias in favor of Democrats. And
24 there are no negative numbers here. So all the metrics agree
25 that there is bias in favor of the GOP.

1 So diving even deeper, so the advanced section of
2 DRA shows you a seats-votes curve, and that shows the seats
3 percentage that one would estimate based upon lots of election
4 data at the precinct level versus the vote that might come in.
5 No one ever knows what the vote is going to be, of course, but
6 given a vote, you can predict what the seats outcome is likely
7 to be. And let me look at this for a moment. Oh, yes, I need
8 to remind you, the blue curve is the Democratic seats-votes
9 curve, and the red curve is the Republican seats-votes curve.
10 And I will also mention, I'm kind of proud that DRA uses my
11 proportional shift method to draw these curves. But the
12 simpler, more complementary used uniform shift method gives
13 essentially the same curves for the small shifts that we're
14 showing here.

15 So this shows what the seats bias is. It's the
16 difference between 50 percent and the expected value that the
17 Democrats would get. Okay? And that's the number that's over
18 here in percentages (indicating). I'll explain some of these
19 other metrics on a subsequent slide. The point here is that
20 all of these things are, again, I mentioned this before, all
21 of these are about the same when the two-party vote is between
22 50.15 percent, and they are identical when the vote is 50
23 percent.

24 So let me also define the votes bias, which I
25 think is also a very useful measure. Sorry, this was the

1 comment that I just made. The votes bias is actually a
2 refinement of the very popular mean-median bias measure. I
3 won't get into details of why it's a better measure, but it's
4 essentially the same kind of thing that one gets from the
5 mean-median. And what it is, is the excess over 50 percent of
6 the vote that the Democrats would have to get to get half the
7 seats. So what it says is that the Democrats would need 51.31
8 percent of the vote to get half the House seats.

9 Okay, now, let me mention that most users of DRA
10 don't notice that there are these options, and they use the
11 default option, the DRA default option, which is a composite
12 election data. And there are lots of good reasons that were
13 mentioned yesterday, I think, by Dr. Warshaw, why one wants to
14 use a composite, because it avoids the idiosyncrasies of one
15 particular election. But the composite in Pennsylvania has
16 52.46 percent of the vote, very strongly Democratic, compared
17 to, as I'll show you, other votes. So even though that's
18 greater than, larger than the 50.15 percent that I gave you on
19 a previous slide, this seats-votes curve is very nearly the
20 same as on the previous slide, and its seats and votes bias
21 are very nearly the same. This shows consistency of the
22 method of obtaining seats-votes curves.

23 Now let me define some more metrics. The
24 proportional metric is the difference between the blue curve
25 and the proportionality line, which has a slope of 1. Now,

1 that's very, very small for this particular vote, okay. So it
2 gives a proportionality over here of something like .5, which
3 is much smaller than the seats bias, which is 2.2. So this
4 data set makes it look like the House map is actually very
5 close to being fair.

6 I will also mention the efficiency gap. The
7 efficiency gap is the difference between the efficiency gap
8 line, which is this dashed line, which is here (indicating),
9 and the blue curve, okay. And it's much larger than the
10 proportionality lines. So the metrics are starting to diverge
11 when the vote becomes different from 50 percent.

12 Finally, let me go to the blowout election in
13 2018, when the vote was very much different from 50 percent,
14 and now what you see is that the blue curve is much greater
15 than the -- oh, by the way, I want to mention, the blue curve
16 is still about the same as it was in the previous two slides.
17 But because we're looking way over here (indicating), the
18 proportionality metric now would say that there's a bias in
19 favor of Democrats, and it's quite a large bias in favor of
20 Democrats, if you want to look at proportionality alone.
21 Okay. If you look at efficiency gap, it's still the
22 difference between here and here (indicating), and it still
23 favors Republicans.

24 So this is all very confusing, but here's what's
25 going on. The seats-votes curve has a steeper slope than

1 proportionality. Here's this slope, and here's this slope
2 (indicating). It's closer to the slope of the efficiency gap
3 line. The slope is the responsiveness of a plan. Greater
4 responsiveness means more competitive districts. National
5 averages of responsiveness are close to the EG line, and that
6 is what the LRC map is giving. That's good news for people
7 who value competitive elections. But the seats-votes curve
8 does lie underneath the efficiency gap line, and that's
9 another way of revealing the bias of the LRC proposed plan in
10 favor of the GOP.

11 So I've given you a crash course on partisan bias
12 201, but let's cut to the chase, okay? What's the best vote
13 to use for analysis of bias in Pennsylvania? Okay, and
14 proportionality gives you quite different numbers, depending
15 upon which vote you choose. Well, this is a difficult
16 question for unbalanced States like Massachusetts or South
17 Carolina. And if you want to get into that, look at the
18 latest paper that I've written, which is quite complicated and
19 really delves into this issue for unbalanced States. But
20 Pennsylvania is a well-balanced purple State, especially for
21 the House elections, which is what we're concerned about here.
22 So the last four elections, I've compiled the numbers here and
23 show the two-party vote. The average two-party vote in this
24 last decade was about 48.9 percent Democrat. Okay, it
25 actually favors Republicans. So the answer for Pennsylvania

1 to the question, one only needs to look at seats bias, because
2 it's evaluated at 50 percent two-party vote, and the other
3 metrics agree at 50 percent. So like I say, it could be
4 complicated for other States, but it's not complicated for
5 Pennsylvania.

6 Of course, you can say I've cherry-picked, I
7 looked at these three data sets, there are lots of other data
8 sets. And people yesterday were commenting that you really
9 should look at other data sets, and I have. The average over
10 all the data sets, here's the average. The D seats would be
11 96.5 at 50 percent of the vote, okay, and the VRA composite
12 would give 97. So these are very consistent, and here's a
13 standard deviation for people who like to do statistics. The
14 votes bias is also very similar. I would say you'd have to
15 have 51.3 percent of the vote for the Democrats to get half
16 the seats.

17 So let me turn now to a critique of Dr. Barber's
18 report. And this is showing his histogram of his simulations
19 and the mean, the average of those simulations. You can't
20 read this down here, but it gives about 97 Democratic seats on
21 average compared to, and over here we have the LRC plan, which
22 would give 107 Democratic seats. What his report fails to
23 tell you, which I think is very important, is what's the
24 two-party Democratic vote in the election data that he used to
25 assess these plans? He never says it in the report, but a

1 close reading of the report indicates that it was considerably
2 greater even than the 52.46 percent of the DRA composite data.
3 But now the point is, well, all right, of course, the plan
4 should give more Democratic seats than half, because the
5 Democrats are getting much more than half the vote.

6 But now there's an interesting question, and that
7 is, why are the simulated plans so biased? And I agree with
8 Dr. Barber that the greater geographical--or I call it here
9 the geopolitical--bias, which is due to packing of Democrats
10 in Pennsylvania, is likely to make the average simulated plan,
11 as he set it up anyway, favor the GOP. And such packing is
12 geopolitical bias due to political geography. Barber's
13 histogram suggested that -- what this histogram is giving you
14 is an estimate of the geopolitical bias, okay? And that
15 estimate is something like 10 seats. This is 107, this is 97.
16 Actually, this should be even larger, because this is already
17 a biased Republican -- it's biased toward -- the House
18 proposed map is already biased in favor of the Republicans.
19 So I would note though that Professor Imai's testimony
20 yesterday had a smaller difference than this to this
21 (indicating), as do two other studies that I know about.

22 But that's not the important issue here. The
23 basic implication of such a graph is that a Commission might
24 feel that it would be better to randomly choose a plan like
25 one of these simulated plans, because there's a whole bunch of

1 them here. But let me consider an analogy to indicate how
2 foolish that would be. Of thousands of people who are
3 qualified to play basketball, should a professional coach
4 choose one of those at random to be the team's center? That's
5 kind of like picking one of these plans at random. Or should
6 the coach choose LeBron James? And LeBron James is like the
7 LRC proposed House map on this figure.

8 So getting back to what really is going on is, of
9 all the legal maps, one really has two options. You can pick
10 an average random one, or you can pick the fairest one, okay?
11 And I obviously, I think option B is always the better choice,
12 and so we should want the best and fairest plan, not an
13 average plan. Yesterday, Chairman Nordenberg read a quote
14 from a recent paper by the eminent scholar, Jonathan Rodden,
15 that essentially says this same thing.

16 So conclusions. The LRC, as I mentioned earlier,
17 the LRC proposed House plan is biased in favor of Republicans
18 by about 2 percent, and it would give about 106 Republicans
19 seats versus 97 Democratic seats with 50 percent of the vote.
20 Why should the GOP be upset? Well, I don't want to put words
21 in their mouth, but, you know, the current plan is three times
22 as biased as the proposed LRC plan. Why shouldn't Democrats
23 be upset? Well, the constitutional rules, political
24 geography, and competing criteria. There're lots of other
25 ideas, you know, communities of interest and so forth,

1 probably preclude making even fairer plans, so this is the
2 best probably the Democrats are going to get in terms of
3 political bias.

4 My second point that I made in the last slide is
5 that Dr. Barber's simulations don't support his contrary plan
6 that the plan favors Democrats. But there is an interesting
7 point here though, and that is that after generating lots of
8 plans by computer, by the public, or by committee, to satisfy
9 the legal requirements--we have to do that of course--don't
10 choose one that mimics the computer ensemble, but one that's
11 fairest to voters by minimizing partisan bias. And partisan
12 bias comes in two flavors - intentional bias or unintentional
13 geopolitical bias. So where people live -- and so now I'm
14 editorializing; I shouldn't do this as a so-called expert
15 witness, but editorializing where people live shouldn't
16 nullify equal representation of their political viewpoint.

17 So thank you for listening.

18 CHAIR NORDENBERG: Thank you.

19 You said at one point in time, I know this is
20 confusing. I'm hoping that maybe you will provide us with
21 your screens and any text that you think should go with it. I
22 don't mean to be presumptuous in asking for that, but so that
23 we can have a chance to reflect on what you've said.

24 DR. NAGLE: Well, I thank you for asking, and I
25 would like to do that and I will get it in by Tuesday. And,

1 of course, an oral presentation is different than a report,
2 but I will try to give you a report that doesn't require lots
3 of clicks and PowerPoint presentations.

4 CHAIR NORDENBERG: Thank you very much.

5 Are there questions or comments?

6 Majority Leader Benninghoff.

7 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
8 Chairman. One, I want to clarify. Did you just ask him to
9 provide written testimony to his testimony this morning, as
10 far as--

11 CHAIR NORDENBERG: We'll, of course, have his
12 testimony on video and on the transcript. I did ask him if he
13 would provide us with a written submission, and he agreed to
14 do that by Tuesday.

15 REPRESENTATIVE BENNINGHOFF: Thank you.

16 Dr. Nagle, first of all, it's good to see you
17 again. I believe we interviewed you earlier this year as a
18 Chairman candidate?

19 DR. NAGLE: No, no. I did not--

20 REPRESENTATIVE BENNINGHOFF: Oh, I thought I saw
21 you before. My error. My apologies.

22 I have a couple of questions here. You just said
23 earlier today that you come here as a citizen, and yet when
24 you were closing, you talked about being an expert witness.
25 So which category are you here today in?

1 DR. NAGLE: Well, that's -- I think I would like
2 to be here as an expert witness, but I guess I presumed, by
3 making the last comment that I made on my last slide. But
4 most of my testimony is based upon analysis and careful work,
5 and I will provide that in more detail in a written report.

6 REPRESENTATIVE BENNINGHOFF: Well, I took you at
7 your earlier comments in your introduction that you were here
8 as a citizen witness. With that said, when did you sign up to
9 be a witness?

10 DR. NAGLE: Well, that's is a good question. I'm
11 not sure.

12 REPRESENTATIVE BENNINGHOFF: Days, weeks?

13 DR. NAGLE: I think I was invited, actually.

14 REPRESENTATIVE BENNINGHOFF: And when did that
15 occur?

16 DR. NAGLE: Oh, let's see, last week, I guess.
17 That's why I didn't get things in earlier to be an expert
18 witness.

19 REPRESENTATIVE BENNINGHOFF: And who invited you?

20 DR. NAGLE: Well, I'm a colleague of Jonathan
21 Cervas, as you know. And of course, I suggested him as a
22 staff person.

23 REPRESENTATIVE BENNINGHOFF: So the gentleman that
24 drew the maps invited you to now become an expert witness this
25 morning?

1 DR. NAGLE: Well, he's a colleague, so I
2 communicated with him--

3 REPRESENTATIVE BENNINGHOFF: That was not the
4 question, respectfully, sir. I asked you whether or not the
5 map drawer or the Chairman was the one who directly invited
6 you to testify today, and now asking you to be an expert
7 witness.

8 It's a "yes" or "no" question.

9 DR. NAGLE: I think it's both.

10 REPRESENTATIVE BENNINGHOFF: Pardon me?

11 DR. NAGLE: I think it's -- I don't have an e-mail
12 from Chairman Nordenberg for that, okay? But obviously, I was
13 invited. I got a Zoom invitation to come and present.

14 REPRESENTATIVE BENNINGHOFF: Somebody Zoomed you
15 face to face and they invited you, but you're not sure who it
16 was?

17 DR. NAGLE: Well, it's just a Zoom invitation
18 that's given to all the people who testify.

19 REPRESENTATIVE BENNINGHOFF: And again, I don't
20 mean to pry, but at the end of the day, most people don't
21 respond or show up to something if they don't know who sent
22 them an invitation. So simple question, who invited you to
23 testify today?

24 DR. NAGLE: I'll say Jonathan Cervas.

25 REPRESENTATIVE BENNINGHOFF: Well, when you send

1 the other documentation as an expert, I would like to have
2 that verified, please, because it's important, because you
3 come here this morning and you are basically refuting an
4 expert witness who, in a timely, proper invitation was here to
5 do so. The question begs to ask, whenever you signed up,
6 whether it was several days ago, a week ago, or whenever that
7 invitation went out by the map drawer for the Chairman's
8 office, you obviously did not have Dr. Barber's information
9 that the rest of us only got yesterday, and yet you come
10 before us with slides and testimony refuting somebody who's
11 not even here to defend himself. I find that unconscionable.

12 CHAIR NORDENBERG: Well, I would say in response
13 that we accepted your submission from Professor Katz after the
14 time it was to be submitted, and it was submitted at the time
15 when Professor Barreto would not have been able to respond.

16 REPRESENTATIVE BENNINGHOFF: Mr. Chairman, I do
17 not argue that. The only difference is you had a choice. We
18 came to you trying to be responsible, because when we asked to
19 submit testimony from the policy hearings, we were told it
20 could not be submitted in person, it could only be submitted
21 by mailing it in or the online portal, which I'm more than
22 glad to respect. So out of courtesy before the meeting, not
23 in the middle of the hearing, such as this ordeal, I
24 respectfully had our counsel ask you if you were willing to
25 have this submitted, and if so, what was the proper procedure

1 to do that? And as you know, we took your order, and you
2 willingly said we would accept that. Just as we accepted the
3 Fair Districts people who suddenly had testimony to provide,
4 which came apparently by a phone call, and I said, that's
5 fine. We're open to having fairness and transparency.

6 But I find it very suspect that we have a witness
7 before us today who comes on originally as a citizen witness,
8 ends his own commentary by saying he's an expert witness, and
9 has the ability to be here refuting an expert witness who came
10 in a timely, orderly fashion. I will stop at that point on
11 that particular point.

12 DR. NAGLE: Well, let me just comment. I am not
13 an expert witness, obviously. I'm an expert, okay? That's by
14 my own admission. It isn't necessarily, obviously the
15 Commission or the Chair did not invite me as an expert
16 witness. They invited me, and I am an expert. So you can--

17 REPRESENTATIVE BENNINGHOFF: You're an expert in
18 what field, sir?

19 DR. NAGLE: I think I'm now an expert in this
20 field of partisan bias, okay? My papers are starting to get
21 referred to. Dr. Warshaw yesterday referred to my paper in
22 his expert report. So I believe that I can claim--

23 REPRESENTATIVE BENNINGHOFF: All right, Dr. Nagle.

24 DR. NAGLE: --claim to be an expert.

25 REPRESENTATIVE BENNINGHOFF: I appreciate you

1 confirming that you're an expert. I'm not here to argue that
2 at this point, but how this unfolded was pretty inappropriate.

3 That said, I do have a couple of questions I would
4 appreciate your answers on. We have several legislative
5 districts, and you were talking about fairness early on and
6 wanting to have competitive districts. Do you think that
7 there's any problem if two incumbents are put against each
8 other, but yet disproportionately, one incumbent retains a
9 larger percentage of their district to run against the other
10 incumbent?

11 DR. NAGLE: I don't really have any view on that.
12 I'm like a lot of the reformers in this State who really don't
13 think that we should be thinking about incumbents. Now, I
14 understand that, you know, there are four Caucus Leaders on
15 this committee who are concerned about incumbents, but that's
16 not my concern.

17 REPRESENTATIVE BENNINGHOFF: I don't need
18 editorialized. I just asked you a simple question. You said,
19 as a reformer, so that tells me what direction you're coming
20 from, and that's fine. You're entitled to your opinion. You
21 talk about Dave's Redistricting program, but yet Dave's
22 Redistricting program does list this map as having a greater
23 plurality for the Democrats in their analysis. Your analysis,
24 I believe, if I saw the bold print, only looks at two
25 Presidential election cycles, which is somewhat of a narrow

1 viewpoint. Some of these other analyses by Dr. Barber and Dr.
2 Imai were utilizing multiple election cycles. But yet you say
3 today that Dave's Redistricting App is incorrect and it does
4 not show plurality. I mean, it's easy to try to make things
5 fit the way you want. We try to look at those things as
6 objective, and I am not here solely to be looking out for my
7 incumbent Members. From the very beginning, I have wanted to
8 see a balance.

9 DR. NAGLE: Well, the point of that one slide that
10 I showed was that I looked at all the different elections, all
11 the ones that--

12 REPRESENTATIVE BENNINGHOFF: Well, the majority of
13 your analysis said that you looked at 2016-2020 Presidential
14 elections--

15 DR. NAGLE: That was--

16 REPRESENTATIVE BENNINGHOFF: --right across the
17 top, very bold.

18 DR. NAGLE: That was my second and third slides.
19 And then I went on to the DRA composite. And then I went on
20 to the Governor's election in 2018. And, finally, I showed
21 you the results for all the different elections that DRA gives
22 you to look at.

23 REPRESENTATIVE BENNINGHOFF: Respectfully then, I
24 guess the question should be, do you think that Dr. Imai's and
25 Dr. Barber's analysis was based on a broader scope of election

1 cycles?

2 DR. NAGLE: No, I don't.

3 REPRESENTATIVE BENNINGHOFF: Okay, that's fine.
4 It's a "yes" or "no" question.

5 DR. NAGLE: Sorry, let me clarify. So DRA stops
6 at 2016. It uses the more recent elections, but that's quite
7 a few elections, all from 2016 through 2020. I believe that
8 the composite that was used by Barber and Imai went back to
9 2012.

10 REPRESENTATIVE BENNINGHOFF: Thank you. Two other
11 quick questions. You talked about, in latter slides, you said
12 you need to follow the legal requirements. For some of us,
13 that's exactly what we are trying to do, following the
14 Constitution to the best of our ability, compactness. Where,
15 in your analysis of legal requirements, does proportionality
16 come in?

17 DR. NAGLE: Proportionality is one of the metrics
18 that people use, and I suggested that it's not the best one.

19 REPRESENTATIVE BENNINGHOFF: Is it in the law? Is
20 it in the Constitution?

21 DR. NAGLE: No, and that's fine with me. Just
22 like Dr. Warshaw said yesterday, I believe, if I remember
23 correctly, proportionality is not in anything that he was
24 doing, and it's one of the metrics which is on DRA, but I
25 don't like it, okay. I made that clear in my testimony.

1 REPRESENTATIVE BENNINGHOFF: I appreciate that,
2 because you are correct. People use that and they use
3 proportionality to justify other changes that they want to
4 make the puzzle fit.

5 Last question. Specifically, I'm curious, does
6 any of your analysis take into consideration the overall
7 political geography of our Commonwealth? I find some of the
8 election results as somewhat unique. I don't know whether or
9 not your documentation or your analysis included primary
10 elections versus general elections. As you know, voter
11 activities there are dramatically different, but if you look
12 at the 2020 election, it was pretty evident to me that the
13 voters made some very distinctive decisions and did not just
14 go down a ticket straight party, but they chose. And you know
15 what? They chose Republicans and Democrats in different races
16 because they had the ability to make a choice, because I think
17 most people are smart enough to do that and they don't depend
18 on some line here and there. But when lines are now going to
19 be changed to drastically change the odds of a candidate being
20 able to get elected just by that, I think that's an alleged
21 correction of a problem that may not necessarily be there.
22 The voters make smart decisions a lot of times.

23 DR. NAGLE: I'm not arguing that. I'm just
24 arguing that they need to make those smart decisions on a
25 level playing field. And when the playing field isn't level,

1 then you're going to get a majority of one party versus the
2 other party, even when they don't get more votes. And that's,
3 you know, the principle, the democratic principle of
4 representation that I'm standing on. So, if you can get
5 more--

6 REPRESENTATIVE BENNINGHOFF: Well, I appreciate
7 your time--

8 DR. NAGLE: --if you get more votes, you should
9 get more seats.

10 REPRESENTATIVE BENNINGHOFF: So that's back to
11 proportionality.

12 DR. NAGLE: No, that's anti-majoritarianism, okay?
13 It doesn't say proportionality. I don't say that 60 percent
14 of the vote should get 60 percent of the seats. That is not
15 possible in a single-member district system such as we have.
16 Okay?

17 REPRESENTATIVE BENNINGHOFF: All right, well, I
18 won't argue that.

19 DR. NAGLE: The typical historical thing is that
20 if you get 60 percent of the vote, you should get 70 percent
21 of the seats. That's what's idealized by the efficiency gap,
22 and it's the result of, people have studied this, I haven't
23 but people have analyzed elections back through the last 50
24 years, and that's the norm, that you get a winner's bonus of,
25 you know, 55 percent of the vote will get you 60 percent of

1 the seats.

2 REPRESENTATIVE BENNINGHOFF: Well, Dr. Nagle, I'm
3 going to argue with you. I actually--

4 DR. NAGLE: What anti-majoritarianism says is
5 that--

6 REPRESENTATIVE BENNINGHOFF: Sir--

7 DR. NAGLE: --if you get more than 50 percent of
8 the vote, you should get more than 50 percent of the seats.

9 REPRESENTATIVE BENNINGHOFF: Well, I'm glad that
10 you and I both agree on the fact that proportionality should
11 not be criteria, and it surely is not in our Constitution.
12 And I also agree with you that we should have fairness, but I
13 go back to my original question as I close out here. There
14 are three races, at least, where you have Members pitted
15 against each other, regardless of if you care about
16 incumbency. We'll do it generically and just say in several
17 races you have people pitted against each other where there's
18 a disproportionate amount of constituencies left in and, I'll
19 say it, the Democrat seats versus Republican seats. In just
20 an expert's opinion, do you think that that's a fair fight?

21 DR. NAGLE: That's not--

22 REPRESENTATIVE BENNINGHOFF: It's a simple "yes"
23 or "no" question, sir, please.

24 DR. NAGLE: I'm not qualified to answer that
25 question.

1 REPRESENTATIVE BENNINGHOFF: All right. We'll
2 leave it at that then. Thank you.

3 Thank you, Mr. Chairman.

4 CHAIR NORDENBERG: Leader McClinton.

5 REPRESENTATIVE McCLINTON: Thank you, Mr.
6 Chairman.

7 Good morning, Dr. Nagle. Thank you for being here
8 today. Just a few questions.

9 So that the record is clear, what are your
10 qualifications, sir?

11 DR. NAGLE: So as Chair Nordenberg mentioned at
12 the very beginning, I have spent a lifetime analyzing data to
13 obtain relevant quantities of interest. Now, much of my
14 career has been in the physical and biological sciences,
15 which, of course, those are the departments that I have been a
16 member of. But since 2012, I have been very involved and very
17 interested in the complex question of elections and partisan
18 bias. And so like I said before at my first slide, I
19 published a number of papers on that subject.

20 REPRESENTATIVE McCLINTON: Thank you. And your
21 experience with looking at elections and partisan bias, can
22 you describe that for this Commission?

23 DR. NAGLE: I'm not sure how to answer that
24 question. I guess I would like you to read my papers, which I
25 get into a lot of detail on this subject.

1 REPRESENTATIVE McCLINTON: And then my final
2 question this morning for you is, have any your personal
3 relationships impacted your conclusion that you shared this
4 morning?

5 DR. NAGLE: I'm not sure exactly what you're
6 asking. I've been involved in this subject, you know, like I
7 say, since 2012. So maybe what you're referring to is the
8 kinds of questions that Leader Benninghoff was bringing up.
9 No, I have not been prompted to do this by anybody else. I've
10 been in this subject long before I knew any of the people on
11 this Commission.

12 REPRESENTATIVE McCLINTON: Thank you, Dr. Nagle.

13 CHAIR NORDENBERG: Other questions?

14 REPRESENTATIVE BENNINGHOFF: I have a quick
15 comment.

16 CHAIR NORDENBERG: Leader Benninghoff.

17 REPRESENTATIVE BENNINGHOFF: Mr. Chairman, I
18 appreciate your tolerance. I'm just curious, I feel like this
19 is an unfair cross-examine of a witness prior, first of all,
20 without our knowledge. So the question is, would we be
21 allowed to offer future rebuttal to this testimony by a
22 self-professed expert in political science and elections that
23 we were not anticipating?

24 CHAIR NORDENBERG: We should take that up, if you
25 have a specific proposal to make, at a later point in time.

1 REPRESENTATIVE BENNINGHOFF: Thank you, sir. I
2 appreciate it.

3 DR. NAGLE: May I just comment? I would be very
4 happy to have a debate with other expert witnesses that you've
5 called.

6 REPRESENTATIVE BENNINGHOFF: You were not invited
7 to do that.

8 CHAIR NORDENBERG: Thank you very much, Professor
9 Nagle, for your time and for the thoughts that you have
10 shared.

11 Well, let's just go on to the next witness, who is
12 Michael Jones-Correa. He is the President's Distinguished
13 Professor of Political Science at the University of
14 Pennsylvania. We have two Michael Joneses here. He also is
15 the Director of the Center for the Study of Ethnicity, Race,
16 and Immigration. He previously also has held faculty
17 appointments at Harvard and at Cornell.

18 I will say, to anticipate your question, Leader
19 Benninghoff, that Professor Jones-Correa is not known to me or
20 anyone on the staff. He did sign up to testify of his own
21 volition, and we then were in touch with him to make those
22 arrangements, recognizing in particular that he does have
23 expertise in an area that has been of great interest to the
24 Commission.

25 Professor, welcome.

1 DR. JONES-CORREA: Thank you so much. And to the
2 Legislative Reapportionment Commission, I guess I got the
3 title right, for this invitation to come speak. I wanted to
4 come speak to the Commission and to give testimony in part
5 because I've been a resident of Philadelphia now since 2016.
6 My wife is from Pennsylvania, and so she's very glad to be
7 back here in Pennsylvania. And as the Chair mentioned, I have
8 longstanding expertise in Latino politics, in particular. So
9 this testimony will be a little less technical than the
10 previous testimony.

11 So I've been doing research in the Philadelphia
12 area since 2013, even before I came to the University of
13 Pennsylvania, and have basically spent my entire career
14 working on Latino politics and particularly the integration of
15 new voters, new citizens into the political system, since my
16 dissertation in the early 1990s. So, much of my work follows
17 demographic change, particularly demographic change as a
18 result of migration, sort of assessing its political impacts
19 and effects both for migrants and for previous residents. And
20 so as a result of both my research and living here in
21 Philadelphia, I've been paying attention to the changes that
22 have been taking place in the State as a result of migration
23 and changing demographic patterns, particularly with the
24 Latino population in the State of Pennsylvania from 2010 to
25 2020 in the U.S. Census. I gave a presentation on these

1 changes to the Greater Philadelphia Hispanic Chamber of
2 Commerce late last year, and then wrote an op-ed piece which
3 was published earlier this month in *The Philadelphia Inquirer*.
4 And I think it's the result of this op-ed piece I was invited
5 to present some testimony here today to you.

6 So I just want to say that this op-ed piece made a
7 number of points that I think are worth highlighting here.

8 The basic gist of that op-ed piece was that there have been
9 these very gradual changes in Pennsylvania's population, which
10 are greater numerically around the Philadelphia area and its
11 surrounding counties, but are probably more obvious, actually,
12 in counties like Lancaster, Lehigh, and Cumberland that are,
13 again, a portent of sort of these broader demographic changes
14 taking place across Pennsylvania. So over the last decade,
15 all population growth in Lancaster County, for example, was
16 the result of increases in the numbers of communities of
17 color. So that today, 11 percent of Lancaster is Latino. In
18 Reading, the Latino population grew more than 25 percent since
19 2010, now makes up 68 percent of the city's population. In
20 Allentown, Latinos make up more than half of the city's
21 residents. So there has been this kind of slow accumulation
22 of changes, which if you look now seem quite dramatic, and so
23 according to the U.S. Census, between 2010 and 2020, the
24 Latino community in Pennsylvania overall grew by 45.8 percent.
25 They now make up more than 8 percent of the Commonwealth's

1 population.

2 So this is a quite dramatic increase in this
3 community's population in the State of Pennsylvania. It
4 mirrors what has been happening across the country, and you
5 can see the impacts of these changes in communities all over
6 the State. Without these new residents, both as a result of
7 migration and of birth, Pennsylvania's population and the
8 population of almost every county in the State, including
9 Philadelphia's, would have shrunk. And so, of course, it had
10 very real consequences for the State's representation in
11 Congress, and the State, of course, is losing one seat in
12 Congress. It would have lost perhaps more and would have had
13 impacts as well for the resources that the State receives from
14 the Federal government, which, of course, benefits every
15 resident in the State. So this is all to say that the
16 population in Pennsylvania would have declined almost across
17 the board without this increase in both Latino and Asian
18 American populations, I should say, that these changes in
19 population were particularly evident among Latinos.

20 So the preliminary plan that the Pennsylvania
21 Reapportionment Commission has drawn up recognizes the
22 significant growth in communities of color like those of
23 Latinos across the Commonwealth. And I think it recognizes
24 this growth appropriately in part because, in fact, the
25 Commission's map appropriately takes into account that growth

1 in Latino population, but also reflects its charge under the
2 1965 Voting Rights Act, which asks States to take into
3 consideration representation of historically underrepresented
4 minority communities and sort of counters some of the decades
5 of gerrymandering that led to the dilution of the political
6 power of some of these underrepresented communities,
7 particularly Latino communities in the State.

8 So there are currently four majority Latino
9 districts, House districts, and the Commission's plan
10 increases this to nine majority Latino districts, with a
11 number of influence districts. So there are new districts
12 drawn in Allentown, Reading, Lancaster, Norristown, so it
13 expands the representation of this community, allowing voters,
14 Latino voters in particular, to elect representatives of their
15 own choosing.

16 So I just really -- this is just going to be a
17 quite short testimony to say that the Commission's map
18 captures these changes in population over the last decade, and
19 also allows for some recognition of where the State's
20 population is heading, I think, through the creation of some
21 of these influence districts. And again, just to underline
22 that the Commission's map gives everyone, I think, a fair
23 chance to elect representatives of their own choosing and
24 recognizes, in particular, Latino voters, and gives Latino
25 voters a chance to elect representatives of their own

1 choosing.

2 Those are my comments for today. Thank you.

3 CHAIR NORDENBERG: Thank you very much, Professor.

4 Are there questions or comments from Members of
5 the Commission?

6 Majority Leader Benninghoff.

7 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
8 Chairman. Thank you, Mr. Jones.

9 I actually pulled up your article and your
10 editorial. I was interested in what you were referencing
11 there. I commonly hear, I think you said as well, that the
12 Latino population will then be able to select their candidate
13 of choice, and that is true in process. But I would say, I'm
14 actually curious, when you look at the LRC map versus what
15 currently occurs in some of the existing Latino districts, do
16 you see any population decrease of Latinos that are of age to
17 vote?

18 DR. JONES-CORREA: So just speaking
19 demographically, is there a decrease in the voting age
20 population of Latinos in the State?

21 REPRESENTATIVE BENNINGHOFF: Yes, that's the
22 question. In those four existing districts that you mention
23 early in the article, and then you--

24 DR. JONES-CORREA: I see. I see. So, is there a
25 smaller proportion, a smaller percentage in those four

1 existing districts in the new maps?

2 REPRESENTATIVE BENNINGHOFF: Yes. Did you read it
3 that way?

4 DR. JONES-CORREA: So there's always, I think,
5 some tension between, say, I think particularly for
6 legislators, if you want to guarantee, say, the election of a
7 Latino Representative, you may want to sort of pack, is maybe
8 a pejorative word, but pack the district with the greatest
9 number of possible Latino voters. I think in terms of
10 maximizing representation, that may not be the optimal
11 strategy. The optimal strategy may be to essentially have a
12 greater number of districts that have somewhat lower
13 percentages of Latino voters. So there is some tension there
14 between the desire to guarantee the election of Latino
15 representatives and to maximize representation.

16 So from the perspective of a Latino resident in
17 Pennsylvania, you would want to maximize representation. From
18 the perspective of a Latino elected official, I could see
19 there might be some desire to maximize the likelihood that
20 they would be reelected.

21 REPRESENTATIVE BENNINGHOFF: All right. I just
22 want to share something with you, and then I'll ask that
23 question similarly. Because your opinion matters on this, you
24 wrote an editorial and you did comment on the fact that there
25 are more potential districts, but currently, we'll just go

1 down the numbers real quick. The 180th District in the LRC
2 map, compared to the current map that people are serving in,
3 there's a reduction of 2,999 voting age Hispanics; 127th
4 District, a reduction of 8,517 voting age Hispanics; the 132nd
5 District, 10,741 voting age reduction; in the 126th, 3,341;
6 and, lastly, the 96th Legislative District, there's a
7 reduction of 9,827.

8 Now, I'm no expert, nor a mathematician, I'm just
9 curious, as a voter, someone who's obviously very interested
10 in it, do you see those reductions helping Latinos have any
11 better ability to get elected than they may have in the last
12 maps?

13 DR. JONES-CORREA: So I go back to my previous
14 comment that, I think in terms of a Latino voter, residents of
15 Pennsylvania, the goal is to maximize representation, which is
16 to increase the number of districts where Latinos have a
17 chance of electing a representative of their choosing, have a
18 chance of influencing the representation in that district. So
19 that may actually mean that there are fewer Latino voters in
20 highly concentrated districts. And so, you know, part of what
21 I see the Commission's map doing is increasing the chances of
22 electing a Latino Representative across a larger number of
23 districts rather than increasing the chances of electing a
24 specific Latino Representative in a smaller number of
25 districts. So I hope that makes sense.

1 REPRESENTATIVE BENNINGHOFF: I don't want to argue
2 with you, by any means. All I would say, if you were a
3 candidate in one of those districts, do you think the
4 opportunity for you to have a victory is increased or
5 decreased by those reductions I just spelled to you in each
6 one of those districts?

7 DR. JONES-CORREA: I just want to point out, I
8 guess you're a Representative, I just want to point out that
9 I'm a voter. I'm not an elected official.

10 REPRESENTATIVE BENNINGHOFF: I know that. I just
11 asked you, hypothetically.

12 DR. JONES-CORREA: So from the point of view as a
13 voter, I would rather maximize my options as a voter. So
14 that's what I see this legislative map doing. I absolutely
15 concur that, you know, elected officials want to maximize the
16 chance of their winning, so I could see there might be a
17 rationale to, again, pack your voters into a district to
18 guarantee or maximize your likelihood of being reelected. But
19 that is not the goal, I think, from the perspective of
20 citizens or residents of Pennsylvania. The goal of the maps
21 should be to maximize their likelihood of electing
22 representatives of their choosing.

23 REPRESENTATIVE BENNINGHOFF: Mr. Jones, you've
24 been very patient. I appreciate that. I just want to share,
25 a lot of legislative races are roughly 25,000, depending on

1 what voter turnout is. So in the fall you get 25,000 voters
2 voting in that race. In the 132nd District, you have a
3 reduction in voting age eligible Hispanics of 10,741. Again,
4 I'm not a math expert, but something tells me that lowers the
5 odds. And the reason I asked that question is, the majority
6 of those that came before us in multiple hearings representing
7 the Latino community did not come in here and say, boy, we
8 hope somebody really nice gets elected in these seats that are
9 supposed to be Hispanic-majority districts. You know, we talk
10 about VRA districts, and traditionally, that is a district
11 that's 50 percent plus 1 of a particular minority population.
12 And we're talking about districts that now have a reduction in
13 it. So I have very serious concerns that we are actually
14 going in the opposite direction of what the general public has
15 come before us to testify.

16 So I appreciate your answer, and I appreciate your
17 patience.

18 Thank you, Mr. Chairman.

19 CHAIR NORDENBERG: Any other questions?

20 Majority Leader Ward on the big screen.

21 SENATOR K. WARD: I wanted to ask a question
22 because I know you miss me sitting beside you constantly
23 asking questions, Chancellor.

24 Thank you very much, Professor. So I guess I just
25 want to be clear what you're saying. You're saying that it's

1 more important to have influence as a group, whatever that
2 minority group may be, than it is to actually have a
3 representative from that group in the legislature?

4 DR. JONES-CORREA: I think it's complicated. I
5 think there's some tension there between -- so political
6 scientists talk about descriptive representation and
7 substantive representation. So descriptive representation is
8 you elect someone who looks like you, is from your ethnic
9 group. Substantive representation is someone who represents
10 your interests. Ideally, those two things are the same, or
11 might be the same, if you're saying from a member of an
12 underrepresented group, say like African American or Latino or
13 Asian American. You might want those two things to come
14 together. But it's not always possible. So, for instance,
15 the Commission's maps draw a number of Asian American
16 influence districts, because there simply aren't enough -- or
17 the population of Asian Americans isn't sufficient to draw a
18 number of majority-Asian American districts.

19 So I think there is some tension there, and I
20 think the goal is to maximize the representation of voters,
21 not of elected officials. So you want to maximize the number
22 of districts where Latinos have a chance, a good chance of
23 electing representatives of their choosing and maximize the
24 number of influence districts where they have some say so
25 representatives will listen to what their interests are. And

1 I also want to say that these districts which are being drawn
2 every 10 years are in some ways, I know we're taking into
3 account the last 10 years of demographic change, but they also
4 in a sense account for or anticipate what the next 10 years of
5 demographic change will look like. And the Latino population
6 will continue to grow. So all these districts that are being
7 drawn now will only become more Latino over time.

8 So I appreciate the concern raised earlier that
9 each of these districts may be seeing some slight decline in
10 the numbers of Latinos in each of these districts, but I very
11 much doubt that that will be true even five years from now.
12 The trend in population will only continue where Latinos will
13 increase as a proportion of the State's population and
14 increase as a proportion of the State's voting population,
15 both as a result of 18-year-olds becoming adults and becoming
16 voting age, and as migration from States like New Jersey and
17 New York, where Latinos from those States are migrating to
18 Pennsylvania.

19 So for those reasons, I think that I'm not as
20 concerned as the questioning earlier that we might see, in the
21 short run, declines in the numbers of Latinos living in some
22 of these districts.

23 SENATOR K. WARD: So just one real short question.
24 What do you consider a good percentage for influence and a
25 good percentage for electing a possible Latino?

1 DR. JONES-CORREA: So I will say that you probably
2 have had testimony from others who -- no, you haven't? Well,
3 I'm not going to give a sort of a number off the top of my
4 head.

5 SENATOR K. WARD: That's okay.

6 DR. JONES-CORREA: But I'm pretty sure that you
7 can get -- and I'm pretty sure I could probably get the data
8 to give you some firmer numbers about what this would look
9 like, but I'm not going to give it off the top of my head.

10 SENATOR K. WARD: Thank you. I wasn't trying to
11 trick you. It was just a question. So thank you very much.
12 Thank you for your testimony.

13 CHAIR NORDENBERG: Any other questions or
14 comments?

15 (There was no response.)

16 CHAIR NORDENBERG: If not, thank you very much,
17 Professor. We appreciate your contributions.

18 DR. JONES-CORREA: Thank you.

19 CHAIR NORDENBERG: And now we have two
20 distinguished Members of the House of Representatives who have
21 been waiting to testify. The first is Mike Jones. He is from
22 Dallastown, and he is here to testify about the House map.

23 Welcome, and thank you for your patience.

24 REPRESENTATIVE JONES: Thank you, Chairman. The
25 world's most boring name.

1 CHAIR NORDENBERG: I couldn't believe it when I
2 looked down at the roster and saw the two of you were back to
3 back, and it didn't surprise me when you stood up before I got
4 through his name.

5 REPRESENTATIVE JONES: Well, keep your
6 expectations low, and I may not disappoint. I'm not a
7 professor, so. I have a little more comprehensive written
8 testimony I'll submit, with just a few more examples. I'm
9 largely here to speak to you today, Mr. Chairman. But I'll
10 try to keep it to my five or six minutes, so I've shortened
11 the oral testimony just a bit.

12 Chairman Nordenberg and committee Members, four of
13 whom I'm also proud to call colleagues, my name is Mike Jones,
14 a lifelong Pennsylvania resident, currently serving my third
15 year as State Representative for the 93rd District in York
16 County. I'll quickly add that I like the map a lot from a
17 self-serving perspective in York, so I have no personal dog in
18 this fight. I think the map was done properly in York, and it
19 should be a guide for the rest of the State.

20 Prior to my service in the House, I spent 23 years
21 with a nationally acclaimed supply chain consulting firm,
22 serving 11 years as its president. That experience is
23 relevant because my work included the use of advanced
24 analytical modeling to develop maps aimed at optimizing
25 logistics, costs, service, and constraints for many of the

1 world's largest companies. While redistricting and supply
2 chain optimization are different, the underlying science is
3 the same. I know a gerrymandered map when I see one, and rest
4 assured, the House map put forth by this committee is a
5 gerrymandered map.

6 This Commission exists solely because of Article
7 II, Section 17, of our State Constitution. Your authority
8 rests solely in that Constitution. How can you claim
9 authority over this redistricting process under Article II,
10 Section 17, only to turn around and ignore Section 16 of that
11 very same article, which clearly directs you to create compact
12 districts and to avoid unnecessarily dividing counties,
13 cities, towns, boroughs, townships, or wards?

14 We listened this morning to the esteemed Professor
15 Nagle who opined for 30 to 40 minutes. Not one word of that,
16 other than the next to last bullet point, had anything to do
17 with the Constitution. It was interesting. It might be
18 subjective on what is fair or unfair. None of it is relevant.
19 Sadly, this map thumbs its nose at the Constitution and the
20 citizens of our State by ignoring compactness, unnecessarily
21 dividing municipalities, and disenfranchising voters,
22 particularly minority voters, in the process. Can you
23 honestly say the maps are consistent with the requirements,
24 not guidelines, requirements put forth by the same
25 Constitution used to justify your existence as a Commission in

1 the first place?

2 Perhaps we need to clarify what State
3 Representatives actually do. Mr. Chairman, being a private
4 sector guy myself, I'm going to assume you're relatively new
5 to the workings of State politics, much like I was 3 years
6 ago. I associated State Reps with most other politicians like
7 U.S. Congressman and Senators, judging them largely by the
8 letter behind their name and the votes they took on certain
9 bills. My guess is whoever drew these maps thinks of them the
10 same way, but that demonstrates a fundamental
11 misunderstanding, just as I myself had three years ago, of
12 what Reps do.

13 The majority of our job has nothing to do with
14 party or legislation. That's why most Reps will go years
15 without ever passing a single significant bill. On the
16 contrary, the job has everything to do with constituent
17 services. The real work, the real value occurs not in
18 Harrisburg, but in the district offices. To adversely impact
19 millions of Pennsylvanians by unnecessarily upending their
20 districts, showing total disregard for longstanding
21 relationships with municipal, school, and other community
22 leaders, and ignoring what for many of them are very important
23 relationships with their Representatives and district staff
24 all for no good reason is unconscionable. Please put aside
25 political gamesmanship and focus on the senior citizen ashamed

1 to acknowledge they can't afford their property taxes, the
2 single mother who needs assistance with her utility bills, and
3 the unemployed machine operator embarrassed to ask for help
4 collecting his unemployment. These people don't care about
5 the letter behind their Reps' name. They care about their
6 relationship with those Reps and their staff.

7 Back to the gerrymandering and specific examples
8 of it. First, whoever drew these maps is without question a
9 Democrat partisan, but it doesn't stop there. These maps have
10 Republican fingerprints on them as well. This is
11 unacceptable. I'm happy to provide you with as many examples
12 as you like, but for the sake of time, I provided four in my
13 written testimony, and will only talk about two today.

14 First, it has been stated that these maps were
15 created without regard to where incumbents live. Again, I
16 spent my career optimizing maps, and it is impossible, not
17 unlikely, but impossible the mapmaker didn't consider
18 Representatives' home addresses. We have seven examples of
19 Republicans who end up in head-to-head competition, most of
20 which could have been avoided, but only one such example for
21 Democrats. If drawn objectively, the opposite should be true.
22 Why is that? Because most Democratic Reps are concentrated in
23 Philadelphia and Pittsburgh, and live in very close proximity
24 to one another. It is impossible that they weren't
25 intentionally protected from head-to-head competition.

1 Impossible, sir.

2 Which leads us to our second example. The newly
3 created 10th and 17th Districts in western PA, one of the most
4 blatant examples of gerrymandering. The 17th District is
5 ridiculously shaped to snake to the eastern side of Lawrence
6 County, then make an abrupt left turn to the Ohio border, in
7 the process drawing a border that not only removes Aaron
8 Bernstein from his current 10th District, but literally splits
9 the property line of his personal home. Are we to believe
10 this occurred by accident? This was most likely done to
11 create a new 10th District to protect a 13-time Democrat
12 incumbent, Chris Sainato.

13 But, Mr. Chairman, before you think I'm just a
14 Republican lawmaker testifying against a Democrat mapmaker, it
15 goes beyond that. In cutting Bernstein out of the 10th
16 District, he is pitted against an incumbent Republican in the
17 newly formed 17th District. This puts Bernstein at an
18 incredible disadvantage as he finds himself in the far corner
19 of that district, most of which he does not currently
20 represent. Why is that relevant? Because Bernstein is an
21 anti-establishment Republican whose leadership called on to
22 resign last election cycle. If you think this is a
23 coincidence, please think again. This is but one such example
24 of both Democrat and Republican establishment fingerprints on
25 these maps. This is what happens when people ignore the law

1 and introduce their personal bias and beliefs on a whole
2 myriad of considerations that aren't contained within the
3 Constitution.

4 Sir, I'm not sure if all of this occurred at your
5 direction or behind your back. I hope it was the latter. So
6 I felt I had the obligation to bring it to your attention, as
7 I trust you have the strength of your convictions to remedy it
8 before the Supreme Court does. And that remedy, appropriately
9 enough, is simply to honor the Constitution, which not only
10 empowers you but dictates you to adhere to the compactness and
11 municipal boundary requirements it sets forth.

12 Thank you for your time, and I'm happy to take any
13 questions you may have.

14 CHAIR NORDENBERG: Thank you.

15 Any questions or comments?

16 (There was no response.)

17 CHAIR NORDENBERG: We'll look forward to getting
18 your written testimony. We'll look at the examples.

19 My only response is that we have taken the
20 requirements of Article II very seriously, and by every
21 measure, including the expert witness called by your Caucus
22 yesterday, the current map far exceeds the existing map in
23 terms of compactness, county splits, municipal splits, all of
24 the requirements, the quantitative requirements of Article II.

25 REPRESENTATIVE JONES: Thank you, sir.

1 My only quick comment is to really do what the
2 Constitution says. There are definitely opportunities to make
3 it more compact, and clearly opportunities to reduce municipal
4 splits, and I'm happy to help any way I can.

5 So thank you for having me, and I appreciate you
6 being willing to serve our Commonwealth.

7 CHAIR NORDENBERG: Well, thank you very much, and,
8 of course, that is the purpose of this 30 days, so we
9 appreciate your comments.

10 Our next witness is Ryan Mackenzie from Emmaus,
11 and he is going to talk about Lehigh County.

12 Welcome, sir.

13 REPRESENTATIVE MACKENZIE: Thank you, Mr.
14 Chairman.

15 I have a slide presentation, but I also have hard
16 copy handouts, if you would prefer this.

17 CHAIR NORDENBERG: Either way.

18 REPRESENTATIVE MACKENZIE: I'll certainly do the
19 presentation, but I will give you the hard copies as well,
20 just for the three Members so that you can use those, so that
21 you can follow along on those as well, if you'd like.

22 CHAIR NORDENBERG: Thank you very much.

23 REPRESENTATIVE MACKENZIE: Great.

24 Well, thank you, Mr. Chairman, and thank you to
25 the Members of the Commission for allowing me to join you here

1 today. As was stated, I am Representative Ryan Mackenzie from
2 the 134th District, which is portions of Lehigh and Berks
3 Counties. I was elected in an April 2012 special election and
4 took office in May of 2012, and have had the pleasure and
5 honor of serving the residents of that area ever since.

6 Today, I am coming to you as a citizen and a
7 legislator who has become interested in this process over the
8 past 10 years, just like many others across Pennsylvania. I'm
9 interested in free and fair elections where citizens can pick
10 their representatives, and not the other way around. During
11 this process, in this recent redistricting cycle, I've been
12 critical of both parties, Republicans and Democrats, when
13 appropriate, for not following redistricting criteria or
14 maintaining transparency in ways that I thought were best
15 suited for the process and for the people of Pennsylvania.
16 But when I did that, not only did I call it out, but I also
17 wanted to propose solutions to those problems. I'm not
18 interested in just coming before you and throwing bombs or
19 making incendiary comments. I want to actually improve the
20 process, and that's something that I ran on the first time in
21 2012 was actually coming up with solutions in Pennsylvania
22 government.

23 So what I'm going to do in my presentation here
24 today is look at the issues that I see in Lehigh County, but
25 also propose a solution and a better way, not just to improve

1 on the existing map that's in place right now, but actually
2 improve on the preliminary map that has been proposed before
3 us. So I'll go to the first slide here, and it just is an
4 outline of Lehigh County, shows the preliminary plan as it's
5 been proposed, and also to the left it shows a map from Penn
6 State Harrisburg and the Data Center there that shows the
7 growth in Lehigh County municipalities. You can see the
8 darker green are those that have the largest growth, some
9 small decline in northern Lehigh County, but generally growth
10 across the county. Most significantly, in those dark green
11 rectangles are Upper Macungie and Upper Saucon, and right
12 below the one in the west, which is Upper Macungie, is Lower
13 Macungie. That's the township I reside in. It's been one of
14 the fastest growing municipalities in the country over the
15 past two decades, so I just wanted to note that significant
16 growth in the county.

17 Next is Lehigh County House seats. I'm going to
18 be looking at and presenting and comparing maps to two
19 different outside groups, citizens groups and citizens that
20 have put together maps, Amanda Holt's and also the Fair
21 Districts' map. We'll be looking at those today. And what
22 you see in the proposed maps, not just from these two but lots
23 of others who have put together maps, there are very common
24 themes that arise in Lehigh County. So it recognizes the city
25 of Allentown, recognizes northern Lehigh County as a distinct

1 area. Southern Lehigh County is oftentimes coupled with a
2 portion of Northampton County because of a connection between
3 Upper Saucon and Lower Saucon and even sometimes as far as
4 Hellertown. Eastern Lehigh County often comes up in these
5 maps as well, with districts surrounding Allentown along the
6 eastern edge of the county. And then western Lehigh County,
7 usually centered around Upper Macungie and Lower Macungie.

8 So the next slide is just, very briefly, comparing
9 the three maps, Amanda Holt's map, Fair Districts' proposed
10 map, and also the preliminary map. You can just visually see
11 that they are very different, and I'll start to highlight some
12 of those individual items that are different. So what you see
13 in Amanda Holt's map and the Fair Districts map, they both
14 recognize the distinct communities of western Lehigh County
15 and northern Lehigh County. You can see that in those areas
16 that are circled in red, something that does not show up in
17 the preliminary map. There are some other commonalities, but
18 those two things that are common in both of these other maps,
19 and many others, do not arise in the preliminary map.

20 On the next slide, you see some of the things that
21 arise in the preliminary map that really don't appear much of
22 anywhere else, very uncommon instances. So the first that
23 I'll highlight is the western portion of Lehigh County, the
24 dot within that oval is a split in Upper Macungie, and that is
25 something that the supervisors in Upper Macungie, just this

1 week in a bipartisan resolution, asked should not occur. They
2 said that that should not occur in their county. As we saw in
3 the first slide, they're a very growing county, and they said
4 that they would prefer that that not occur and, again, passed
5 a resolution to that effect.

6 The oval is an interesting thing where it merges
7 myself and another Republican Member, both in growing
8 municipalities and growing districts. Two of the largest
9 districts, maybe even the largest districts in Lehigh County
10 right now, ultimately get merged because you're able to take
11 out that piece of Upper Macungie, a significant portion of
12 that township. And that's unique and different because it's
13 been stated that there were the only Republican mergers
14 because they were in declining population areas. That, of
15 course, is not the case here. So that is unique and, again,
16 an instance that I have not seen appear in any other map.
17 When I saw this, I said, that's a heck of a curve ball. That
18 is not something that I or any other mapmakers anticipated or
19 drew in their maps.

20 Then in northern Lehigh County, you see this split
21 going clockwise around in the red circles. You see a split in
22 North Whitehall Township that doesn't arise in the other maps.
23 You see a very unique split in Allentown, something that,
24 again, is not common in the other maps, and when they do split
25 Allentown, there aren't the ward splits like we see in this

1 map.

2 And then finally, there is a split, a three-way
3 split in Salisbury Township, which is 14,000 people. It's
4 something that's split right now three ways. That simply
5 should not be occurring. It shouldn't be in the current map,
6 it shouldn't be in the preliminary map, and so I believe
7 that's something that should be fixed as well.

8 So again, I don't want to just highlight the
9 problems that I see or the issues that I see in a map. I do
10 want to suggest a possible solution, and so on the next slide
11 here is a possible adjusted map. And so looking at and
12 considering those other proposals, the Amanda Holt and the
13 Fair Districts map, and using the criteria that I lay out
14 here. So first is that I want to be conscientious of the work
15 that this Commission has already done. You've done a
16 considerable amount of work, and I know that there is a short
17 amount of time before you're going to put out a final plan, so
18 I did try to stay within the framework and the existing
19 footprint of any of those districts that are in Lehigh County
20 in the preliminary map. That way, you're not having ripple
21 effects across the rest of the State. It'd be easy to come in
22 here and draw an ideal map for Lehigh County and people would
23 say, well, that's great, but you're not considering the rest
24 of the State. So I stayed within the existing footprint of
25 those districts that are here in Lehigh County already in your

1 preliminary map.

2 Next, obvious criteria that is often discussed -
3 compact, contiguous, reducing divisions of municipalities,
4 wards, school districts, where possible, not always possible,
5 but we would like to try to reduce that as much as possible.
6 Not to dilute voters' voices based on race, and also take into
7 account the interests of the Commission and public feedback
8 that I've already seen has been received to date.

9 The result of my proposed solution is there on the
10 right, and we'll go through it and compare it to the
11 preliminary map in a number of ways. But what happens is, as
12 compared to the preliminary map, you see that there are less
13 splits, reduced deviation, an elimination of dilution of
14 minority representation in Allentown, an elimination of
15 merging of districts in growing suburbs, and it maintains
16 compactness, and it also maintains the preliminary political
17 breakdown of the map that's been proposed already.

18 So on the next slide, this just highlights a
19 number of these changes just very briefly. Again, taking into
20 account a number of the changes that were common. So in that
21 possible adjusted map you see that there is a new western
22 Lehigh County seat there, in Upper Macungie, Lower Macungie,
23 Macungie and Alburtis; eliminates that split in Upper
24 Macungie; places squarely a district in northern Lehigh
25 County; fixes the issue of splitting North Whitehall; fixes

1 the three-way split in Salisbury Township and a ward split
2 there as well; and also maintains that southern Lehigh County
3 district, and I should just note for the record also, that
4 that southern Lehigh County district is represented by my mom,
5 Milou Mackenzie, who was elected to the 131th District in
6 November of 2020 and took office in January of 2021.

7 The next slide is a comparison of the things that
8 I picked up from these other maps. So, again, there were lots
9 of commonalities that were easy, but then you do have to, just
10 like in any mapmaking process, there's criteria that sometimes
11 runs counter to each other and you do have to make some
12 decisions. And so I chose some elements from the Amanda Holt
13 map, some from the Fair Districts map. So in the Amanda Holt
14 map, she only splits Allentown into two districts as opposed
15 to three, and I think that is important, we'll see in later
16 slides, because of Hispanic representation, and also, it just
17 makes sense. It's simply not necessary to crack the city into
18 three, and so that's something that I adopted from the Amanda
19 Holt map.

20 There are obviously, not just in the city of
21 Allentown and the case there, but there are obviously lots of
22 different ways that you could divide a city in this case into
23 two districts with certain lines through the city. I chose
24 one that does not split any wards, but I'm sure there are
25 other viable options in the city as well. And also the map

1 that I'll show does maximize minority representation, and
2 we'll see that on a later slide.

3 Finally, it keeps Emmaus and Salisbury together.
4 That's something that Amanda Holt had proposed as well, and
5 for a small reason, not only are they communities that are
6 similar in nature, but also there is a divided precinct in
7 Salisbury which is on two different sides of Emmaus. And so
8 if you can keep those together, you actually keep that
9 precinct contiguous as well, and so I think that's a small
10 benefit in terms of meeting the criteria that have been laid
11 out.

12 All right, the next slide shows some of the
13 elements that I adopted from the Fair Districts map. So,
14 again, trying to reduce splits as much as possible, but we all
15 know that there do need to be some splits that occur in
16 instances. And so starting at the top at the 12 o'clock
17 position there, Fair Districts does split Whitehall Township.
18 That's something that I adopted in my map as well. Going
19 around clockwise, they maintain the Bethlehem portion that is
20 in Lehigh County with Fountain Hill. I do that as well.
21 They're both in the same school district, in the Bethlehem
22 School District. So Fountain Hill is a small municipality; if
23 possible, I think it's better to keep that with Bethlehem
24 School District. And then, finally, they maintain that
25 connection that I had highlighted earlier which is in the

1 current map and continues in this map in that southern Lehigh
2 County seat connecting Lehigh and Northampton Counties.

3 That's something that comes up often in these maps. It's in
4 the existing map, it's in the preliminary map, and should, I
5 think, continue in this map as well.

6 On the next slide, now we'll go into a
7 side-by-side comparison of the existing preliminary map and my
8 possible adjusted map that I'm suggesting. You can see them
9 visually here, how they change. And specifically on the next
10 slide, just highlighting, again, those elements. I won't run
11 through all of them again, but the western Lehigh County seat,
12 the northern Lehigh County seat, fixing a lot of different
13 splits in municipalities and school districts and wards across
14 the map.

15 All right, specifically looking at the next slide
16 on the splits, can you see that municipal splits in the
17 possible adjusted map come down and the total discretionary
18 municipal splits is reduced by two, ward splits is taken down
19 to zero, and total splits in school districts is reduced by
20 two as well. So see that it's possible to have a significant
21 reduction of splits there.

22 On to the next slide, these numbers come from
23 Dave's Redistricting. You see that the deviation of the
24 possible adjusted map is lower than what is proposed in the
25 preliminary map. When it comes to compactness, the possible

1 adjusted map fares better under one calculation and worse
2 under another. So because of the way those calculations are
3 done, that's kind of a wash in that situation. And it does
4 connect the one split precinct, but in terms of contiguous
5 anomalies, these are little portions of municipalities that
6 are kind of off from their base. We are able to fix ones of
7 those as well. So, again, a small benefit there.

8 On the next slide, so coming to minority
9 representation, this data is from Dave's Redistricting site as
10 well, and they start rating in the significant portion where
11 you can go in and look at the actual data, they have two
12 different charts, one for the preliminary map, one for the
13 possible map. They begin rating districts as having a
14 noticeable minority community once it's above 35 percent,
15 that's just where their charts begin.

16 And so what you can see is the possible adjusted
17 map can actually increase minority representation in two
18 districts. So it is diluted in the preliminary map, both in
19 terms of overall minority representation and Hispanic
20 representation. And so those can both be improved upon in a
21 possible adjusted map, and that's because of the cracking of
22 Allentown which occurs. And then when you crack that up
23 because it could only be in two districts, you have to add
24 population in surrounding suburbs. And then those suburbs are
25 not as heavily minority in terms of their voting age

1 population, and so that dilutes the representation in those
2 three districts.

3 And so in my proposal, again, both of the
4 districts that are majority-minority have significant Hispanic
5 population. One is over the threshold of 50 percent and
6 actually is over--larger Hispanic population than the largest
7 one that is proposed in the preliminary map. And the second
8 largest district in my proposal has both higher minority
9 representation and Hispanic representation, just like the
10 first district. And the Hispanic representation in that
11 second highest district is 44.3. And as we've heard, there is
12 significant Hispanic growth. So I would estimate that
13 actually, I mean, it's increased over 47 percent in the past
14 10 years in Lehigh County. So I would certainly believe that
15 that 44.3-percent district that I create could become over 50
16 percent in the next 10 years during the time period where this
17 map would be in effect.

18 I will go on to the next slide. This is not
19 something that I considered as criteria, but it always comes
20 up during these processes, which is political representation.
21 And so I felt that it was important just to recognize that and
22 compare these two, the preliminary map and the possible
23 adjusted map. The political breakdown stays the same as in
24 Dave's Redistricting App, saying that four districts would be
25 Democratic, three would be Republican. It does fix the issue

1 of two merged Members, one of those Members being myself. But
2 I do get pushed into a Democratic district in this proposed
3 map, in the possible adjusted map. So you see that instead of
4 one going from Republican to Democrat, one would go from a
5 Republican to a Democratic with an incumbent, not just being
6 an open seat, and that is me in this case. That district is
7 rated as being competitive though. So it does, and you can
8 see it on the map, it's that western Lehigh County seat, that
9 almost perfect square that everybody has proposed in their
10 other proposals, Lower Macungie, Upper Macungie, Macungie and
11 Alburtis. It is a competitive race.

12 And so I would just note though, you know, that
13 the preliminary map merges two Republicans and creates an open
14 seat in a Democratic district, but the open seat has less
15 minority and less Hispanic representation than a Democratic
16 district would be maintained in a possible adjusted map. And
17 I think that's important to note because I think some people
18 have a belief that a Hispanic individual would have a best
19 chance in an open seat. I don't think that's the case.
20 That's not what history has shown. The closest that a
21 Hispanic individual has come to winning a State House seat in
22 Allentown to date was actually in 2020 where Enid Santiago,
23 who came before this Commission, ran against an incumbent in a
24 heavily minority district and she came within 55 votes. When
25 that was an open seat, that was not a competitive district for

1 a Hispanic, and, in fact, Representative Schweyer won that
2 seat that year without significant opposition. So, again,
3 that is not necessarily the case that an open seat would fare
4 better.

5 So, finally, I will go to the last item here, and
6 this is just a conclusion. So the 2021 preliminary map, it
7 includes unnecessary and highly unusual municipal splits, as
8 we see and we've already discussed. And it does seem to
9 employ the gerrymandering technique of cracking and packing,
10 specifically in the city of Allentown, dividing Democratic
11 voters into three districts, which then requires adding
12 voters, as I've said, from outside city limits, and diluting
13 minority and Hispanic representation in those districts. It
14 also has the ripple effect of then merging two Republican
15 Members which are in very growing areas, as has been stated,
16 into the same district.

17 And as commentary, it is hard to say why that is
18 actually occurring. People are guessing that it's either
19 because you're trying to pick up a third solidly Republican
20 seat out of the city of Allentown, and we saw that on that
21 political map, that you have a solidly Republican seat, as
22 opposed to a competitive seat in western Lehigh County. And
23 people also suspect that it could be people are trying to
24 protect those two white incumbent Democrats in the city of
25 Allentown. Again, significant challenges, which we saw last

1 year in 2020, from a Latina, a Hispanic member who came within
2 55 votes of unseating an incumbent. So neither of those is
3 good, and I think we should try to fix this in a possible
4 adjusted map. And, as stated again, we can reduce splits in a
5 possible adjusted map, reduce deviation, eliminate that
6 dilution of minority voters, eliminate the merging of
7 districts in the growing suburbs, and maintain compactness and
8 political breakdown of the preliminary map at the same time.

9 So with that, I'll conclude. I do want to say
10 thank you, again, to the Commission for allowing me to come
11 testify before you. I want to reiterate my interest in free
12 and fair elections where citizens pick their representatives.
13 And I would hope that the Commission, and not Members of the
14 legislature, would be drawing gerrymandered districts for
15 desired political outcomes, whatever they may be. I think my
16 adjusted map shows that we can improve on the preliminary map
17 and not have impacts across the rest of the State, do so in a
18 timeframe that is possible to get it done and implemented this
19 year. And, again, I'll thank you and entertain any questions
20 at this time.

21 CHAIR NORDENBERG: Well, we thank you, both for
22 being here and for all of the thought that obviously went into
23 your presentation.

24 Are there questions? Comments?

25 Majority Leader Benninghoff.

1 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
2 Chairman.

3 Thank you, Mr. Mackenzie. Nice job. A lot of
4 good visuals here. I just have two quick questions. Are your
5 local community leaders in support of the adjusted map
6 suggestions you're making?

7 REPRESENTATIVE MACKENZIE: So, again, I would just
8 be able to, I've not solicited specific input as far as
9 support or not support of this particular map. But, again,
10 the individuals that I've spoken to do appreciate, as on the
11 record one is Upper Macungie, where they have asked not to be
12 split, so that request is being recognized in this. And
13 others that I've reached out or I've spoken to do appreciate,
14 again, the reduction in splits which are achieved in this map.

15 REPRESENTATIVE BENNINGHOFF: You sort of alluded
16 to, but I was just curious, do you feel that this makes these
17 seats competitive seats?

18 REPRESENTATIVE MACKENZIE: Yes. So based on the
19 comparison that was side by side, again, in Dave's
20 Redistricting App, it shows that this does increase
21 competitiveness. And I think that, you know, now, this is my
22 personal opinion here, I think that that is a good thing. I
23 think by cracking and packing and gerrymandering and creating
24 districts which are solidly in one camp or the other, you are
25 taking away the ability for individual citizens to select

1 their representatives, and so I appreciate competitive
2 districts. This map would create more competitive districts,
3 one of which I would be in.

4 REPRESENTATIVE BENNINGHOFF: Thank you.

5 Thank you, Mr. Chairman.

6 CHAIR NORDENBERG: What I would like to do, and I
7 don't know whether this requires your cooperation, is to get
8 your screen down so I can see whether either of the other two
9 Commission Members have -- thank you very much.

10 Senators Costa or Ward, any questions?

11 (There was no response.)

12 CHAIR NORDENBERG: Thank you very much,
13 Representative Mackenzie.

14 REPRESENTATIVE MACKENZIE: Great. Thank you,
15 again, Chairman, and thank you to the Members of the
16 Commission.

17 CHAIR NORDENBERG: I've been asked whether we can
18 get a digital copy of your map as well?

19 REPRESENTATIVE MACKENZIE: Yes, Mr. Chairman. I'm
20 happy to provide that. So if the Commission can direct me to
21 the proper person to give that to, I can send a link from
22 Dave's Redistricting App, which has all of this information.

23 CHAIR NORDENBERG: Why don't we shoot you an email
24 with the right contact information.

25 REPRESENTATIVE MACKENZIE: I'd be happy to do

1 that. Thank you.

2 CHAIR NORDENBERG: Thank you very much.

3 Our next witness is Peter Buck, who is from State
4 College, and he's here to talk about Centre County.

5 Welcome, sir, and thank you for your patience.

6 MR. BUCK: Thank you very much, Chair Nordenberg,
7 Senators Ward and Costa, Representatives McClinton and
8 Benninghoff.

9 Can you hear me now?

10 CHAIR NORDENBERG: Yeah.

11 MR. BUCK: Yes. Thank you very much. I want to
12 thank you for your service on the Commission.

13 I've been a central Pennsylvania resident for 41
14 of my 45 years, and a committed voter for 27. I currently
15 serve on the State College Area School District's Board of
16 Directors. I have served in appointed and elected positions
17 in the Centre Region Council of Governments, and as the former
18 Chair and Vice Chair of the Ferguson Township Board of
19 Supervisors. In 2020, I was also the Democratic candidate for
20 House District 171, Mr. Benninghoff's opponent. I have no
21 plans, by the way, to run again. I hold a Ph.D. in
22 educational theory and policy from Penn State University, but
23 today I speak as a citizen informed by extensive experience.

24 I applaud the Commission's work to be transparent
25 and to create fair legislative districts. And I am especially

1 grateful to you, Mr. Nordenberg, for your fairness, for your
2 attention to detail, to scientific processes, and to our
3 Constitution.

4 The PA House district map that followed the 2010
5 Census, as you have been shown numerous times in these
6 hearings, is severely gerrymandered for Republicans. And
7 there are few places that show this more clearly than in the
8 Centre region and the State College Area School District
9 overlapping nearly coterminous, incorporated, political
10 entities in southern Centre County. They contain College,
11 Ferguson, Halfmoon, Harris, and Patton Townships, as well as
12 State College Borough. The previous gerrymander is most
13 pronounced in Ferguson Township in ward 2, which I was the
14 representative for on our board, and in ward 3. Five of their
15 voting precincts were split into what looks like a Lego tower
16 between House Districts 77, occupied by Scott Conklin; House
17 District 81, occupied by Rich Irvin; and 171, occupied by
18 Majority Leader Kerry Benninghoff. Precincts 48, 49, 50, 89,
19 and 90's historical voting data shows that citizens in the
20 last decade have voted for Democrats versus Republicans by
21 margins of about 2 to 1 and 5 to 3. I'll have more detailed
22 data in a follow-up comment, or in my written testimony. The
23 voting population in 2020 was just under 4,000 voters.

24 Now, as you know, the current House District 171
25 sprawls into four townships in Mifflin County. If we remove

1 the equivalent voter population of the above-cited precincts
2 in Ferguson Township -- I'm sorry, if we insert those
3 precincts back into House District 171 and were to remove the
4 townships in Mifflin County, which would respect county lines
5 and compactness, we would take a race that has been an
6 insurmountable Republican victory and make it into a
7 competitive district. And the map that this Commission is
8 considering does this much better right now with the creation
9 of a new district, HD 82, and changes to 77. These also have
10 the advantage of making only two House districts for the State
11 College Area School District and the Centre region instead of
12 three.

13 In recent election cycles, this most recent
14 election cycle, cross-filed Democrats have won roughly 11 to 7
15 against Republican opponents in the district races. And there
16 was a similar proportion of Democrats to Republicans in the
17 Centre Region Council of Governments until this most recent
18 election cycle. Local governments in Centre County, in the
19 Centre region and State College Area School District, have
20 advocated for charter school reform, for pricing carbon
21 emissions, and for constitutional amendments for independent
22 redistricting commissions. That includes Ferguson Township
23 through Resolution 2017-5. These have been ignored.

24 While there is no guarantee that any elected
25 Representative would necessarily follow through on these

1 requests from local government in Centre County, the proposed
2 map that has District 77 and District 82--overlapping the two
3 entities I've noted several times--they would be more likely
4 to because of the alignment with existing political entities.

5 Another additional strength of the map before you
6 now is that it takes Centre County from having four House
7 districts, three of which sprawl into other counties, and it
8 reduces that number to three, with only the 171st extending
9 into an adjacent county, and that being House District 171,
10 occupied by Representative Benninghoff, who would actually
11 have a stronger Republican advantage with that map.

12 So, once again, I want to thank you for this
13 opportunity. It is an honor to be here as a Pennsylvanian, as
14 a resident of Centre County, and a leader in Centre County. I
15 do not speak for the district, I do not speak for the council
16 of governments, or any particular entity. I come here as a
17 citizen and an advocate for a fair process and a fair map.

18 Thank you very much.

19 CHAIR NORDENBERG: Thank you very much for your
20 testimony.

21 Are there questions or comments?

22 REPRESENTATIVE BENNINGHOFF: Just one.

23 CHAIR NORDENBERG: Majority Leader Benninghoff.

24 REPRESENTATIVE BENNINGHOFF: Thank you, Mr. Buck.
25 I hope everything is going well with you and your family.

1 Two things. One, the current map splits State
2 College in half from the university, which had been done two
3 cycles ago and then put back together. Is that of any
4 concern, do you think, to you or any of the locals?

5 MR. BUCK: It is not a concern to me. It makes
6 sense for that to happen because of the proportion of the
7 population that is a municipality that, and actually Ferguson
8 Township, in order to create compact, contiguous maps in
9 Centre County, that would need to happen.

10 REPRESENTATIVE BENNINGHOFF: Second of all, I just
11 want to state that the current map, the 171st District design
12 is not what our Caucus submitted.

13 Thank you, Mr. Chairman.

14 CHAIR NORDENBERG: Any other questions?

15 (There was no response.)

16 CHAIR NORDENBERG: Thank you very much.

17 MR. BUCK: Thank you very much.

18 CHAIR NORDENBERG: Our next witness is Dan Daub,
19 who is, I believe, the Mayor of Tower City, and he is here to
20 talk about Schuylkill and Upper Dauphin Counties.

21 Thank you for being with us from the very
22 beginning.

23 MR. DAUB: Yes. Thank you for allowing me to
24 testify. I feel it is an honor to be here.

25 Distinguished Members of the Legislative

1 Redistricting Committee, my name is Dan Daub. I'm the Mayor
2 of Tower City, Pennsylvania, which is a very small borough in
3 western Schuylkill County. I've been the mayor for over 11
4 years, and I'm a lifelong resident of the Tower City area.

5 I appreciate your efforts in creating fair
6 legislative maps throughout our Commonwealth, and I understand
7 you cannot know all communities and all areas throughout this
8 process. However, I'm here today because I feel very
9 passionate about the proposed changes to our current
10 legislative district, the 125th, which is currently composed
11 of Schuylkill and Dauphin Counties. Under the proposed maps,
12 the entirety of western Schuylkill County will be moved into
13 the 107th District, which is shifting from Northumberland
14 County. I've lived my entire life in the Tower City and
15 Porter Township areas, and I'm very concerned, frustrated, and
16 alarmed at the proposed new district.

17 I'm alarmed because from a day-to-day living
18 perspective, western Schuylkill County and northern Dauphin
19 County are one community. Each day residents of these areas
20 interact with one another, shop at the same places, attend the
21 same churches, and face the same changes, ideals, values, and
22 culture. For decades now, our Little League baseball players
23 help make up the Upper Dauphin County all-star team, playing
24 with the dream of someday appearing in the Little League World
25 Series and hitting a home run in Williamsport.

1 The county lines that divide Schuylkill and
2 Dauphin County really have no impact on our day-to-day living,
3 except in the perception held by many of our citizens that the
4 government leaders in our respective county seats of
5 Pottsville and Harrisburg often overlook our rural,
6 self-sufficient, strong border communities and don't consider
7 us when allocating county resources.

8 Several years ago, when the 717 area code was
9 running out of telephone numbers, Schuylkill County in its
10 entirety was to be moved to a new area code 570. Porter
11 Township and Tower City Borough remained in the 717 area code,
12 and still do to this day, because studies at that time showed
13 that most of our transactions and interactions went into
14 Dauphin County, which remained in the 717 area code. This
15 shows the longstanding relationship between our areas.

16 Tower City is one of the municipalities that
17 encompass the Williams Valley School District, which crosses
18 from Schuylkill and Dauphin Counties. It also includes Porter
19 Township in Schuylkill County and Williams Township,
20 Williamstown, Wiconisco Township, and Rush Township in Dauphin
21 County. It's a small school district. We've all grown up
22 together, gone to school together, and attend events together,
23 and we rally together when we are in time of need. This is
24 one of those times when we are in time of need, and we need
25 the help of you, the Redistricting Commission, to fix a

1 terrible mistake by excluding our communities from the 125th
2 District.

3 I understand the Commission's logic regarding
4 using the county line as a dividing point in many legislative
5 districts. Many county lines are developed based upon a
6 geographical divide - a mountain, a river, a stream, or some
7 other obvious landmark. Tower City and Porter Township, and
8 Williamstown and Williams Township, have no such divide. The
9 few hundred residents of very rural Rush Township, Dauphin
10 County, all have addresses and ZIP Codes that read Tower City,
11 Pennsylvania. We all reside in the same valley, Williams
12 Valley or Lykens Valley, is what we refer to them, surrounded
13 by mountains. For centuries our existence has intertwined.
14 We coexist and we're all neighbors. It's still a relatively
15 small area, and we know each other personally. We socialize
16 together, we work together, we raise our families together,
17 and we do our very best to support one another. The existence
18 of a county line does not mean much of anything to us, and it
19 should not be used to divide us. We want and feel we deserve
20 to be in a district that represents all of us, not just a few
21 of us in several divided districts. We want one voice that
22 knows and respects our communities and shares our values and
23 priorities.

24 By keeping the western Schuylkill County
25 municipalities in the 125th District united with northern

1 Dauphin County municipalities, you can fix this. Our very
2 small Williams Valley School District will be united rather
3 than divided. If you can keep the tri-valley communities in
4 the district too, it would also make logical sense. The
5 interaction with northern Dauphin County is equally strong in
6 those communities. Likewise, my friends in Tremont Borough
7 and the Pine Grove area are very upset by this redistricting
8 proposal, but of any of these communities, the consolidation
9 of my home area of Tower City and Porter Township is really a
10 no-brainer.

11 The people of northern Dauphin County and western
12 Schuylkill County are very similar people - hardworking
13 individuals, many elderly and retirees that live on fixed
14 Social Security incomes. The area is primarily agricultural,
15 and all of it is rural. Some of our biggest challenges have
16 been a lack of opportunities for local jobs, and a brain
17 drain, where our best and brightest students move away for
18 college and never return. Having our area united in one
19 district is extremely important as we advocate for
20 improvements and better opportunities with one legislative
21 voice to advocate for us.

22 Respectfully, I ask that you please reconsider the
23 location of the prospective lines between Dauphin and
24 Schuylkill Counties and include us with our neighbors. I
25 cannot stress enough the huge injustice that many of our

1 residents feel with the new maps. It will be a major setback
2 to us, and simply unacceptable.

3 Tower City Borough and Porter Township have both
4 unanimously enacted proclamations opposing the new districts
5 at their January meetings. Hegins Township and the Tri-Valley
6 School District is preparing to take the same action. Our
7 communities have no involvement in the day-to-day routines
8 with the fine people of Shamokin, Northumberland County, and
9 we shouldn't be in the same legislative district. Anyone who
10 lives or works in the area knows this, and it simply does not
11 make sense. Yet, that is what the new maps do.

12 As an elected leader of my community and a
13 longtime servant and leader in civic organizations in
14 Schuylkill County, I respectfully ask you to revise this
15 travesty and keep western Schuylkill County and northern
16 Dauphin County united.

17 Thank you very much for your time and
18 consideration, and I'd be glad to answer any questions.

19 CHAIR NORDENBERG: Thank you, Mr. Mayor.

20 Are there questions?

21 Majority Leader Benninghoff.

22 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
23 Chairman.

24 I'm just curious, as someone who's worked in the
25 public as long as you have, first of all, thank you very much

1 for that service. We know the strength of our communities is
2 in local government. As someone who has worked in that area
3 as much as you have, have you ever had anybody from the
4 community come in and talk to you about concerns about
5 legislative lines, where those are, versus their interests in
6 the communities of interest?

7 MR. DAUB: No. Definitely, you know, in the area
8 where I live in Tower City, I've been represented by
9 Republicans, I've been represented by Democrats. Honestly,
10 it's a nonpolitical area. You know, there's not a lot of
11 partisanship. You know, people obviously have a belief and
12 they're good voters. They turn out to vote, but we're not
13 partisan people. We want to be with our neighbors. We want
14 to be with the communities that we've interacted with. And
15 when you look at western Schuylkill County, you know, in my
16 personal opinion, school districts really define communities
17 in these rural areas.

18 Dividing school districts in these rural areas
19 does not make sense. We all grew up together. You know, you
20 go through high school, you play sports. We played sports
21 against our other rural communities that surround us.

22 Tri-Valley and Williams Valley is the biggest rivalry that we
23 have. Upper Dauphin is another rivalry that we have. When
24 you get into Pine Grove, you know, those are towns that we've
25 played since my parents played sports together. And

1 unfortunately, I just feel like these lines that have been
2 drawn and create a major disruption in rural Pennsylvania.

3 When you look at, and I'm not going to talk so
4 much about other parts of Schuylkill County, but the 123rd
5 District, when you're taking Mahanoy City and Shenandoah out
6 of the 123rd District, it's a shame, you know, that those kind
7 of things are happening. But, you know, in my area, I'm here
8 to advocate for my area. You know, we want to be with our
9 neighbors in northern Dauphin County. Our farmers sell their
10 produce in northern Dauphin County. They go to the farmer's
11 market every Friday and set up a stand there, and those are
12 the kind of things that we don't want Harrisburg messing up.

13 You know, we want one advocate to be able to
14 articulate and advocate for our areas so that, you know, when
15 PennDOT doesn't plow our roads correctly, we call the right
16 guy so that he can get things done. When we have potholes
17 that need fixed, we want to be able to get ahold of the right
18 person, you know, that helps us to fix those things, so.

19 REPRESENTATIVE BENNINGHOFF: I appreciate that. I
20 suspect your farmers are not looking at legislative district
21 lines and where to sell their produce.

22 MR. DAUB: No.

23 REPRESENTATIVE BENNINGHOFF: One of the things
24 I've said, and some other previous speakers have said, in our
25 legislative offices, we don't ask people where they live. We

1 don't ask their political affiliation. They come in for a
2 need, we try to fulfill that service, and I think the general
3 public doesn't realize that these lines that people seem to be
4 focusing on so much really is about trying to make sure that
5 there's the proper amount of constituents in each legislative
6 district within a realm of deviation.

7 Thank you, again, for your service, sir.

8 MR. DAUB: Thank you.

9 CHAIR NORDENBERG: Any other questions or
10 comments?

11 (There was no response.)

12 CHAIR NORDENBERG: Thank you, again, sir.

13 MR. DAUB: Thank you very much.

14 CHAIR NORDENBERG: Our next speaker is, and now we
15 are moving to Zoom, is Robert Howard, who is from Wexford, and
16 he is here to talk about the Senate map in Allegheny County.

17 MR. KRUTH: Yes, Mr. Howard was actually not able
18 to make it to his scheduled appointment and asked me to speak.
19 I hope that's ok.

20 CHAIR NORDENBERG: And can you identify yourself,
21 please?

22 MR. KRUTH: Yeah, absolutely. My name is Matt
23 Kruth, K-R-U-T-H.

24 CHAIR NORDENBERG: Okay.

25 MR. KRUTH: Thank you, and I have to warn you, I'm

1 just an average citizen that saw the map and I wanted to make
2 a few comments about it, if that's all right, the 38th State
3 Senate District.

4 CHAIR NORDENBERG: Yes, please. Go ahead.

5 MR. KRUTH: Thanks. I live in the current and the
6 proposed 38th State Senate District in the north hills of
7 Allegheny County. Many of us are concerned about the changes
8 to the 38th District. Northern Allegheny County is a special
9 place made up of many school districts and communities that
10 interact together through youth sports, activities, and common
11 church and club networks. The city of Pittsburgh, likewise,
12 has its own unique communities that are interconnected. I
13 know this firsthand, because I'm actually a city of Pittsburgh
14 public schoolteacher.

15 I would urge you to make the 38th Senate District
16 a suburban north hills seat. The district was needlessly
17 brought into a small part of the city of Pittsburgh in the
18 last redistricting, which was Mr. Ferlo's seat, and combined
19 with over 90 percent of Randy Vulakovich's suburban seat. I
20 believe that this was wrong to do then, and it's wrong to do
21 now. This district can be fixed by taking the three city
22 wards representing less than 10 percent of the population of
23 Pittsburgh out of the 38th District and swapping them with
24 smaller northern suburban communities instead.

25 I actually grew up in Shaler Township, and I think

1 to myself, why needlessly divide Shaler Township the way that
2 the proposed map is, and move Reserve and Millvale into the
3 38th District? Why do the same with Avonworth and Northgate
4 communities and take them from their immediate neighbors and
5 instead combine them with areas across the Ohio River and the
6 city? It doesn't make sense to me.

7 As others have commented already, I believe that
8 the fix is extremely simple. If you take the townships and
9 boroughs north of the Allegheny and Ohio Rivers and add them
10 to the 38th District, while giving the three city wards south
11 of the Allegheny River and put them in the 42nd, you would
12 have a map that would make more sense to me. Ms. Holt is a
13 respected mapmaker, and I would urge you to approve Exception
14 2 map that fixes this, or some similar approach.

15 Thank you.

16 CHAIR NORDENBERG: Thank you very much.

17 Any questions from Members of the Commission?

18 Majority Leader Ward.

19 If you are speaking, we can't hear you. You're on
20 mute.

21 SENATOR K. WARD: My husband wishes that he had a
22 mute button for me, I'll tell you that.

23 (Laughter.)

24 SENATOR K. WARD: I don't have any questions, but
25 thank you very much for speaking. You just got pushed into

1 this at the last minute, and we appreciate you participating.
2 But I guess I could ask, I wasn't really aware, so Pittsburgh
3 wasn't in that district before the last redistricting?

4 MR. KRUTH: Say that again?

5 SENATOR K. WARD: Jay, we can't hear you, Jay.

6 CHAIR NORDENBERG: Go ahead, Mr. Kruth.

7 SENATOR COSTA: No, I want the witness to answer
8 first, then I'll ask a question.

9 CHAIR NORDENBERG: Oh, okay, Jay. I'm sorry.

10 SENATOR K. WARD: Okay. I'm done for now. Thank
11 you.

12 MR. KRUTH: I'm sorry, what was the question
13 again?

14 SENATOR K. WARD: That's okay. I'll get it
15 myself. It's a question I can find on my own. Thank you.

16 MR. KRUTH: From my understanding, it was Mr.
17 Ferlo's seat before the redistricting happened.

18 SENATOR K. WARD: Okay.

19 MR. KRUTH: And part of his was taken out and then
20 given to Mr. Vulakovich's.

21 SENATOR K. WARD: Okay.

22 SENATOR COSTA: Mr. Chair, if I could, I would
23 like to respond.

24 CHAIR NORDENBERG: Go ahead, Senator Costa.

25 SENATOR COSTA: Thank you. Yeah, the city of

1 Pittsburgh has had multiple Senators for decades and decades
2 and decades. It's only been the last 10 years that it's only
3 had a Member who had just two wards. As the testifier
4 mentioned, this particular seat was gerrymandered 10 years ago
5 because of the loss of population in part where they combined
6 the 38th and the 40th Districts, which resulted in I believe
7 about 85 percent of Senator Vulakovich's district being
8 incorporated into the 38th at that point, which necessitated
9 the move of the 40th up to the Monroe area and created a new
10 district for my colleague, Senator Ward. So at the end of the
11 day, the city of Pittsburgh has long been represented by
12 multiple State Senators. In fact, there was a time where I
13 believe, maybe 40 years ago, there were five State Senators
14 representing parts of the city of Pittsburgh. So it's not
15 unusual, and it's something that I think is appropriate. So
16 that would be my response in that regard.

17 And I thank the gentleman for his testimony.

18 MR. KRUTH: Thank you.

19 CHAIR NORDENBERG: Yes, thank you very much for
20 filling in. We appreciate hearing from you.

21 MR. KRUTH: Thank you.

22 CHAIR NORDENBERG: Our next speaker is Brian
23 Madeya, from Wexford, and he, too, is going to talk about the
24 Allegheny County Senate map.

25 Welcome, sir.

1 MR. MADEYA: Hello. Thank you. My name is Brian
2 Madeya, and I'm a resident of the 38th State Senate District
3 in Pine Township, which is in northern Allegheny County.

4 I was somewhat disappointed when I saw the new
5 maps further seemed to divide both the city of Pittsburgh as
6 well as the northern suburbs. The new district removes
7 suburban municipalities such as Marshall, Franklin Park, and
8 Bradford Woods, and it also adds in more city of Pittsburgh
9 wards. I believe that it's in the best interests of both the
10 residents of the city of Pittsburgh, as well as the suburbs,
11 to be in their own respective districts. The new maps go
12 against the State Constitution, which states that
13 municipalities should be divided the minimum amount of times
14 necessary. The new map divides the city of Pittsburgh three
15 times, instead of the two times needed, as the city of
16 Pittsburgh population is roughly 302,000, and the size of a
17 State Senate district is usually around 250,000.

18 Knowing this, I would personally suggest a map
19 such as the Amanda Holt State Senate map, Exception 2, city of
20 Pittsburgh division, could be implemented. Holt's map removes
21 all three city wards from the 38th District and it replaces
22 them with the Avonworth School District, the Northgate School
23 District, and Millvale. To me, this would make a lot of
24 sense, knowing the community of interest in combining these
25 districts with other northern suburbs and city wards. It also

1 consolidates the Cornell School District by moving Neville
2 Island into the 38th State Senate District. So Holt's map
3 would also help the 42nd District become more compact, include
4 more of the city of Pittsburgh, and stay mainly below the
5 Allegheny River, with the exception to the city.

6 Lastly, Holt's map for the 38th District would
7 also help this district become more competitive. Being won
8 very narrowly by Trump in 2016, and then by Biden in 2020, I
9 believe that this would give all voters, including
10 Independents, a better voice.

11 Thank you for your time.

12 CHAIR NORDENBERG: Thank you very much.

13 Are there questions or comments from any
14 Commissioners?

15 (There was no response.)

16 CHAIR NORDENBERG: Thank you very much, sir.

17 MR. MADEYA: Thank you.

18 CHAIR NORDENBERG: Our next witness is Stephanie
19 Lane, from Hampden, who wants to talk about Harrisburg and
20 Cumberland County.

21 Welcome. The floor is yours.

22 MS. LANE: Thank you. I'd like to thank the
23 Commission for allowing me the opportunity to speak, and thank
24 each of you for your service on this Commission, particularly
25 Chairman Nordenberg, for his commitment to transparency,

1 public input, and citizen involvement, which is a stark
2 departure from the legislative redistricting process of the
3 recent past.

4 I'm here today as a resident of Cumberland County
5 and the Harrisburg region. I want to express my support for
6 the LRC's work to bring a better and more fair representation
7 to the Harrisburg metropolitan area. While both Cumberland
8 and Dauphin Counties are fairly evenly politically split, our
9 representation in the legislature is not. While both counties
10 are basically 50-50 between the two parties, in 2020 Governor
11 Wolf actually won both collectively, but they just sent one
12 Democratic Representative to the General Assembly. The new
13 map creates the opportunity, although not guaranteed, for at
14 least four competitive districts where Democrats could fairly
15 compete, which seems more fair to me.

16 I want to address concerns the panel has heard
17 regarding Cumberland County as well. I believe that
18 Cumberland County is an important part of the Harrisburg
19 region, with a strong connection to the Capitol just across
20 the river. I, myself, live 10 minutes from the Capitol and
21 our families travel the same bridges to go about our daily
22 lives. Crossing a river does not change our regional
23 identity. We share so much with Harrisburg and our economy,
24 our environment, and so much more. Having a Representative
25 that represents both Harrisburg and its immediate suburbs in

1 Cumberland County would only strengthen existing and obvious
2 connections and shared needs and resources as a community. In
3 many ways, I and my neighbors and friends in these immediate
4 suburbs have more connection to the city of Harrisburg than
5 they do in rural parts of Cumberland County. The suggestion
6 that the Cumberland County suburbs along the Susquehanna do
7 not have a shared community of interest with Harrisburg and
8 the other side of the river simply does not reflect the
9 reality of our region.

10 I have lived in this area for so long and we are
11 changing, growing, and diversifying. The LRC's map makes a
12 huge improvement to the representation of south central PA,
13 and especially the Harrisburg region. Living so close to the
14 Capitol, I am all too familiar with how cynical and partisan
15 debates can be, and that is why it is refreshing to see a
16 redistricting process focused on people instead of politics,
17 and I applaud you for your work to improve representation for
18 the people of Pennsylvania and encourage you all to stay true
19 to that core principle as you move forward. And thank you for
20 your time.

21 CHAIR NORDENBERG: Thank you very much.

22 Are there questions from Members of the Commission
23 for the witness?

24 Majority Leader Benninghoff.

25 REPRESENTATIVE BENNINGHOFF: Thank you, Ms. Lane.

1 You're probably one of the more balanced
2 testimonies on this particular region. We've heard
3 predominantly from those who would prefer not to have this
4 district go over the river. I'm curious if you have friends
5 or anybody that you've talked to in the city of Harrisburg
6 proper? Historically, generally the Representative is from
7 that region, and do they have any concerns that there's a
8 potential, I think Harrisburg's only about 41 percent of that
9 overall district. Do they express any concerns that if
10 someone were to get elected from over in Lemoyne, Camp Hill,
11 one of those other areas, that they would lose their voice?

12 MS. LANE: I think so. And I do think that they
13 feel that that may not represent them within Harrisburg
14 proper. But the region itself, that river just does not
15 change the area. That one river just doesn't -- if you come
16 to Lemoyne and you cross the river, there's a lot of
17 similarities. And I know that I come from -- I've been a
18 resident of Pennsylvania for 15 years, and I come from New
19 Haven, Connecticut, where we had a very small area of city and
20 it was surrounded by suburbs, but it was represented together.
21 So I feel like that's very similar here. It can be
22 represented together.

23 REPRESENTATIVE BENNINGHOFF: I appreciate your
24 candor and honesty in answering the question. Have a great
25 day. Thank you.

1 MS. LANE: Thank you.

2 CHAIR NORDENBERG: Thank you very much.

3 Our next witness is Aaron Bashir, from
4 Philadelphia, who wants to talk about House District 172.

5 MR. BASHIR: Good morning, everyone.

6 CHAIR NORDENBERG: Good morning.

7 MR. BASHIR: First of all, I would like to thank
8 all the Honorable Commission Members for their diligent work
9 to draw the boundaries and the maps for the State of
10 Pennsylvania. We really do appreciate, as the citizens of
11 Pennsylvania, all the hard work and the service that everyone
12 is doing there.

13 Now I just wanted to propose a slight change to
14 our Pennsylvania 172nd State House District in northeast
15 Philadelphia, because we believe that, in the preliminary
16 mapping, our community is going to be split in two sections of
17 Philadelphia, which will be upper northeast Philadelphia and
18 lower northeast Philadelphia. So it's not a big change, but
19 it's just a small, slight change that we are proposing, that
20 the 154th and divisions 10, 14, 15, 19, 20, 21, and 22 should
21 be put back into the Pennsylvania 172nd State House District.
22 And the reason we are proposing it is because we believe that
23 it's going to improve the compactness of our district and
24 contiguity of our district.

25 The 154th and those political divisions that I

1 just named have always been part of the 172nd District, and at
2 this time in the preliminary mapping, they were opted out.
3 What it's going to do is it's going to disenfranchise our
4 community, and it's going to lessen the diversity, and it's
5 also going to affect the minority groups and representation.
6 This is why as a community leader, as a community activist, I
7 strongly propose and suggest that the 154th regions 10, 14,
8 15, 19, 20, 21, and 22 must be put back in that District 172.

9 And I have also submitted my testimony, and I do
10 believe that a lot of other concerned citizens have also put
11 their insights there and have also put a revised proposed map
12 on the Commission's website.

13 So, again, thank you so much for all the hard
14 work. And this was, specifically for our District 172 in
15 northeast Philadelphia, however, I do also want to make a
16 comment in general regarding the whole process. You know, a
17 lot of districts which have been affected, and it's like a lot
18 of Republicans that have been affected, and we heard the
19 testimony from Representative Mike Jones this morning as well,
20 that, you know, logical connections and then the lack of trust
21 keeps arising when certain parties are being targeted and
22 certain people are being targeted in the boundaries in the
23 redistricting process, then it does raise concerns that, you
24 know, there is something that is biased.

25 So I respectfully, again, request the Honorable

1 Members of the Commission to please consider an unbiased
2 approach to redrawing the districts and make sure that, you
3 know, not a political party be targeted at this point. And I
4 do believe that, you know, in allowing us today, because
5 mostly Republicans are being affected. They're being put
6 together against each other, and, you know, a lot of districts
7 throughout the State of Pennsylvania, you know, have been
8 drawn in such a way that, you know, they are being affected
9 severely.

10 So I humbly and respectfully, again, you know, ask
11 the Commission to, you know, reconsider those recommendations
12 which the constituents are putting out there to make the minor
13 adjustments and the major adjustments in some respects which
14 are being proposed out there. And I also request that the
15 proposal that we have that, you know, we just want to make a
16 slight change in our district, that should be implemented and
17 that should be considered by the Commission.

18 Thank you so much, everyone.

19 CHAIR NORDENBERG: Thank you very much for your
20 testimony.

21 Questions or comments?

22 (There was no response.)

23 CHAIR NORDENBERG: Thank you very much, sir.

24 Our next witness is Diana Robinson, from Make the
25 Road, and she intends to talk about Berks County.

1 MS. ROBINSON. Hi. Good morning, everyone, almost
2 afternoon. My name is Diana Robinson. I'm the Civic
3 Engagement Director at Make the Road Pennsylvania. We have
4 about 10,000 members across the State of Pennsylvania in Berks
5 County, Lehigh County, and Philadelphia County. Mostly, we
6 advocate for the Latinx community in these counties.

7 As Chairman Nordenberg mentioned, I'm going to be
8 focusing on Berks County, but I'd also like to add some
9 comments around Lehigh County, particularly Allentown. We
10 want to thank the Commission for their commitment to
11 transparency and also for their commitment to insuring that
12 citizens and communities impacted had a voice throughout this
13 process.

14 Throughout this process, we have been advocating
15 for fair and equitable maps that take into account the history
16 of disenfranchisement of certain communities throughout the
17 State of Pennsylvania, but throughout our country. And so for
18 us, Berks County, we submitted a Unity Map as part of the
19 Pennsylvania Voice alliance, and our Unity Map splits Berks
20 County, particularly Reading, into two districts, and we
21 believe that that should continue to be the same. We believe
22 that that gives the largest opportunity for Latinx voters to
23 be able to elect candidates of their choice.

24 As many of you may know, 2020 was the first time
25 that a Latinx Representative was elected to Harrisburg, Manny

1 Guzman, and we've seen the impact of that. Residents in
2 Reading have seen more dollars for education funding, and
3 having a Representative that understands their issues and
4 aligns with their values has been very important.

5 In the city of Allentown, we also believe that it
6 should be split into two districts and not three for the same
7 argument, that it maximizes the opportunity for Latinx voters
8 to elect candidates of their choice. And we see this, we've
9 heard from other testimonies that the Latinx population is
10 growing across the State of Pennsylvania and has grown
11 significantly in these two cities, and we feel that this would
12 only continue to increase the representation for Latinx voters
13 in these cities, but also sustained representation, because
14 that is what is important, being able to have sustained
15 representation as these populations continue to grow.

16 Thank you. That's all I would like to say for
17 today, and I'm happy to answer any questions.

18 CHAIR NORDENBERG: Thank you very much.

19 Are there questions or comments from Commission
20 Members?

21 REPRESENTATIVE BENNINGHOFF: One quick one.

22 CHAIR NORDENBERG: Majority Leader Benninghoff.

23 REPRESENTATIVE BENNINGHOFF: Thank you, Ms.
24 Robinson, for your testimony today. I appreciate it. It's
25 always good to get a personal, more parochial viewpoint from

1 people who live in these areas.

2 You mentioned Representative Guzman, a great
3 addition to our legislature, a very fine young man. In the
4 current proposed map, that legislative district actually has a
5 reduction in voting age Hispanics of 8,517. Is that of any
6 concern to you?

7 MS. ROBINSON: As was mentioned prior, I think
8 what we're trying to look towards is the future and the impact
9 of Latinx voters growing throughout the State and in these
10 cities. So at this time, I don't see that as a concern.

11 REPRESENTATIVE BENNINGHOFF: Are you concerned
12 that maybe in a primary Mr. Guzman could be removed, and then
13 therefore you may not have a Latino Representative in that
14 region?

15 MS. ROBINSON: I would have to think more about
16 that. At this time, we haven't thought that that might be a
17 scenario that may happen.

18 REPRESENTATIVE BENNINGHOFF: Okay. Have a good
19 weekend, and thank you for joining us today.

20 MS. ROBINSON: Thank you.

21 CHAIR NORDENBERG: Thank you very much.

22 Our next witness will be Connie Hester, from
23 Shaler, who is going to discuss the preliminary maps.

24 MS. HESTER: Good morning.

25 CHAIR NORDENBERG: Welcome.

1 MS. HESTER: Thank you.

2 My name is Connie Hester. I live in Shaler
3 Township in Allegheny County. I appreciate what all of you
4 are doing to weigh all these competing values, the legal
5 requirements, and all of our specific requests to finalize
6 these maps. It's a huge undertaking. And thank you for
7 letting me speak today and add one more request.

8 Recent Franklin and Marshall polls of Republicans,
9 Independents, and Democrats show Pennsylvanians agree on many
10 hot button issues. When people privately, without any fear of
11 judgment, say what they think, Pennsylvanians are much more
12 united than divided. The polls show 60 to 80 percent of
13 Pennsylvanians agree, we value the ideals of democracy. And
14 we also agree democracy is not working well in practice. We
15 agree we want fair districts, and shockingly to me, we agree
16 we want elections with voter ID. We are a diverse people, but
17 we agree on many things.

18 If most Pennsylvanians agree, why do we feel so
19 divided? We are accustomed to the system processes that don't
20 include us, processes that don't encourage a legislator to
21 talk, listen, or collaborate in a bipartisan fashion to find
22 the common ground where all of us Pennsylvanians are aligned.
23 Party-line votes on very short notice are the norm. There
24 isn't enough time for us to voice our support or concerns, let
25 alone for our legislator to act on them. We feel excluded.

1 This LRC process has been and is very different.
2 It's open, transparent, and inclusive. It's working.
3 Pennsylvanians are sharing ideas, legislators and their
4 Caucuses are collaborating across the aisle. You are
5 listening, considering, and acting when appropriate. Despite
6 the time pressures you all must feel, you aren't skipping or
7 shortchanging steps.

8 I know some of my fellow Republicans feel we're
9 getting the short end of the stick, but in all the previous
10 testimony that people have given, it's been well explained
11 that we're actually getting the best end of the stick.

12 The preliminary maps already include
13 accommodations to minimize incumbents in the same district
14 caused by both population shifts and the past manipulations of
15 those borders. Legislators are being represented in this
16 process. They are holding hearings, submitting their
17 concerns, and asking others to do the same. With newer
18 mapping technologies, the requested changes and borders can be
19 evaluated almost instantly. Some of these concerns will be
20 resolved in the final maps. The starting maps have decades of
21 manipulation by both parties built into them. It must be
22 accounted for, along with population changes in the new maps.
23 We have to expect many borders will move.

24 Pennsylvanians understand it's not possible for
25 each of us to get what we've asked for. But because of this

1 inclusive process, most Pennsylvanians, as we do on so many
2 issues, will agree to support the final maps. I am asking all
3 of you to do the same. Please find a way to agree on the
4 maps. Please vote to approve the final maps. Please do
5 everything you can to help keep them out of the courts. No
6 one wants the courts involved. Doing so will demonstrate our
7 government can work in practice when processes and rules are
8 open, transparent, and inclusive. Only you have the power to
9 do this.

10 Pennsylvanians are counting on each and every one
11 of you to unite us for the next decade with maps supported by
12 both parties. And I want to thank you for all you're doing.
13 It's an enormous task to come together on these maps, but I'm
14 sure you can do it. Thank you.

15 CHAIR NORDENBERG: Thank you for your inspiring
16 statement, which I think does capture one of our shared goals.

17 Are there any questions or comments?

18 (There was no response.)

19 CHAIR NORDENBERG: I think everybody has taken in
20 what you've had to say. We're grateful for it. So thanks,
21 again, for being here today.

22 MS. HESTER: Thank you.

23 CHAIR NORDENBERG: Our next witness will be Ben
24 Forstate, who is from Pittsburgh.

25 MR. FORSTATE: Hi. Good morning.

1 Good morning, Chairman Nordenberg and Members of
2 the Commission. I'm excited and happy to be here today. My
3 name is Ben Forstate, and I'm a fifth generation
4 Pennsylvanian. I was born and raised in Pittsburgh, and I
5 work on Democratic political campaigns, but I am here today as
6 a citizen mapper, and my focus has been on Pennsylvania's
7 evolving political geography and the redistricting process
8 here. I also just finished up serving on Pittsburgh's public
9 schools redistricting committee, so I know a little bit about
10 what you are going through, just a taste, and I have a short
11 presentation that I'm going to try and fly through.

12 Pennsylvania is a difficult State to redistrict.
13 The geography is difficult. We have two major cities between
14 mountains. We've got 13 million citizens, 67 counties, 500
15 school districts, over 2,560 municipalities, over 4,000 wards,
16 and over 9,000 voting districts. When I put those together
17 and think about moving something, it's basically like trying
18 to diffuse a bomb. Really, anywhere you touch, it's going to
19 cause ripples everywhere. That's what makes this process so
20 stressful. So, you know, this is almost over and I can only
21 imagine how stressful it has been for you.

22 Since I'm at the end of this, I felt like I had
23 the opportunity to go back and just give a really brief
24 overview of all of this. Redistricting and issues with
25 redistricting in the State are not new. We were the first

1 State to adopt population or an equivalent for our
2 redistricting purposes in 1776. In our 1873 Constitution, we
3 made some changes, including very complicated formulas for
4 redistricting that caused malapportionment. As you can see in
5 this map from 1924 in Pittsburgh, the smallest district had
6 34,000 voters per person, the largest had 76,000 per person.
7 Our legislature also refused to redistrict, or just did not
8 for several decades afterwards, or very intermittently
9 afterwards. So by 1962, our largest Senate district had over
10 500,000, the smallest had 51,000. The largest House district
11 had 130,000, the smallest had 4,000. Those are deviations of
12 over 200 percent yearly, 300 percent.

13 So I was super-interested. That led to a process
14 where our Supreme Court stepped in in the '60s and led to a
15 process where they created the lines. These were lines they
16 created, the original lines on which the districts have been
17 based from there. And I was super-interested in this. I
18 could not find them anywhere, so I actually went through *The*
19 *Pennsylvania Manuals* and digitized these districts. I think
20 this is the first time they've been available digitally. And
21 these are how these districts have evolved over the decades to
22 get to the 2021 maps. As you can see, just increasing
23 complexity. Districts move across the State. Initially, they
24 were numbered from 1 in Erie to 203 in Philadelphia. The
25 colors represent how they moved across the State.

1 And there has been a lot of talk over the past few
2 weeks about how gerrymandered these maps are. I really do
3 want to expand our view of what they used to look like. This
4 was the 2001 maps, first in Allegheny County, this is a focus
5 on the city of Pittsburgh. If we go back to '66, they're
6 actually a lot cleaner, it's easier to see the county lines,
7 makes it better to follow. This was 2001 in Philadelphia.
8 This is, obviously, the version of the maps that I consider
9 the most gerrymandered, specifically again, to Philadelphia in
10 2021, and again 1966 versus 2021. Our Supreme Court, working
11 without computers or really any sort of software, any way to
12 judge compactness, basically drew them along municipalities.
13 In that decade, only 10 were split.

14 I also wanted to quickly talk about south central
15 PA. That has had probably the most districts come into it.
16 There's been a lot of testimony this week about districts
17 changing. This has been a focus of population growth. So,
18 obviously, there's going to be a lot of districts that change
19 hands here.

20 I also just wanted to say that based on some of
21 the, like, our Constitution in Article II talks about House
22 municipal splits, these are the municipal splits of every
23 single plan over the last decade, when our Supreme Court took
24 over. They split only 10 municipalities in 1966. In 1971,
25 they split just over 40. This map would have the lowest

1 municipal splits since the original map in 1972 that the LRC
2 created. The county splits as well would have the lowest
3 splits of counties of any map from 1971 onward. I also just
4 wanted to touch on school districts. They're not required,
5 but you also did split fewer school districts as well.

6 I had some stuff to say about the State Senate,
7 but I'm almost out of time, so I just want to say that you
8 should work on the deviations.

9 CHAIR NORDENBERG: Well, that sounds like a good
10 directive, and we'll take it to heart.

11 Are there any questions or comments for Mr.
12 Forstate?

13 (There was no response.)

14 CHAIR NORDENBERG: Clearly, you've done a lot of
15 work, and you've learned a lot of history, and we're grateful
16 to you for sharing it with us.

17 MR. FORSTATE: Thank you.

18 CHAIR NORDENBERG: Joseph Hughes did not come on
19 the line, so our next speaker will be Michael Wilcox, from
20 Cochranon, who would like to speak about Venango and Crawford
21 Counties.

22 MR. WILCOX: My name is Michael Wilcox, and I
23 reside in Cochranon, Pennsylvania, but it's in a portion of
24 rural Venango County. I am a retired farmer and
25 agri-businessman who farmed in Mercer, Crawford, and Venango

1 Counties. I graduated from Allegheny College and worked five
2 years as an industrial engineer before I started my farming
3 career. I've also asked former Venango County Commissioner
4 Bonnie Summers to be here with me for any questions I can't
5 answer.

6 Here are some reasons why we think that Venango,
7 Crawford, and Mercer Counties should be in the same
8 Pennsylvania senatorial district, as is recommended by Fair
9 Districts Pennsylvania in their proposed People's Map. The
10 proposed People's Map District 2 is similar in demographics
11 throughout. Largely rural non-minority populations comprise
12 most of the proposed district, with small businesses,
13 manufacturing, tool and die, technology, farming, and
14 trucking/transportation companies. Three counties are
15 entirely included, with no splitting or gerrymandering.
16 They're included adjacent three townships in Erie County that
17 also have similar demographics.

18 Crawford Area Transit Authority provides
19 transportation services throughout Crawford and Venango
20 Counties. Meadville Medical Center, located in Meadville and
21 Titusville, has provided Venango County residents with
22 services for many years. When COVID vaccinations were yet
23 unavailable in Venango County, my wife and I were both
24 vaccinated in Meadville at the medical center there.
25 Titusville School District, which is located in both counties,

1 is a part of Venango County in statistics and funding, such as
2 student assistance. Students from Titusville attend Venango
3 Technology Center. Manufacturing industries, such as Franklin
4 Industries, work with the Pitt Campus at Titusville for
5 machinist training.

6 The Northwest Behavioral Partnership includes
7 Crawford, Mercer, and Venango Counties and provides managed
8 mental health and substance abuse services for Medicaid funded
9 services. The Child Development Center now provides the
10 larger part of childcare services to Venango, Crawford, and
11 Erie Counties as a regional provider. Community Services of
12 Venango County is a provider of early childhood services to
13 Venango and Crawford Counties as their main resource.
14 Venango, Crawford, and Mercer Counties are included in the
15 regional emergency management co-op for emergency services.
16 The Oil Regional Alliance provides heritage, recreational,
17 tourist, and economic services to both Crawford and Venango
18 Counties.

19 The population statistics for northwest
20 Pennsylvania of the People's Map recommended by Fair Districts
21 range from 254,000 to 259,000. Their proposed District 2,
22 comprising Mercer, Crawford, Venango, and a small portion of
23 Erie, comes in at 257,000. The LRC map proposal for the same
24 general counties would range from 249,000 to over 270,000.

25 Finally, in the redistricting of the U.S.

1 congressional districts, most proposals shift Venango County
2 into the district with Crawford, Mercer, Erie, Lawrence, and
3 portions of Butler Counties.

4 Thank you for giving us the opportunity to speak
5 and for your efforts in addressing the problem.

6 CHAIR NORDENBERG: Thank you, Mr. Wilcox. You're
7 from an important part of the State. We have nothing to do
8 with the congressional maps, but we certainly will be
9 attentive to what you have said about your region in terms of
10 the legislative reapportionment process.

11 Are there any questions or comments from Members
12 of the Commission?

13 (There was no response.)

14 CHAIR NORDENBERG: If not, I thank you very much
15 for your time and for your thoughts today.

16 Our next speaker will be Mark Kirchgasser, who is
17 from Middletown Township, and he's going to speak about
18 Middletown Township.

19 MR. KIRCHGASSER: Good morning. Thank you, Mr.
20 Chairman. I'm grateful for the opportunity to speak to you
21 today. It's a privilege to participate.

22 Whoops.

23 CHAIR NORDENBERG: There, that's better.

24 MR. KIRCHGASSER: We'll try this again. Good
25 morning, Mr. Chairman.

1 CHAIR NORDENBERG: Good morning, sir.

2 MR. KIRCHGASSER: I'm grateful for the opportunity
3 to speak to you today. It's indeed a privilege to participate
4 in this process, and I want to thank the Commission for their
5 hard work on redistricting to get to fair legislative maps for
6 our communities. It is indeed not a small job.

7 My name is Mark Kirchgasser, a lifelong
8 Pennsylvanian, a graduate of Juniata College, and I'm a member
9 of Middletown Township Council, Delaware County, where I
10 currently serve as Chairman. I'm a 52-year resident of
11 Middletown, a 42-year member of the Middletown Township
12 Volunteer Fire Company, and now a 17-year member of Middletown
13 Township Council. While the Commission certainly may not be
14 intimately familiar with all the communities impacted by the
15 new maps, I am here today to share with you my serious
16 concerns about the proposed State House maps impacting
17 Middletown Township, how it directly conflicts with the stated
18 objectives of this Commission, and to offer you some thoughts
19 on how to keep us intact.

20 Middletown is located in the geographic center of
21 Delaware County. It is a township of approximately 17,000
22 residents, and for as long as anyone can remember, has been
23 wholly contained within the 168th Legislative District. We
24 are represented by Chris Quinn in a district that is compact,
25 it is contiguous, and it is longstanding, reflecting the

1 broader Rose Tree Media School District, along with Upper
2 Providence Township and Media Borough, all under the post
3 office label of Media, and it has been markedly changed by the
4 preliminarily approved plan.

5 Middletown Township, the home of Representative
6 Quinn, is proposed to be split with its 12 precincts divided,
7 with 5 going to one district and 7 to another. Indeed, this
8 proposed split divides one of our voting districts right
9 through the middle. The Rose Tree Media School District
10 community, as the broader Media, we all share the same ZIP
11 Code 19063, in the proposed plan would fall into three
12 different legislative districts.

13 Some comments about the proposed map. More than
14 half of the residents in the current 168th are no longer in
15 the proposed new district boundaries. The proposed new 168th
16 adds the entire new township of Radnor Township, located at
17 Delaware County's northern-most point, with a population of
18 35,000 residents. Radnor connects to the old district through
19 Newtown Township, making the district not compact but instead
20 taking the shape of a nearly countywide contiguous handgun.
21 Radnor Township, along the Philadelphia Main Line, has never
22 been in a legislative district with other towns in the 168th,
23 and is a community with no similar interests of the other
24 communities in the proposed district. Indeed, Radnor and
25 Middletown have about as much in common as a Mercedes Benz and

1 a Ford pickup truck.

2 Your stated intent as a Commission is to provide
3 contiguous districts, limit municipal splits, and keep
4 communities of interest intact. I cannot speak to the broader
5 process as an expert witness, but I can speak as an expert to
6 the Media community, and specifically to Middletown, to tell
7 you that slicing us in half to put our heart of a Delco
8 community with the Main Line does not deliver on these
9 objectives. We recognize that with the shifting population,
10 these districts need to be adjusted. If it's necessary to add
11 a community or a township to the district, it should be Aston
12 Township, as Middletown and Aston are truly communities of
13 common interests. We share our longest border with Aston. We
14 have a longstanding youth organization, the Aston-Middletown
15 Little League. The Aston and Middletown Township Volunteer
16 Fire Departments regularly work together on mutual aid. And
17 the Aston and Middletown community worship together. Indeed,
18 as a Middletown resident, my parish is in Aston Township.

19 My final comment to you is about balance. As you
20 seek your redistricting, please note that in 2017, a township-
21 wide council seat was decided by 39 votes. Four years later,
22 just this past cycle, that seat was decided by 9 votes.
23 Middletown as a whole is very balanced, very competitive.
24 This makes us better. We work for all interests, we refuse
25 bias, we regularly compete on ideas. I believe that's what

1 you seek. You should bolt other communities onto us for
2 balance, not split us to reach a desired outcome. Clearly,
3 that was not part of the consideration when this map was
4 drawn.

5 I respectfully ask that you keep Middletown
6 together with our community partners of Aston Township in
7 central Delaware County. With all due respect, sir, we're not
8 Main Liners.

9 CHAIR NORDENBERG: Thank you very much, Mr.
10 Chairman.

11 I'm tempted to ask you what you drive, after your
12 Mercedes Benz statement.

13 MR. KIRCHGASSER: A Subaru, sir.

14 (Laughter.)

15 CHAIR NORDENBERG: Thank you for your very
16 complete and compelling testimony.

17 Are there any questions from Members of the
18 Commission?

19 (There was no response.)

20 CHAIR NORDENBERG: If not, let me thank you again.

21 MR. KIRCHGASSER: Thank you, sir.

22 CHAIR NORDENBERG: Our next witness is Dwayne
23 Royster, who is from Philadelphia, and who wishes to speak
24 about racial equity.

25 BISHOP ROYSTER: Chairman Nordenberg, and the

1 whole of the Legislative Reapportionment Commission, Leaders
2 Ward, Costa, Benninghoff, and McClinton. Thank you for the
3 opportunity to come and share today about the very future of
4 democracy in the State of Pennsylvania.

5 Chairman Nordenberg, we are grateful for your
6 leadership and the Herculean task which you have taken on in
7 leading this Commission and which Pennsylvanians can watch and
8 participate in the shaping of their government and State
9 through this Commission.

10 I am Bishop Dwayne Royster, and I want to lay out
11 my statements here in this way. I was born in Philadelphia.
12 I'm a graduate of the Abraham Lincoln High School in the
13 northeast section of Philadelphia. I have a bachelor of
14 science degree from Geneva College. I have a master of arts
15 degree from the Lutheran Theological Seminary in Philadelphia,
16 and I started some years ago a doctorate degree at the
17 Lancaster Theological Seminary in Lancaster, Pennsylvania.
18 I'm a former council member for the municipality of
19 Norristown, and at my core, I am a Pennsylvanian.

20 I also have the honor of being the Executive
21 Director of POWER Interfaith, the State of Pennsylvania's
22 largest multi-race, multi-faith based organizing movement,
23 with over 150 congregations in 9 nine counties across
24 Pennsylvania that include Christian, Jewish, Muslim, Society
25 of Friends, Unitarian, Diverseless, Ethical Humanist, and

1 Sikh. We are multi-racial in addition to being multi-faith,
2 and we are working hard to build Pennsylvania into a State
3 that works for all. We believe that the growing Black,
4 Indigenous, and communities of color across the Commonwealth
5 are essential and must be valued to realize that vision. The
6 best of a democracy is when its residents are: One, seen;
7 two, heard; and three, respected. Let me say that again:
8 One, seen; two, heard; and three, respected.

9 Twenty-seven percent of the State of Pennsylvania
10 is made up of African Americans, Asian Americans, Latinx
11 Americans, Indigenous Americans, and biracial Americans.
12 Their voices must be present in the highest democratic bodies
13 of our State. And it's not just about representation, but
14 it's also about life experience that helps to make sure that
15 our democracy represents all the people. While we do not
16 always account life experience as important as formal
17 education, someone with a Ph.D. in life is as important as
18 someone with an earned degree. And those that have both an
19 earned degree and a life experience are doubly blessed. The
20 earned degree reflects study and is powerful, but the degree
21 earned by life is as strong because that degree understands
22 the nuance and semantics that can get lost in policy and
23 lawmaking.

24 In particular, for the cornucopia of races that
25 make up Pennsylvania, those voices of life experience and

1 education must be heard and considered as we work to build a
2 more perfect State and, hopefully, union. To that end, I am
3 here to say that you heard the call for hope. When I spoke
4 before you last time, Chairman, I actually called and said
5 that this Commission is responsible for creating hope for
6 millions of Pennsylvanians who do not feel seen, heard, or
7 respected. And I am encouraged today that you have worked
8 diligently to bring hope to millions of Pennsylvanians who
9 felt neither seen nor heard nor respected.

10 In this House map, you have heeded that call. The
11 maps are significantly better than the previous map and show
12 respect to the State's communities that were not fully
13 included in prior drawings. Just to make a point, in 2008, I
14 ran for State Rep in the 70th District, when I lived in
15 Norristown. The map was drawn in such a way that it went from
16 Norristown all the way to Harleysville, Pennsylvania. I heard
17 our previous speaker speak to the fact that it's Mercedes and
18 Volkswagon, or Mercedes and Ford. There's no real connection
19 between Norristown and Harleysville, to say the least. But
20 with these new maps, while they're not perfect, they are
21 satisfying. While they still have nuances to be worked out,
22 they are satisfying.

23 I know that in the days ahead, the committee will,
24 in fact, work on removing issues that are necessary for the
25 Pennsylvania house of the people to reflect the house of the

1 people that make up this State. I am sure that as you heard
2 many of my allies and partners and siblings in Pennsylvania
3 Voice speak, that you all will work to make corrections to the
4 map so that it's even stronger than what it is right now.

5 But allow me to say this as I close. With this
6 newer map, it is a call for all political parties and
7 candidates to see, hear, and respect the voices and
8 experiences of people who do not look or even think like them.
9 It is a call to engage African Americans, Latinx Americans,
10 Asian Americans, Indigenous, and multi-race people at a deeper
11 level in our democratic process. With that said, for 800,000
12 people of color who have chosen to make and have found welcome
13 in Pennsylvania, in particular the southeastern and south
14 central part of the State, this will help to make sure that
15 their voices are seen, that they ultimately are heard, and
16 that they are respected.

17 As a former Norristown Councilman, I just want to
18 applaud the creation of the new District 54 that will allow
19 Norristown, Conshohocken, and Plymouth to stay together.
20 Those communities have much more in common than what the
21 previous 70th District in that area would ever look like.

22 So Chairman, Commission, thank you at least for
23 this House map of bringing hope that in the people's house,
24 the people's voices will be heard. We believe, without a
25 shadow of a doubt, that in the days to come, Pennsylvania will

1 be better as a result of the work that is being done here, and
2 it will be completed over the next few weeks. Mr. Chairman,
3 thank you for allowing me to come and speak this day and share
4 with you my thoughts on this process.

5 CHAIR NORDENBERG: Thank you, Bishop. It's great
6 to have you back, and we appreciate your thoughts.

7 Questions or comments for the witness?

8 Majority Leader Benninghoff.

9 REPRESENTATIVE BENNINGHOFF: Thank you again, sir,
10 for being here to testify. It sounds like you've been
11 watching the proceedings pretty long. I'm just curious if
12 there are any suggested changes that you heard from other
13 testifiers that you would concur need to be done.

14 BISHOP ROYSTER: I mean, I certainly think that
15 there are two areas that I think I heard in particular, one
16 around Berks that was an issue about trying to reduce that to
17 two districts, and also there is this question about
18 Harrisburg that we have to really try to wrestle with. Is it
19 a dilution of folks of color being able to have representation
20 in that area? And I think that that's an important piece when
21 breaking it into three districts as opposed to having it one
22 or two districts. I think that that's a very important part.

23 Certainly pleased with what's happened in
24 Philadelphia, for the most part. There are some tweaks that
25 need to be made there as well, and I know that there are other

1 experts that have spoken to that, so I won't necessarily
2 reiterate that. But I wanted to share those thoughts.

3 REPRESENTATIVE BENNINGHOFF: Thank you for sharing
4 that with us.

5 Thank you, Mr. Chairman.

6 CHAIR NORDENBERG: Thank you.

7 Any other questions or comments?

8 (There was no response.)

9 CHAIR NORDENBERG: Again, thank you for being with
10 us, Bishop. We've enjoyed both of your appearances.

11 BISHOP ROYSTER: Thank you, Chairman. I
12 appreciate you.

13 CHAIR NORDENBERG: Our next witness is Jamie
14 Mogil, from the Lower Merion League of Women Voters. She
15 intends to talk about the Senate map, and particularly in
16 Montgomery County.

17 I guess I didn't have to label you as someone from
18 the League of Women Voters, because that big button does it
19 for you.

20 Welcome.

21 MS. MOGIL: Thank you so much. Thank you,
22 Chairman. And I will not take offense when I say I am from
23 the Main Line, since we alluded to that, Lower Merion and
24 Narberth. I grew up and live here in Lower Merion, so I am
25 going to focus on that area. Part of my testimony and the

1 letters that we submitted to you are about the House map as
2 well. So I'm just going to get right to it.

3 So I just want to thank you, first and foremost,
4 for letting me speak today. And particularly, Chair
5 Nordenberg, you've demonstrated the utmost patience and calm
6 in this process to make it more transparent and open than
7 previous cycles.

8 So while I don't have much time, there are letters
9 that we submitted. I'm going to focus on our area, Lower
10 Merion and Narberth in Montco, Montgomery County, colloquially
11 referred to as Montco. And we did sign on with our fellow
12 League, the Abington, Cheltenham, and Jenkintown area, and the
13 Main Line and Cheltenham area NAACP branches, and the
14 Community Action Alliance.

15 So with respect to the proposed House map, the
16 general shape of House Districts 148 and 149 break up and
17 crack Lower Merion and Narberth. Those areas combined, Lower
18 Merion Township being the largest township in Montgomery
19 County and combined with Narberth are well over 68,000 people,
20 which is larger than most cities in Pennsylvania, of course
21 not Pittsburgh and Philadelphia, but it makes up also the
22 Lower Merion School District, one of the largest and fastest
23 growing school districts that will only continue to grow in
24 the next decade. So this area is already cracked into four
25 different districts. We seem to be a target. We're also

1 split up in the congressional maps, but the proposed House map
2 continues to dilute our voices and representational power in
3 Harrisburg.

4 The map also ignores historical districts in
5 communities that sometimes are split, like Villanova and Bryn
6 Mawr, which are more likely to warrant a necessary split due
7 to population but would still allow for most of Lower Merion
8 and Narberth to be put together in one compact district.

9 And we heard the Bishop talk about House District
10 54 encompassing Norristown Borough with adjacent Conshohocken
11 and Plymouth, and we appreciate the Commission's creation of
12 this opportunity district, but ask you to look further at it,
13 that the Norristown Area School District could be put together
14 for the first time in over 20 years, and it would still create
15 an opportunity district. So Norristown, part of the
16 Norristown Area School District with East and West Norriton,
17 is one of the most underfunded in Pennsylvania, and Norristown
18 Borough would be the lesser population of the new district, so
19 it's demographically and geographically different than
20 Conshohocken and Plymouth, but could be put together with
21 adjacent East and West Norriton, still being compact and
22 contiguous, meeting the population requirements, and still
23 would be an opportunity district. So we ask you to please
24 look at that to keep them together because it would make an
25 already difficult process for advocating for funding and

1 resources that much easier.

2 So I'm just going to move quickly with respect to
3 the House map. Overall, the proposed Senate map is not as
4 favorable, is not as fair as the House map. It favors keeping
5 incumbents safe, or buddymandering, as I'll call it, while
6 unfairly and unnecessarily splitting Montco five times with
7 other counties and overpopulating every single Montco district
8 in the fastest growing region of Pennsylvania. This map
9 thereby weakens our representational power and dilutes our
10 voice in PA's third largest county in this most populated
11 region that will only continue to grow. Five of those six
12 Montco districts in the proposed House map are shared with
13 four counties - Delaware, Chester, Philadelphia two times, and
14 Berks. Three of the five Montco split districts have Montco
15 with the lesser population, and in one instance, Senate
16 District 7, only nearly 11 percent of that district.

17 So even with the best intentioned and hardworking
18 Representatives, splits like many of these in Montco put
19 together very different demographic and geographic communities
20 with different needs. Splits also make it harder for
21 legislators, and particularly local officials like Montco's
22 county commissioners, to officially and effectively advocate
23 on behalf of their constituents, and they have to even compete
24 for funding, particularly if a legislator is a resident of the
25 one side of the split district, or there is a larger voting

1 population of one county as opposed to the other in that split
2 district.

3 And a good example of how Montco is unnecessarily
4 split is Senate District 7. I gave many examples in the
5 letter we submitted, but this district maintains its overall
6 gerrymandered shape that it currently has splitting Montco and
7 Philadelphia. It runs from 48th and Market in center city up
8 through parts of west Philadelphia, around Lower Merion
9 Township in Montco along the Montco/Philadelphia border to
10 include northwest portions of Philadelphia, dividing the
11 county into Montco to include Whitemarsh and Conshohocken
12 municipalities. This is totally unnecessary, but when you
13 look further, it keeps the current incumbent, the district
14 number, the residency, and the shape, it starts to make sense.

15 So the proposed map also overpopulates every
16 single Montco district, in the case of Senate District 44, by
17 over 11,000 people, and these are even more troubling when you
18 consider the underpopulation of districts in the overall
19 Senate map that have low -- the underpopulating of districts
20 in areas of PA that have low population or sluggish growth.

21 Overall, the proposed Senate map is a product of
22 buddymandering -- I know I have to finish -- and we ask the
23 LRC to please look back and remove these unnecessary splits
24 and have fair maps.

25 CHAIR NORDENBERG: Thank you very, very much.

1 Are there questions or comments for the witness?

2 Majority Leader Benninghoff.

3 REPRESENTATIVE BENNINGHOFF: Thank you.

4 Obviously, you did a lot of research, very
5 thorough and very informative. Two quick questions. Did I
6 hear you say that you felt that most of the House seats were
7 overpopulated in your region?

8 MS. MOGIL: No. I was speaking about the Senate
9 map when I talked about overpopulation. I will have to look.
10 I was speaking about overpopulation as far as the Senate map.

11 REPRESENTATIVE BENNINGHOFF: Okay. I just want to
12 clarify it. And the other thing, you used the word "fair" a
13 lot. I'm curious of what your definition of a fair district
14 is. We hear that word bandied around and it always sounds
15 good, but, you know, from a service provider perspective, I
16 try to be fair to anybody that comes into the office. I just
17 was curious what your description is.

18 MS. MOGIL: Well, Representative Benninghoff, you
19 have noted several times about the constitutional
20 requirements, so I think that's the first place to start, as
21 far as compact and contiguous, you know, not splitting
22 unnecessarily, that's in the Constitution as far as
23 population. But then it gets to, and we are the League, and
24 along with our fiscal project of Fair Districts PA, we have
25 talked most importantly about removing politicians from this

1 process. So I could talk on and on about what fair maps are,
2 but at the end of the day, it should not be politicians that
3 are drawing the maps. So that's really where I would start.

4 But fairness is really about true representation,
5 looking at communities, not dividing communities, and
6 sometimes splits are necessary. I live on the Main Line. You
7 could drive down Route 30/Lancaster Avenue and in a matter of
8 a half-hour get through four different counties. I could
9 cross the street here, I live in Haverford, not the township,
10 but Haverford, Lower Merion, the Montco side, and cross the
11 street and be in Delco. So sometimes you do have to look at
12 splitting communities, but also keeping communities together,
13 like school districts, and so forth. So it's a mixed bag, but
14 currently I would say looking at the constitutional
15 requirements, as you've pointed out. And, yes, I have been
16 watching the hearings.

17 CHAIR NORDENBERG: Thank you very much.

18 Our next witness is Lauren Vidas, from
19 Philadelphia, who wishes to talk about the House map.

20 Welcome. Thanks for being here.

21 MS. VIDAS: Thank you so much. Before I get
22 started, I have to complain that you would ask me to speak
23 after Jamie Mogil, whose expertise and passion make her an
24 incredibly hard act to follow. But with that, my name is
25 Lauren Vidas. I am a fourth-generation Philadelphia resident

1 and a licensed Pennsylvania attorney with a practice
2 concentration in legislative affairs and election law.

3 First, I just want to thank the Legislative
4 Reapportionment Commission, as well as the many staffers who I
5 know are working diligently behind the scenes, for working on
6 what is one of the most important acts for preserving the
7 health and viability of our democratic institutions. I offer
8 my testimony of support today regarding the proposed State
9 House map not as an expert or on behalf of any group or
10 organization, but rather as a good government advocate and a
11 citizen committed to insuring that the representation of our
12 Commonwealth reflects the will of its people.

13 For far too long, State legislators across the
14 country have used the redistricting process as a partisan tool
15 to disenfranchise, dilute, and divide voters. Madeleine
16 Albright once observed that while democracy, in the long run,
17 is the most stable form of government, in the short run it is
18 among the most fragile. And even with almost 250 years of
19 democracy under our collective national belt, given the
20 current state of our nation, it is easy to appreciate the
21 fragility of which she speaks, and a fair redistricting
22 process is key to insuring the longevity and the stability of
23 our democracy.

24 Redistricting is not only one of the most
25 important pieces of work that our representatives will

1 undertake, it's also one of the most challenging. Before
2 going back to private practice, I served as an official in the
3 Nutter administration here in Philadelphia where I worked on
4 municipal redistricting for city council districts, a process
5 which we're getting underway this spring. And it was during
6 this process that I learned firsthand how difficult it is to
7 achieve the delicate balance of a well-drawn map. With so
8 many competing considerations - population deviation; ward,
9 municipal, county splits; preserving, but not packing
10 constituencies - map-drawing is a difficult endeavor, and when
11 you add in partisan political considerations, a fair and
12 representative map can slip even further out of reach.

13 The aforementioned difficulties are why I have to
14 applaud both the process and the output of the work of the
15 Commission. You rose to the occasion and met this challenge
16 by engaging in a transparent and community-driven process that
17 resulted in a House map that will help insure our fragile
18 democracy is more fair and more representative than in prior
19 iterations.

20 There are a number of reasons why I support the
21 proposed House map, many of which have been gone into greater
22 detail by speakers with far more expertise than I. And while
23 not perfect, and frankly perfect should never, ever be the
24 enemy of good, especially an improvement this marked, this map
25 significantly improves over the current map by almost every

1 recognized metric. Fewer county and municipality splits,
2 significant improvement on compactness, it's far more
3 politically balanced than our current version, and most
4 importantly, this map reflects the realities of our changing
5 State, population shifts that we're seeing all across the
6 Commonwealth. And at the end of the day, it supports the
7 hallmark of our government, that power derives from the
8 people, and that where the people go, the power shall follow.

9 Locally, this map is a win for Philadelphians as
10 well. It makes major improvements on compactness and
11 deviation that we've experienced in the city, while respecting
12 and preserving the voting power of Black and Brown residents,
13 as Bishop Royster so powerfully spoke about. Now, obviously,
14 this isn't to say that this map is perfect. It is good. It
15 is much better than previous versions. It's very good. You
16 know, there have been a number of concerns expressed. I've
17 heard from folks that they're concerned that we have two of
18 our really great State Reps, Rep. Rabb and Rep. DeLissio,
19 drawn into the same district. And notwithstanding my respect
20 and appreciation for the work of these Representatives, you
21 know, this is true across the State: The guiding principle of
22 any map should be that it prioritizes what's best for citizens
23 over what's best for incumbents, and this stands true
24 regardless of party affiliation.

25 I've heard a lot of great testimony and a lot of

1 great suggestions about the map offered by residents who are
2 way more familiar with their hometowns and areas than I am, so
3 if there's a way to tweak this map and address these concerns,
4 I would love for the LRC to undertake that goal. But at the
5 end of the day, we can't take away from the wholesale marked
6 improvements that we gain across the State from this new map.

7 So in sum, thank you so much for all the work that
8 you've done to create a fair House map. I really urge the
9 adoption of this map.

10 CHAIR NORDENBERG: Thank you very much for your
11 thoughtful comments.

12 Are there are any questions or comments for the
13 witness?

14 (There was no response.)

15 CHAIR NORDENBERG: If not, again, thank you very
16 much.

17 MS. VIDAS: Thank you all.

18 CHAIR NORDENBERG: Our next witness is Bibiana
19 Boerio, from Latrobe, and here I do have to make a disclosure.
20 I did nothing to encourage her to come. I don't think, in
21 fact, we have seen each other in six or seven years.

22 MS. BOERIO: 2017.

23 CHAIR NORDENBERG: We do know each other well.
24 She's a distinguished graduate of the Pitt Katz Graduate
25 School of Business. She built a distinguished career in the

1 automotive industry at a time when that was not easy for
2 women, in particular. We've heard testimony this morning
3 about Fords and Mercedes and Volkswagen; she was the President
4 of Jaguar. And I think she is probably a constituent of
5 Senator Ward.

6 So welcome, Bibie.

7 MS. BOERIO: Thank you.

8 Thank you, Mr. Chairman, and thank you, Leaders
9 Ward and Costa and Benninghoff and McClinton, for this
10 opportunity to offer testimony. And I wanted to speak to you
11 for three reasons, and it's going to be very different than
12 the testimony you've heard from others. First of all, I want
13 to publicly thank Chairman Nordenberg for stepping up to
14 serve. Last May when I saw the announcement that the PA
15 Supreme Court had appointed Chancellor Emeritus Nordenberg to
16 serve as the Chair, I had three very different reactions.
17 First was, what a great choice. And second, why in the world
18 would he ever want to do this? And third, because I know he
19 would do it for the values he places on public service and the
20 courage in taking on tough challenges.

21 So, he's given you a bit of my credentials. I
22 have an MBA from the University of Pittsburgh Graduate School
23 of Business. I completed a 32-year career with Ford Motor
24 Company, and like Representative Jones, I have many years of
25 corporate experience trying to use complex analysis to solve

1 complex problems with practical solutions. And I do drive a
2 Ford.

3 Along the way, I was asked to serve on the Pitt
4 Board of Trustees, and in that capacity I came to know
5 Chancellor Nordenberg. And I know that he's a man of
6 integrity, he's a true professional, he's deliberate and
7 thoughtful in his actions and his deeds. And I saw that with
8 the way you respected the faculty, staff, and most importantly
9 the students and their parents. And that includes two of my
10 nieces, both of whom he knew by name, when he would see them
11 on the Oakland Campus, he called them by name. And both of
12 them send their regards.

13 So I asked, why would he take on the role? Now,
14 following my retirement from Ford, I worked on Capitol Hill.
15 I was chief of staff for a Member of Congress. I came back to
16 Latrobe to care for my mother. I ran for Congress in 2018,
17 and I lost in Pennsylvania's 14th Congressional District. But
18 I've watched the country and the Commonwealth lose the sense
19 of working together for the common good that I grew up with in
20 Latrobe, and, honestly, I feared that whatever the Chairman
21 did to be fair and equitable would be turned against him. And
22 I suspected that he would be personally attacked by those who
23 weren't interested in fairness and equity.

24 But I'm here to tell you that I'm not going to let
25 those attacks go unanswered, and that's the second reason why

1 I wanted to speak. I'm not an expert, but I am nerd and a
2 quant and I loved studying the testimony from the previous
3 hearings, and listening to those testimonies yesterday and
4 this morning. And I share the conclusions that have been
5 reached by just about everyone: The preliminary maps are a
6 major improvement from the present boundaries for the State
7 Legislature. And we've heard, and you know the details about
8 the Pennsylvania Constitution and the Federal Voting Rights
9 Act, and those criteria create a balancing set of complex
10 algorithm solutions, factors that make it very difficult to
11 solve perfectly. But there are two very clear trends that
12 have been identified and have been discussed. One is the
13 shift in population from rural to suburban and urban, and the
14 other is the increase of the percentage of non-white
15 residents. We've heard at great length about those
16 demographic changes and the specifics by county and
17 municipality. I'm not going to revisit those. I'm not going
18 to make any suggestions to you about changes.

19 I just want to emphasize that the Pennsylvania
20 Constitution, the Voting Rights Act, and the underlying
21 American principle of one person, one vote, the math
22 determines that representation must shift from the southwest
23 to the southeast, from rural areas to suburban and urban
24 areas, and it must appropriately reflect the growth in our
25 non-white population. And simply put, I think the preliminary

1 maps do just that. I think they reflect the results of the
2 Census and the law. And it's very clear from these
3 testimonies over the last few days that you're open to
4 clarifying and to resolving some of the complexities that come
5 from how those boundaries may represent competing objectives.

6 But my third reason for wanting to speak is
7 probably even more important. This decennial redistricting
8 effort has been marked by a vast improvement in transparency,
9 the participation of citizenships, and the use of
10 sophisticated tools employed by professionals. Leader
11 Benninghoff, yesterday you commented to Professor Barreto that
12 you couldn't imagine what it was like 30 years ago to do this
13 work. Well, I can give you a hint. Forty-six years ago on
14 the 16th floor of the Cathedral of Learning, I was taught to
15 develop Monte Carlo simulations using IBM punch cards to run
16 on IBM mainframe computers. I can tell you, we do not want to
17 go back to punch cards and mainframes. And the people of the
18 Commonwealth of Pennsylvania do not want to lose the
19 professionalism, the transparency, and the fairness brought to
20 this process by Chairman Nordenberg and the Members of the
21 Commission and the staff.

22 So I want to thank you for this opportunity. I
23 want to thank you all for your service to our community. I've
24 tried to put puzzle pieces together in the auto industry.
25 It's not easy. But I'd like to end with a belated Happy

1 Birthday to Leader Benninghoff, who I understand had a
2 birthday yesterday. And with that, thank you for this
3 opportunity.

4 CHAIR NORDENBERG: Thank you very much for
5 appearing and offering those thoughts.

6 Are there any questions?

7 Leader Benninghoff.

8 REPRESENTATIVE BENNINGHOFF: I just want to say
9 thank you to the testifier. You'll be glad to know that I
10 only own Fords, continue to drive Fords, and actually wrecked
11 one about eight weeks ago and decided to get the same car. I
12 actually went backwards and replaced a 2012 with a 2008
13 because of the frame that was underneath that.

14 MS. BOERIO: Thank you very much.

15 REPRESENTATIVE BENNINGHOFF: That probably saved
16 me a lot of injury.

17 And you are correct, the former mapmakers, as far
18 back as 1980, I believe, literally used push pins and string
19 to draw these maps. So we are very much appreciative of
20 today's technology. And if you have any suggestions later of
21 any of the testimony you heard of suggested changes, I think
22 that's where I want to be focusing on, as these hearings, at
23 this point, are really trying to focus on trying to see what
24 egregious concerns there are, and I think--

25 MS. BOERIO: Well, I appreciated the opportunity

1 to hear the dialogue between the various experts. I actually
2 have a very good friend who's a professor of political science
3 at Brigham Young and is very well familiar with Dr. Barber
4 from yesterday. And so it was fun to hear that. And I think
5 that's where real learning comes, from getting experts, then
6 Professor Nagle this morning, to compare and contrast ideas
7 and recommendations. So thank you for that opportunity.

8 REPRESENTATIVE BENNINGHOFF: I always thought the
9 best leaders were those that were smart enough to surround
10 themselves by people that are smarter than they are.

11 MS. BOERIO: Amen.

12 REPRESENTATIVE BENNINGHOFF: Thank you for being
13 part of the process.

14 CHAIR NORDENBERG: Thank you very much, Bibie.
15 It's good to see you.

16 Our next witness is Jacqueline Rivera, who is from
17 Bethlehem, and who wants to talk about Senate District 14.

18 MS. RIVERA: Good afternoon, everyone. My name is
19 Jacqueline Rivera. Thank you to the Commission for their
20 service and their hard work during this process, and for the
21 opportunity as a community member to express my comments. I
22 am a lifelong Lehigh County resident who was raised on the
23 east side of Allentown, and I'm a homeowner in west Bethlehem.
24 I was also a candidate in Lehigh County Commissioner District
25 3, and it included east and south Allentown, west Bethlehem,

1 Fountain Hill, Catasauqua, Hanover Township, which also is
2 included in this open 14th Senate District.

3 I am in favor of this open Senate district. I
4 believe these areas that are included in this district have
5 common interests, regardless of party. It would give an
6 opportunity for fair representation that will not be held by
7 an incumbent, and I do believe the community wants that right
8 now. In the state of politics today, we do want fair
9 representation, regardless of party. And I do believe we can
10 go further and include all of Bethlehem, because I think that
11 would maximize the Latino representation in this district. It
12 will create a huge focus to this area by not having an
13 incumbent representing it. I think that is the importance of
14 this open 14th Senate District.

15 I would also like to express comments on the
16 Lehigh Valley House seats, because I am in favor of the open
17 Senate 14th District in this area, but I am opposed to the
18 Lehigh Valley House seats. Because currently we have six
19 Republican-held House seats and five Democrat-held seats. And
20 as soon as you look at the map, it's clear that it's partisan
21 the way they were drawn. It puts two Republicans in one area,
22 but my question is, why aren't two Democrats in one area going
23 against each other? Because that would show that we're not
24 trying to gerrymander.

25 The map, I feel like it was designed to protect

1 Democrat incumbents by eliminating the Hispanic Democrat vote.
2 Two Republicans being in the same area, it's eliminating a
3 Republican district. I don't think it's necessary to break
4 Allentown into three districts. I think the two districts
5 are, you know, commendable. You know, in the last race, I
6 know Pete Schweyer, he almost lost in his primary, and I do
7 feel like the new map is helping him more with his numbers.

8 I do hope the completed maps keep the community in
9 mind. That way we do have fair representation across the
10 board, and that would be competitive, which is the right thing
11 to do for the community.

12 That's it. Thank you for your time.

13 CHAIR NORDENBERG: Thank you very much for those
14 very focused comments.

15 MS. RIVERA: You're welcome.

16 Are there are questions or comments for the
17 witness?

18 (There was no response.)

19 CHAIR NORDENBERG: I'm trying to make sure I'm not
20 overlooking either of the Senators who are in very small
21 squares on the screen.

22 SENATOR COSTA: I have no questions, Mr. Chairman.

23 CHAIR NORDENBERG: Thank you very much.

24 SENATOR K. WARD: No, thank you.

25 CHAIR NORDENBERG: Thank you.

1 SENATOR K. WARD: You're welcome.

2 CHAIR NORDENBERG: Thank you, Ms. Rivera.

3 Our final witness is Senator Katie Muth. I should
4 say that some of us have been looking forward to your
5 appearance. When we walk into the Capitol, your door is one
6 of the first that we pass, and so we're always thinking about
7 democracy dies in darkness.

8 So, welcome. We're looking forward to your
9 testimony.

10 SENATOR MUTH: Thank you very much for having me.
11 I appreciate the opportunity to give a few comments. I think
12 it actually says democracy dies in dark money, but that's
13 okay.

14 I am State Senator Katie Muth. I represent Senate
15 District 44, which is currently Montgomery, Chester, and Berks
16 Counties. I'm here today to offer brief feedback on the
17 preliminary maps, and also just to reiterate the importance,
18 both to the public and to the Commission, of fair lines. And
19 as Representative Benninghoff mentioned earlier, fair may have
20 different meanings to different people. But I think as a
21 lifelong Pennsylvanian--I love that there was another
22 Latrobean on this before, because I actually graduated from
23 Latrobe High School. My grandmother lived in Youngstown
24 Borough and was confirmed with Arnold Palmer. And so I've
25 grown up on the other side of the State in Westmoreland County

1 in Senator Ward's district, where my dad is her constituent
2 now. So I've lived there. I've lived in central PA when I
3 was at Penn State, and now I live in the suburbs of
4 Philadelphia. So I come from I'd say a purple background
5 family, if we're going to label based on voter registration,
6 but I've also seen the gamut of issues across the
7 Commonwealth.

8 I also say that I'm new to the legislature as of
9 2018 and ran in very gerrymandered lines in one of the most
10 gerrymandered Senate districts. If you look at the current
11 lines for SD 44, I'm drawn out of any possible blue spot, blue
12 meaning Democratic-favoring registration. So I'm not in
13 Norristown, I'm not in Phoenixville, I'm not in Coatesville,
14 I'm not in Pottstown, and I'm not in Downingtown. And so
15 despite those odds, which were heavily against me, I think I'm
16 a political unicorn here in that I'm a working class person
17 that came from the State and somehow was able, with an army of
18 volunteers talking to voters of all registration. With that
19 said, I'm lucky that I was able to earn my votes from even
20 Republicans, because I couldn't have won without their support
21 in Senate District 44.

22 And so I represent a really diverse district,
23 including Amish, I have parts of my district that are
24 incredibly wealthy, and then there's pockets of poverty. I
25 have a great veteran population, and I also live in Royersford

1 Borough, which is on the Schuylkill River, right on the county
2 line of Montgomery and Chester Counties, where our borough
3 connects with Spring City Borough in Chester County across the
4 river by sidewalks, which is really unique in my district to
5 have connectivity. And I say that because they go to -- these
6 two boroughs in different counties go to one school district.
7 So it's a unique space where the lines of these counties
8 really kind of just blend together because of the population
9 living so close to one another.

10 My concerns about the proposed Senate map really
11 are about the population deviation. My district's been one of
12 the fastest growing districts in the southeast, and that's
13 difficult to represent all these people, but I love them all.
14 But I think the southeast needs that representation to be more
15 -- we're packed together, as previous speakers mentioned, and
16 we're underrepresented in the legislature. I won't reiterate,
17 for the sake of time, the concerns about Lehigh Valley. I
18 share those as well. I think that Lancaster County has a
19 little work to do.

20 But overall, I think that the deviation of
21 population mean should be the focus after this final hearing
22 today as you make tweaks and changes to the current proposed
23 lines. That certainly would be more reflective, specifically
24 in the southeast, you see that we have really bulging
25 districts. So if you label them by color on who's over the

1 deviation, I think I'm the third most over with 11,000, with
2 the Senate District below me in 19 being over. So how you're
3 going to do that, it's a huge challenge for all the things you
4 have to take into consideration, but I urge you to draw lines
5 that actually allow for everyone to be represented.

6 I have seen, the three years I've been in the
7 Senate, I know what unfair lines result in, and they result in
8 disagreements, they result in lack of policy being passed that
9 is so needed in our Commonwealth. Gerrymandering results in
10 not having a fair minimum wage. Gerrymandering results in
11 environmental racism. Gerrymandering results in economic
12 inequities and underfunding for our schools. And so you have
13 a huge task at hand here -- no pressure -- the moral weight of
14 drawing fair lines that you can all agree on but also don't
15 compromise. I think the southeast has some incumbent
16 protection qualities about it, and that should be
17 reconfigured, as I say this as someone who ran in a district
18 that wasn't supposed to be winable. You should be trying to
19 get every district as close as you can to be fair in terms of
20 the electorate and who they will be representing.

21 So I know I'm out of time. I see the zero, and I
22 know you're all starving for lunch. And I just want to say
23 thank you for the opportunity, and that this is probably the
24 most important thing happening right now in Pennsylvania and
25 really determines the whole future. I won't say the next 10

1 years until we draw again. But I hope that you've listened to
2 the Bishop, to all the people. I've listened to some of these
3 hearings and they've had great feedback, especially those who
4 live in those areas and know the intricacies.

5 So, thank you, again, for the opportunity to
6 speak, and I hope you all have a good weekend.

7 CHAIR NORDENBERG: Thank you very much, Senator.

8 Are there questions or comments from Members of
9 the Commission?

10 Senator Costa.

11 You're muted I think. Still can't hear you.

12 SENATOR COSTA: How about now?

13 CHAIR NORDENBERG: Now you're on.

14 SENATOR COSTA: Thank you. I apologize. Mr.
15 Chairman, thank you.

16 Just a comment. I want to really thank Senator
17 Muth for her testimony today and really highlighting probably
18 one of the issues that I think this Commission needs to really
19 address as we go forward, and that is the issue of deviation.
20 I'll provide remarks at closure, but, I mean, what you heard
21 from Senator Muth was an approach that we need to be
22 thoughtful in terms of what we do in being fair and free
23 elections and the like, and that's really what this is about.
24 And I think she saw firsthand what that means. And is seeing
25 firsthand, in my view, the consequences, as she indicated, of

1 not having the situation of where you've got an environment
2 where there are competitive seats and where there are wide
3 disparities between Members who are from different parties.

4 So thank you, Senator Muth. What we heard today
5 is complementary of the work that she's done in the Senate
6 Caucus Room for us, but also on the Senate floor, and I
7 appreciate her testimony today. It's very helpful.

8 Thank you.

9 CHAIR NORDENBERG: Senator Ward.

10 SENATOR K. WARD: Thank you. Nice to see you this
11 morning, Senator Muth.

12 SENATOR MUTH: Nice to see you.

13 SENATOR K. WARD: Just a couple comments.

14 There are underpopulated districts in the west and
15 the east, and your district itself is actually 5,000 less than
16 you presently serve, your new district is. And it does
17 include Pottstown, I think. So, you know, there are some
18 differences, but overall, we do fall within what the
19 Constitution says that we should fall under. And we have, you
20 know, when I look at representation in the legislature, you
21 know, it is not a statewide thing. We all represent where we
22 live, and you know yourself, Senator Muth, the difference
23 between Latrobe and where you live, right? There's a lot of
24 difference here.

25 So I think that it's important that all voices are

1 heard, and it's hard to make some districts competitive.
2 Let's just talk about that. I mean, it's almost impossible
3 for, at least in the Senate, for most of the west, except
4 Allegheny County and central PA, and in the east, it's
5 impossible for a Republican, right, to touch anything in the
6 Philadelphia area, and even the immediate surrounding outside
7 of the area. It just is as though, as population shifts, it
8 does go I guess to more urban areas, correct? It goes to more
9 urban areas. And I just think that we followed the
10 Constitution, we all fit within that category. It's what we
11 have been working on, Jay and I, and Nordenberg, the
12 Chancellor. We haven't been doing this all together because
13 we weren't allowed. We've been doing it using the Chancellor
14 in between us. We've been working on this for a while, and
15 it's not a perfect map, but I do believe it follows all the
16 constitutional guidelines. And I just wanted to put that out
17 there. And thank you very much for being with us this
18 afternoon.

19 SENATOR MUTH: Yeah, no. And if I'm allowed to
20 respond.

21 SENATOR K. WARD: Of course.

22 SENATOR MUTH: I think you bring up a good point.
23 You can't make this perfect, especially with the deviation. I
24 just think where you see District 19, 44, and 24, and they're
25 all over, you know, 10,000 to 13,000 of the mean deviation,

1 where that I think that can be tweaked. I mean, you're right.
2 And Senator Costa knows how I feel about drawing fair lines,
3 and he and I, I'm like, just I'm already bursting at the seams
4 as is. I have a lot of new development, like you said, people
5 are moving out this way. I mean, during COVID, I was in my
6 home for four weeks and drove through my district and saw a
7 brand new neighborhood being built. I mean, the number of
8 homes being built out here is crazy.

9 But, like you said, that's not always going to
10 work everywhere across the Commonwealth in terms of
11 competitive. So I fully agree on that. That's a limitation,
12 unless you want to start drawing really crazy lines that don't
13 connect, but that's not constitutional. So I get those
14 challenges.

15 I think for me, I'm okay, and maybe I'm wrong.
16 Maybe I said I was a unicorn earlier, but maybe I'm a
17 one-trick pony and I won't be back after November, so. But I
18 think for me, I take pride in representing currently, as is,
19 even gerrymandered, a 50-50 district, and that I'm able to
20 communicate with all, you know, party affiliations, and for
21 me, that's the definition of fair. Not every district is
22 going to be 50-50, but I think that should be the goal.

23 So I agree with you that it's not always going to
24 be perfect everywhere, but at least being able to justify why
25 you all chose to do what you did because of those

1 constitutional provisions or community input, versus we all
2 know how we hear a headline later - this was done because of
3 X, Y, and Z that has nothing to do with the real process. So
4 I totally agree. Thank you.

5 CHAIR NORDENBERG: Well, it's always said you
6 should close on a high note, and, Senator, you helped us do
7 that. And I now will never forget, it's democracy dies in
8 dark money. Thank you very much.

9 (Laughter.)

10 SENATOR MUTH: Thank you.

11 CHAIR NORDENBERG: Let me turn to the other
12 Members of the Commission and ask if there are any closing
13 statements that any of you would like to make as we move
14 toward the end of our last hearing.

15 SENATOR COSTA: Chairman, I would like to provide
16 some remarks.

17 CHAIR NORDENBERG: That's fine.

18 Is that ok with you?

19 SENATOR COSTA: I'm sorry, is there somebody else?

20 CHAIR NORDENBERG: Yes, please go ahead, Senator.

21 SENATOR COSTA: I will be brief, Mr. Chairman. I
22 will be submitting formal remarks to the Commission to
23 supplement the brief conversation in remarks I'll provide
24 right now. But I first and foremost want to say thank you to
25 you for the open and transparent manner in which you conducted

1 these meetings and hearings through this process. But I also
2 want to take a moment to say thank you to all those
3 individuals who testified, those in person, those on Zoom, the
4 experts who participated, but also the over 4,000 probably by
5 now comments, and several more that we'll receive over the
6 course of the next couple of days, to say thank you for their
7 participation in this process.

8 Mr. Chairman, a number of things that I think I've
9 learned over the course of these conversations, particularly
10 over the public comment period, that I do think need to be
11 addressed as we move forward with regard to the adoption of a
12 final plan for the Senate of Pennsylvania. I think what we
13 heard this morning and early this afternoon from a number of
14 folks regarding the deviation, the differences along those
15 lines and the shift in population, certainly is something we
16 must address. I recognize that Senator Ward indicated we may
17 be within the percentage level, but I don't think that's the
18 issue. I think the issue is the population loss and growth in
19 different parts of the State and how that needs to be shifted
20 to appropriately reflect that.

21 I guess the best example that I heard through one
22 of the witnesses when one of the earlier witnesses testified
23 about if we both are told we're going to get \$100, but I'm
24 going to get \$105 and you're going to get \$95, because that's
25 the impact of the deviations that we have currently, I think,

1 in the Senate plan. That doesn't represent, that's not fair,
2 it's not free, and that's what we have to talk about going
3 forward. That's one area that I think we have to focus on.

4 I also think the testimony we heard mostly from
5 yesterday from some of the mayors, Mayor Cagnetti and Mayor
6 Gray, from the midsized cities, I think is an appropriate
7 conversation to have. And others who testified to that
8 extent. That we have an obligation, I think, to recognize the
9 growth in those areas and to look and see how things are
10 developing there. Just as we need to look at cities like
11 Philadelphia, Pittsburgh, and some other larger ones. I mean,
12 I think that testimony in terms of the exciting things that
13 are going on in those locations I think is very helpful, and
14 we need to be able to consider that more as we go forward.

15 And finally, certainly, we've heard a lot about
16 our Latino conversation with the numbers along those lines,
17 both in the House and the Senate districts. I do think it's
18 important that we move forward to try to address Latino
19 opportunities to be able to have more presence in the General
20 Assembly, more specifically in the Senate, but we have to
21 recognize that it needs to be an opportunity. It doesn't need
22 to be a voting majority district. As some of the witnesses
23 testified, the appropriate blending, the appropriate balance
24 of Latinos throughout the region makes a lot of sense, more so
25 than packing people into one district would have adverse

1 opportunities as well.

2 So those are just some of the three or four things
3 that I think will be further borne out in my written comments
4 that I'll provide to the Commission, Ann-Marie, today. But I
5 wanted to make sure I had a chance to get those on the record
6 so that we'll have the opportunity to discuss in greater
7 detail as we move forward over the course of the next couple
8 of weeks.

9 So, again, I thank you. I thank my Commission
10 Members for their tolerance and patience with all the
11 witnesses who participated. And, more importantly, I thank
12 the people of Pennsylvania who did participate in this
13 process.

14 Thank you for allowing me to speak, Mr. Chairman.

15 CHAIR NORDENBERG: Thank you, Senator.

16 Let me just go around the Commission, because I
17 can't see Senator Ward very well. Majority Leader Ward, do
18 you have some comments you'd like to share?

19 SENATOR K. WARD: I do. Just, I want to echo
20 Senator Costa's comments about, thank you, Chancellor, for
21 making this so transparent. No one can say, ever again, that
22 this has not been a transparent process, because we've had so
23 many hearings, you've done them, we're here on a weekend, in
24 the evenings, so that people can participate, and I think that
25 has been a very, very good thing for Pennsylvania. And I will

1 also submit some written comments.

2 But as for the deviations, I just want to respond
3 just for a moment, and I'll do it in my written comments, but
4 while we were drawing these maps, while we came up with these
5 maps, we were well aware of what all the numbers were in all
6 of the districts. And, you know, moving districts, it's a
7 wholesale change of the map, because it moves every district,
8 and we would never get these maps done in a reasonable time if
9 we decided everything that we've worked on is no longer good
10 enough. It was good enough when we were working on them, and
11 I do believe that it is fair to Pennsylvania, and we do follow
12 all the rules of the Constitution and what we are required to
13 do in that.

14 And I just also want to add that I have learned so
15 much during this process, hearing from people, learning so
16 much about the Latino community. You know, I really wasn't
17 aware of how much it was growing in the Lehigh Valley or in
18 Reading. I had no idea. You know, I knew I would hear
19 things, but I don't live there. I've rarely visited, but I'm
20 going to start to visit more often. So I just have
21 appreciated the process.

22 You know, we don't always agree on everything, and
23 we're not always going to agree on everything, but I think
24 that respectfulness toward each other is very, very important.
25 And for the people of our Commonwealth to see that we can

1 disagree, but we can work together still and we can do what's
2 best for all of them here in our Commonwealth.

3 CHAIR NORDENBERG: Thank you very much.

4 Majority Leader Benninghoff.

5 REPRESENTATIVE BENNINGHOFF: Thank you, Mr.
6 Chairman.

7 This has been a very interesting process, probably
8 not one that any of us will volunteer to do it again real
9 quick, but it's been very enlightening. And actually, for
10 those who are watching, you know, we actually have two
11 different kind of worlds coming together, those of us who are
12 public policymakers, lawmakers, and someone who has served a
13 lot in academia, with a lot of significant difference in
14 background. But that's really what our legislative process
15 is, too, and sometimes it's not always that pretty.

16 And for those who might say I ask too many
17 questions, it's not the first time I've heard it. But, you
18 know, I didn't come here to just to sit and listen or just to
19 be able to say I was present, but to be engaged, and I think
20 asking questions is how we learn, especially from people who
21 have served in other worlds maybe that I have not served in.
22 Hopefully, at the end of the day, it makes me better.

23 I would echo what Senator Ward said. Though it's
24 been a very exhausting process at times, it's been one that we
25 all had the opportunity to learn from each other, both here on

1 the Commission and our testifiers. It's been said many times,
2 and there are certain things worth echoing: I do appreciate
3 the Chairman's ability to navigate through our differing
4 opinions, patience when maybe he disagrees with things that
5 may be being said, and it's not an easy position to be in.

6 But that said, I also believe and I will always
7 guide myself and tell my children that, you know, you can have
8 disagreements with people and you're going to have differing
9 opinions, especially my daughters when they got married, but
10 though you may have a different opinion than your husband,
11 it's not your job to prove to them that you're right and he's
12 wrong. Because at the end of the day, it may just be you have
13 a difference of opinion. In that same theme, my staff's heard
14 me say it many times over, that a dress sword for a soldier
15 does not start off in that beautiful, majestic, highly
16 decorated final product. It comes out of raw material out of
17 the ground, and someone far before than me and smarter than I
18 am somehow realized that through a process you can heat that
19 and continue to shape it and pound it and continue to heat it
20 again ultimately to get a final product.

21 And I look very much at the legislative process
22 similarly, and I look at this process the same. Though I have
23 not endorsed the preliminary maps, it was a point to start
24 from, to get to this period, which I think is one of the most
25 important 30-day time periods, and to hear from the public.

1 Because at the end of the day, this Commission will be
2 dissolved shortly, Members here will be going back to other
3 things in their lives, some won't necessarily be here, but
4 that said, this is a decision for 10 years. We need to do it
5 right. We do need to be reflective of the demographic
6 changes, the population changes, and like-minded thoughts in
7 different communities.

8 So I'll close on as I began, this is not the
9 easiest process, and we've had some differing of opinions, and
10 at the end of the day, I hope people that watch or listen or
11 even participated up here on the panel realize, hopefully,
12 that makes that beautiful product at the end and hopefully one
13 that we can all agree on.

14 Thank you, Mr. Chairman, for your patience and
15 your leadership here as the Chair of this Commission.

16 CHAIR NORDENBERG: Thank you, Leader Benninghoff.
17 Leader McClinton.

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

20 I just want to start off by thanking you, again,
21 for facilitating such a thorough and transparent process in
22 which so many members of the public across the Commonwealth of
23 Pennsylvania have been able to participate from start to
24 finish. Just to know that there was so many who carved time
25 out, whether it was in the summertime, in the fall, or even

1 this weekend or the last weekend, or the last few evenings,
2 where you were able to share your perspectives. Maybe you
3 went online and just submitted written testimony to the
4 portal, or perhaps you spent time on Zoom or in our presence.
5 Whether you're my colleague in the Pennsylvania House or one
6 across the Chamber in the Pennsylvania Senate, one of the
7 several borough, municipal elected official who participated,
8 one of the activists, or the advocates, lifting up your voice
9 now is more important than ever, and I am just truly, truly
10 humbled to be a part of this process.

11 To just think that my grandmother, when she was 18
12 years old, was not able to vote because of the color of her
13 skin, and her granddaughter is now sitting at this table as we
14 get ready to turn a page in Pennsylvania history. It's just
15 truly amazing. And for those who don't know, today would have
16 been the 93rd birthday of Reverend Dr. Martin Luther King,
17 Jr., who spent his entire life fighting for people to have
18 access to the ballot, to be able to make sure that that access
19 wasn't denied or abridged, and to know that we're here on his
20 birthday. And so many will do different things throughout the
21 weekend to commemorate his legacy.

22 But I salute all of the Commissioners, and
23 certainly you, Chairman, for your work, and most importantly,
24 because they're not always at the forefront, but every member
25 of the staff from wherever you are, whichever Caucus, for all

1 of your hard work throughout this process.

2 Thank you.

3 CHAIR NORDENBERG: I don't know what I could add
4 to the eloquent remarks that have come from the Leaders. I
5 will only say two things. One is, and I think it's important
6 for the public to know this, we really have built good
7 relationships within the Commission. I have very high regard
8 for each of the four Caucus Leaders. Probably the most public
9 differences have been between Majority Leader Benninghoff and
10 me, and yet we share an aspiration that we will have a
11 friendship that lasts long after the work of the Commission is
12 done. And I feel that way about all four of the Caucus
13 Leaders.

14 I also want to say, again, that we have tried very
15 hard to be open and transparent. I know that we have exceeded
16 past efforts. Hopefully, we have set a model for moving
17 forward. And as was said a moment ago, if you just look at
18 these last few hearings, we've had them in weekday mornings,
19 we've had them in weekday afternoons, we've had them in
20 weekday evenings, and now we're here on the weekend. We
21 really have tried to make the work of the Commission
22 accessible to people on terms that work for them.

23 And finally, let me repeat what Leader McClinton
24 just said, that we all owe a deep debt of gratitude to all of
25 the members of the staff who have worked so hard on this

1 process, and will continue to do so for a period of time to
2 come, and that does include the members of the Caucus teams as
3 well as the Commission staff.

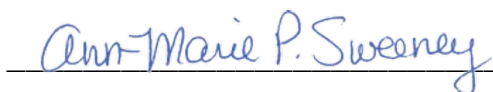
4 And I think, today, I should single out in
5 particular our reporter, the iron woman of the group who has
6 been sitting there making a record of these proceedings for
7 almost four hours now, and I have occasionally passed her
8 notes about do you need a break? And she's given me the "no"
9 sign and said we can just keep going. Well, mercifully,
10 Ann-Marie, this is as far as I'm going to go.

11 Thanks to the members of the staff, to the Members
12 of the Commission, and to the members of the public who have
13 contributed to us getting to this important point. And with
14 that, this hearing is adjourned.

15 (Whereupon, the proceedings were concluded at
16 12:50 p.m.)

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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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9 

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

14
15 THE FOREGOING CERTIFICATION DOES NOT APPLY TO ANY
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22 Legislative Reapportionment Commission
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25

EXHIBITS

Agenda

Hearing #16

Pennsylvania Legislative Reapportionment Commission

January 15, 2022

9:00 a.m. to 12:00 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

Analysis of partisan bias in the PA house plan proposed by the LRC (12/16/2021) for public review

John F Nagle

Introduction and Qualifications

I am a professor emeritus at Carnegie Mellon University in the Department of Physics and in the Department of Biological Sciences. My research there since 1967 obtains meaningful quantities from data in the fields of physics, biophysics, chemistry and biology, including data obtained from simulations and from experiments of my research group and others. Google Scholar reports over 24000 references to my over 200 publications.

https://scholar.google.com/scholar?hl=en&as_sdt=0%2C39&q=John+F+Nagle&btnG=

Since 2012 I have been extracting partisan bias from election data. I have written four peer reviewed papers in one of the most important journals that covers this subject. My most recent paper notes my connection with the DRA software which implements some of my methodology for obtaining partisan bias from districting plans.

Election Law Journal 20 (2021) 116-138 with A. Ramsay @ DRA
On Measuring Two-Party Partisan Bias in Unbalanced States

Election Law Journal 18 (2019) 63-77.
What Criteria Should Be Used for Redistricting Reform?

Election Law Journal 16, 196-209 (2017).
How competitive should a fair single member districting plan be?

Election Law Journal 14, 346-360 (2015)
Measures of Partisan Bias for Legislating Fair Elections

I initiated this report and I have not been compensated for it.

Summary

Measures of partisan bias are briefly reviewed. All the measures agree that the proposed house plan is biased in favor of the Republican party, although less so than the current plan. Simulations, when properly interpreted, support this conclusion.

Methodology substantiating the first conclusion regarding bias in the house map

There are many metrics for measuring partisan bias that have been devised by scholars. A good reason for the plenitude of metrics is the difficulty of evaluating bias in a state that leans far towards a single party.¹ However, when a state is nearly equally balanced between two major parties, the methodology is greatly simplified as will be shown. To substantiate taking advantage of this simplification, Table 1 shows that Pennsylvania is a well-balanced, essentially 50/50 state when considering the state house. The average two party vote percentage is shown by the blue number, in the last row and in the D 2-party column, to be 48.9% Democratic and therefore 51.1% Republican. (A similar 2-party vote of 49.0% was obtained for the legislative senate.) Table 1 also shows that the average percentage of Democratic seats was only 43% in the same period.²

| Election Year | D vote all HDs | R vote all HDs | D vote 2-party % | D seats | R seats | D seats 2-party % |
|---------------|----------------|----------------|------------------|-----------|------------|-------------------|
| 2020 | 3017689 | 3416942 | 46.9 | 90 | 113 | 44.3 |
| 2018 | 2568968 | 2075093 | 55.3 | 93 | 110 | 45.8 |
| 2016 | 2755058 | 2852921 | 49.1 | 82 | 121 | 40.4 |
| 2014 | 1408624 | 1825181 | 43.6 | 84 | 119 | 41.4 |
| averages | 2437585 | 2542534 | 48.9 | 87 | 116 | 43.0 |

Table 1. Elections since the last house reapportionment were chosen. The 2-party D percentages are obtained by dividing D votes by D+R votes. The website https://en.wikipedia.org/wiki/yyyy_Pennsylvania_House_of_Representatives_election provides votes and seats data in the above link where one replaces yyyy by the year.

Let us turn now to metrics of bias, ten of which are shown in Fig. 1.

¹ This is a matter that is discussed in detail in my 2021 paper.

² One expects a winner's bonus in single member district election systems of about $R=2$. (The winner's bonus is defined as the ratio of the percentage above 50% in seats divided by that percentage of the vote above 50%.) The winner's bonus for the current map should be flagged as a too large value, 6.4. This is consistent with the anti-majoritarian result in 2018 when the Democrats received considerably more than half the vote and considerably fewer than half the seats.

| Metric | Description | |
|------------------------|-------------|--|
| • Proportional | 2.08% | The simple deviation from proportionality using fractional seat shares |
| • Efficiency gap | 2.23% | The relative two-party difference in wasted votes |
| • Gamma | 2.18% | The fair difference in seats at the map-wide vote share |
| • Seats bias | 2.18% | Half the difference in seats at 50% vote share |
| • Votes bias | 1.31% | The excess votes required for half the seats |
| • Partisan bias | 2.19% | The difference in seats between the map-wide vote share and the symmetrical counterfactual |
| • Global symmetry | 2.71% | The overall symmetry of the seats-votes curve |
| • Partisan bias rating | 71 | The combined rating of seats bias & votes bias |
| • Declination | 5.47° | A geometric measure of packing & cracking |
| • Mean–median | 1.87% | The average vote share across all districts minus the median vote share |

Figure 1. Screenshot from the Advanced section of DRA³ that shows many metrics of partisan bias and their values when applied to the LRC proposed plan for the house. This screenshot uses the composite President 2016 & 2020 data which had 50.15% 2-party D vote share.

Brief descriptions of the measures are provided in Fig. 1 and more extensive definitions are given in the information tabs in the DRA Advanced section. A positive value of a metric means that the plan is biased in favor of the GOP. Notice that all ten metrics have positive values when applied to the LRC proposed house plan. Next, notice that the values for Proportional, Efficiency Gap, Gamma, Seats Bias, and Partisan Bias are nearly the same; that is because these metrics become identical when the 2-party vote is 50/50. It is therefore convenient and appropriate to focus on only one of those metrics. The seats bias gives a number from which one estimates how many seats would be expected on average⁴ when the 2-party vote is 50% each. Then, the

³ DRA (Dave’s Redistricting App 2020) has the largest variety of partisan bias metrics of the various software packages. Incidentally, I am the inventor of the gamma and the global symmetry metrics.

⁴ This assumes that the quality of the candidates and incumbency advantage is equal when averaged over many districts and many elections. Guessing near term outcomes based on knowledge of incumbents is not a valid way to estimate the intrinsic bias of a plan. Bias

value of 2.18% in Fig. 1 estimates the number of Republican seats to be $203(0.5 + 0.0218) = 105.9$ and the number of Democratic seats to be $203(0.5 - 0.0218) = 97.1$ when averaged over many elections and candidates.

The DRA software allows one to choose different election data. The DRA default data base is a composite average over all recent statewide elections. This composite includes two landslide elections in 2018 that give it 52.46% 2-party D vote. Table 2 shows that the plan then gives a majority of D seats, as it should for such a substantial D majority vote. However, the seats bias is nearly the same as for the President 16&20 data; both data sets give only 97 D seats for 50% of the vote. Partisan bias is also revealed by the votes bias in the last column of Table 2; 1.22% votes bias means that Democrats would have to obtain 51.22% of the vote to obtain half the seats on average.

| Election Data | Vote V% | D Seats @V% | Seats Bias | D Seats @ V =50% | Votes Bias |
|--------------------|---------|-------------|------------|------------------|------------|
| DRA Composite | 52.46 | 105.6 | 2.20 | 97.0 | 1.22 |
| President 16&20 | 50.15 | 97.6 | 2.18 | 97.1 | 1.31 |
| President 20 | 50.60 | 101.5 | 1.06 | 99.3 | 0.61 |
| Att General 20 | 52.33 | 105.3 | 0.30 | 100.9 | 0.16 |
| President 16 | 49.62 | 92.6 | 3.53 | 94.3 | 2.15 |
| Senate 16 | 49.25 | 85.3 | 5.97 | 89.4 | 2.73 |
| Senate 18 | 56.57 | 118.3 | 2.55 | 96.3 | 1.27 |
| Governor 18 | 58.67 | 130.0 | 2.02 | 97.4 | 0.90 |
| average of all | 52.46 | 104.5 | 2.48 | 96.5 | 1.29 |
| standard deviation | 3.44 | 14.1 | 1.71 | 3.5 | 0.82 |

Table 2. Estimates of bias in the LRC proposed plan using different election data sets. For different election data in column one, column two gives the statewide D vote share. Column three gives the number of D seats at that vote share using the DRA seats/votes curve; rounding these numbers to integers gives the same number as obtained by simply counting the winning party in each district and summing. Subsequent columns give the seats bias, the estimated D seats at 50% 2-party vote share, ending with the votes bias. The final two rows give the average and the standard deviation, respectively, of the previous rows.

Table 2 also shows estimates of bias from other statewide elections. While there are substantial deviations from the average for specific elections, such as Attorney General 2020 and

should estimate how level is the playing field, not the prowess of the players or the resources of the team.

Senate 2016, all estimates of seats and votes bias favor the GOP. Bias in favor of the GOP is further indicated by the election data for President 16&20 which gives the anti-majoritarian result that fewer than 50% D seats would be obtained for greater than 50% D 2-party vote.

Interpretation of simulations

I turn here to criticize a recent solicited report by Dr. Michael Barber that has been entered into the LRC record.⁵ The following Table is excerpted from Dr. Barber’s report.

Table 3: Comparison of Seat Composition Under Different Elections/Indices

| | Commission Plan | |
|---------------------------------|--------------------|--------------------|
| Election Indices: | Number D Districts | Number R Districts |
| DRA index | 105 | 98 |
| Barber Replication of DRA Index | 105 | 98 |
| Barber 2012-2020 index | 107 | 96 |
| Barber 2014-2020 index | 105 | 98 |
| Barber 2020 index | 104 | 99 |

It is important that this report acknowledges, in the two rows above the bold black line, that DRA is a valid tool to obtain the number of districts from a plan. What this table and this report does not reveal is that the DRA composite index has a 52.46% D 2-party vote.⁶ As I emphasize in my Table 2, 105 D districts are even fewer than what should be obtained with such a vote majority.⁷

⁵ Michael Barber, Report on Proposed Redistricting Plan from the Pennsylvania Legislative Reapportionment Commission.

⁶ The last three lines in Barber’s table give similar results for different voting data, but again with no indication of the 2-party vote.

⁷ My Table 2 even gives more, 106, seats to Democrats because DRA accounts for the obvious fact that competitive districts should be counted as fractions for each party instead of using simple plurality as was done in Barber’s report. See my 2019 and 2021 papers for a discussion of this improvement. Apparently, Dr. Barber agrees because his text on p. 49 also says that the

A popular enterprise is to use a computer algorithm to draw many plans. Barber purports that the LRC proposed plan is biased against the GOP because it yields 8-10 more Democratic seats than is obtained by averaging the ensemble of his simulations. But all Barber's simulated averages would give the antimajoritarian result that fewer than 50% of the two-party vote would give the GOP more than half the seats.⁸

The fallacy of averaging the ensemble of simulations can be revealed by an analogy. A professional basketball coach could consider 1000 people who know how to play the game and then randomly choose an average one to play center. That is like choosing a plan from many simulated plans in the middle of the ensemble of simulated plans. Or the coach could hire LeBron James. That is like picking the LRC proposed plan.

Barber's simulation does illustrate an important fact, namely, that the political geography of PA favors the GOP, and that is because Democrats are relatively more packed in Philadelphia, Pittsburgh and the southeast.⁹ The LRC proposed house plan largely alleviates this geopolitical packing bias, but not enough to bias the plan against the GOP.

Given the political geography of PA, fairer plans would likely be found in the tail of the distribution of all plans if avoidance of partisan bias were not included in the code. A new paper (Becker et al. *Election Law Journal*, 2021, **20**, 407-441) from a simulation group that generates hundreds of thousands of plans has made the point that one should not idealize choosing a plan from the center of a distribution (see especially p. 412), and that people ultimately have to do redistricting.

"DRA index predicts 106 Democratic leaning seats." However, these are small differences that do not affect the broader discussion in the text.

⁸ It should also be noted that Barber's Table 1 shows that his simulations on average are not as compact as, and split more counties than, the LRC plan.

⁹ This well-known fact was mentioned by the LRC chair in his introduction to the 12/16 LRC hearing. Interestingly, the actual extent of this geopolitical bias is much larger for Barber's simulations than it was for the peer-reviewed simulations of Chen and Cottrell, *Elect Stud*, 2016, **44**, 329-340. It is also much larger than in the STATEMENT TO PENNSYLVANIA REAPPORTIONMENT COMMISSION REGARDING PROPOSED HOUSE PRELIMINARY PLAN by Kosuke Imai.

Conclusions

The analysis in this memo rests on the principle that, a party that obtains the same number of votes as another party, should obtain, on average over many elections, the same number of seats as the other party.^{10,11} The employed DRA methodology estimates the number of seats with small enough uncertainties that it is clear that the proposed LRC house plan is not biased against the GOP, but is instead biased by about 2% in its favor, likely due to the difficulty of overcoming the geopolitical bias of the state. Reported simulations confirm this geopolitical bias; they do not show bias in favor of Democrats for the LRC proposed house plan of 12/16/2021.

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¹⁰ This is not the same as proportional representation which requires proportionality for all vote shares. See my 2021 and 2017 papers for a thorough discussion of this distinction.

¹¹ It is often asserted that fairness should only be concerned with following some procedure that is blind to carefully estimated outcomes. That is not a sound prescription for business or other human endeavors. Its application to districting has been branded the myth of non-partisan cartography by political scientists. (Taylor, P.J. and G. Gudgin. 1976. The Myth of Non-Partisan Cartography: A Study of Electoral Biases in the English Boundary Commission's Redistribution for 1955–1970. *Urban Studies* 13: 13–25.)



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Peer reviewed publications that focus on partisan bias.

Election Law Journal 20 (2021) 116-138 with A. Ramsay @ **DRA**
On **Measuring Two-Party Partisan Bias** in Unbalanced States

Election Law Journal 14, 346-360 (2015)
Measures of Partisan Bias for Legislating Fair Elections

Election Law Journal 18 (2019) 63-77.
What Criteria Should Be Used for Redistricting Reform?

Election Law Journal 16, 196-209 (2017).
How competitive should a fair single member districting plan be?

The LRC proposed house map is biased in favor of Republicans.



Bias Measures

This used President 2016 & 2020 election data set
50.15% 2-party D vote

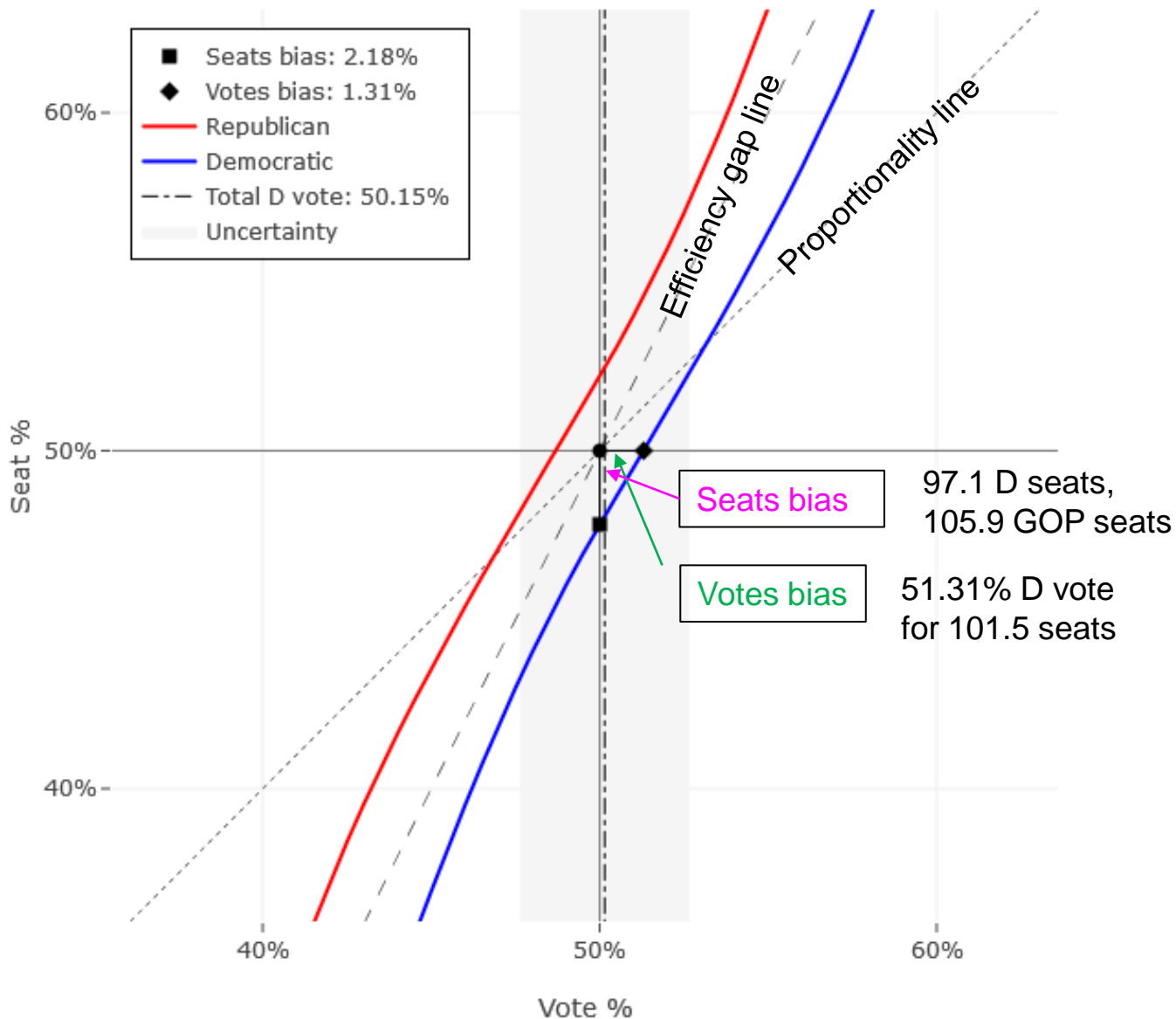
These are some prominent measures of partisan bias.

| Metric | | Description | |
|------------------------|-------|---|---------------------------------|
| • Proportional | 2.08% | The simple deviation from proportionality using fractional seat shares | |
| • Efficiency gap | 2.23% | The relative two-party difference in wasted votes | |
| • Gamma | 2.18% | The fair difference in seats at the map-wide vote share | My invention |
| • Seats bias | 2.18% | Half the difference in seats at 50% vote share | → 97.1 D seats, 105.9 GOP seats |
| • Votes bias | 1.31% | The excess votes required for half the seats | → 51.31% D vote for 101.5 seats |
| • Partisan bias | 2.19% | The difference in seats between the map-wide vote share and the symmetrical counterfactual sh | |
| • Global symmetry | 2.71% | The overall symmetry of the seats-votes curve | My invention |
| • Partisan bias rating | 71 | The combined rating of seats bias & votes bias | |
| • Declination | 5.47° | A geometric measure of packing & cracking | |
| • Mean–median | 1.87% | The average vote share across all districts minus the median vote share | |



Seats-Votes Curve: Copy of LRC-House-Preliminary Map

Uses Presidential 2016 and 2020 election data $V = 50.15\%$



Seats Bias 2.18

Proportionality 2.08

Efficiency gap 2.23

Partisan Bias 2.19

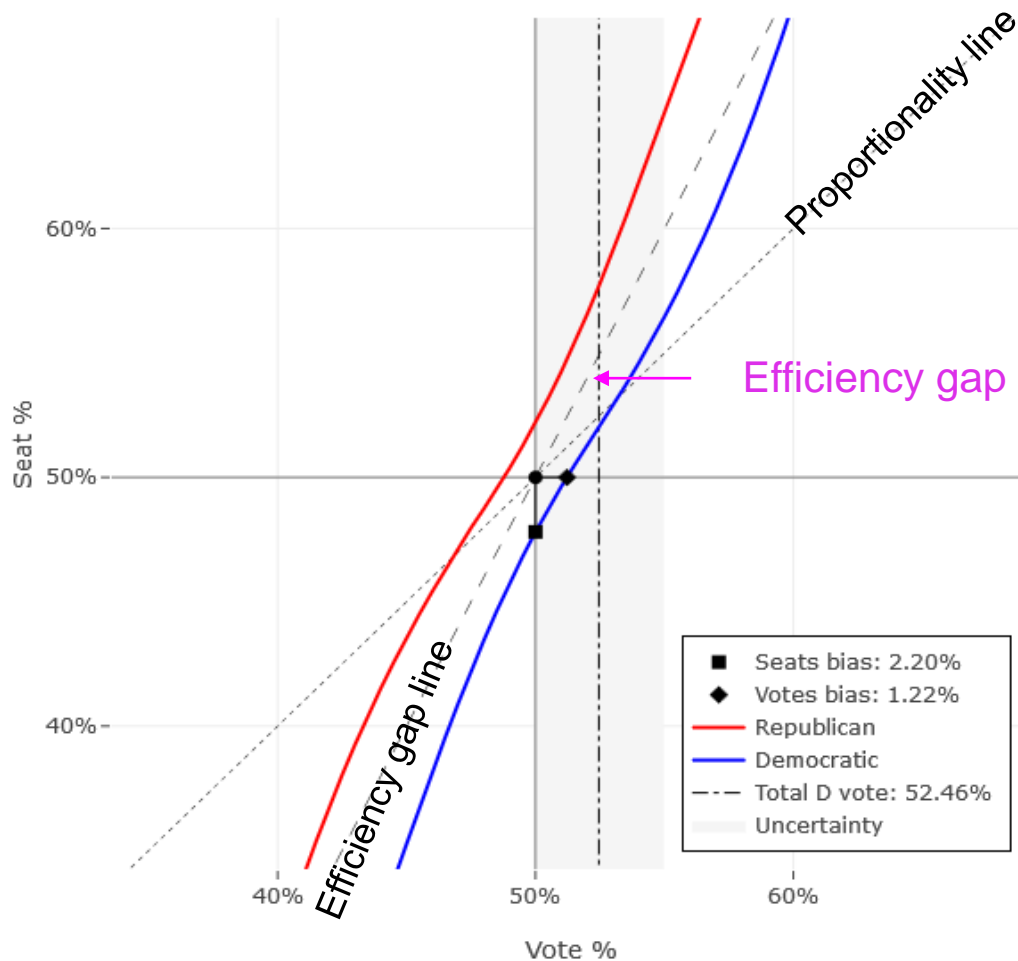
About the same when $V = 50.15\%$
Identical @ 50%

Votes Bias 1.31%
Mean-median



Seats-Votes Curve: Copy of LRC-House-Preliminary Map

DRA composite election data D Vote = 52.46%



Seats Bias 2.20

Proportionality 0.50

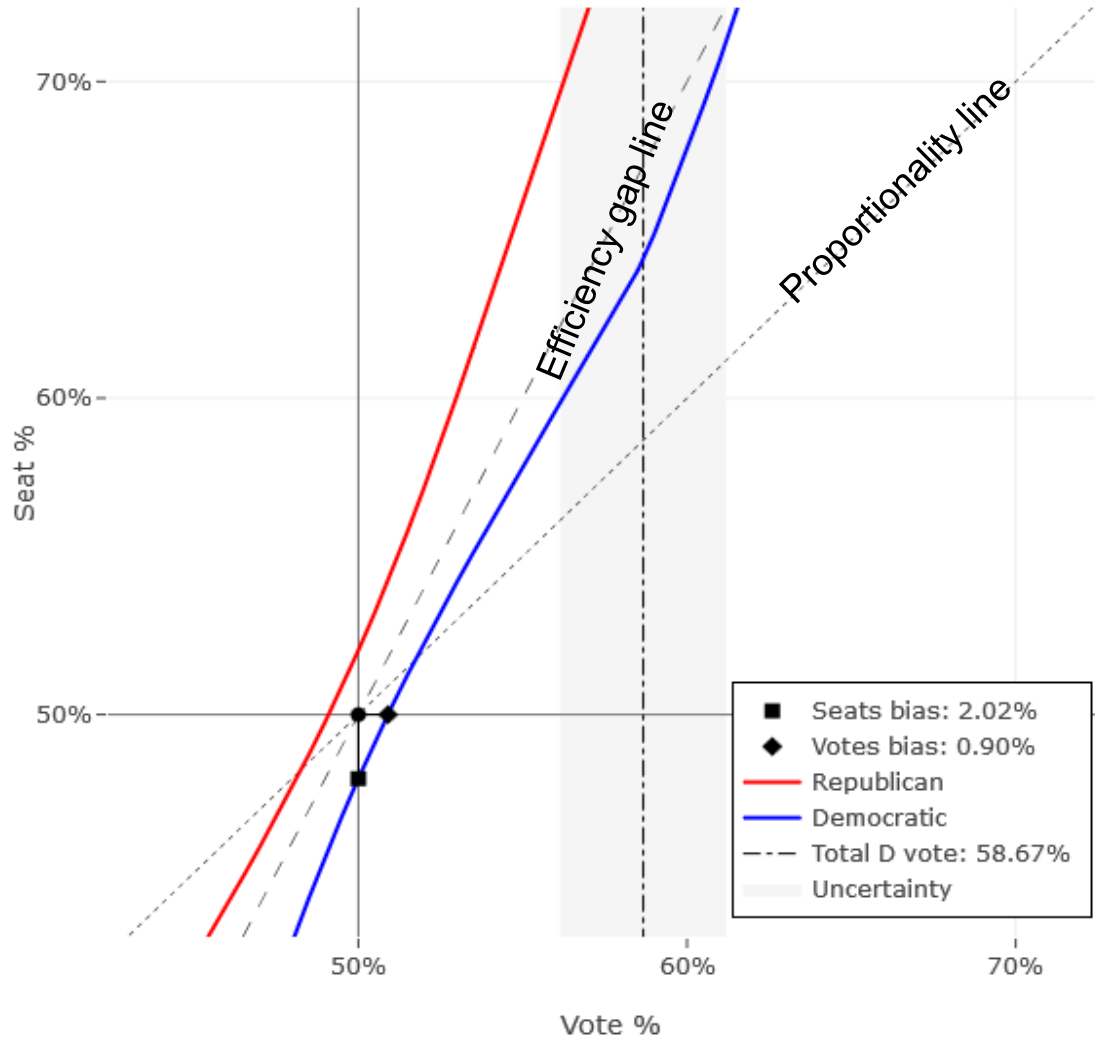
Efficiency gap 2.95

“Partisan Bias” 2.86

Global Symmetry 2.74

Proportional seats at 52.46% D vote. But look at seats for same GOP vote.

Governor 2018 election data D Vote = 58.67%



Seats Bias 2.02
Proportionality -5.66
Efficiency gap 3.01
Local Symmetry 6.36
Global Symmetry 2.98

What is the best vote to use for analysis of bias in PA?



What is the best vote for analysis of bias?

Difficult question for unbalanced states like MA or SC.

But PA is a well balanced, purple state, especially for house elections

| Election | D vote | R vote | D vote |
|----------|---------|---------|-------------|
| Year | all HDs | all HDs | 2-party % |
| 2020 | 3017689 | 3416942 | 46.9 |
| 2018 | 2568968 | 2075093 | 55.3 |
| 2016 | 2755058 | 2852921 | 49.1 |
| 2014 | 1408624 | 1825181 | 43.6 |
| averages | 2437585 | 2542534 | 48.9 |

Answer for PA: Only need to look at seats bias because it is evaluated at 50% 2-party vote, and the other metrics agree at 50%.



What about other data sets?

| Election Data | Vote V% | D Seats @V% | Seats Bias | D Seats @ V =50% | Votes Bias |
|--------------------|---------|-------------|------------|------------------|------------|
| DRA Composite | 52.46 | 105.6 | 2.20 | 97.0 | 1.22 |
| President 16&20 | 50.15 | 97.6 | 2.18 | 97.1 | 1.31 |
| President 20 | 50.60 | 101.5 | 1.06 | 99.3 | 0.61 |
| Att General 20 | 52.33 | 105.3 | 0.30 | 100.9 | 0.16 |
| President 16 | 49.62 | 92.6 | 3.53 | 94.3 | 2.15 |
| Senate 16 | 49.25 | 85.3 | 5.97 | 89.4 | 2.73 |
| Senate 18 | 56.57 | 118.3 | 2.55 | 96.3 | 1.27 |
| Governor 18 | 58.67 | 130.0 | 2.02 | 97.4 | 0.90 |
| average of all | 52.46 | 104.5 | 2.48 | 96.5 | 1.29 |
| standard deviation | 3.44 | 14.1 | 1.71 | 3.5 | 0.82 |



Critique of Dr. Barber's report.

Dr. M. Barber histogram

Comparison to 50,000 simulated plans in the PA House:
(drawn with population equality, compactness, and minimal political subdivision splits)

Evaluated using election data with greater than 52.5% Dem vote.

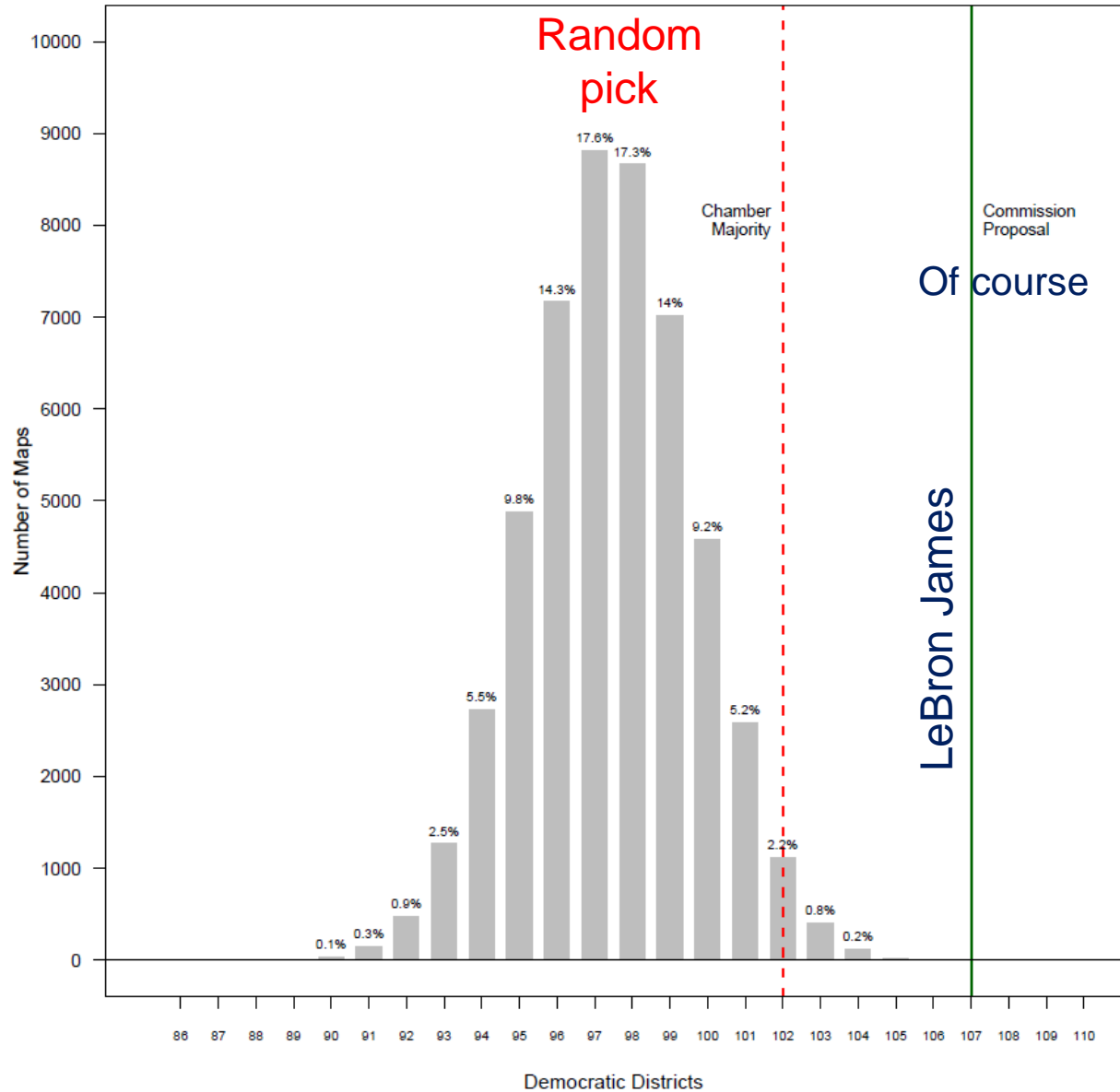
Why are simulated plans so biased?

Geopolitical bias

Of all legal maps

Two options are

- A. Pick a random one
- B. Pick the fairest one



Of course
LeBron James



Conclusions

1. The LRC proposed house plan is biased in favor of Republicans by about 2% → 106 R seats vs 97 D seats with 50% vote.

Why should the GOP be upset? The current plan is three times as biased as the LRC proposed plan.

Why shouldn't Dems be upset? Rules, political geography and competing criteria preclude making an even fairer plan.

2. Dr. Barber's simulations do not support his contrary opinion that the plan favors Democrats.

After generating lots of plans, by computer, by the public, or by committee, that satisfy the legal requirements, do not choose one that mimics a computer ensemble, but one that is fairest to voters by minimizing partisan bias, both intentional bias and unintentional geopolitical bias. Where people live should not nullify equal representation of their political viewpoint.

Thank you for listening.

Ryan Mackenzie

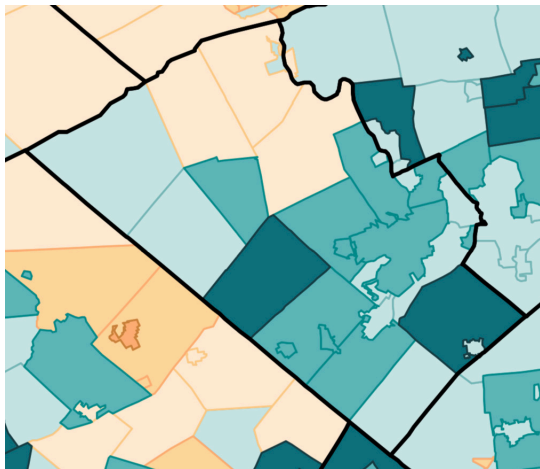
Presentation to the
Pennsylvania Legislative Reapportionment Commission

2021 Preliminary State House Map
Lehigh County Districts

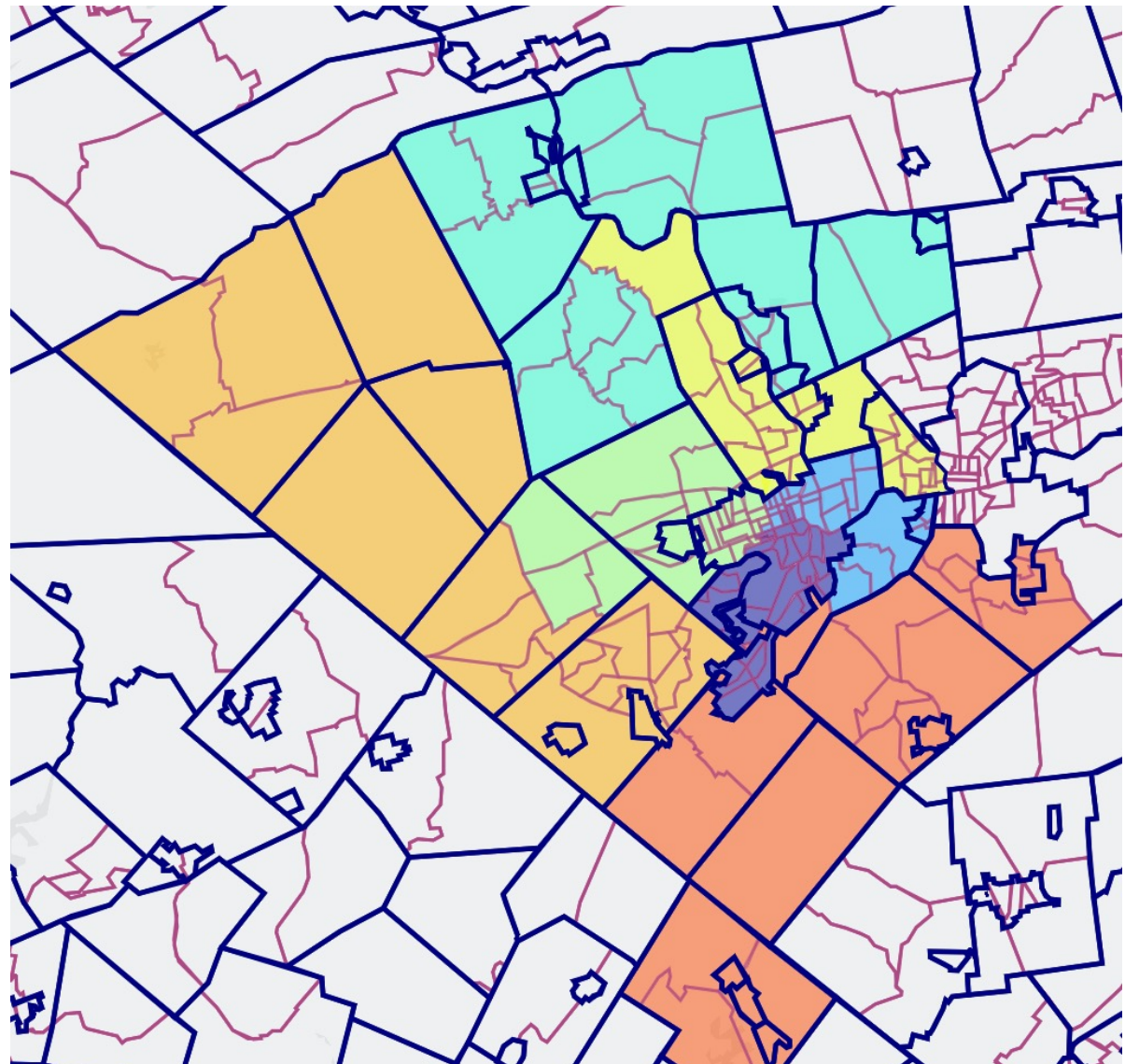
January 15, 2022

Lehigh County

- Lehigh County was one of the fastest growing counties between 2010 and 2020



Source: PennState Harrisburg, PA State Data Center

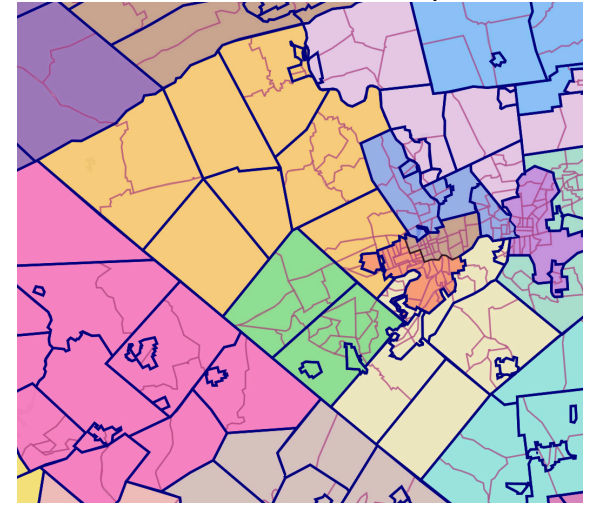


Lehigh County State House Districts

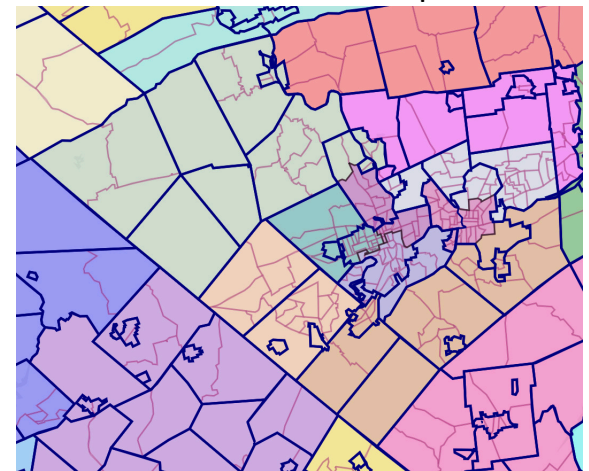
There have been many proposed maps that recognize distinct areas of Lehigh County:

- City of Allentown
- Northern Lehigh County
- Southern Lehigh County – often with a portion of Northampton County because of the Upper Saucon (Lehigh County) and Lower Saucon (Northampton County) connection
- Eastern Lehigh County – municipalities surrounding Allentown and along the eastern edge of the county
- Western Lehigh County – usually centered around Upper Macungie and Lower Macungie

Amanda Holt Map



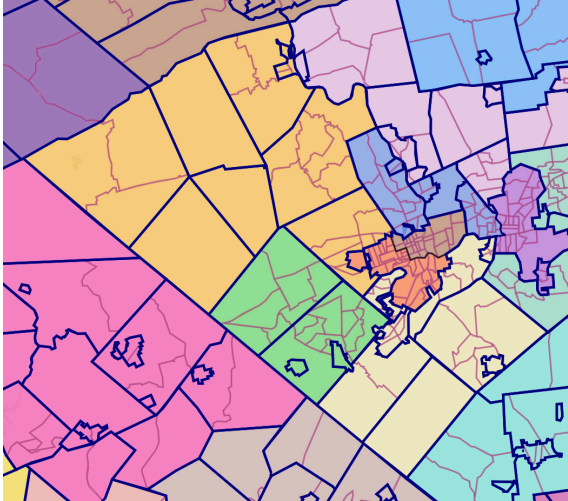
Fair Districts Map



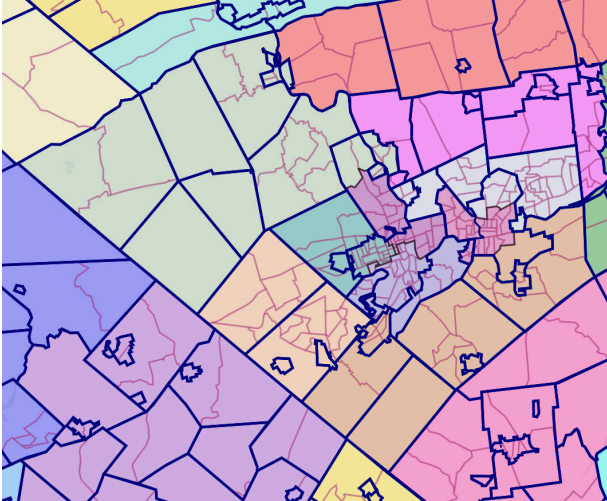
Lehigh County State House Districts

Comparison of Map Proposals – Holt, Fair Districts, and 2021 Preliminary Map

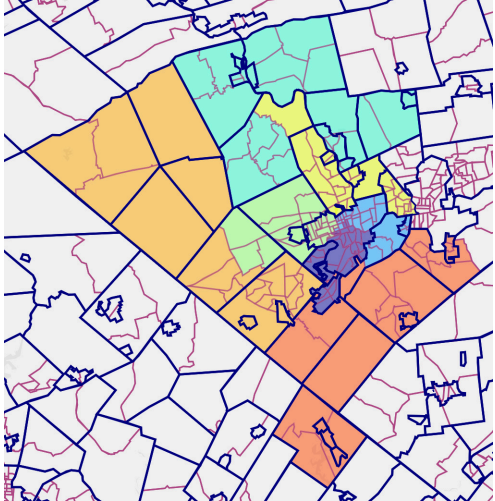
Amanda Holt Map



Fair Districts Map



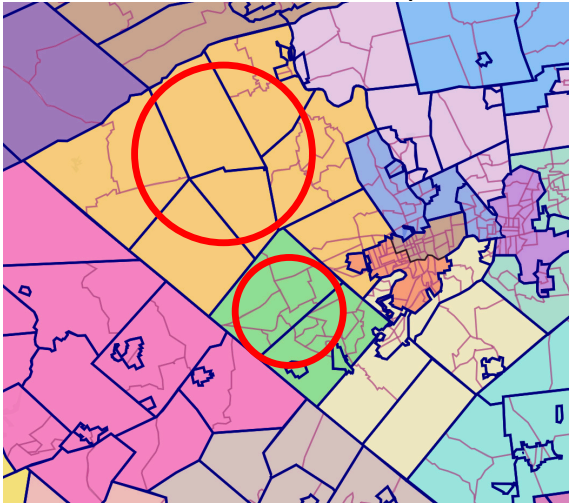
2021 Preliminary Map



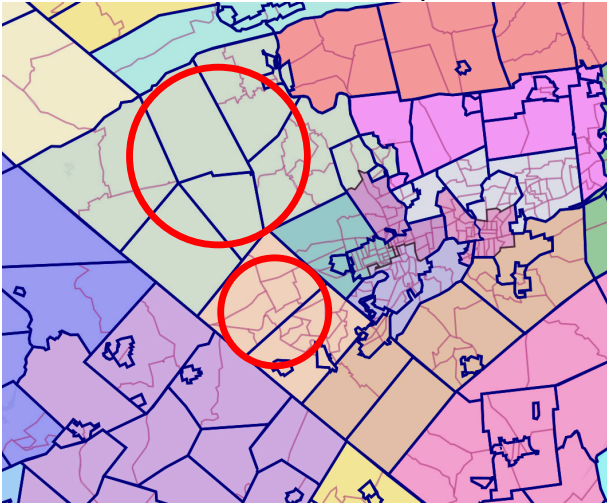
Lehigh County State House Districts

Comparison of Map Proposals – Common Themes (not in Preliminary Map)

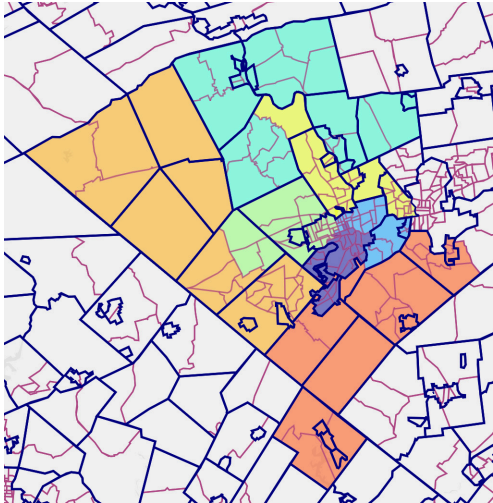
Amanda Holt Map



Fair Districts Map



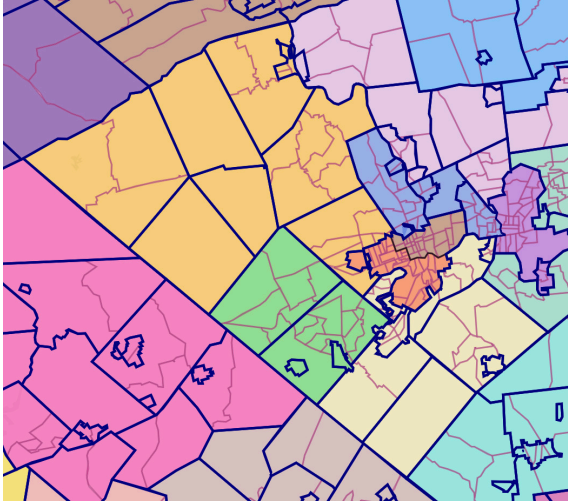
2021 Preliminary Map



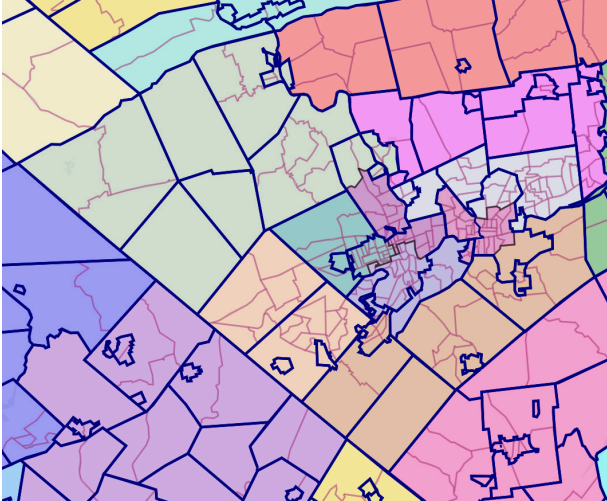
Lehigh County State House Districts

Comparison of Map Proposals – Excessive, Unusual Splits & Merged District in the Preliminary Map

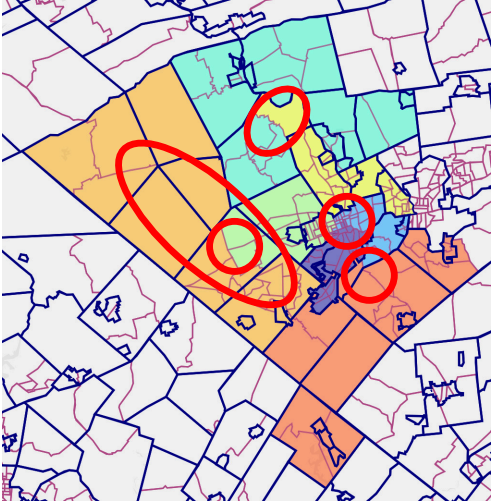
Amanda Holt Map



Fair Districts Map



2021 Preliminary Map



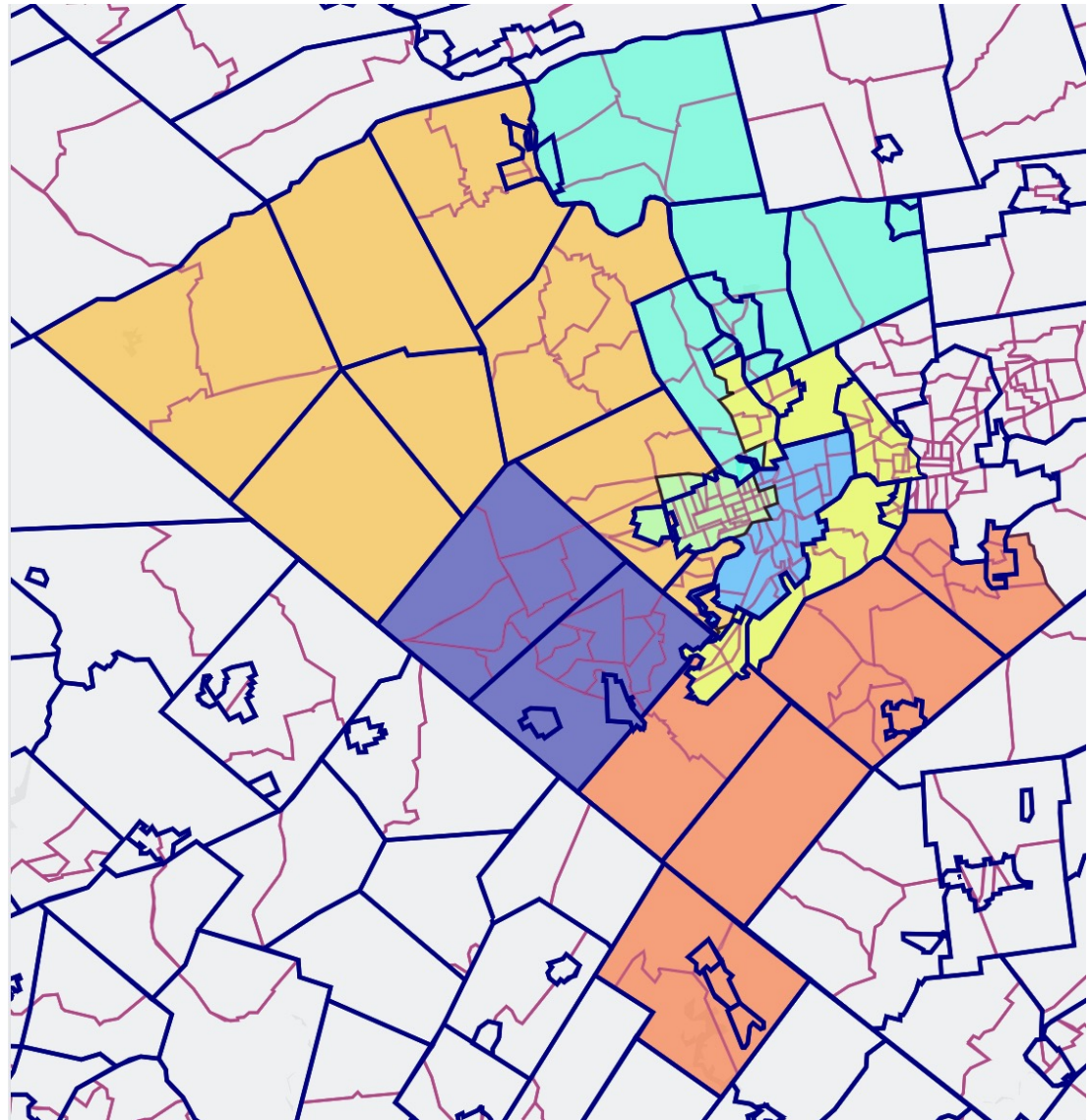
Lehigh County Possible Adjusted Map

Criteria

- Stay within the framework that has been laid out in the 2021 Preliminary Map for Lehigh County districts.
 - By using the same footprint/outline as Lehigh County Districts from the 2021 Preliminary Map, it will not create ripple effects elsewhere on the statewide map.
- Compact; contiguous; and reduce divisions of municipalities, wards, and school districts where possible.
- Do not dilute voters' voices based on race.
- Take into account interests of the Commission, and public comments received to date.

Result

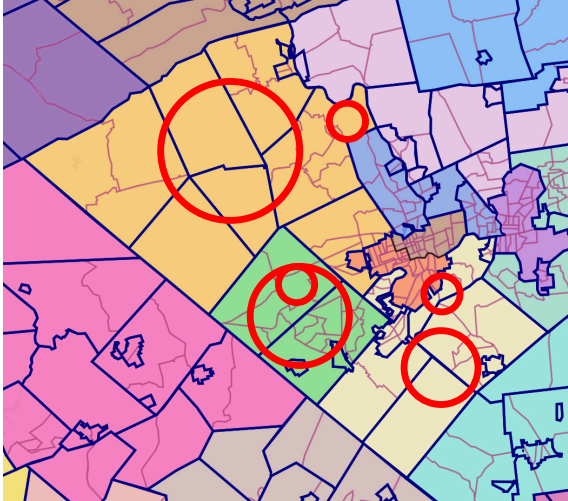
- Improvements from 2021 Preliminary Map include: less splits, reduced deviation, eliminated dilution of Minority Representation in Allentown, and eliminated the merging of districts in the growing suburbs.
- Maintained compactness and political breakdown from 2021 Preliminary Map.



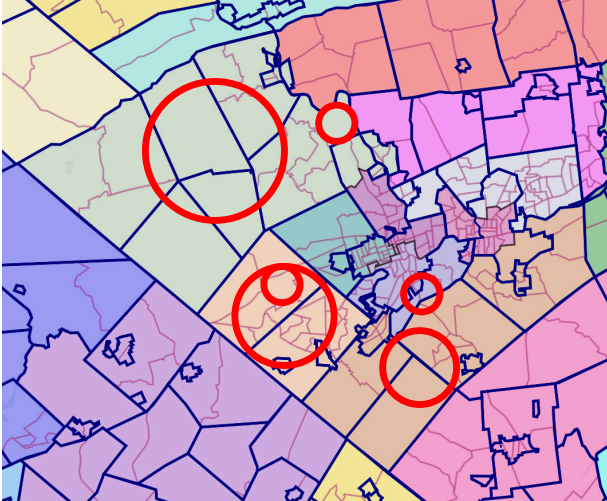
Lehigh County State House Districts

Comparison of Map Proposals – Similarities Between All Three Maps: Maintaining regional districts and eliminating unusual splits

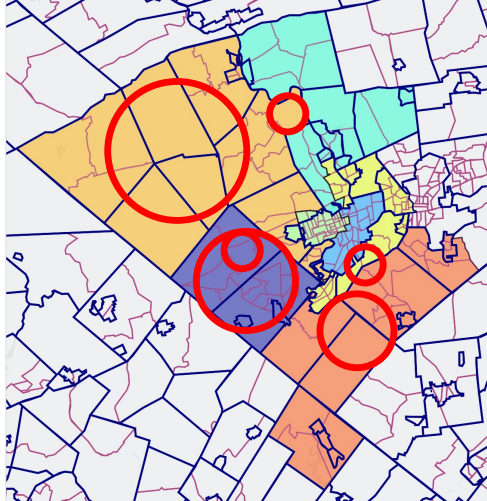
Amanda Holt Map



Fair Districts Map



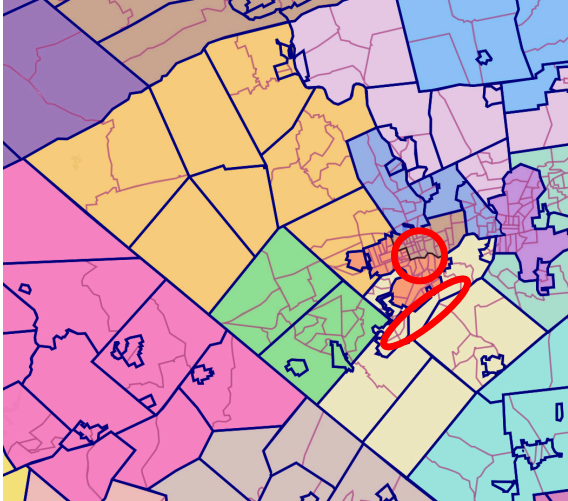
Possible Adjusted Map



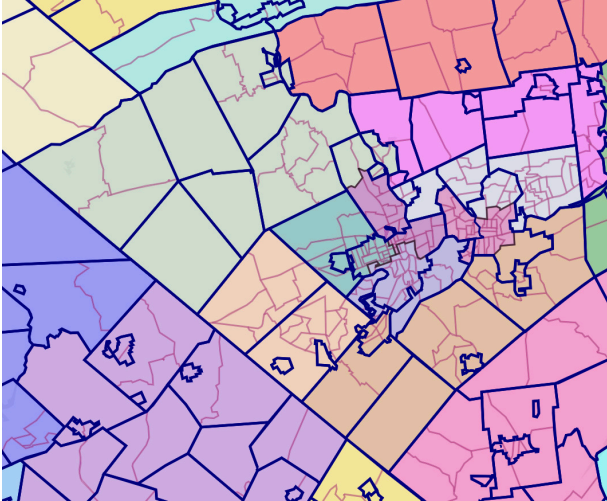
Lehigh County State House Districts

Comparison of Map Proposals – Holt and Possible Adjusted Map: Split Allentown in half, not into three districts

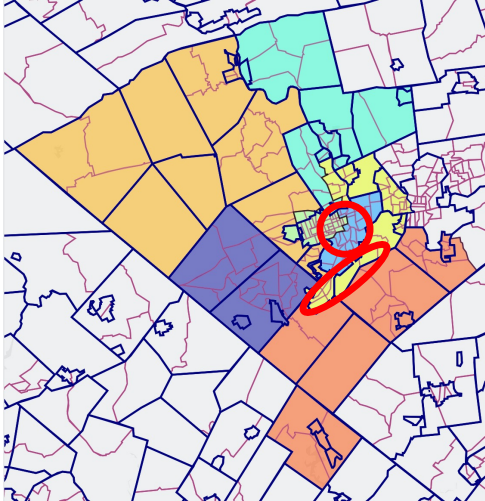
Amanda Holt Map



Fair Districts Map



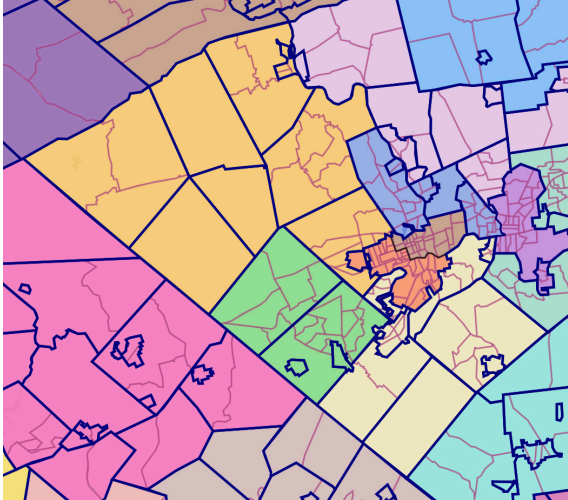
Possible Adjusted Map



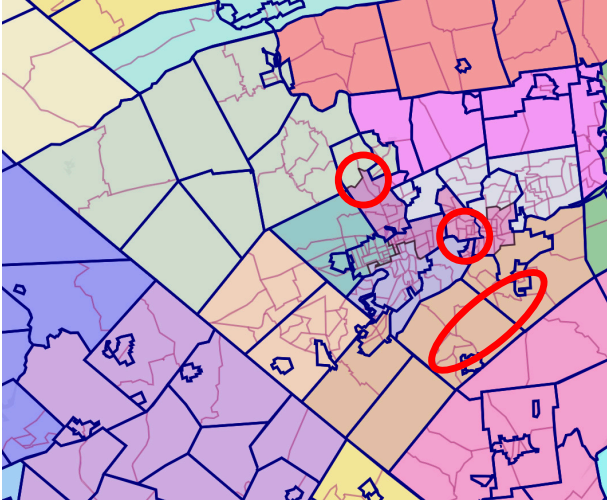
Lehigh County State House Districts

Comparison of Map Proposals – Fair Districts and Possible Adjusted Map: Similar splits/joining of communities

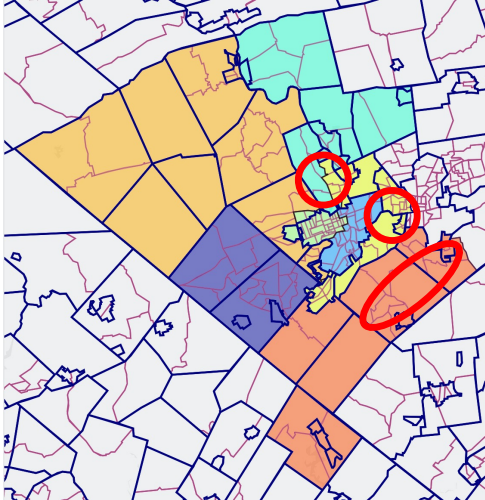
Amanda Holt Map



Fair Districts Map

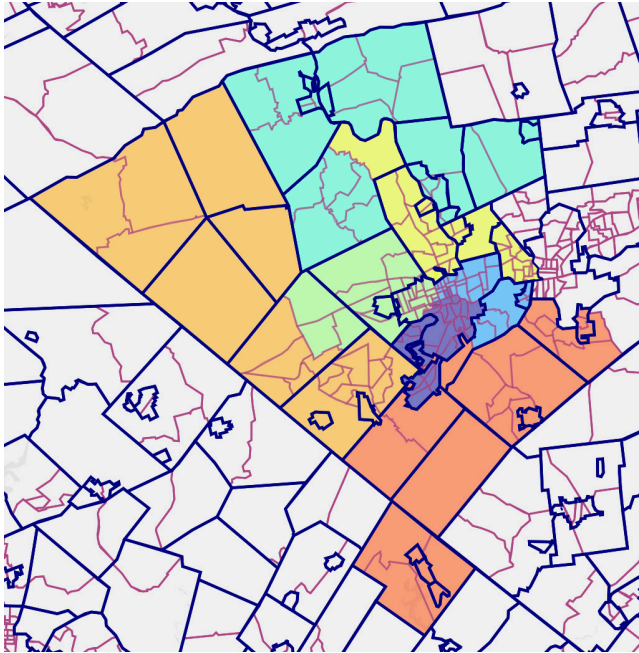


Possible Adjusted Map

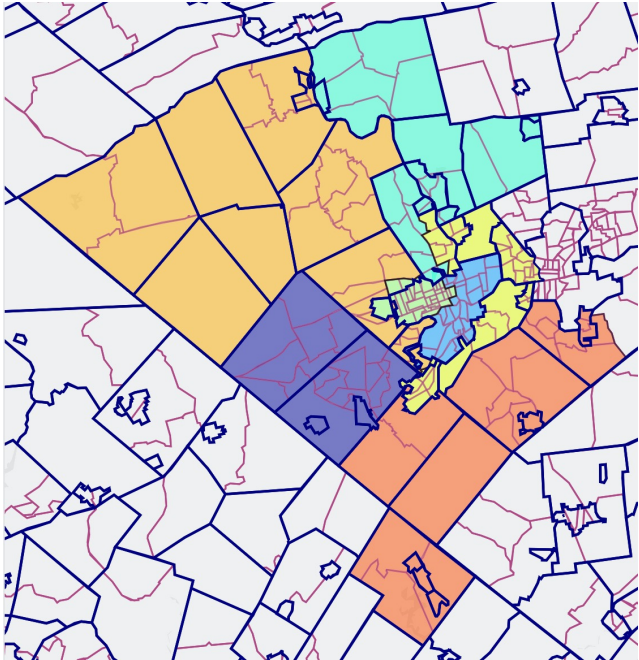


Lehigh County State House Districts Comparison of 2021 Preliminary Map & Possible Adjusted Map

2021 Preliminary Map

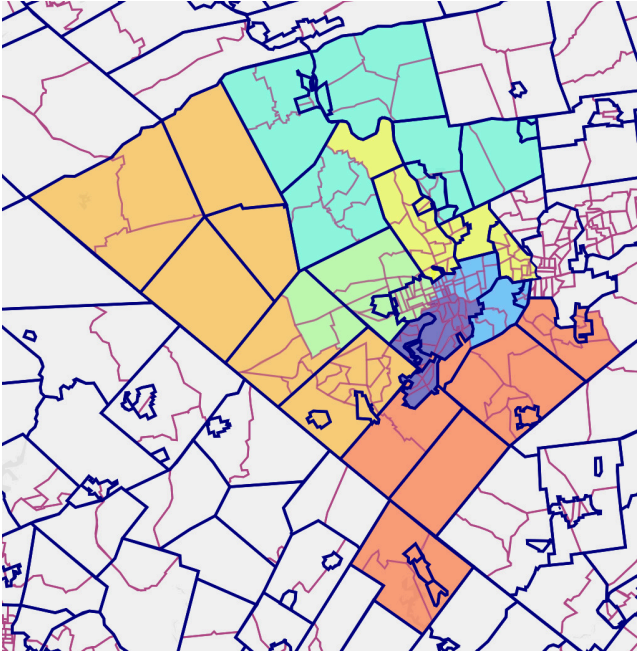


Possible Adjusted Map

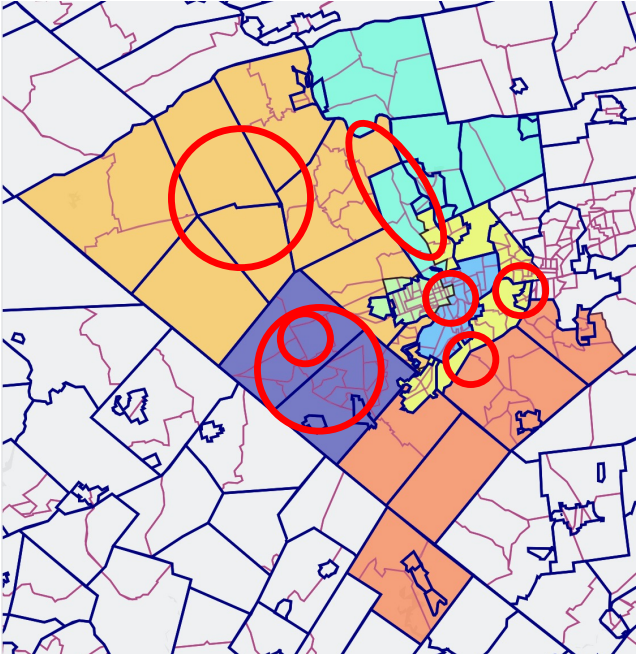


Lehigh County State House Districts Comparison of 2021 Preliminary Map & Possible Adjusted Map

2021 Preliminary Map



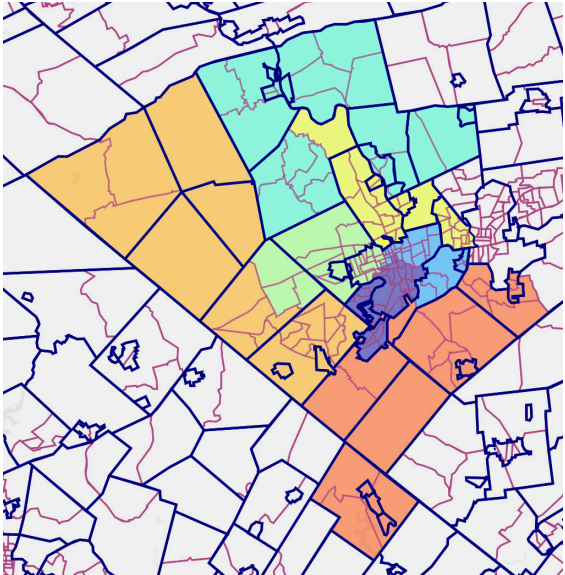
Possible Adjusted Map



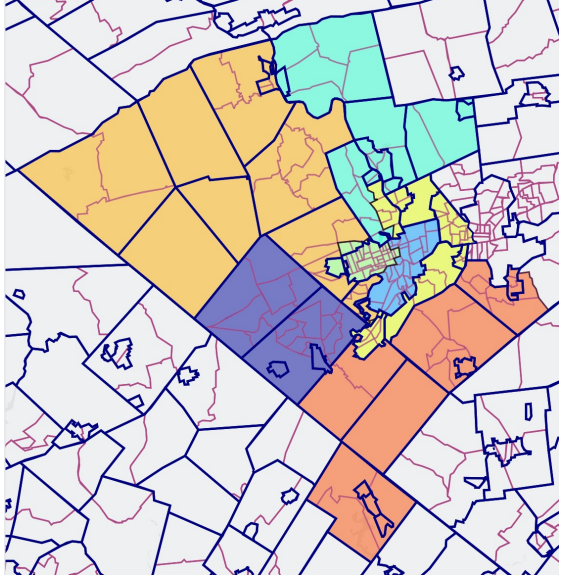
2021 Preliminary Map & Possible Adjusted Map Side-by-Side Comparison – Splits

| Metric | 2021 Preliminary Map (Lehigh Only) | Possible Adjusted Map |
|--|------------------------------------|-----------------------|
| Municipal - Discretionary Splits | 4 | 3 |
| Municipal - Discretionary Total Splits | 5 | 3 |
| Ward Splits | 4 | 0 |
| School Districts - Total Splits | 9 | 7 |

2021 Preliminary Map



Possible Adjusted Map



Note: 2021 Preliminary Map has more unnecessary splits than Possible Adjusted Map, and splits are in highly unusual places.

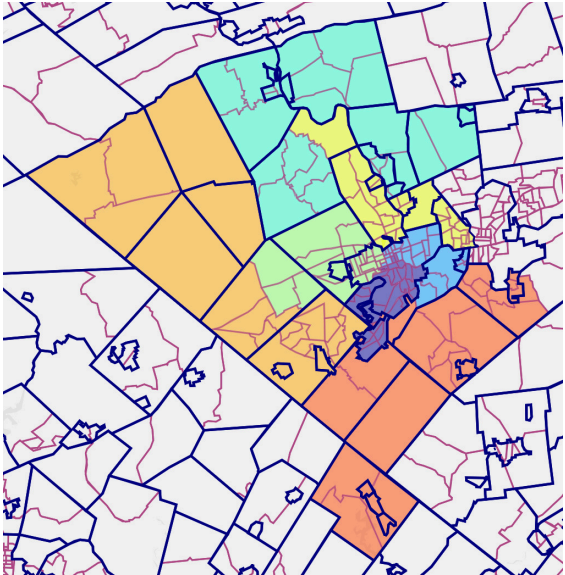
2021 Preliminary Map & Possible Adjusted Map

Side-by-Side Comparison – Deviation, Compactness, and Contiguity

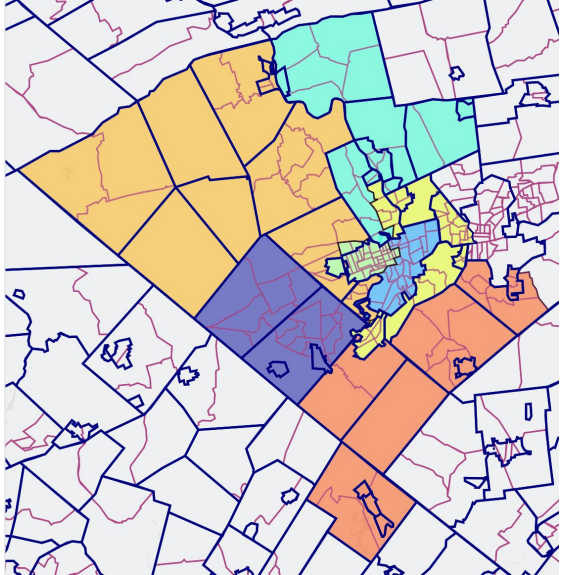
| Metric | 2021 Preliminary Map (Lehigh Only) | Possible Adjusted Map |
|--------------------------|------------------------------------|-----------------------|
| DEVIATION | 5.80% | 5.51% |
| COMPACTNESS | | |
| Reock | 0.3531 | 0.3567 |
| Polsby-Popper | 0.3287 | 0.3036 |
| NON-CONTIGUOUS ANOMALIES | 3 | 2 |

(Source: Dave’s Redistricting)

2021 Preliminary Map



Possible Adjusted Map



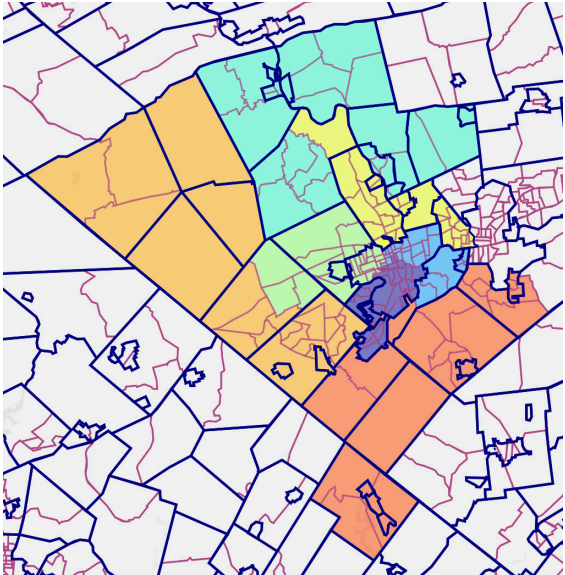
Note: 2021 Preliminary Map compares rather similarly to Possible Adjusted Map on deviation, compactness, & contiguity.

2021 Preliminary Map & Possible Adjusted Map Side-by-Side Comparison – Minority Representation

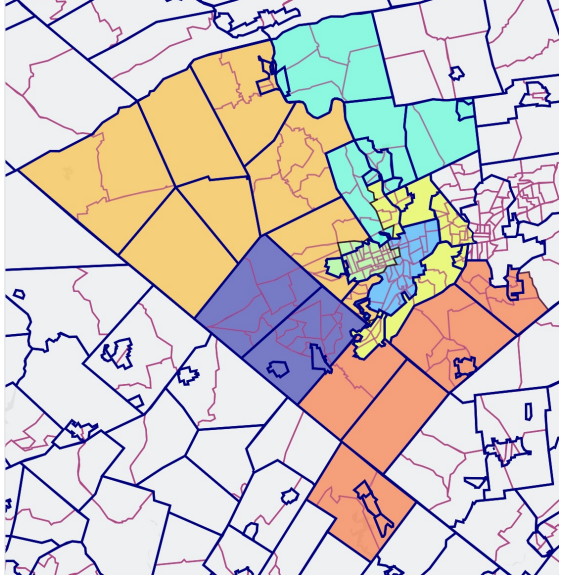
2021 Preliminary Map

| District VAP % | Potential Opportunity Districts (based on map) | | | | | |
|------------------|--|---|---|---|---|---|
| | M | H | B | A | N | P |
| 35% ≤ VAP < 40% | 0 | 1 | 0 | 0 | 0 | 0 |
| 40% ≤ VAP < 45% | 0 | 0 | 0 | 0 | 0 | 0 |
| 45% ≤ VAP < 50% | 0 | 0 | 0 | 0 | 0 | 0 |
| 50% ≤ VAP < 55% | 1 | 1 | 0 | 0 | 0 | 0 |
| 55% ≤ VAP < 60% | 0 | 0 | 0 | 0 | 0 | 0 |
| 60% ≤ VAP < 100% | 1 | 0 | 0 | 0 | 0 | 0 |

2021 Preliminary Map



Possible Adjusted Map



Possible Adjusted Map

| District VAP % | Potential Opportunity Districts (based on map) | | | | | |
|------------------|--|---|---|---|---|---|
| | M | H | B | A | N | P |
| 35% ≤ VAP < 40% | 0 | 0 | 0 | 0 | 0 | 0 |
| 40% ≤ VAP < 45% | 0 | 1 | 0 | 0 | 0 | 0 |
| 45% ≤ VAP < 50% | 0 | 0 | 0 | 0 | 0 | 0 |
| 50% ≤ VAP < 55% | 0 | 1 | 0 | 0 | 0 | 0 |
| 55% ≤ VAP < 60% | 0 | 0 | 0 | 0 | 0 | 0 |
| 60% ≤ VAP < 100% | 2 | 0 | 0 | 0 | 0 | 0 |

Note: 2021 Preliminary Map dilutes Minority Representation in two districts compared to Possible Adjusted Map.

(Source: Dave's Redistricting)

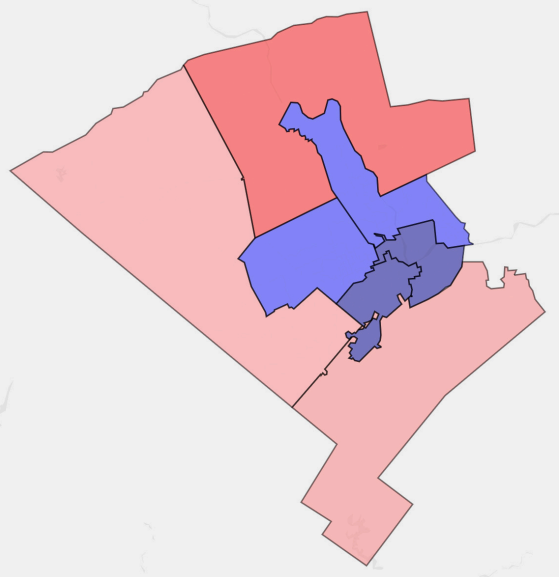
2021 Preliminary Map & Possible Adjusted Map Side-by-Side Comparison – Political Representation

| Metric | 2021 Preliminary Map (Lehigh Only) | Possible Adjusted Map |
|-------------------------------------|------------------------------------|-----------------------|
| POLITICAL BREAKDOWN | 4 D - 3 R | 4 D - 3 R |
| MERGED MEMBERS | 2 Rs* | 0 |
| FLIPPED DISTRICTS | 1 R -> 1 D (Open) | 1 R -> 1 D* |
| COMPETEIVE RACES (GENERAL ELECTION) | 2 | 3* |
| OPEN SEATS | 1 | 0 |

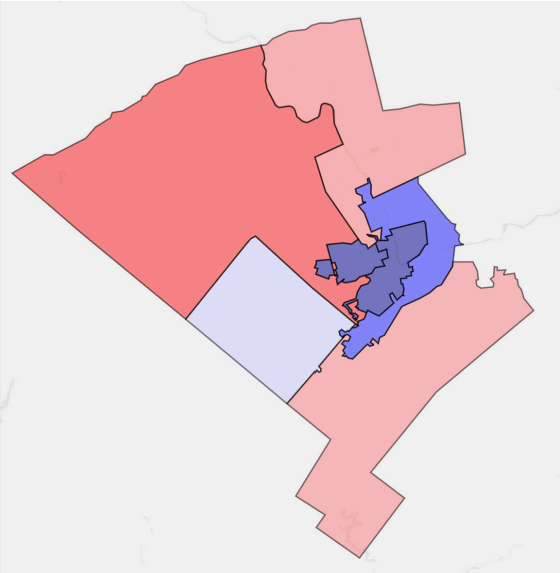
*Denotes my involvement in those instances.

(Source: Dave's Redistricting)

2021 Preliminary Map



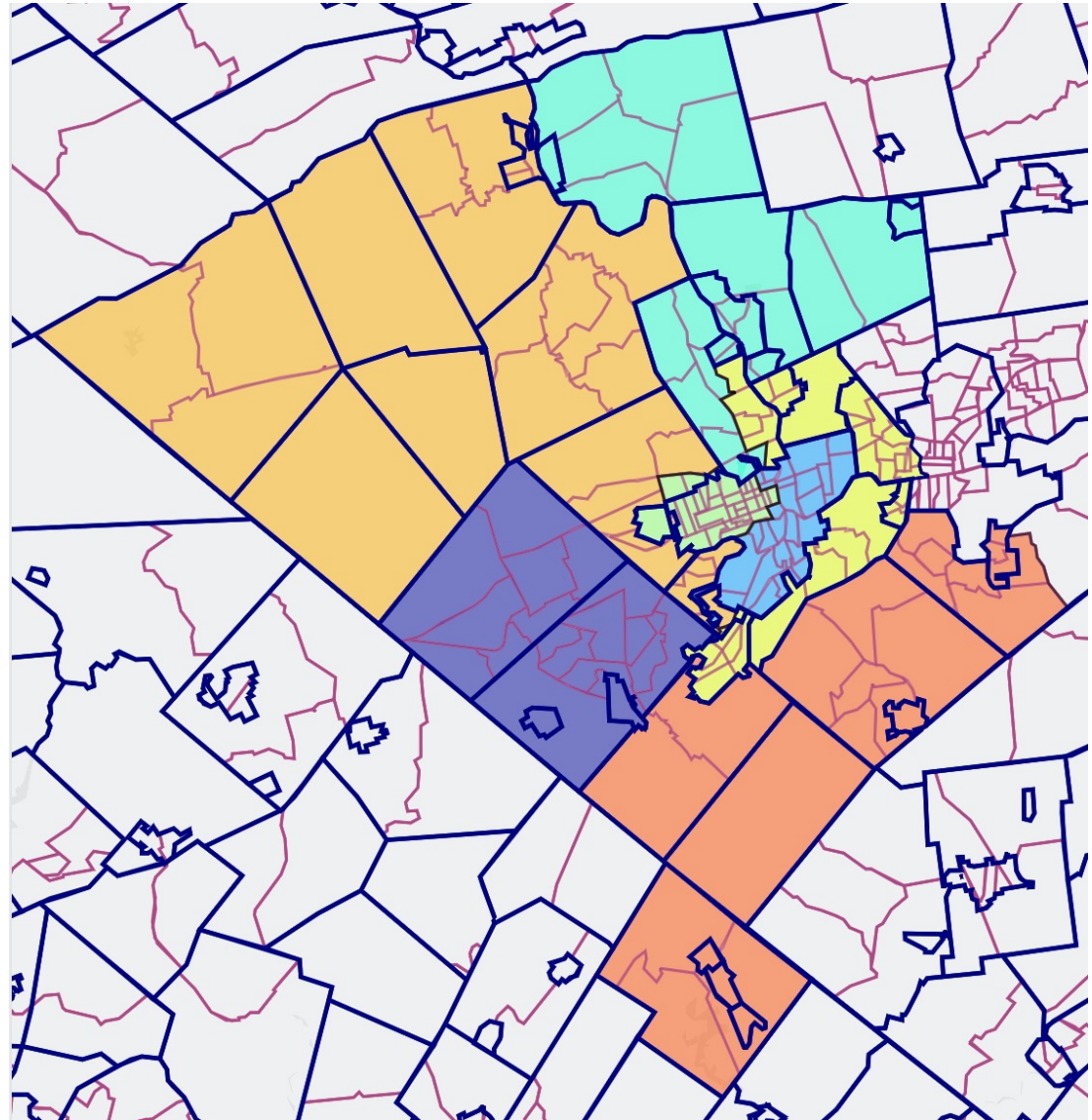
Possible Adjusted Map



Note: 2021 Preliminary Map merges two Republican Districts and creates an Open Seat in a Democratic District. But, the Open Seat has less Minority (and Hispanic) Representation than a Democratic District that would be maintained in the Possible Adjusted Map.

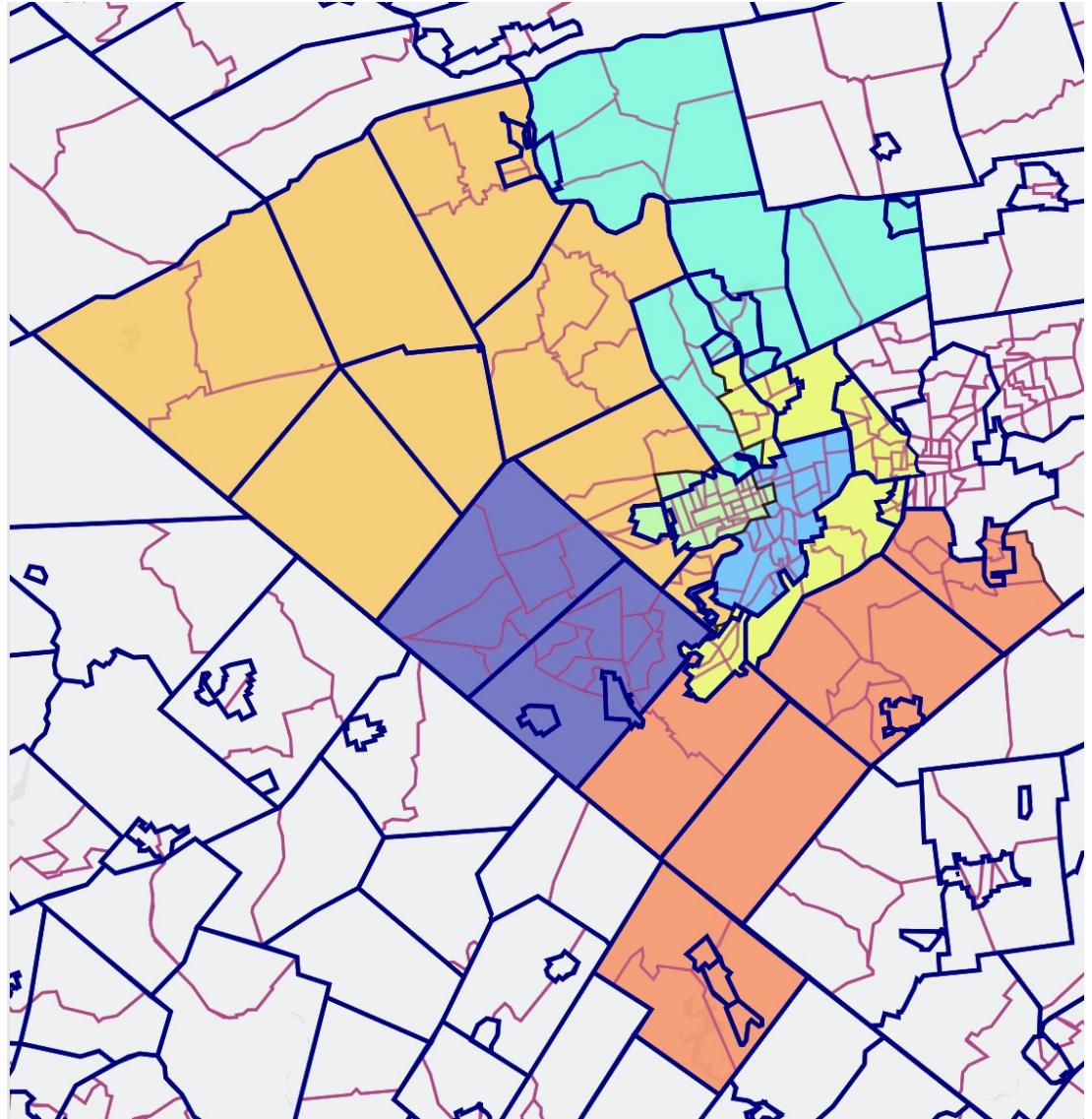
Lehigh County Possible Adjusted Map

- The 2021 Preliminary Map:
 - Includes unnecessary and highly unusual municipal splits, and
 - employs the gerrymandering technique of “cracking and packing” by
 - cracking Democratic voters in Allentown into three districts, which then requires adding voters from outside the city limits that results in diluted Minority (and Hispanic) Representation in the districts; and
 - packing two Republican Members into a merged district, even though they are in growing population areas.
- A Possible Adjusted Map, using common district features from other mapmakers, can:
 - reduce splits,
 - reduce deviation,
 - eliminate dilution of Minority and Hispanic Representation in Allentown Districts,
 - eliminate merging of districts in the growing suburbs, and
 - maintain compactness and political breakdown from 2021 Preliminary Map.



Thank You
&
Questions

Ryan Mackenzie



Centre County Fair Districts

By PB

Re: Centre Region Redistricting Results

Date: January 13, 2021

To: Pennsylvania Legislative Reapportionment Commission

Mark Nordenberg, Chair

Kim Ward, Senate Majority Leader

Jay Costa, Senate Minority Leader

Kerry Benninghoff, House Majority Leader

Joanna McClinton, House Minority Leader

From: Dr. Peter Buck

State College Area School District, Director (2021-2024)

Democratic Candidate, House District 171 (2020)

Ferguson Township, Fmr. Supervisor and Chair (2016-2019)

Centre Region Council of Governments, Fmr. Representative (2016-2019)

Dear Pennsylvania Legislative Reapportionment Commission,

Thank you for your service on the Commission. Mr. Nordenberg, I am especially grateful to you for your time and dedication to principles of fairness, to fact-finding, to careful analysis, and to our Commonwealth's and nation's Constitutions. To the partisans, thank you for your elected service and your dedication to ensuring that we have transparent process.

I am a central Pennsylvania resident for 41 of my 45 years. To my knowledge, I have voted in every election since I turned 18. In the last 7 years, I have served in elected and appointed positions in municipal, regional, and school district government (referenced above). My comments are made as an informed servant, but not on behalf of any entity.

Overall, the redistricted maps are much more fair and redress major issues. They observe principles of contiguousness and compactness, respect existing municipal or county boundaries except where to do so would result in unfairness, overlay with other borders including school districts, and have ensured that minority voices can be heard and their rights protected. They work well for Centre County's next decade.

As the Commission has heard from experts and citizens, the Commonwealth's House District maps following the 2010 Census were severely gerrymandered. There are few places that show this more clearly than in the Centre Region and State College Area School District, overlapping and nearly

coterminous incorporated political areas in southern Centre County. They contain College, Ferguson, Halfmoon, Harris, and Patton Townships, as well as the State College Borough.

The previous gerrymander is most pronounced in Ferguson Township's Ward 2 (that I represented on the Ferguson Board) and Ward 3 . Five of their voting precincts were split into what looks like a Lego tower between House Districts 77, 81, and 171, occupied by the House Majority Leader and Commission member Benninghoff. Precincts 48, 49, 50, 89, and 90's historical voting data shows that citizens in the last decade voted for Democrats:Republicans by margins of roughly 2:1 to 5:3. Just under 4,000 people voted in 2020 General Election in the four precincts not contained in HD 171 , but are cracked into HD 77 and 81. These four carved out precincts create a clear violation of the compactness principle in district mapping when viewed in light of the full district.

HD 171 extends into four townships in Mifflin County. These are Armagh, Brown, Decatur, and Union townships. Culturally, economically, and politically, these are practically different districts with very different preferences. To align their preferences, a fairer map maker could remove a similar size voter populations in Mifflin County, such as Armagh and Brown Townships, and add the above four Ferguson precincts. Doing so would have made HD 171 a competitive race in 2020 and previous cycles instead of an artificially hard Republican district. This exercise could continue. If we replace Mifflin County's municipalities with Centre County municipalities to make them more compact, more contiguous, and more politically unified regarding existing governmental decision-making geographies the partisan make-up and policy preferences change, the Centre County district would be more aligned with the Centre Region and State College Area School District while the Mifflin District would be more aligned with the Mifflin County School District. Both such House Districts would readily work toward statewide fairness.

The map proposed to the Commission does this. It increases the likelihood that Centre County, the Centre Region, and the State College Area School District will have representatives tuned into their political affiliations. The County will have three representatives instead of four, with only one District crossing a county boundary (171 into Mifflin). The Centre Region and State College Area School District will have two representatives—likely Scott Conklin in HD 77 and whoever wins the newly created HD 82—instead of three. These two districts eliminate the Ferguson gerrymander. Representative Benninghoff asked me a question at the Commission regarding the splitting of State College Borough. As I said, that partition and its "bridge" through Ferguson Township in tow

contiguous precincts, is the only way to accomplish a balanced, compact, and contiguous House District that align with other bodies in the Region. They are eminently sensible.

The Centre Region Council of Governments, Centre Region municipalities, and State College Area School District have communicated numerous issues to their legislators in recent years. Some of these have been ignored despite widespread support in the region. Issues have included, but not been limited to, charter school reforms, pricing carbon emissions and support for joining the Regional Greenhouse Gas Initiative, as well as support for an independent redistricting commission. While there is no guarantee that any elected representative would necessarily follow through on these requests from local governments in Centre County, the proposed map before the Commission makes them more likely.

Thank you again for this opportunity. It has been an honor to be a duly elected representative of my community and a servant to democracy.

Dr. Peter Buck

Distinguished Members of the Legislative Redistricting Committee:

Thank you very much for the opportunity to testify today. My name is Dan Daub, and I am the Mayor of Tower City, Pennsylvania, a small borough in western Schuylkill County. I have been the Mayor for over 11 years, and I am a lifelong resident of the Tower City area. I appreciate your efforts in creating fair legislative maps throughout our Commonwealth, and I understand you cannot know all communities and areas during this process. However, I am here today because I feel very passionate about the proposed changes to our current legislative District, the 125th, which is currently composed of Schuylkill and Dauphin Counties.

Under the proposed new maps, the entirety of western Schuylkill County will be moved into the 107th District, which is shifting from Northumberland County. I have lived my entire life in the Tower City and Porter Township areas, and I'm very concerned, frustrated and alarmed at the proposed new district. I am alarmed because from a day to day living perspective, western Schuylkill County and northern Dauphin County are one community! Each day residents of these areas interact with one another, shop at the same places, attend the same churches and face the same changes, ideals, values and culture. For decades, our little league baseball players help make up the Upper Dauphin County all-star team, playing with the dream of appearing in the Little League World Series in Williamsport some day. The county lines that divide Schuylkill and Dauphin counties has no impact on our day to day living, except in the perception held by many citizens that the government leaders in our respective county seats of Pottsville and Harrisburg often overlook our rural, self-sufficient, strong border communities and don't consider us when allocating county resources.

Several years ago, when the 717 area code was running out of numbers, Schuylkill County was going to be moved to the new 570 area code. Porter Township and Tower City Borough remained in the 717 area code, and still do to this day, because studies shown that most of our transactions and interactions went into Dauphin County, which remained in the 717 area code. This shows the longstanding relationship between our areas.

Tower City is one of the municipalities that encompasses the Williams Valley School District, which also includes Porter Township in Schuylkill, and Williams township, Williamstown, Wiconisco Township and Rush township in Dauphin County. We have grown up together, gone to school together, attend events together, and rally together when we are in need. This is one of those times we are in need, and we need the help of you – the Redistricting Commission - to fix a terrible mistake by excluding our communities from the 125th District.

I understand the Commission's logic regarding using a county line as a dividing point in many legislative districts. Many county lines are developed based upon a geographical divide – a mountain, a river, a stream, or some other obvious landmark. Tower City and Porter Township and Williams Township and

Williamstown have no such divide. The few hundred residents of very rural Rush Township, Dauphin County, all have address and zip codes for Tower City. We all reside in the same "valleys" (Williams Valley and Lykens Valley) surrounded by mountains. For centuries, our existence has intertwined. We coexist, and we are all neighbors. It is still a relatively small area, and we know each other personally. We socialize together, we work together, we raise our families together and we do our very best to support one another. The existence of a county line does not mean much of anything to us, and it should not be used to divide us. We want and feel we deserve to be in a district that represents all of us, not just a few of us in several divided districts. We want one voice that knows and respects our communities, and shares the same values and priorities. By keeping the western Schuylkill County municipalities in the 125th District, united with the northern Dauphin County municipalities, you can fix this. Our very small Williams Valley School District will be united, rather than divided. If you can keep the Tri-Valley communities in the district, it too, would make logical sense. The interaction with northern Dauphin is equally strong in those communities. Likewise, my friends in Tremont borough and the Pine Grove area are upset by this redistricting proposal. But of these communities, the consolidation of my home area of Tower City and Porter Township is really the no-brainer.

The people of northern Dauphin County, and western Schuylkill county, are very similar people. Hard-working individuals, many elderly and retirees, that live on fixed social security incomes. The area is primarily agricultural and all of it is rural. Some of our biggest challenges have been a lack of opportunities for local jobs, and a brain drain, where our best and brightest students move away to college never to return. Having our area united in one district is extremely important as we advocate for improvements and better opportunities with one legislative voice to advocate for us. We respectfully ask that you please reconsider the location of those prospective lines between Dauphin and Schuylkill Counties, and include us with our neighbors.

I cannot stress enough the huge injustice that many of our residents feel with the new maps. It will be a major setback, and it is simply unacceptable. Tower City Borough and Porter Township have already unanimously enacted proclamations opposing the new districts at their January meetings. Hegin Township in the Tri-Valley School District is prepared to take the same action. Our communities have no involvement in the day to day routines with the fine people of Shamokin, Northumberland County, and we should not be in the same legislative district. Anyone who lives or works in the area knows that simply does not make sense. Yet, that is what the new maps do. As an elected leader of my community, and a longtime servant and leader in civic organizations in Schuylkill County, I respectfully ask you to revise this travesty and keep western Schuylkill County and northern Dauphin county united.

Thank you for your time and consideration on this very important matter!!

Request to add Ward 54 (Divisions: 10, 14, 15, 19, 20, 21& 22) in PA State House 172nd District.

Honorable Commission Members!

As a community activist and life long resident of NE Philadelphia, I request that a slight adjustment should be made to Preliminary PA State House 172nd District's map by adding Ward 54 (Divisions: 10, 14, 15, 19, 20, 21& 22) . I believe that new preliminary redistricting map and boundaries have really divided our NE Philadelphia community in a very disturbing way. The new map unconstitutionally divides ward boundaries more than absolutely necessary. Such divisions can be justified if necessary to keep neighborhoods and communities of interest together, but this plan does the opposite. Our neighborhoods are very important to us. We are brought together not only by geography but by a unity of interest. In Philadelphia our closest elected officials are city council members who each represent one-tenth of the city. As such, our local political ward organizations and community associations work to better the quality of life in our communities. The proposed map lessens the ability of these groups to effect positive change for our city.

Therefore, I request that honorable members of the commission to reconsider the preliminary mapping of 172nd District, and add Ward 54 (Divisions: 10, 14, 15, 19, 20, 21& 22) to current preliminary map of PA 172nd District to ensure the unity of our community. Your consideration to include Ward 54 (Divisions: 10, 14, 15, 19, 20, 21& 22) in PA 172nd District, would unite our community with reasonable compactness and contiguity.

Thank you for your consideration and cooperation in advance.

Aaron Bashir

Good morning, my name is Connie Hester. I'm from Shaler in Allegheny County.

I appreciate what all of you are doing to weigh competing values, legal requirements and specific requests to finalize these maps. And, thank you for letting me add yet another request.

Recent Franklin and Marshall polls of Republicans, Independents and Democrats show Pennsylvanians agree on many hot button issues. When people privately, without fear of judgement, say what they think Pennsylvanians are much more united than divided.

The polls show 60-80% of Pennsylvanians agree:

- We value the ideals of democracy,
- We agree democracy is not working well in practice, and
- We agree we want fair districts;
- And shockingly to me, we agree we want elections with voter ID

We are a diverse people, but we agree on many things.

If most Pennsylvanians agree, **why do we feel so divided?**

We are accustomed to the system processes that don't include us. Processes that don't encourage legislators to talk, listen or collaborate in a bipartisan fashion to find the common ground where Pennsylvanians are aligned. Party line votes, on very short notice, are the norm. There isn't enough time for us to voice our support or concerns let alone for our legislator to act on them. We feel excluded.

This LRC process has been and is different. It's open, transparent and inclusive. It's working!

- Pennsylvanians are sharing ideas,
- Legislators in your caucuses are collaborating across the aisle,
- You are listening, considering and acting when appropriate, and
- Despite the time pressures you must feel, you aren't skipping or shortchanging steps.

I know some of my fellow Republicans feel we are getting the short end of the stick. Last week Chair Nordenberg and others explained we are still getting the best end of the stick. The preliminary maps already include accommodations to minimize incumbents in the same district caused by both population shifts and the past manipulations of district borders.

Legislators are being represented in the process. They are holding hearings, submitting their concerns, and asking others to do the same. With newer mapping technologies, the requested changes in borders can be evaluated almost instantly. Some of these concerns will be resolved in the final maps. The starting maps have decades of manipulation by both parties built into them. That must be accounted for along with population changes in the new maps. We have to expect many borders will move.

Pennsylvanians understand it is not possible for each of us to get what we asked for. But, because of this inclusive process, most Pennsylvanians, as we do on so many issues, will agree to support the final maps.

I am asking all of you to do the same. Please agree on maps. Please vote to approve the final maps. Please do everything you can to help keep them out of the courts. No one wants the courts involved.

Doing so will demonstrate our government can work in practice when processes and rules are open, transparent and inclusive.

Only you have the power to do this. Pennsylvanians are counting on each and every one of you to unite us for the next decade with maps supported by both parties. Thank you.

References:

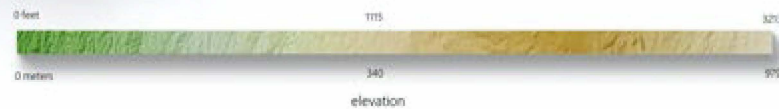
Franklin and Marshall:

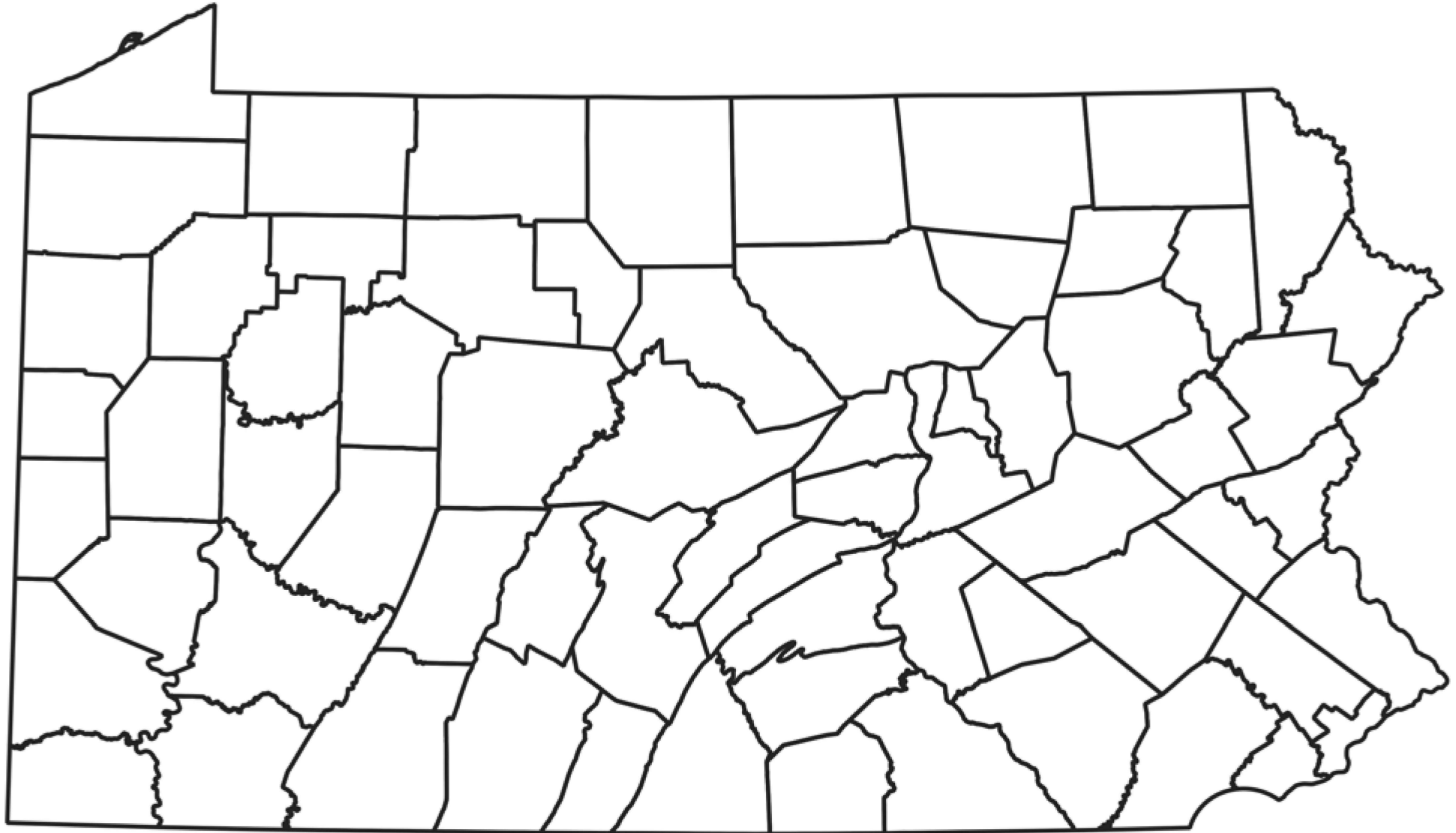
- Democracy PA : [Franklin & Marshall College Poll: Democracy & Party Factions | Revue \(getrevue.co\)](#) ;
- Elections : [Franklin & Marshall Poll Release: June 2021 | Revue \(getrevue.co\)](#)
- Redistricting : [Survey of PA Voter Sentiment September 2019 FINAL \(fairdistrictspa.com\)](#)

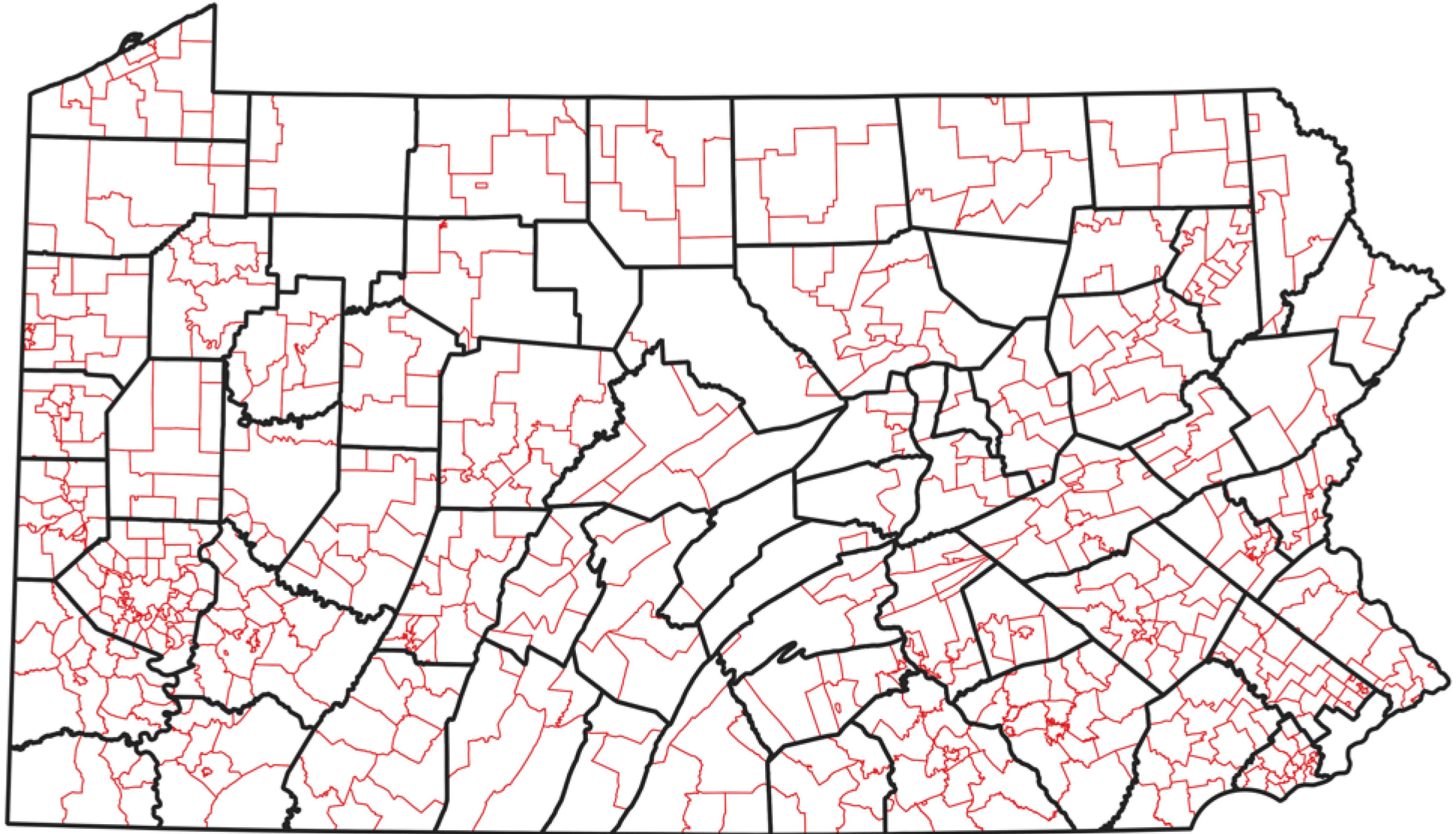
PA LRC

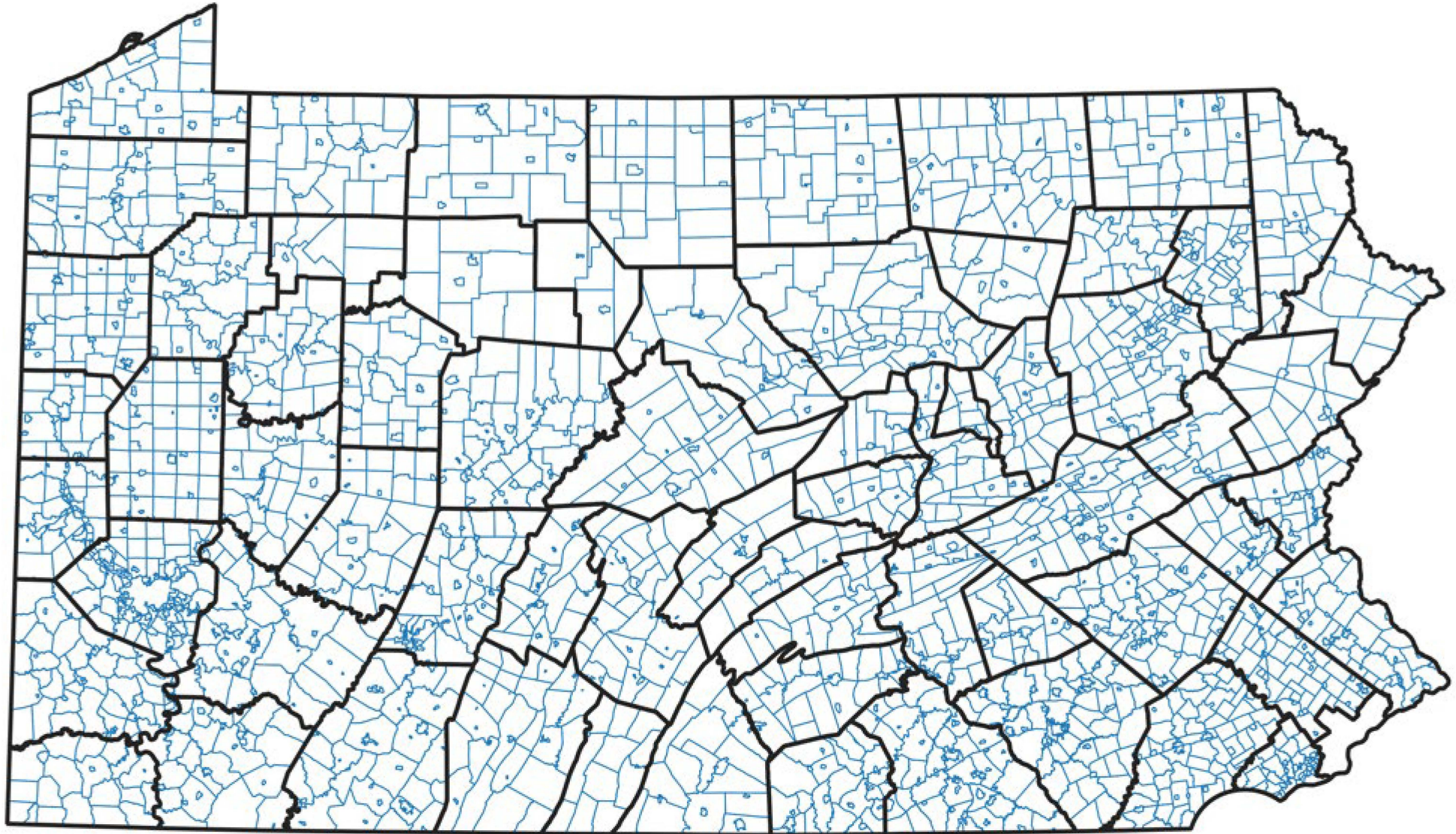
PENNSYLVANIA

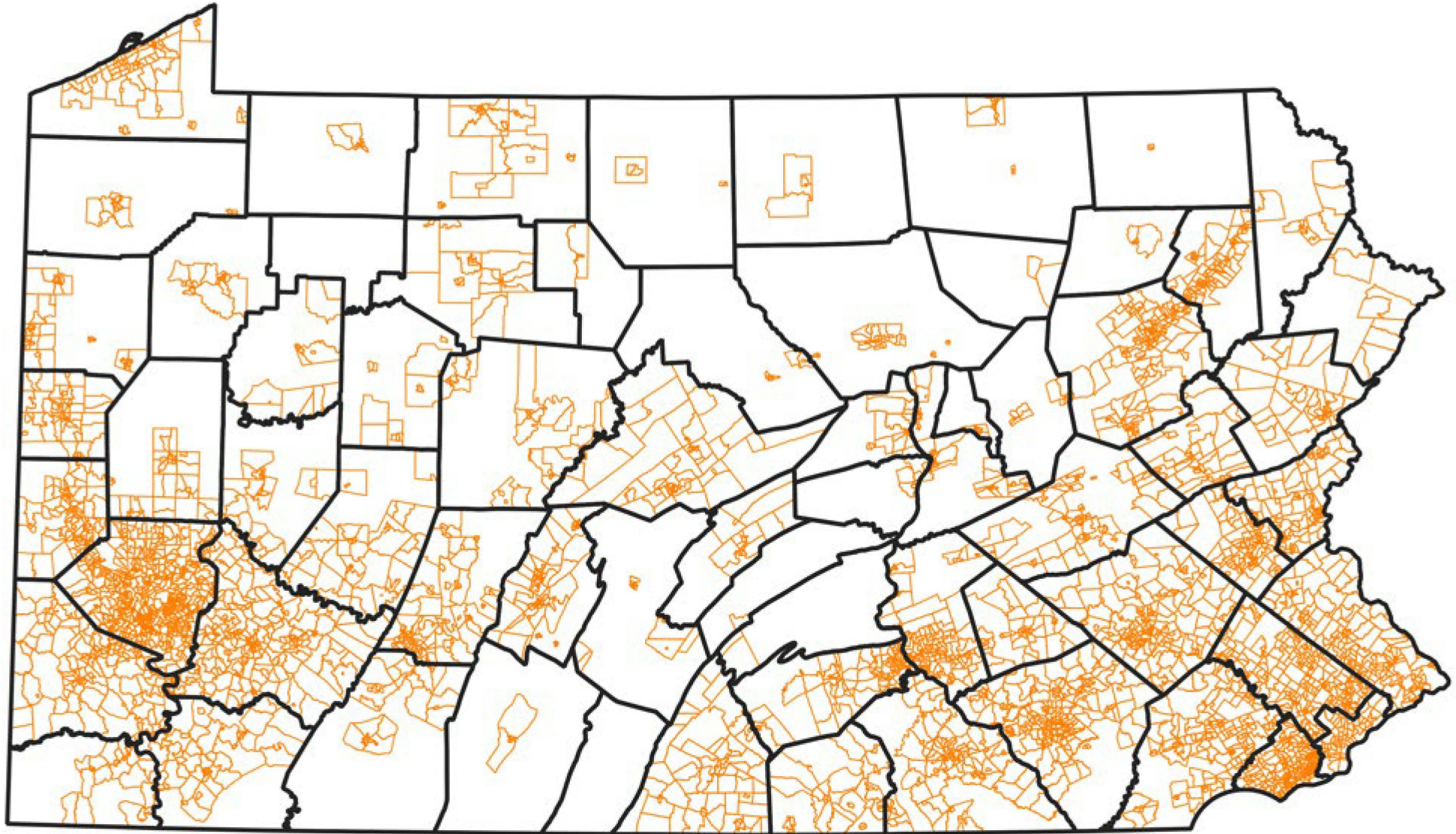
elevation model

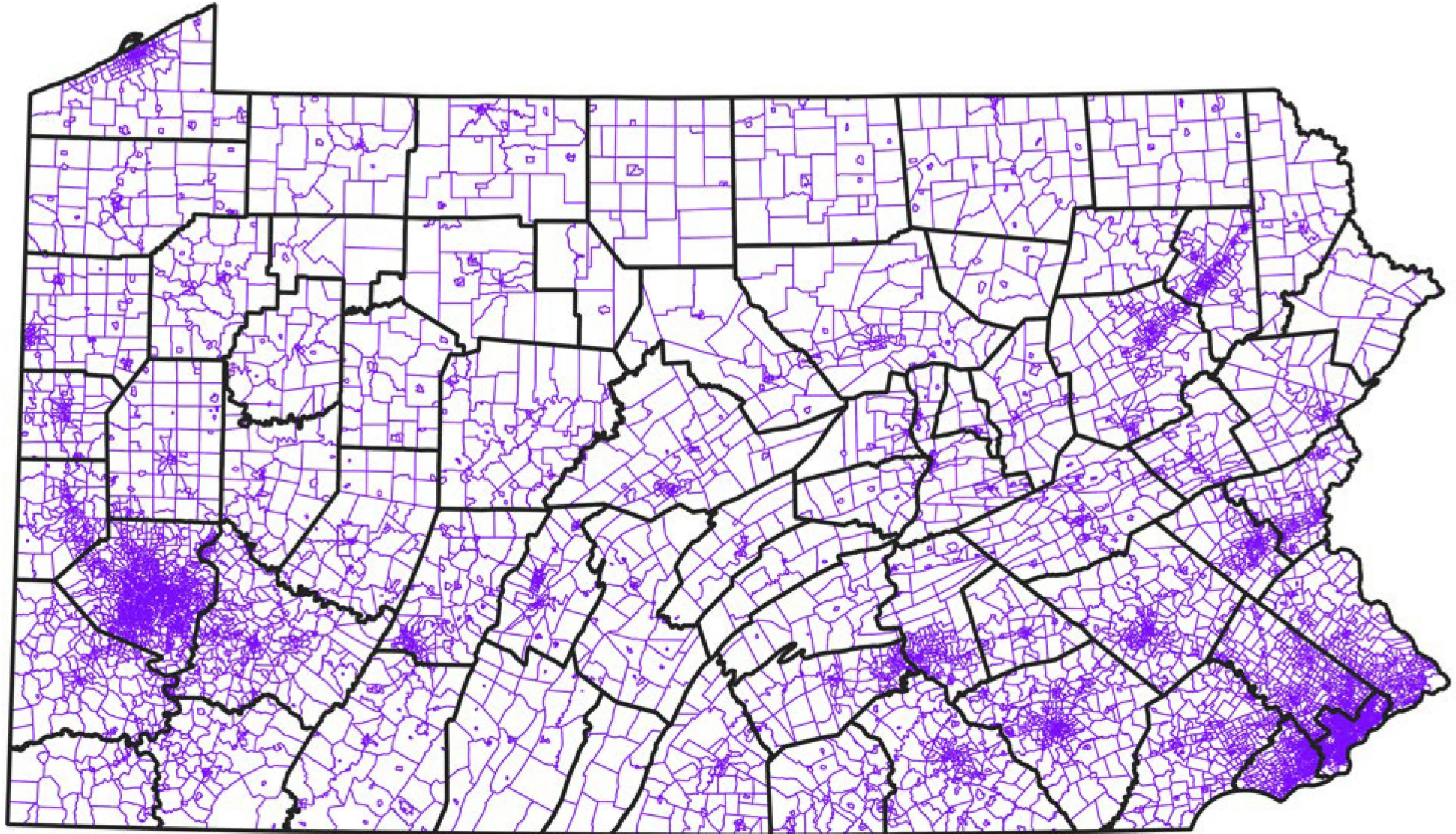


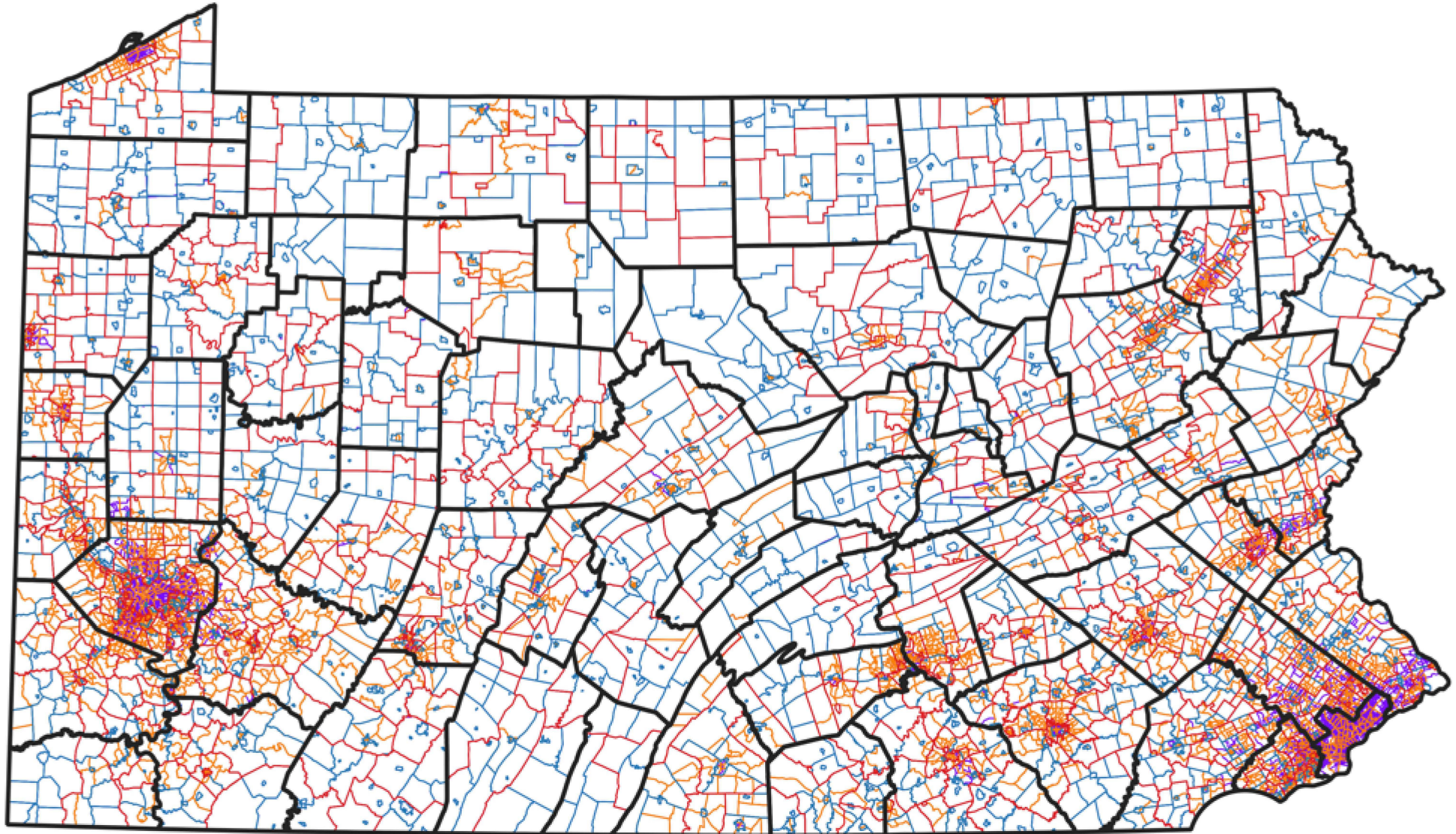








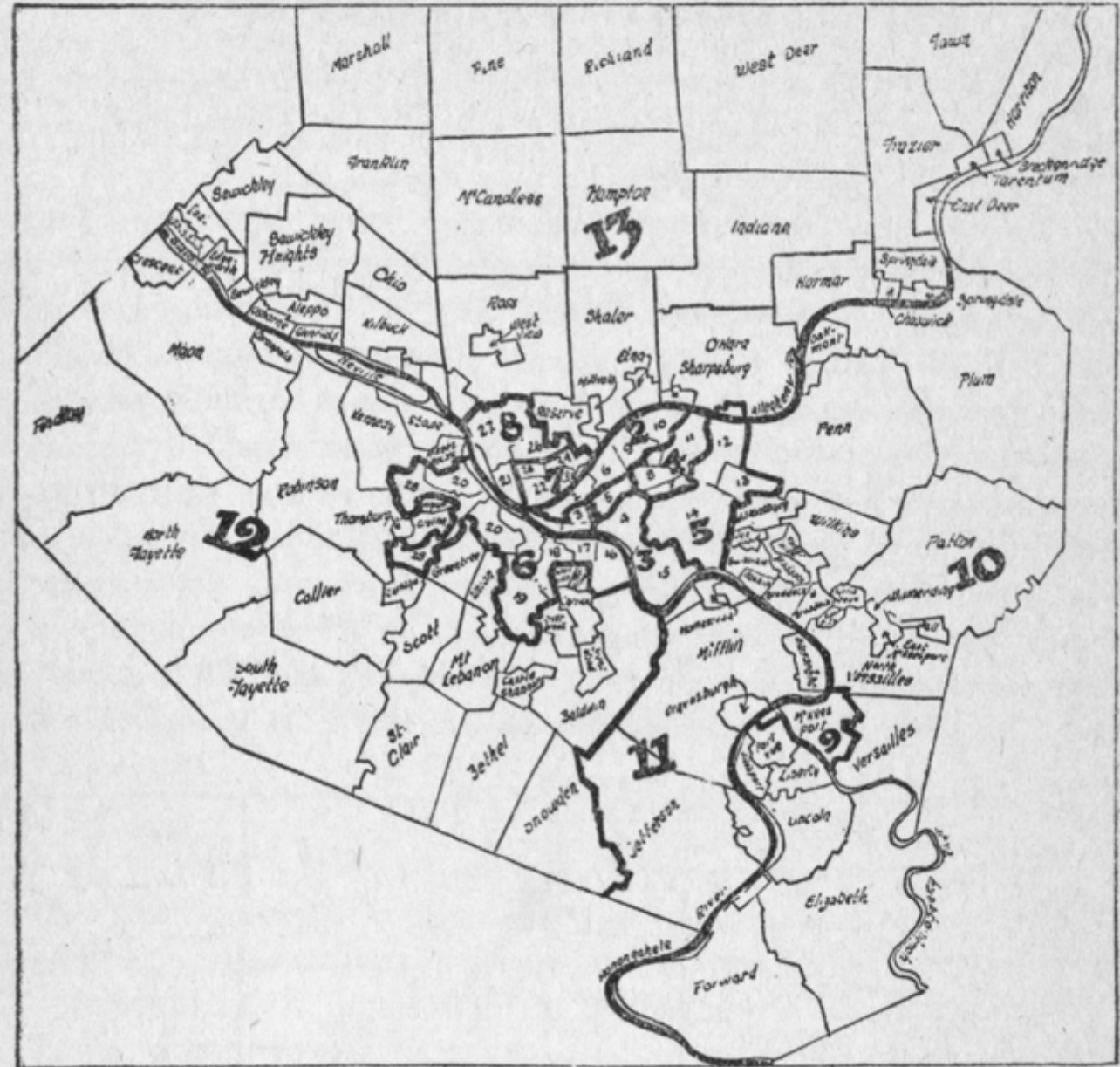




PITTSBURGH SUN'S HANDBOOK OF POLITICS 1924

Tabular Summary of Representative Districts in Allegheny County, Showing Glaring Inequalities.

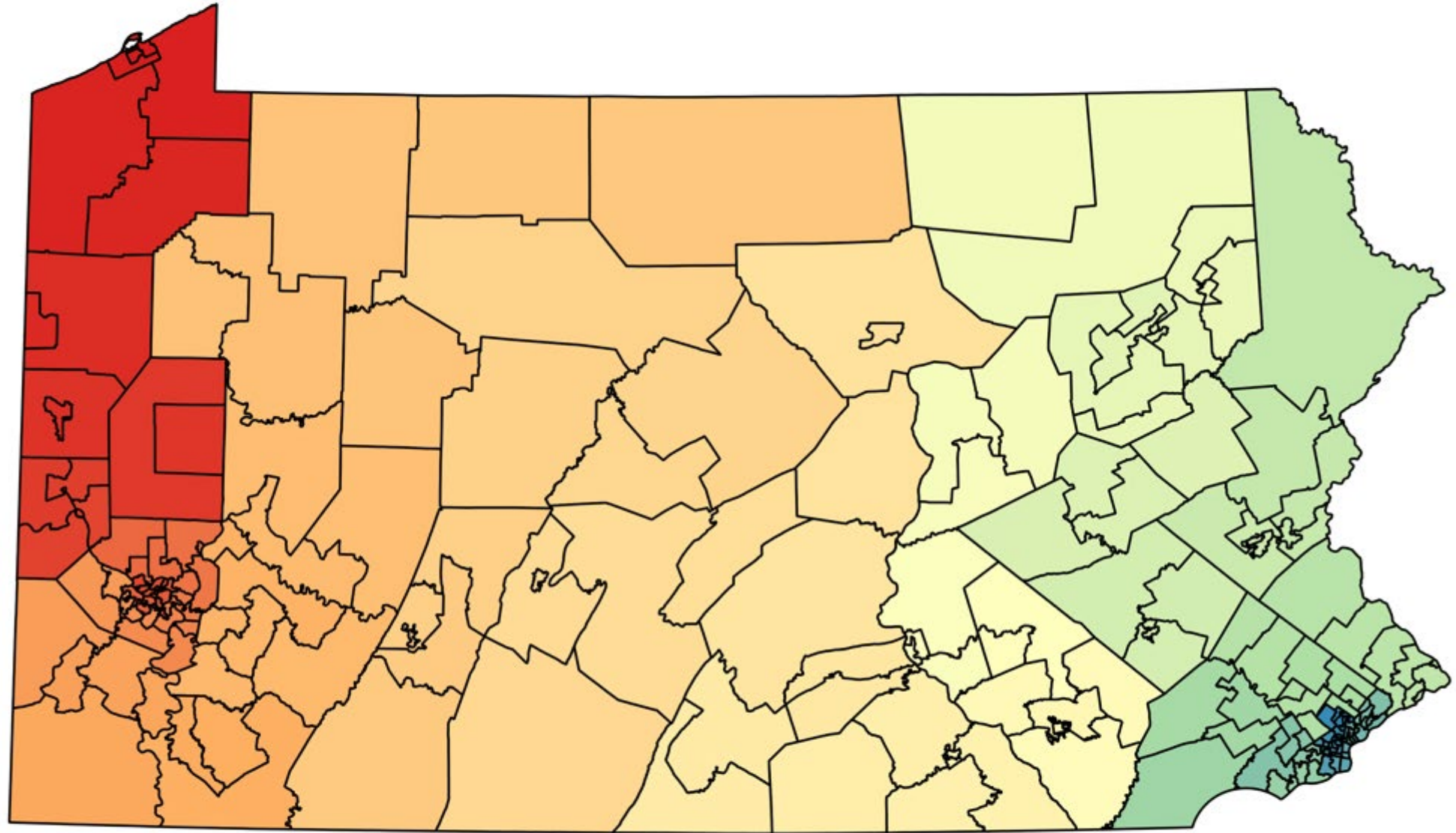
| District. | Location. | Popula- tion. | No. of Repre- sentatives. | Population per Repre- sentative. |
|---|--|------------------|---------------------------------|--|
| 1. | Downtown and Hill..... | 68,049 | 2 | 34,025 |
| 2. | Strip | 72,737 | 2 | 36,369 |
| 3. | Oakland-Hazelwood | 54,167 | 1 | 54,167 |
| 4. | Shadyside-Highland | 56,280 | 1 | 56,280 |
| 5. | East Liberty, Brushton, Homewood, Squirrel Hill | 76,137 | 1 | 76,137 |
| 6. | Southside wards | 124,585 | 3 | 41,528 |
| 7. | Upper Northside wards | 74,127 | 2 | 37,163 |
| 8. | Lower Northside wards | 68,195 | 2 | 34,098 |
| 9. | McKeesport | 46,781 | 1 | 46,781 |
| 10. | Eastern boroughs and townships... .. | 177,644 | 4 | 44,411 |
| 11. | Duquesne, Clairton, Homestead, etc. | 83,575 | 2 | 41,788 |
| 12. | Southern boroughs and townships.. | 154,874 | 4 | 38,718 |
| 13. | Northern boroughs and townships.. | 128,525 | 2 | 64,263 |
| Total representatives allotted to county— | | | 27. | |
| Average population per representative— | | | | 44,000. |



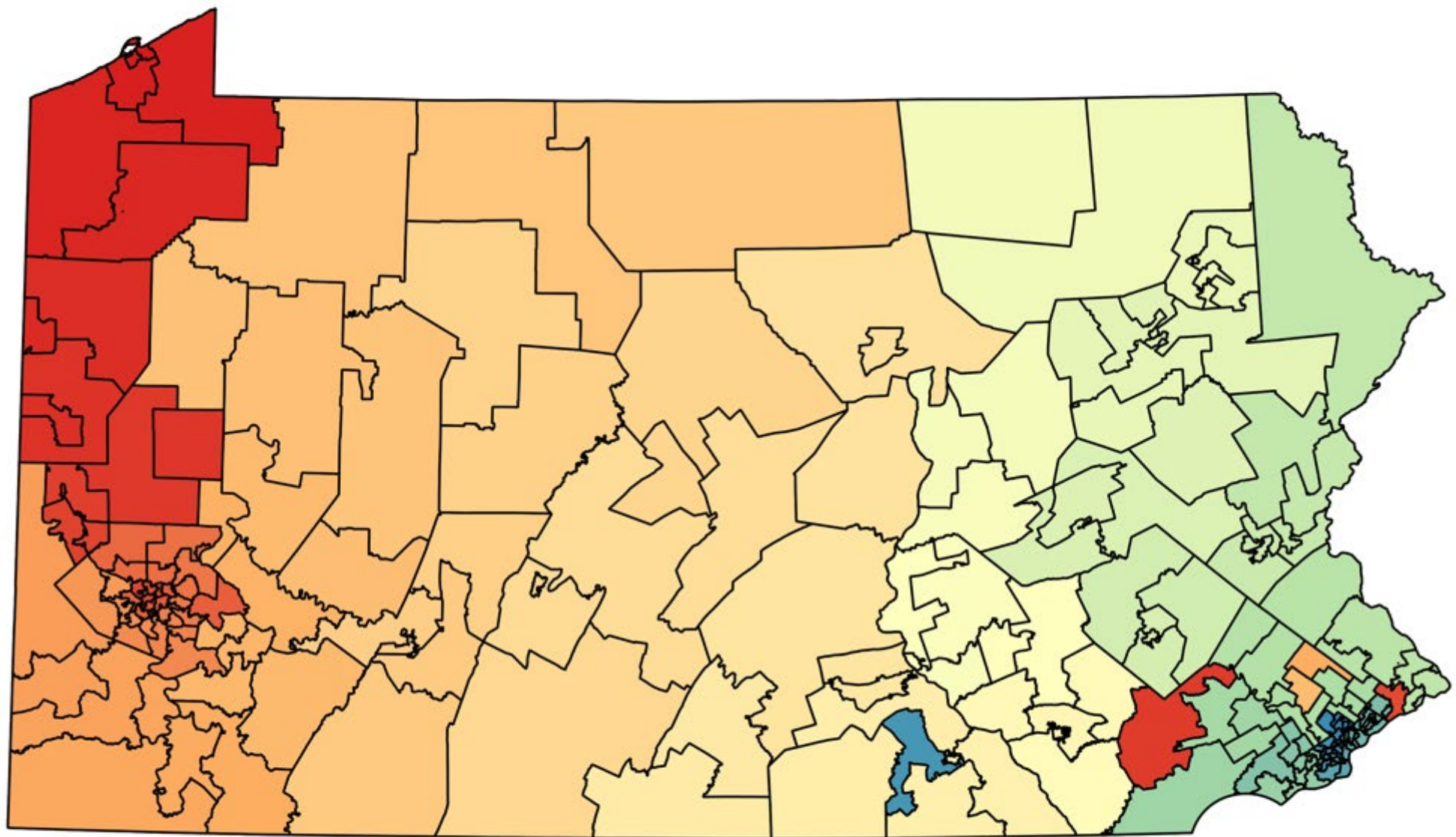
STATE REPRESENTATIVE DISTRICTS IN ALLEGHENY COUNTY

- District 1 - Downtown and Hill: 34,025
- District 5 – East Liberty, Brushton, Homewood, Squirrel Hill: 76,137
- Difference: 42,712

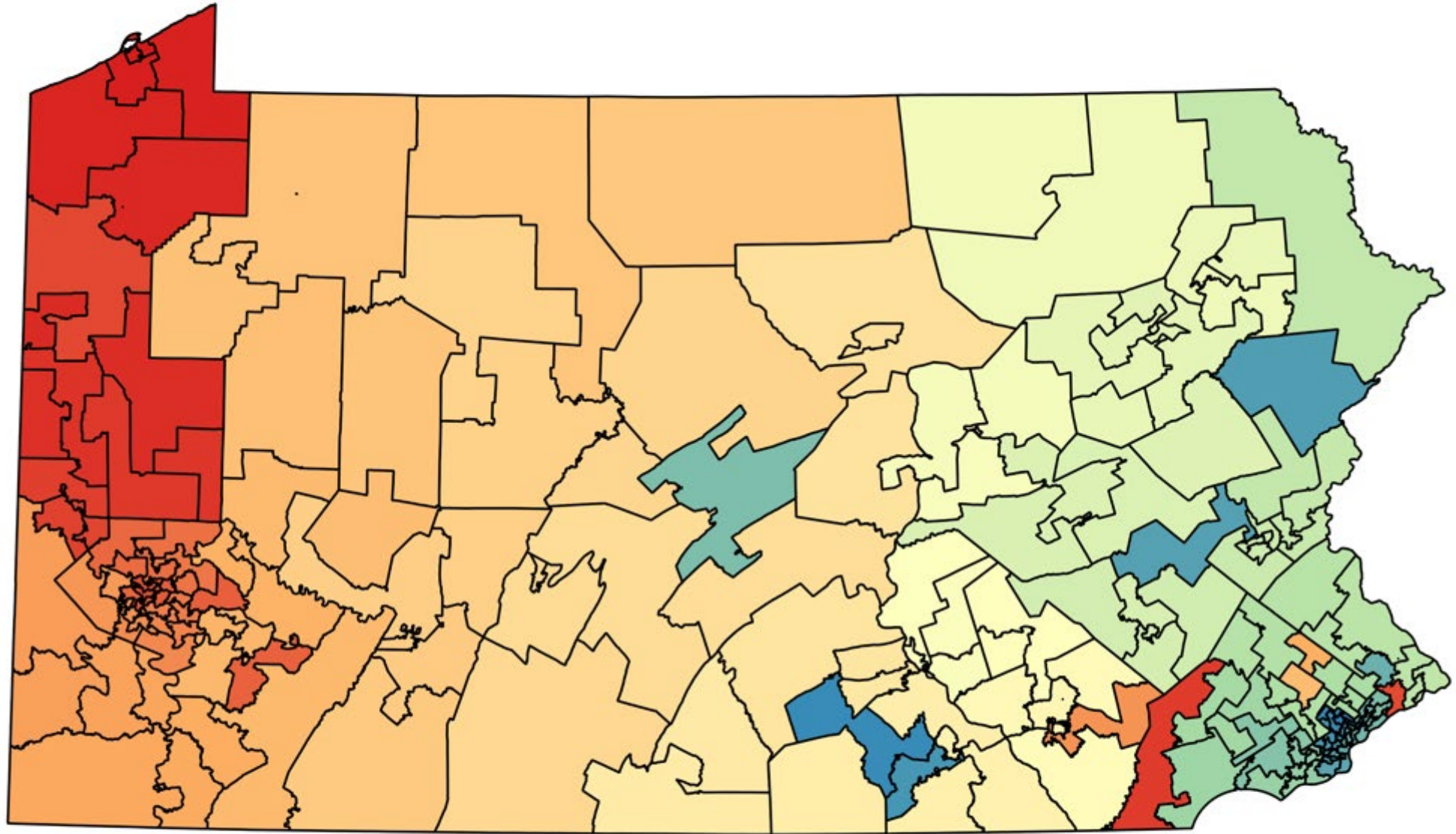
1966



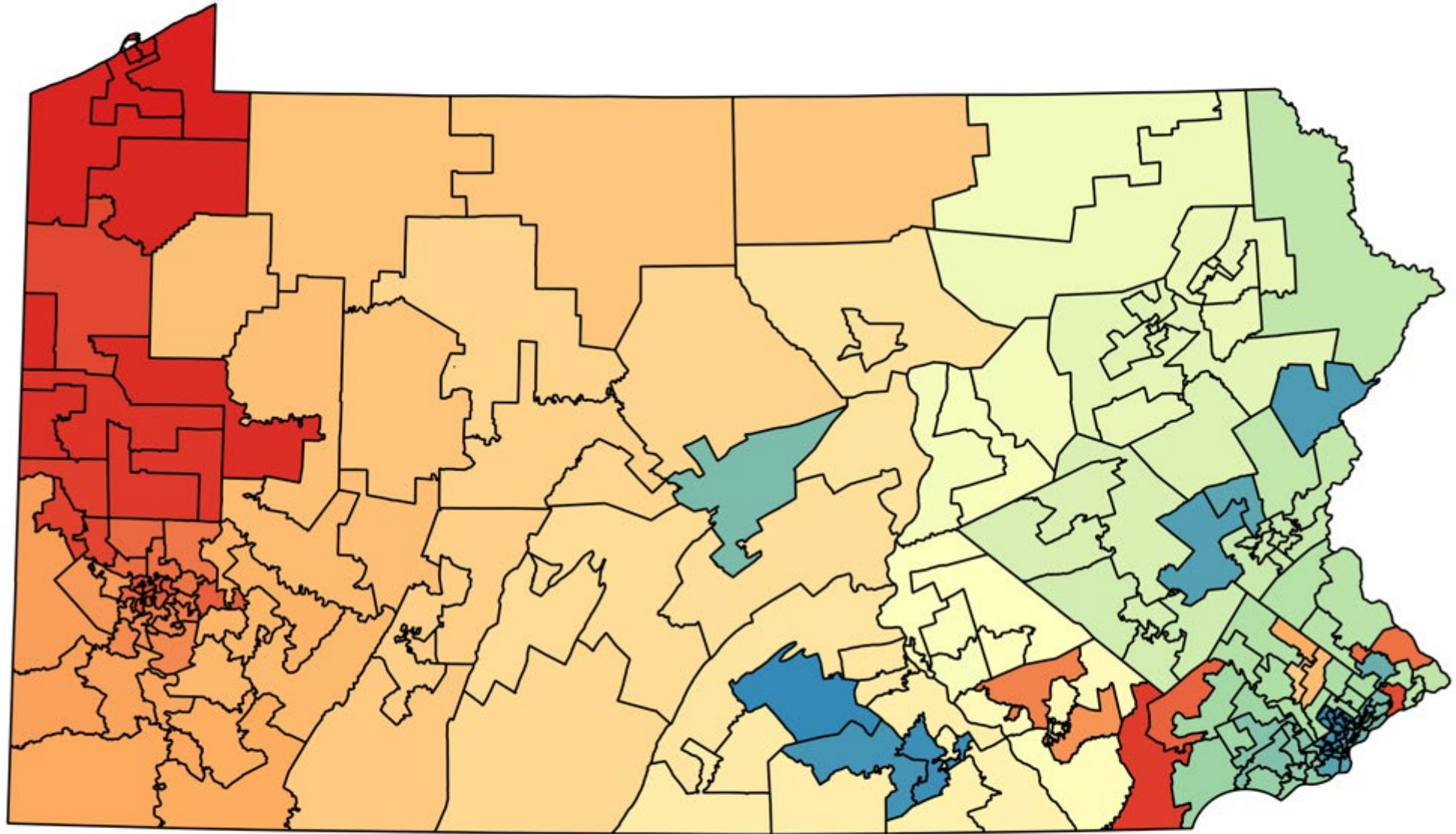
1971



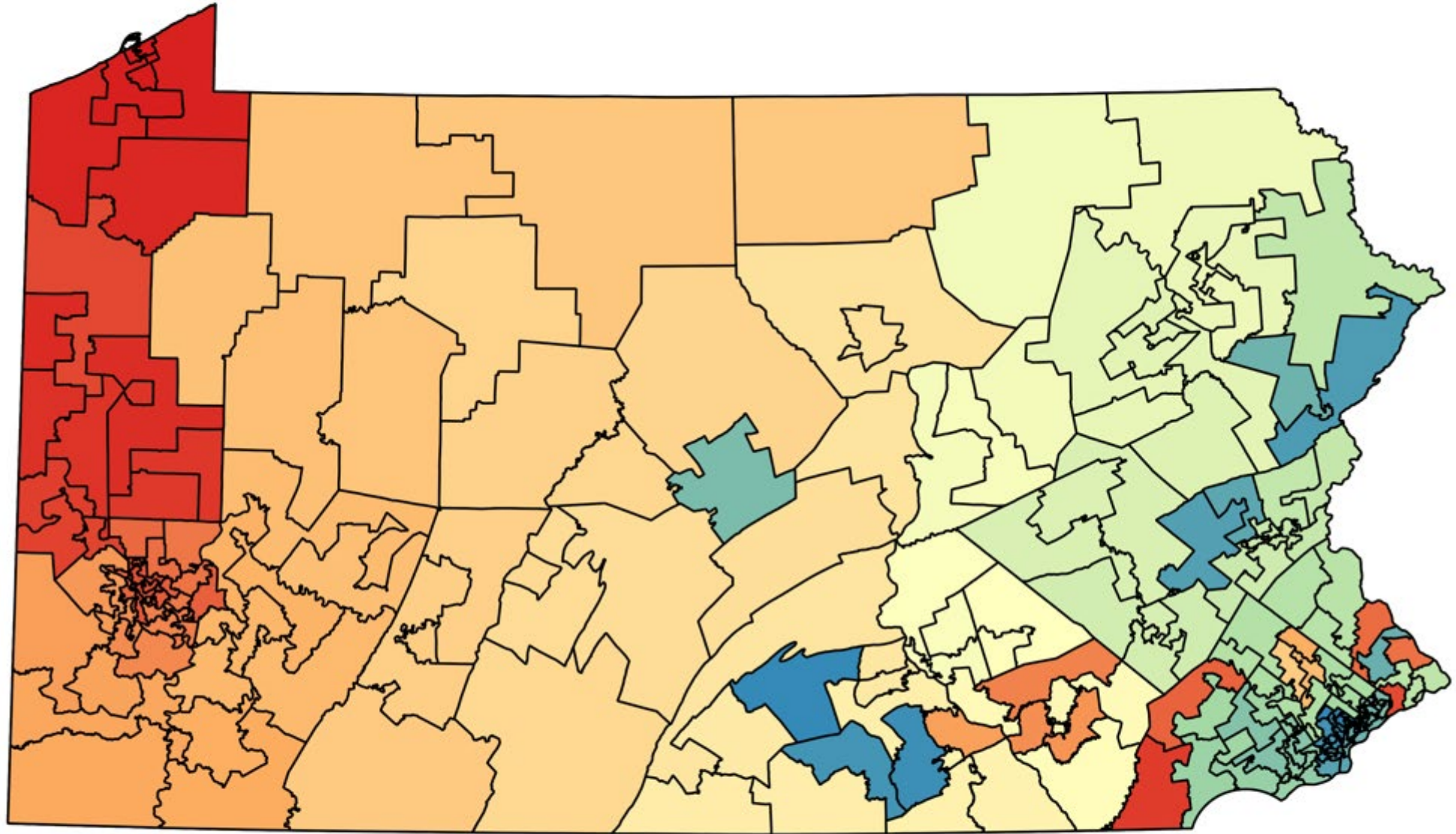
1981



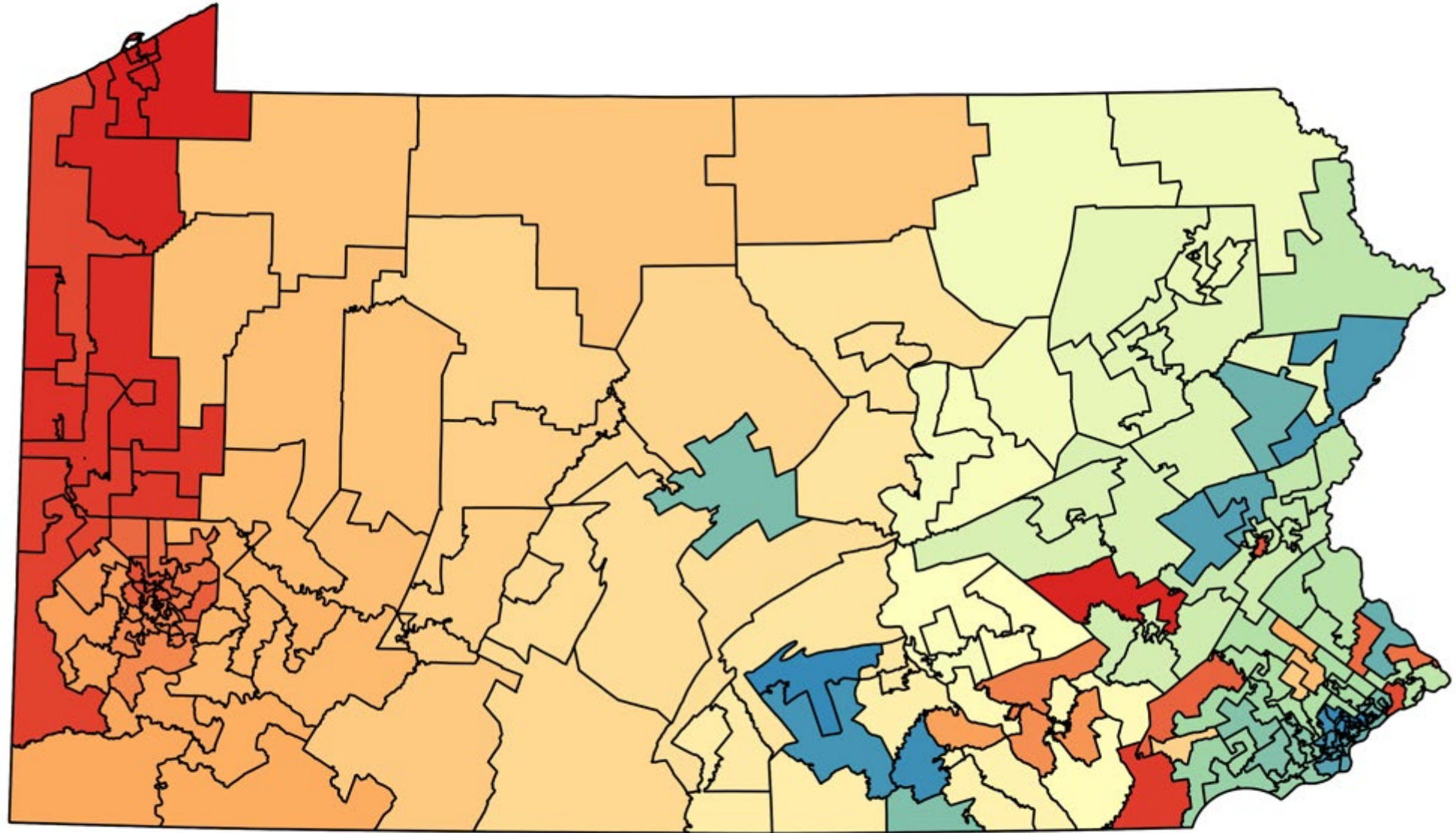
1991



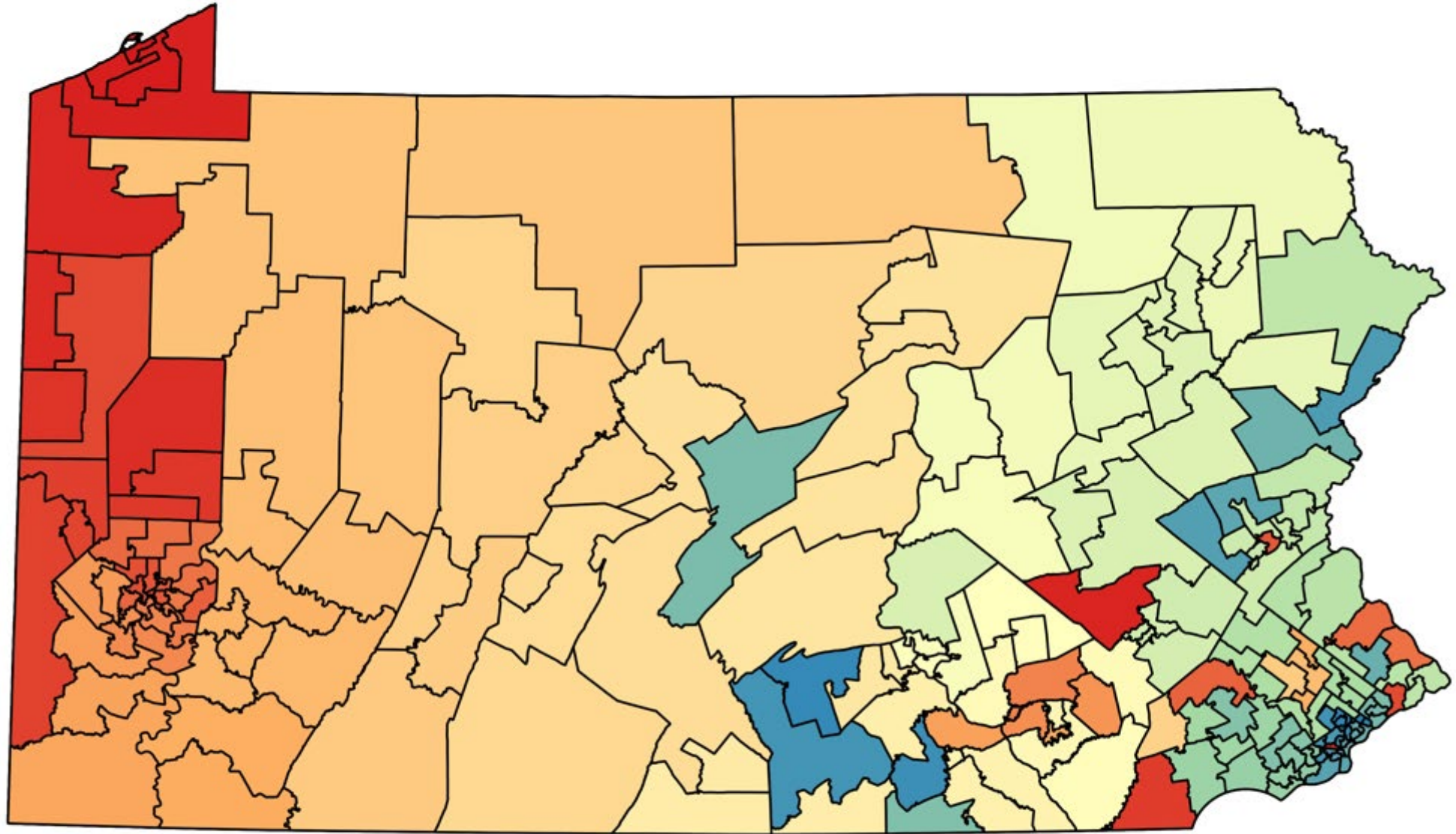
2001



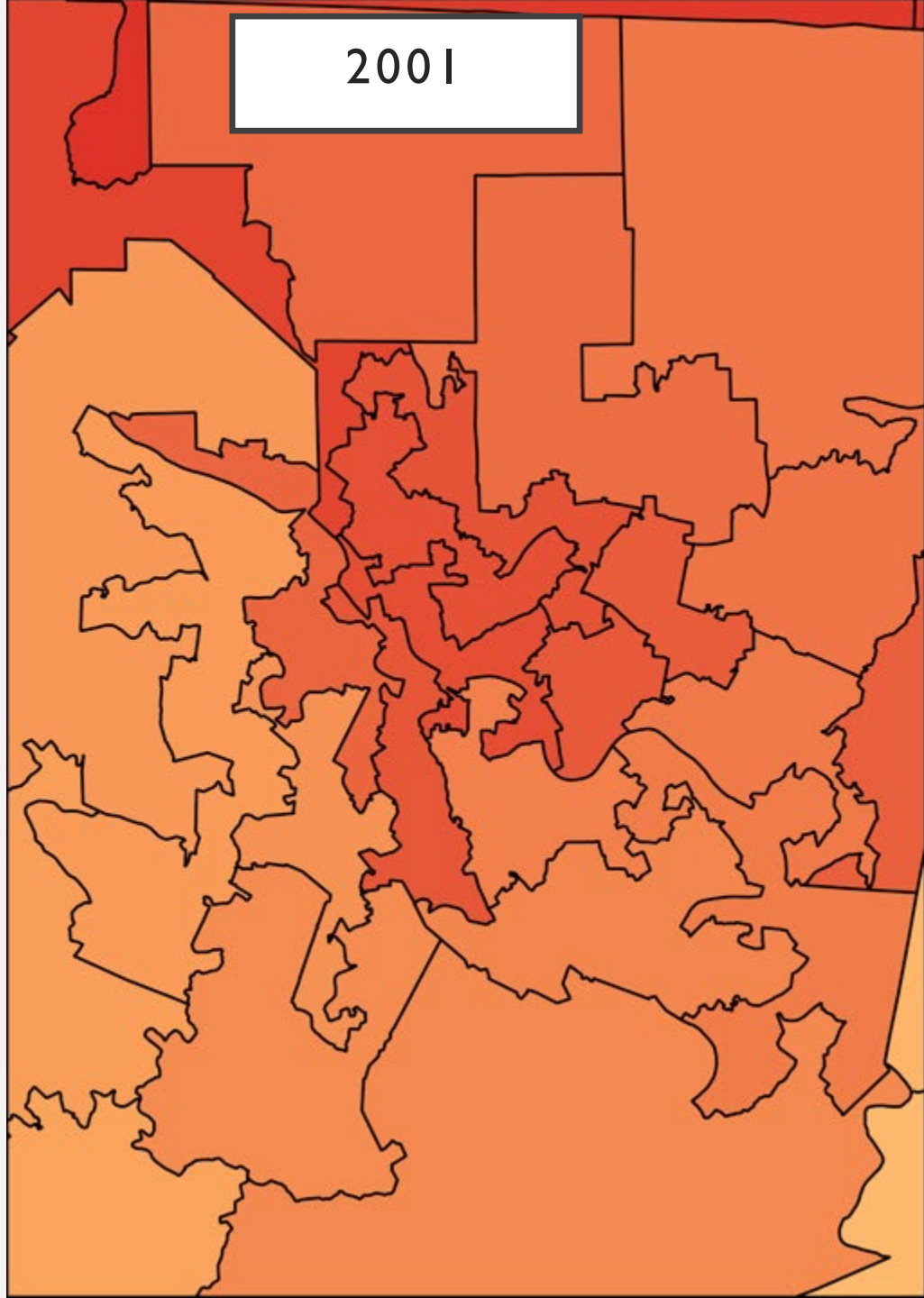
2012



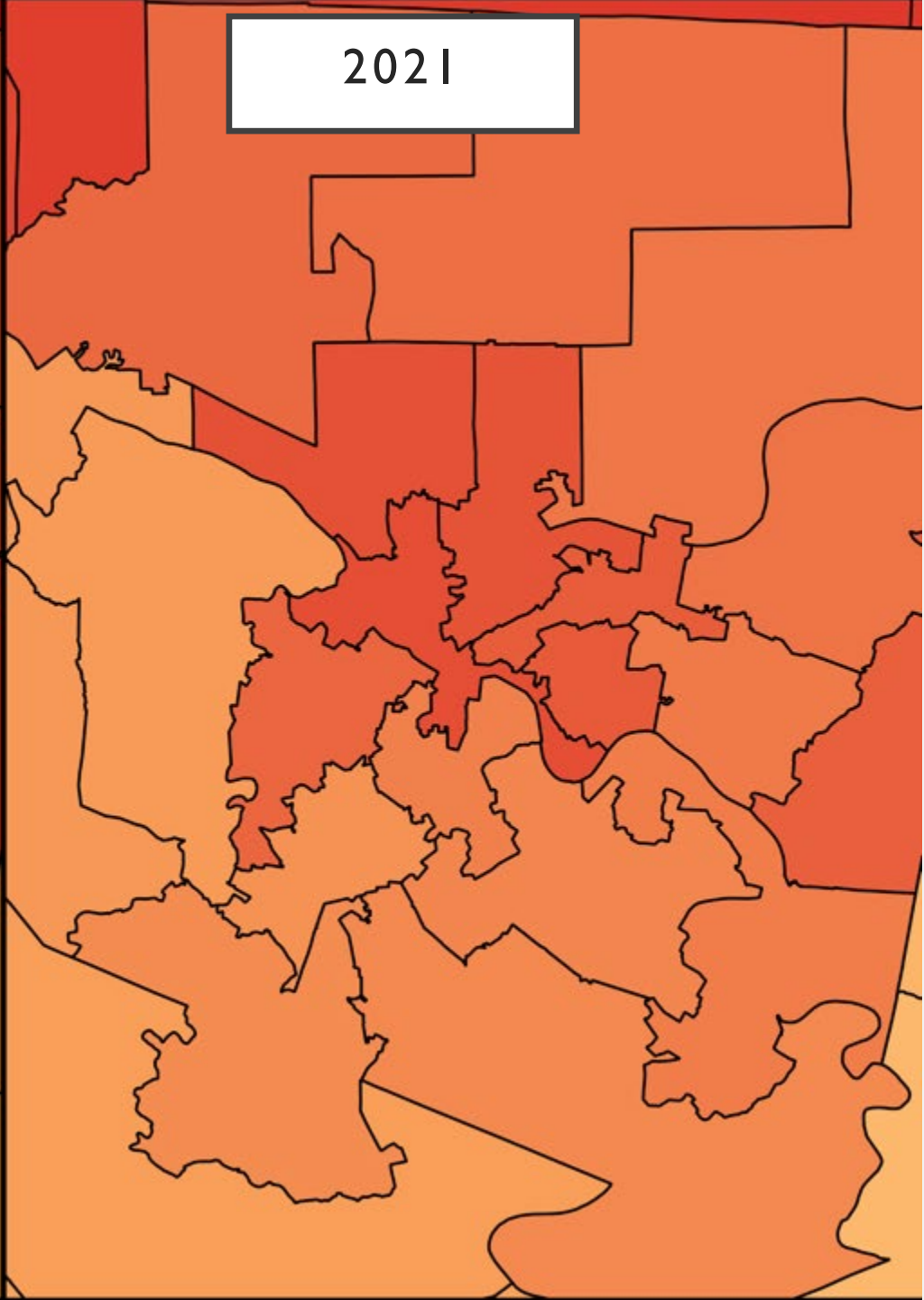
2021



2001

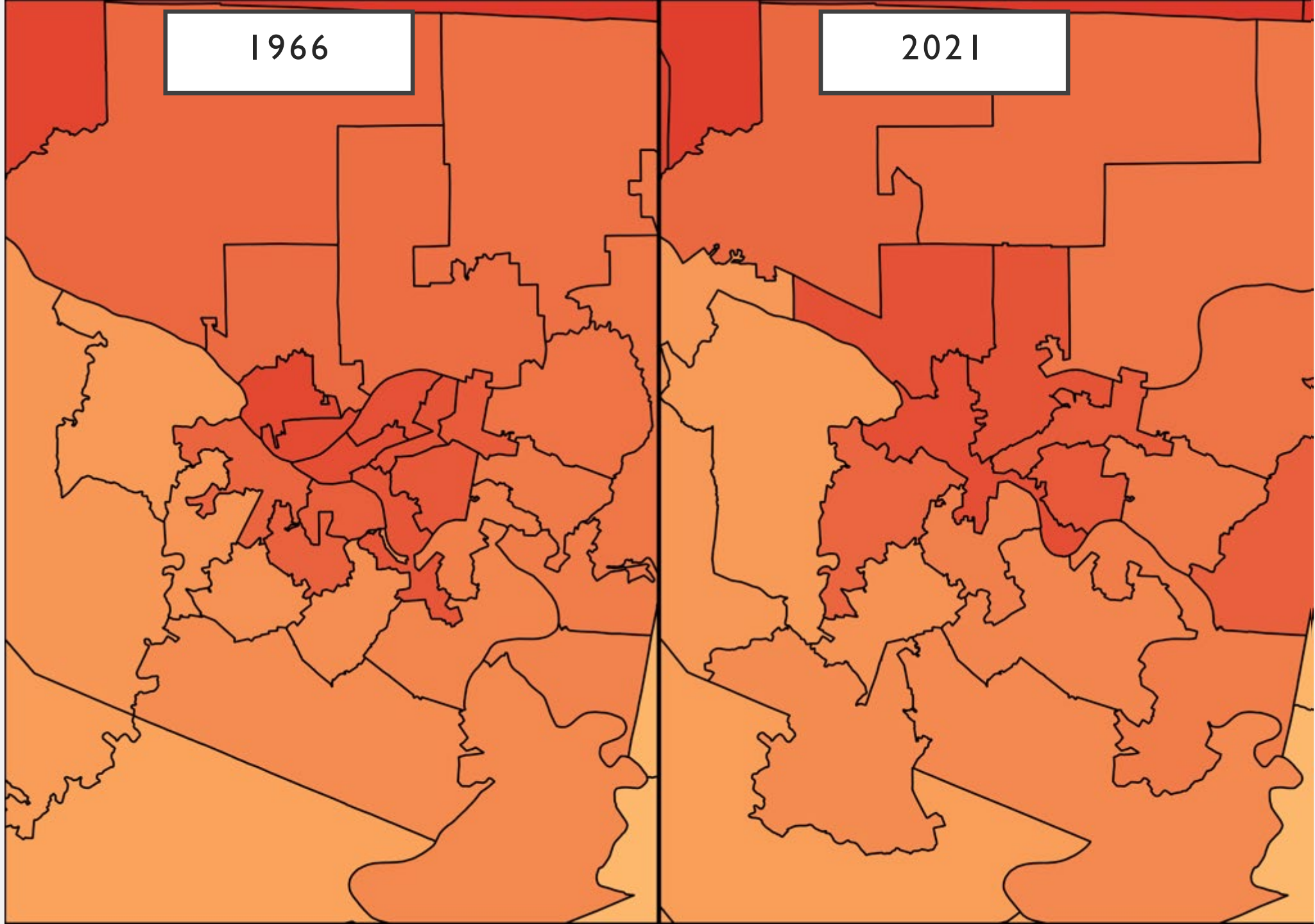


2021

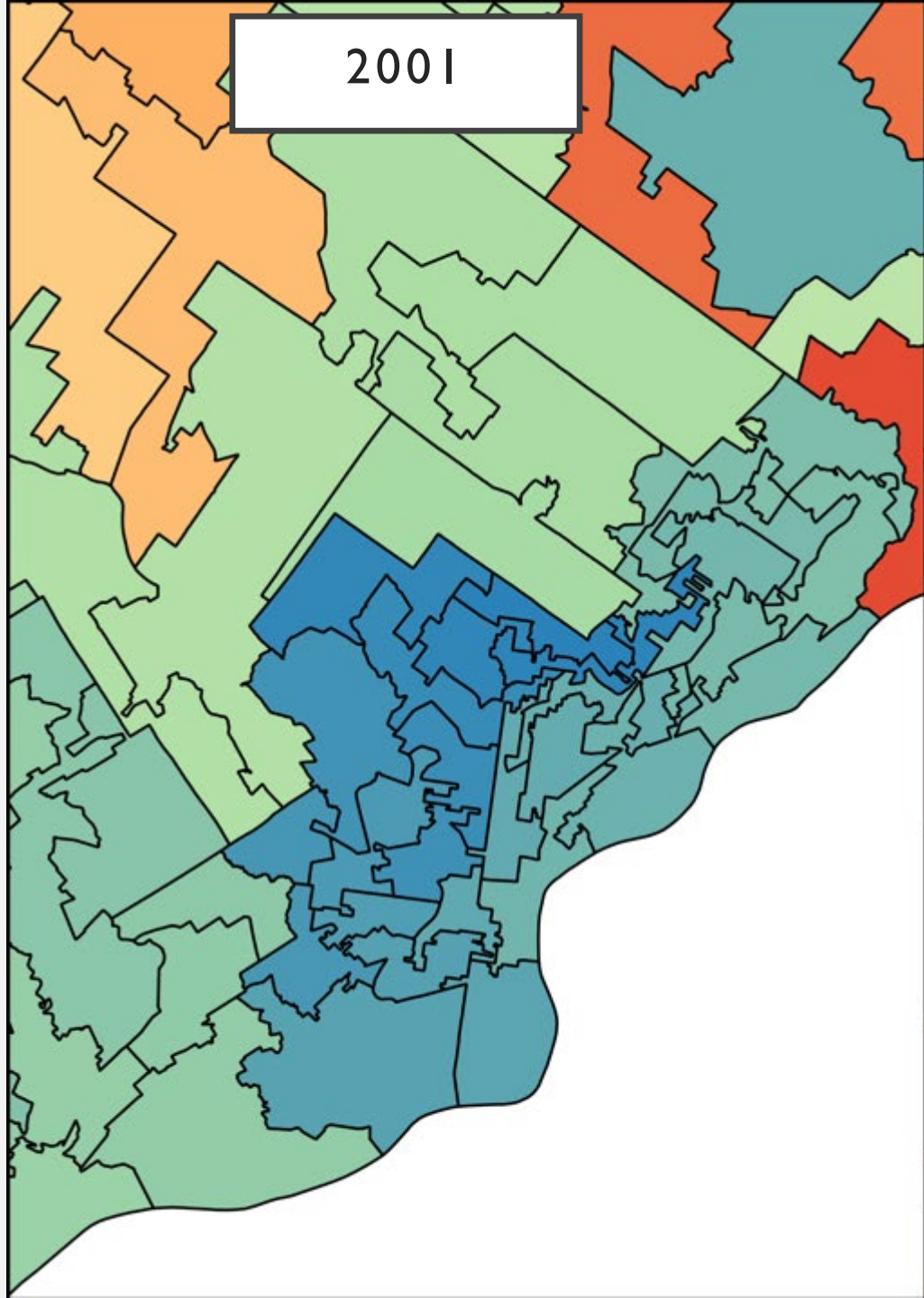


1966

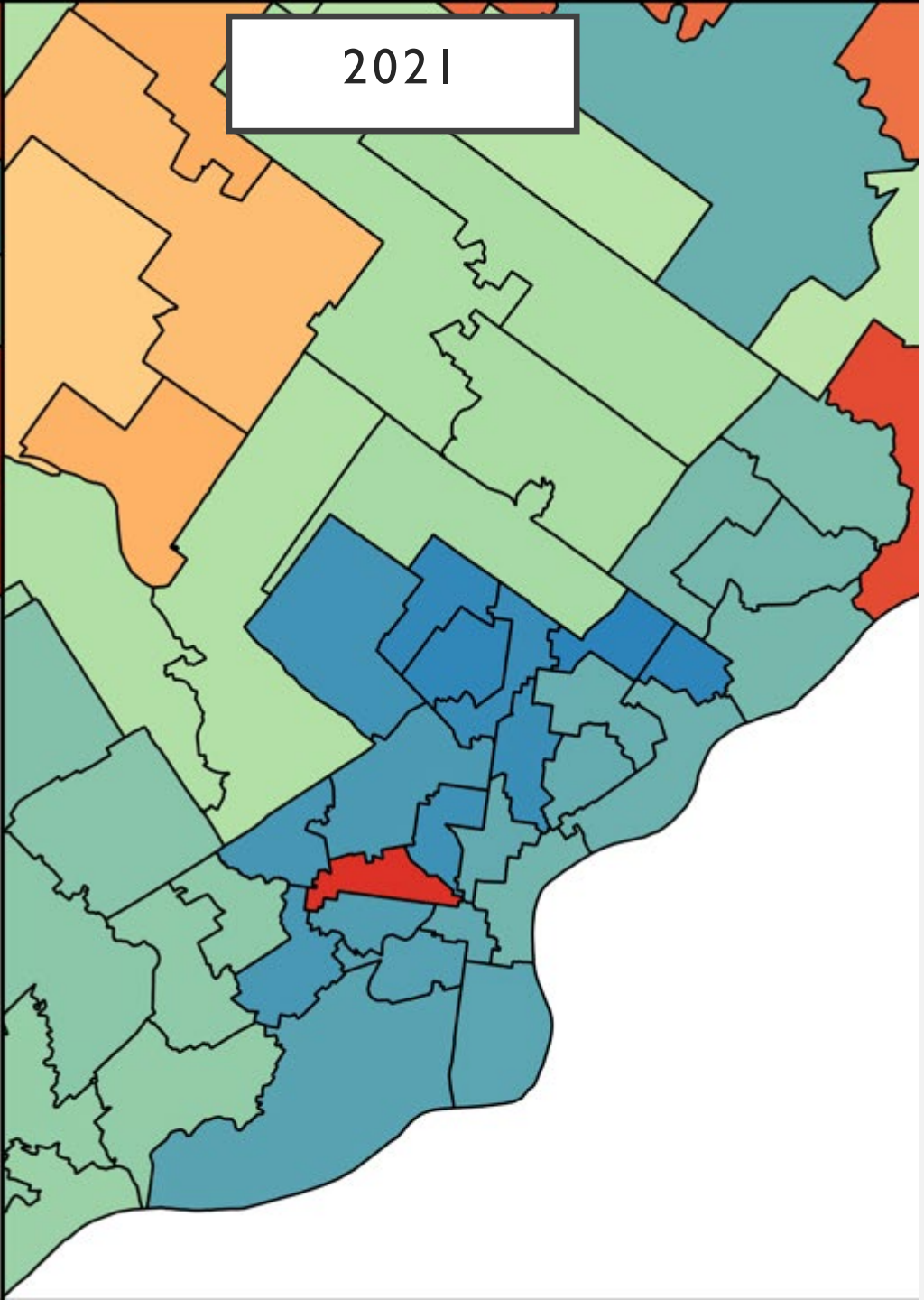
2021



2001

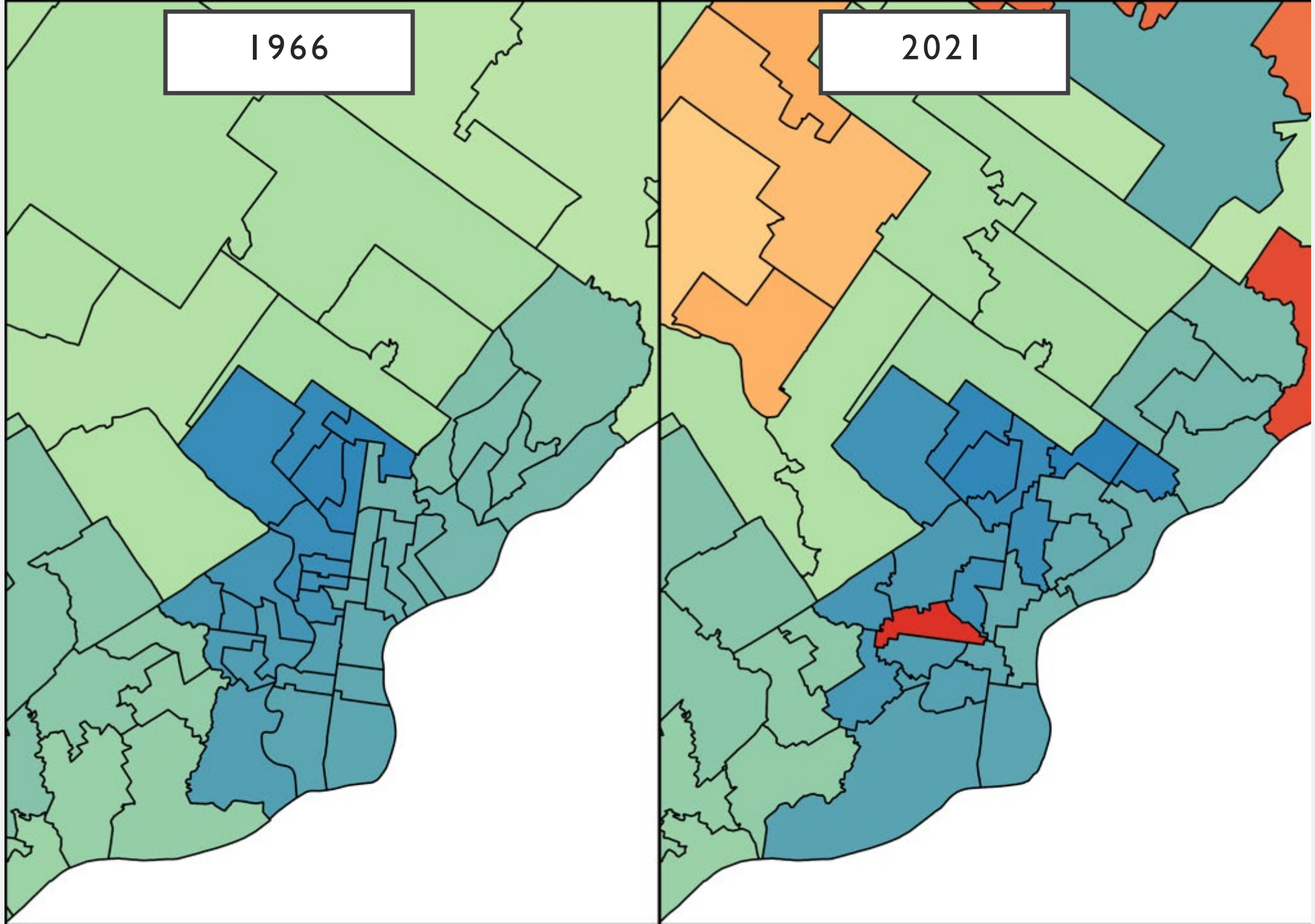


2021



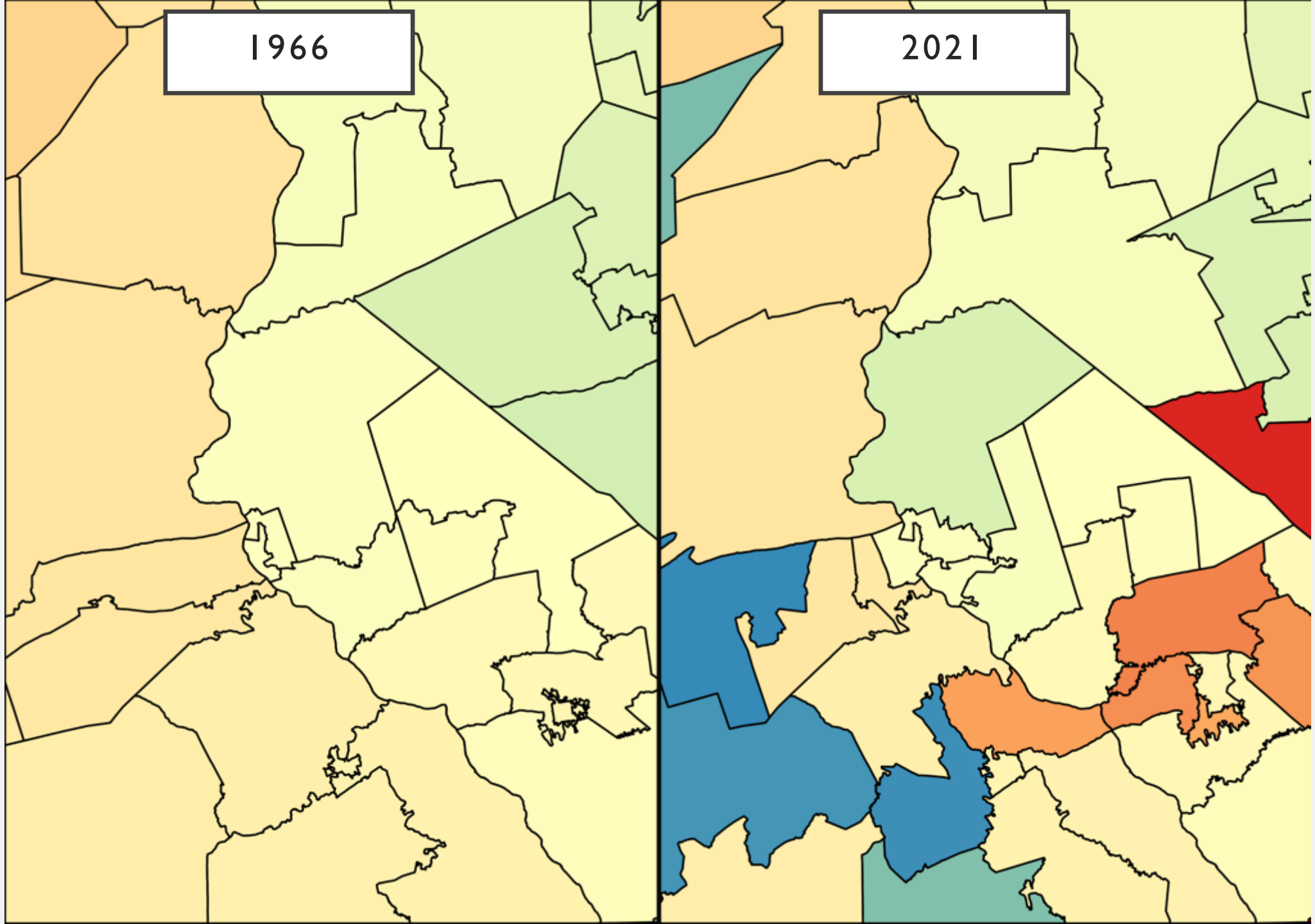
1966

2021

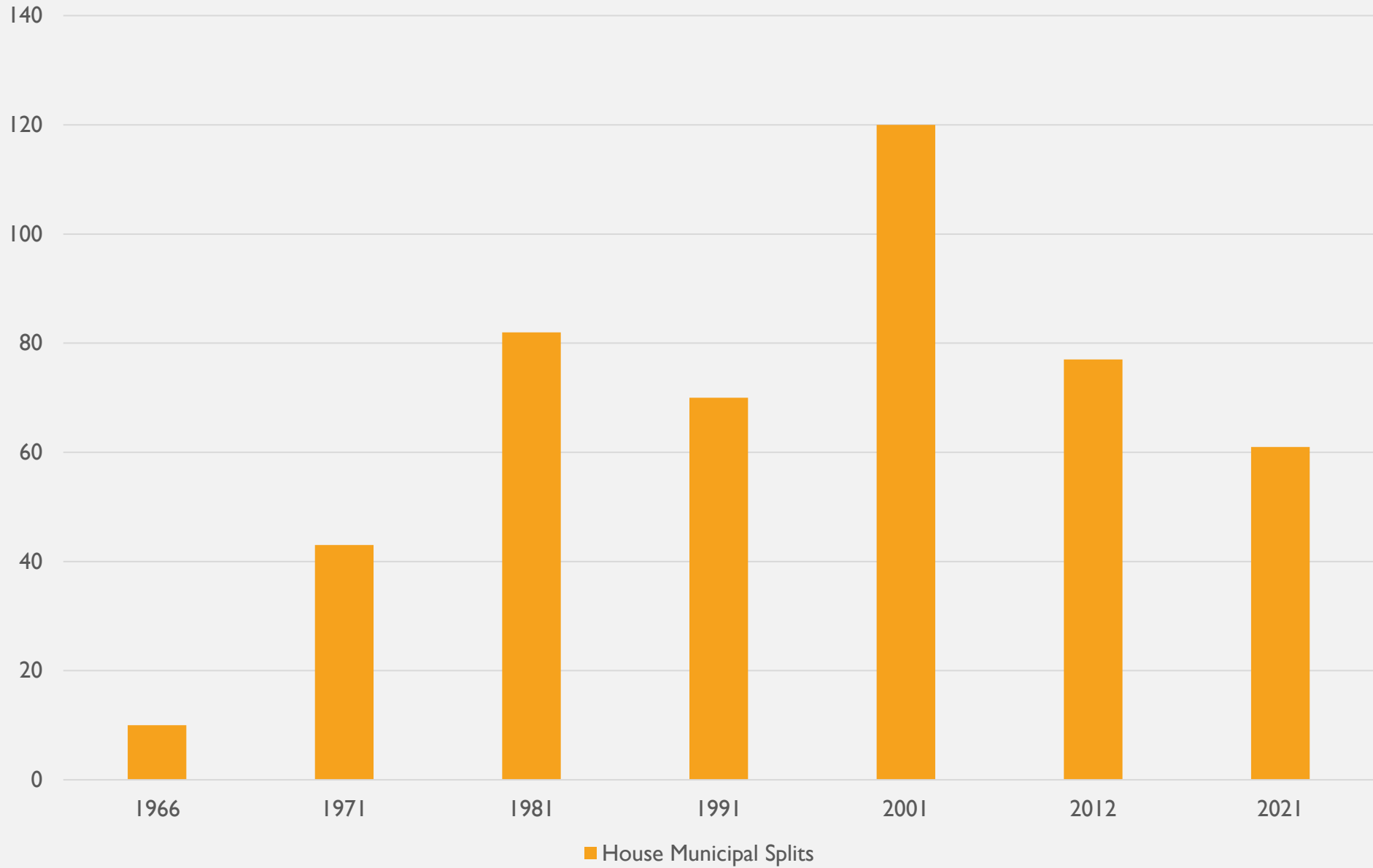


1966

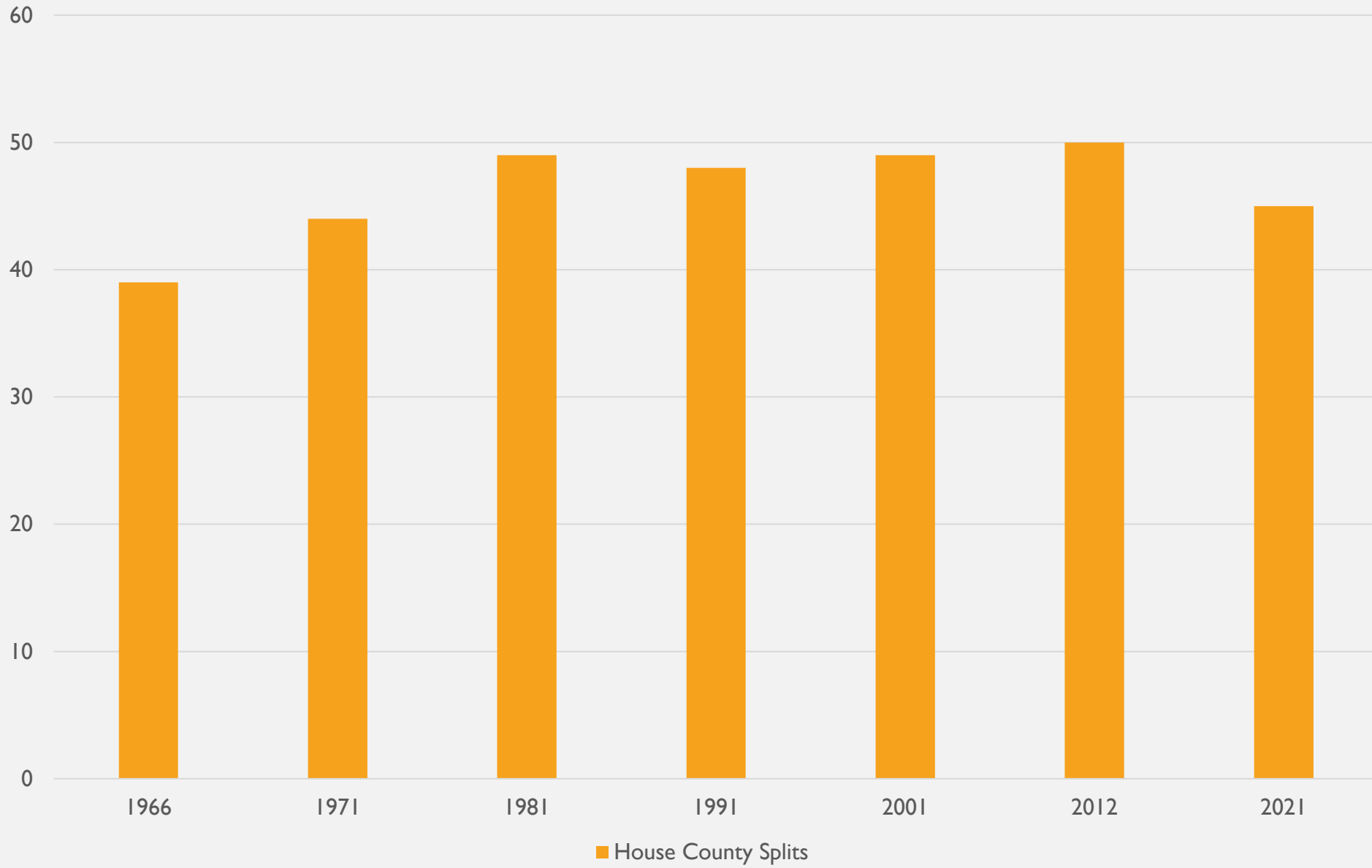
2021



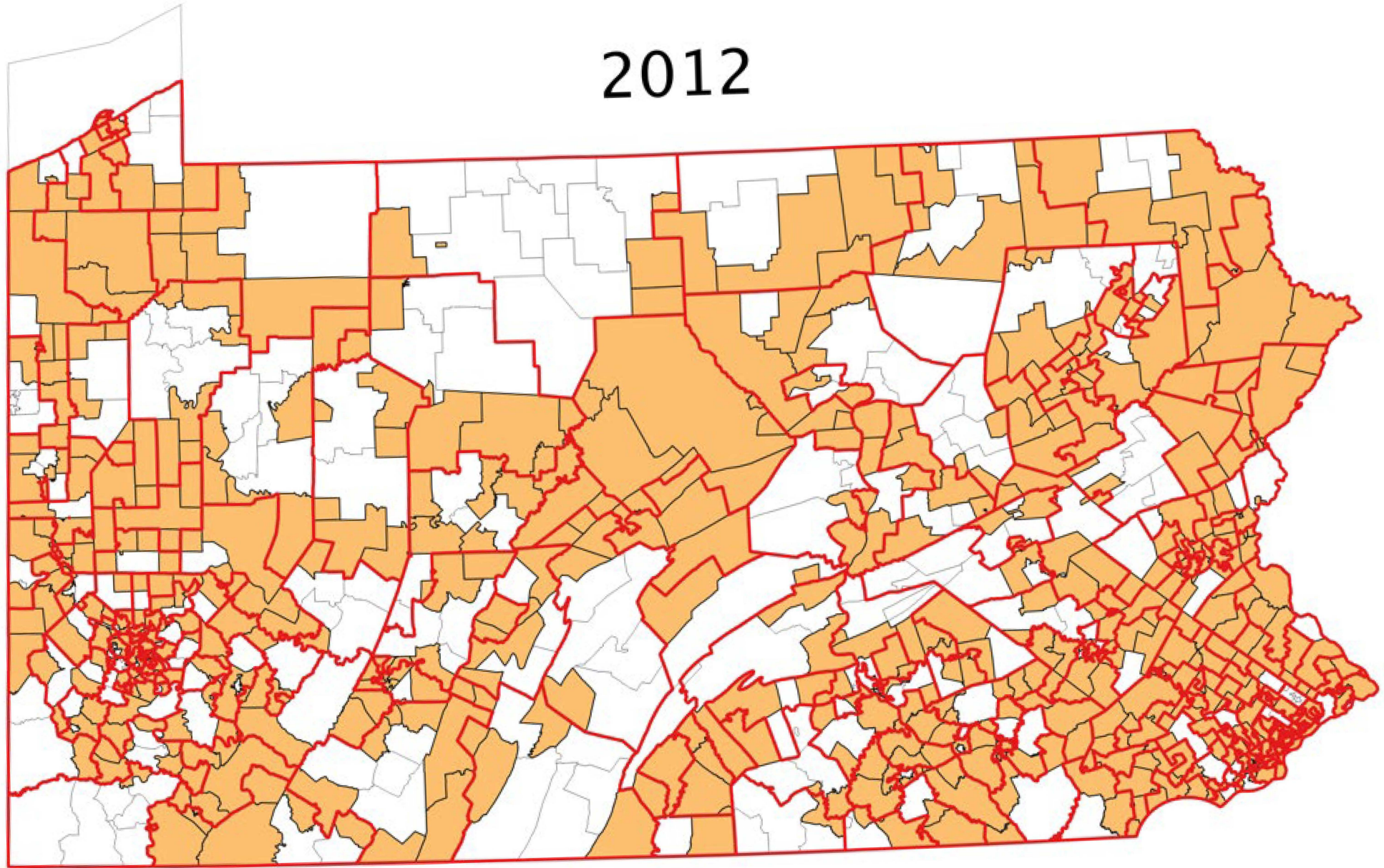
House Municipal Splits



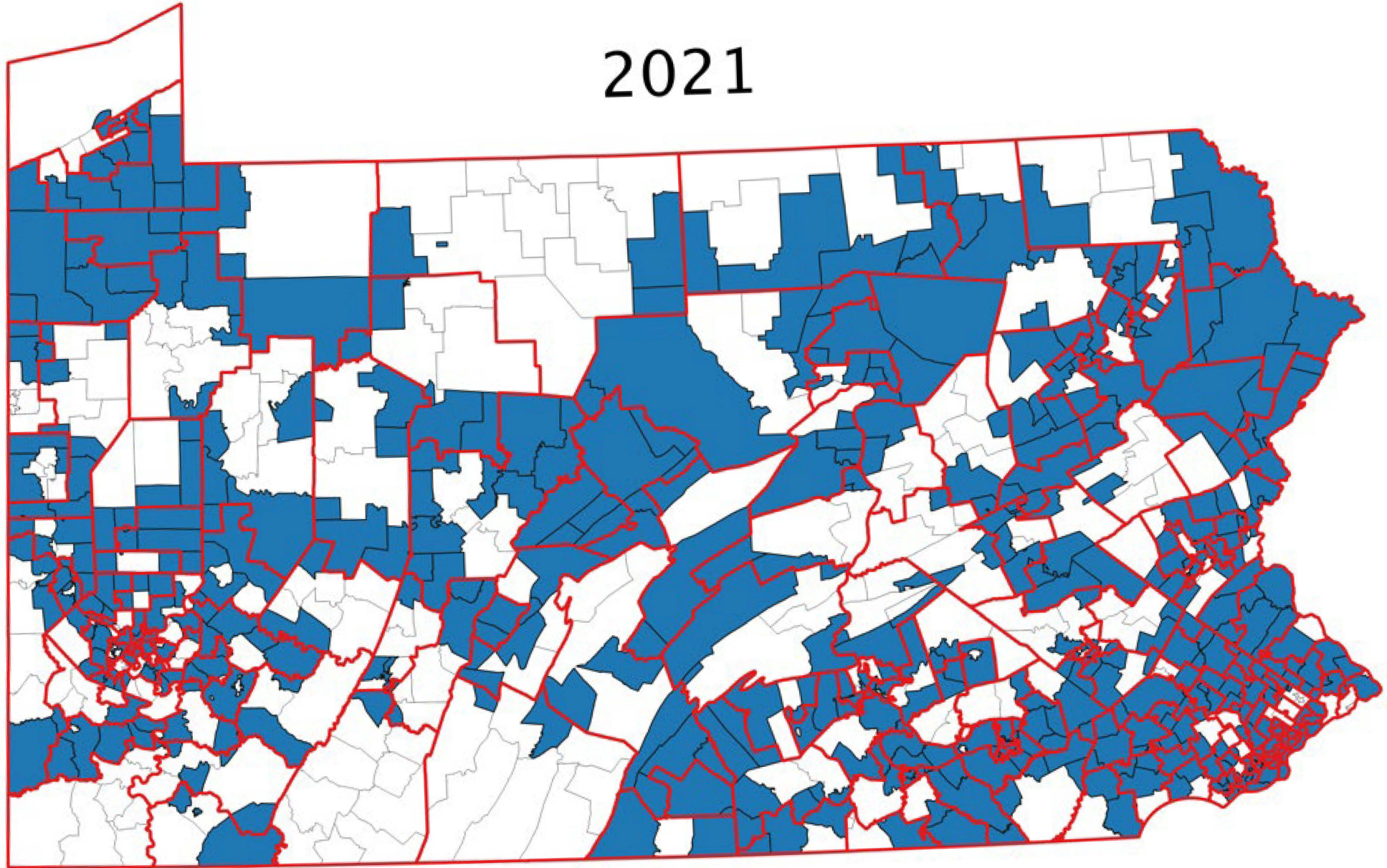
House County Splits



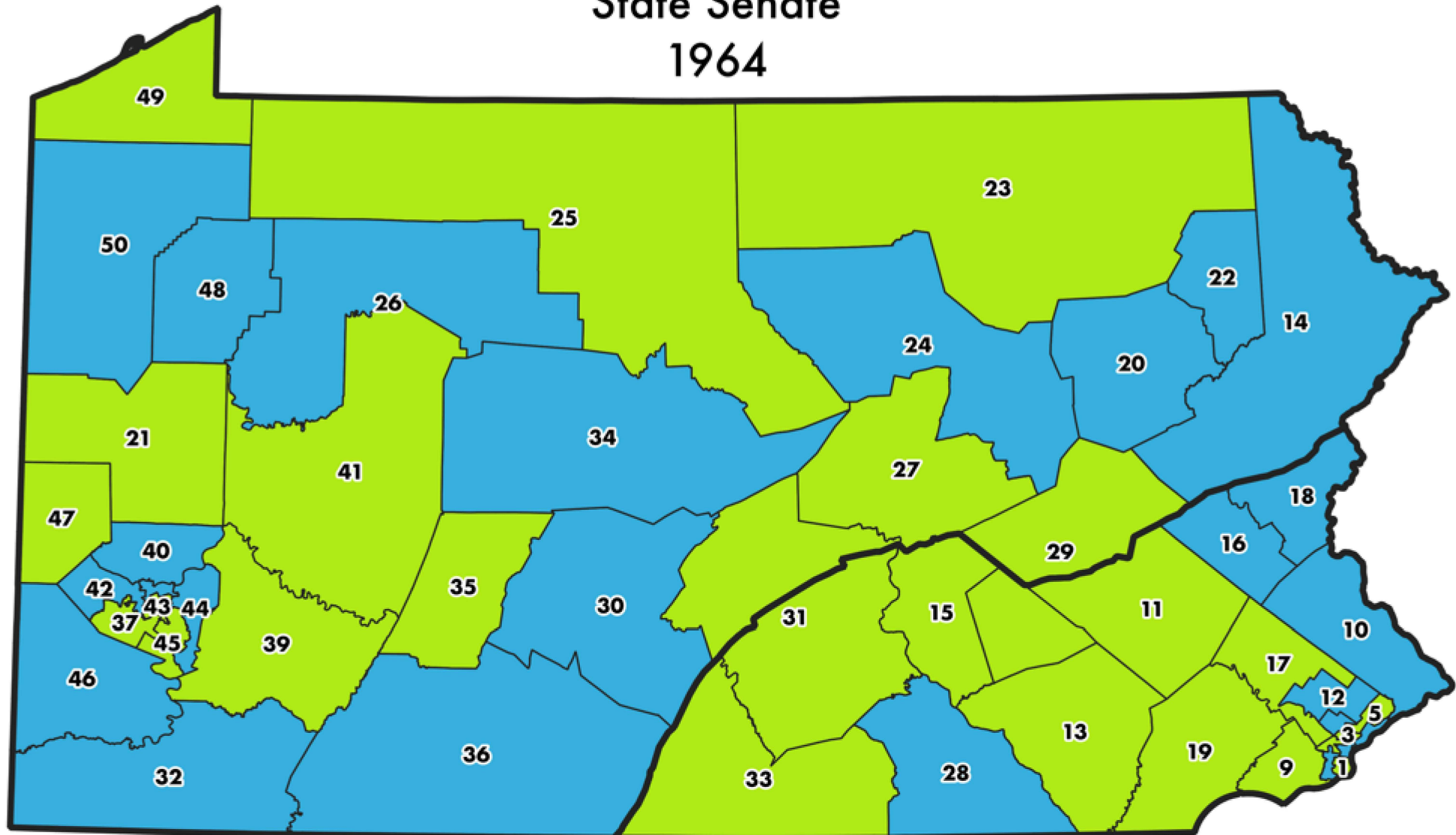
2012



2021

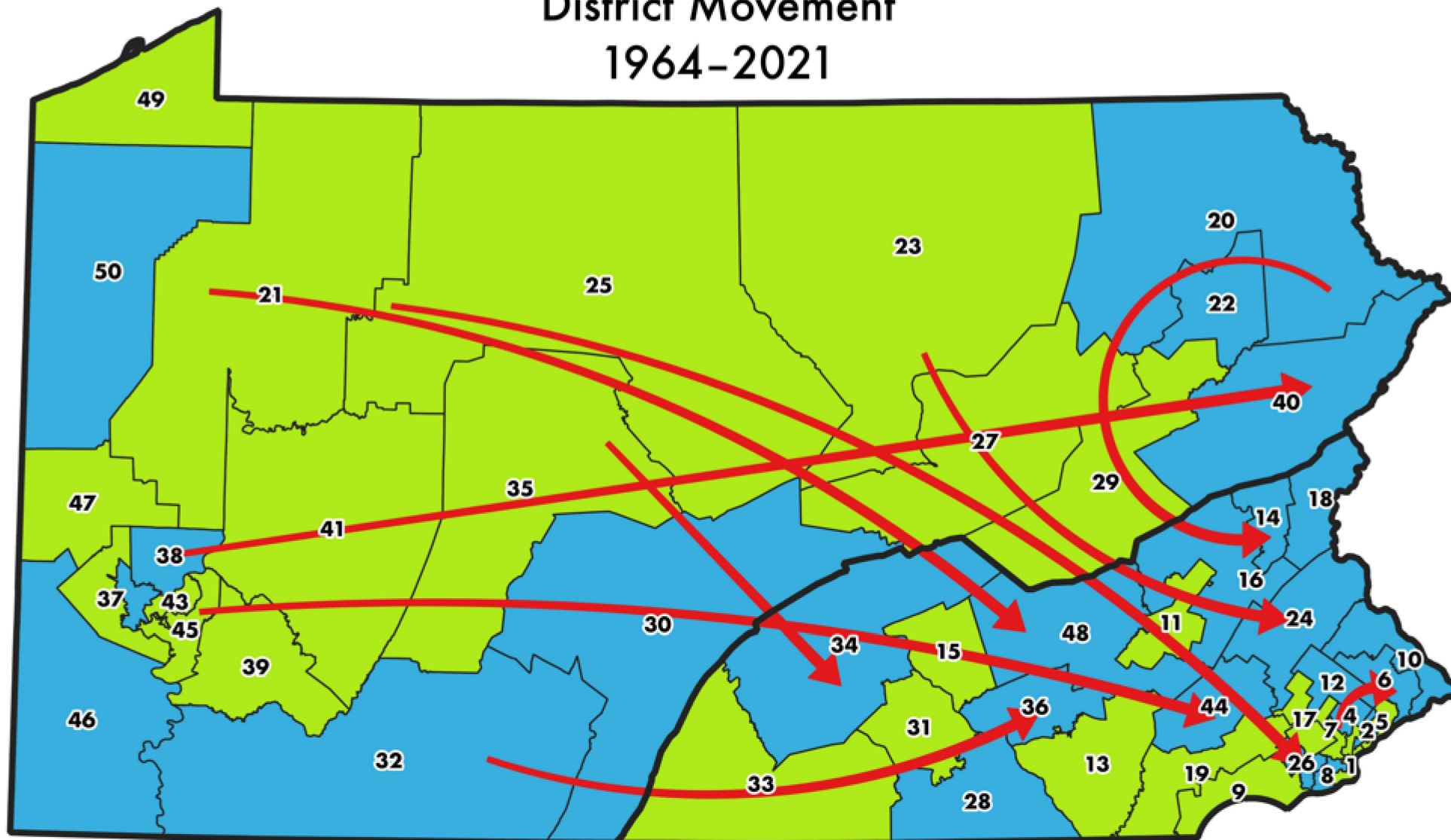


Pennsylvania State Senate 1964



 Odd Numbered Senate Districts  Even Numbered Senate Districts

Pennsylvania State Senate District Movement 1964-2021

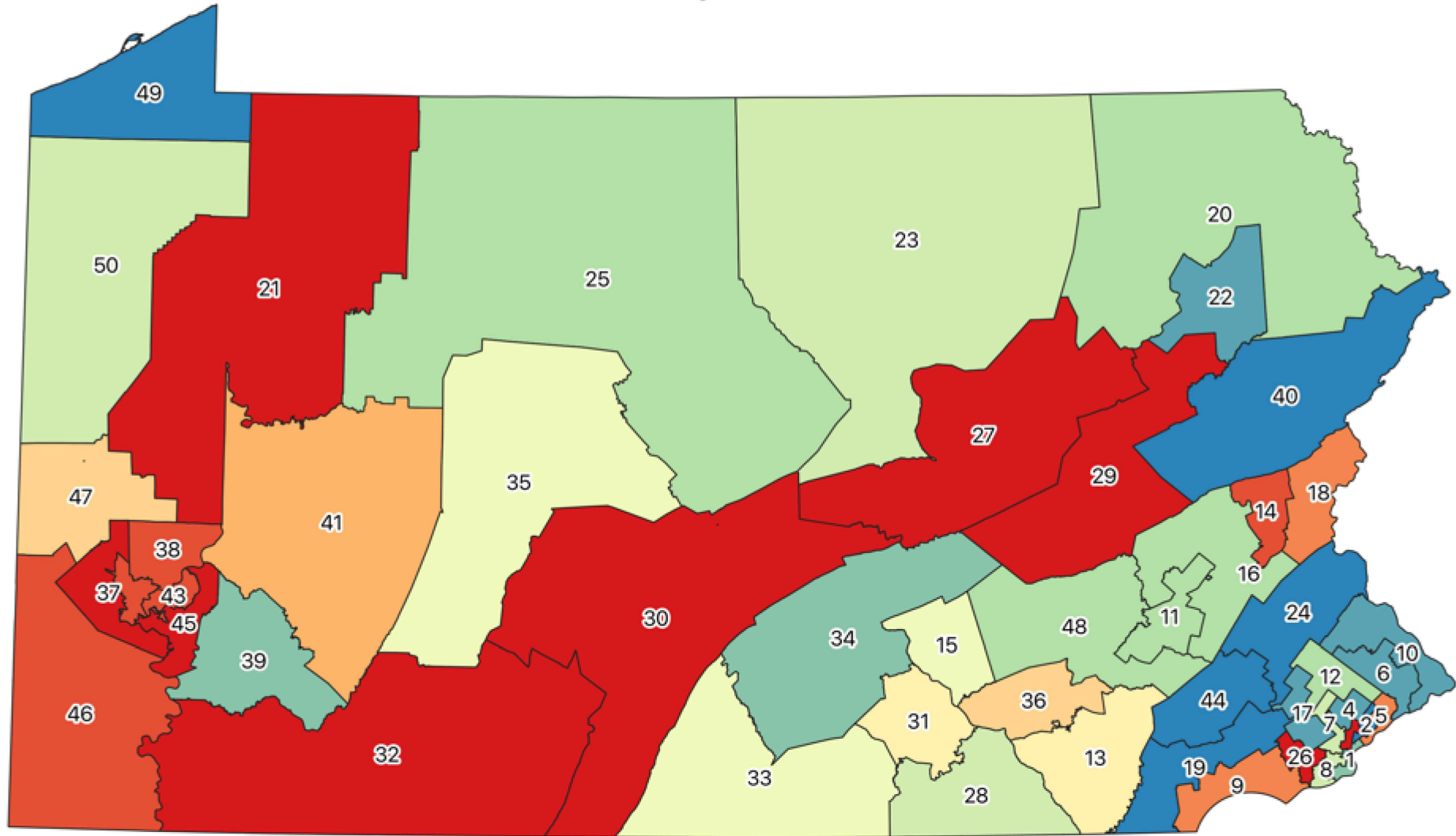


Odd Numbered Senate Districts

Even Numbered Senate Districts

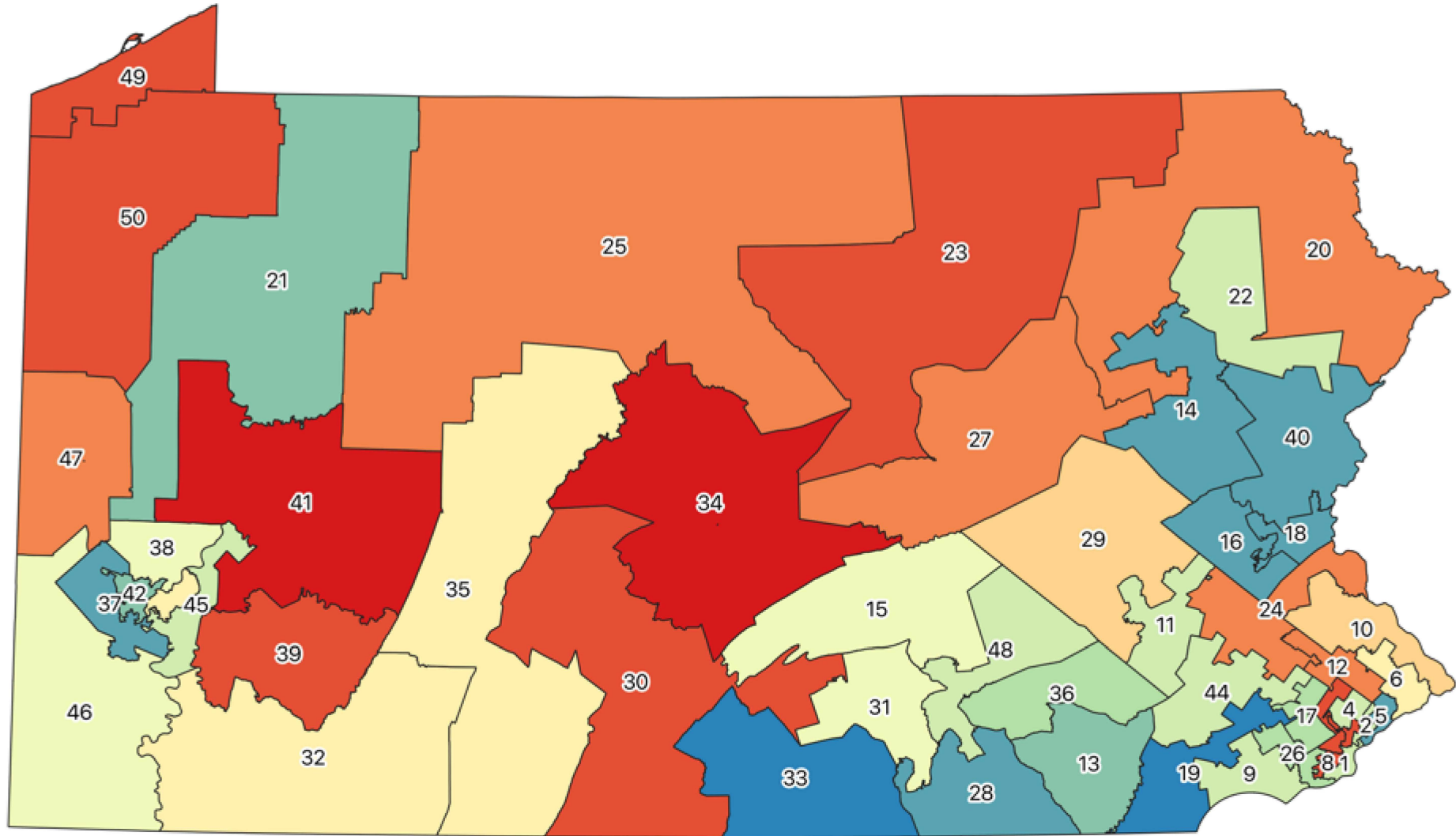
Deviation from Ideal District Population

2021 Preliminary State Sen. Plan

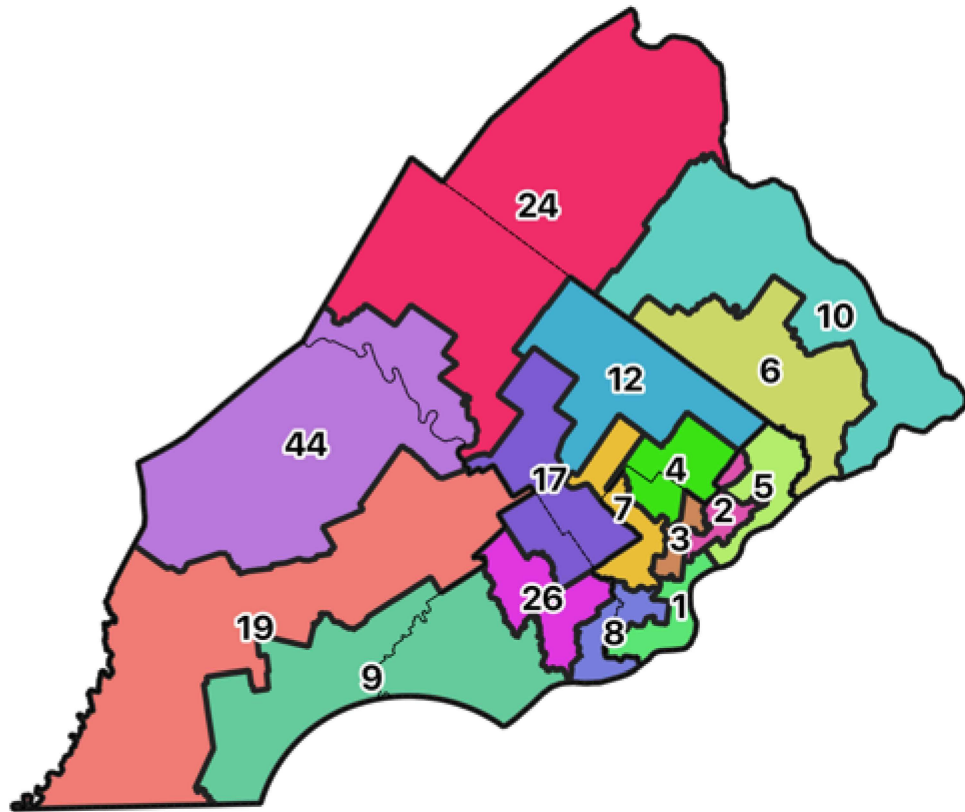


Deviation from Ideal District Population

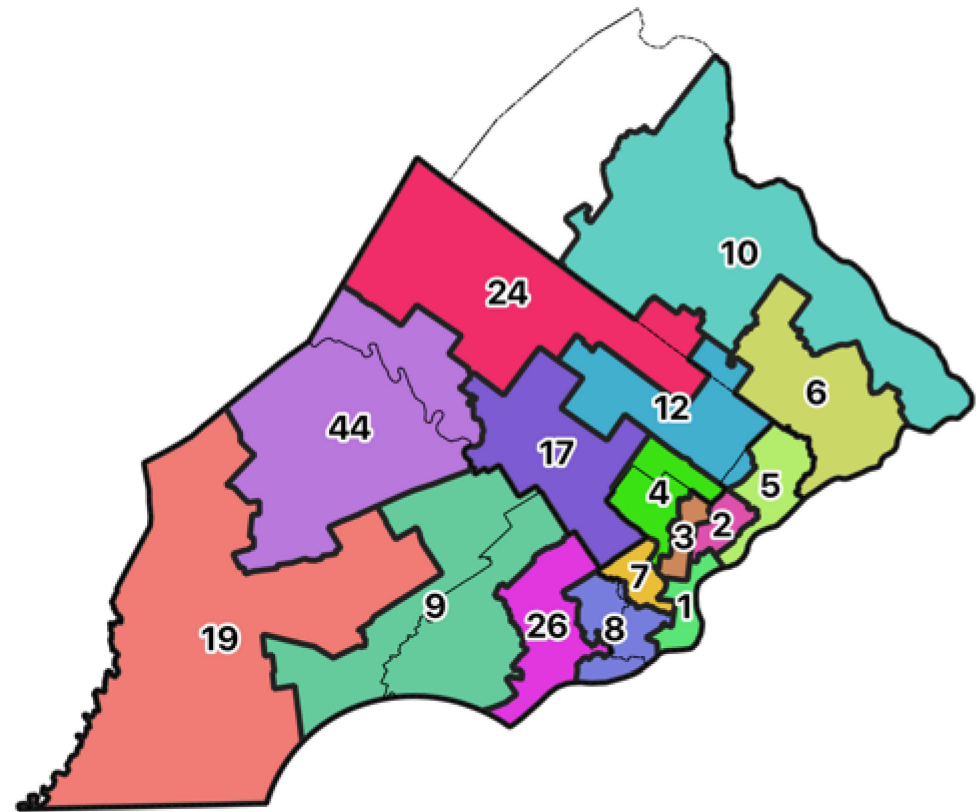
2012 Revised Final State Sen. Plan



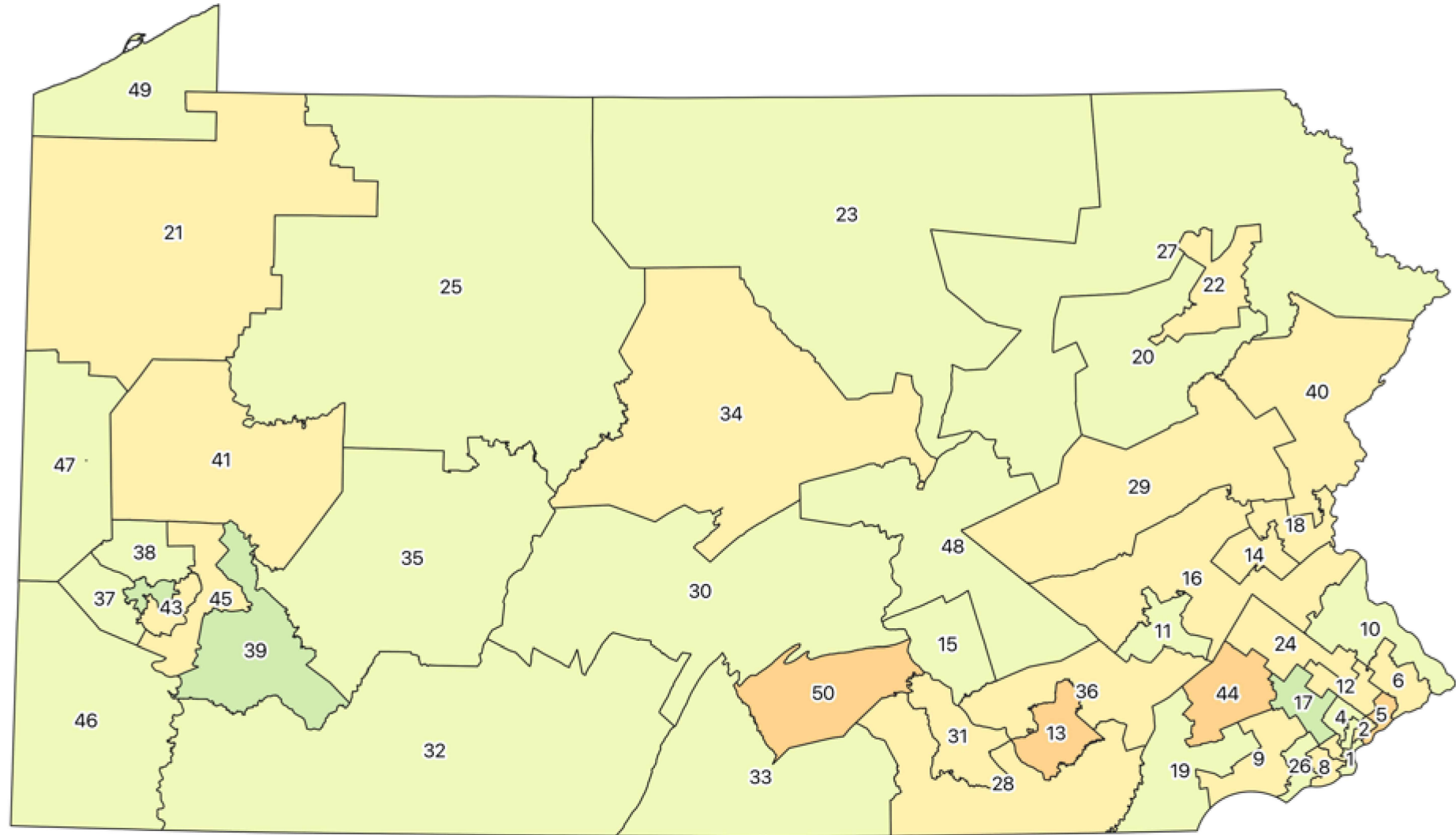
Preliminary Districts



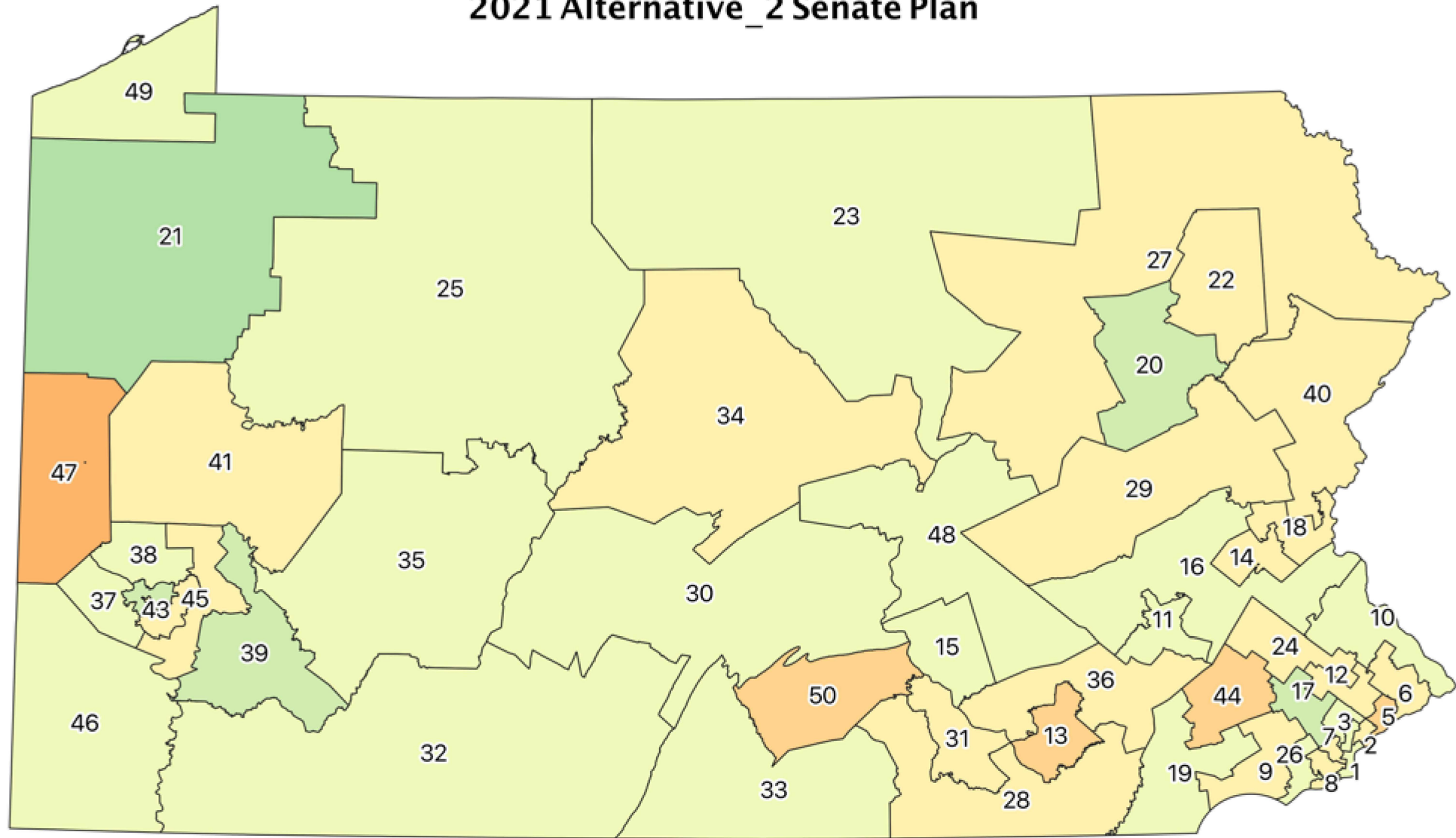
Min. Deviation Districts



Deviation from Ideal District Population 2021 Alternative State Sen. Plan

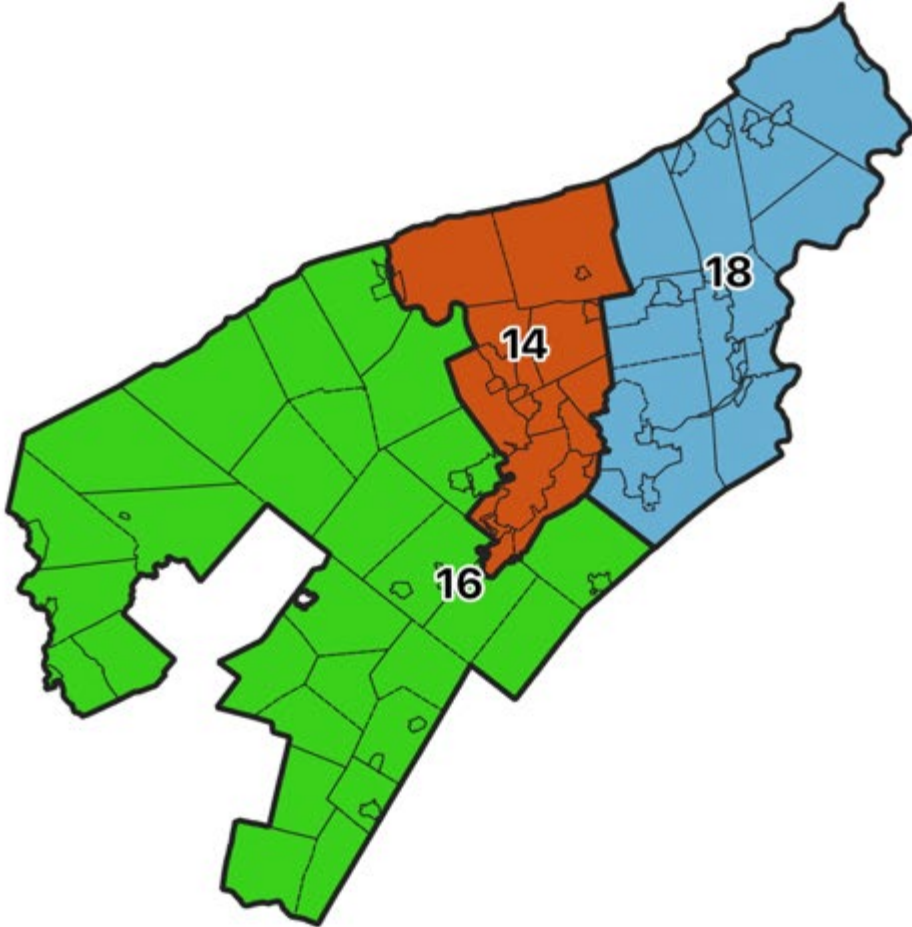


Deviation from District Population 2021 Alternative_2 Senate Plan

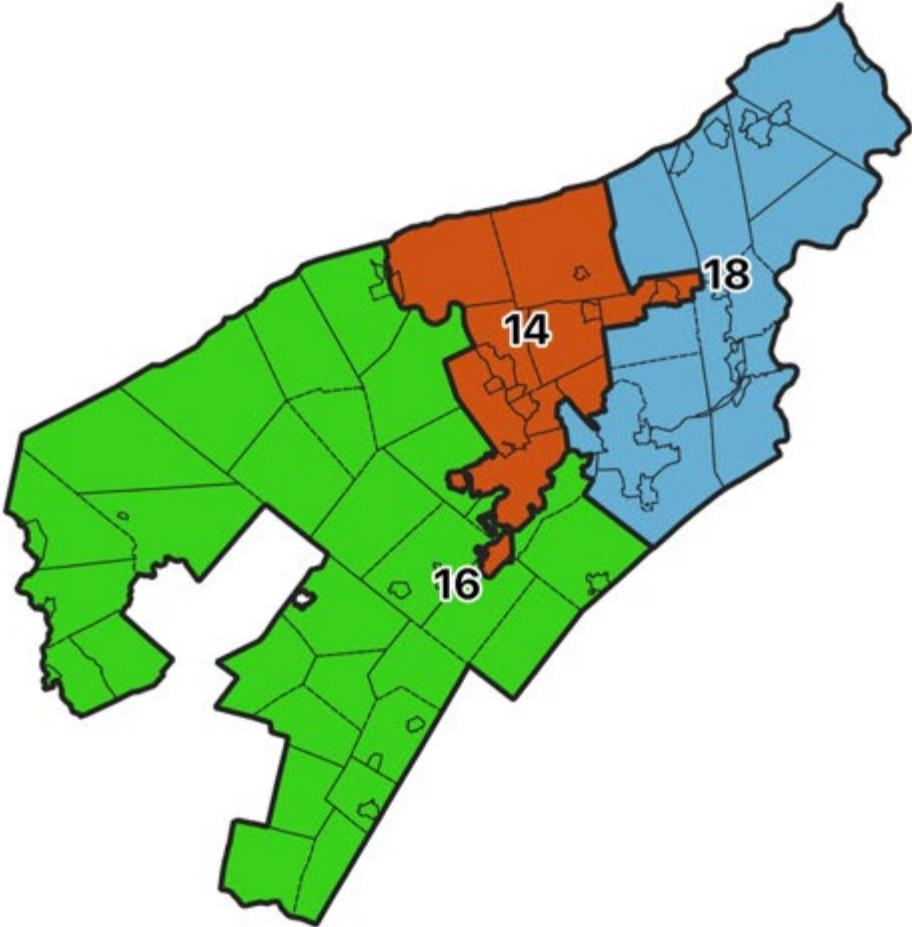


LEHIGH VALLEY – OPTION I

Preliminary Districts

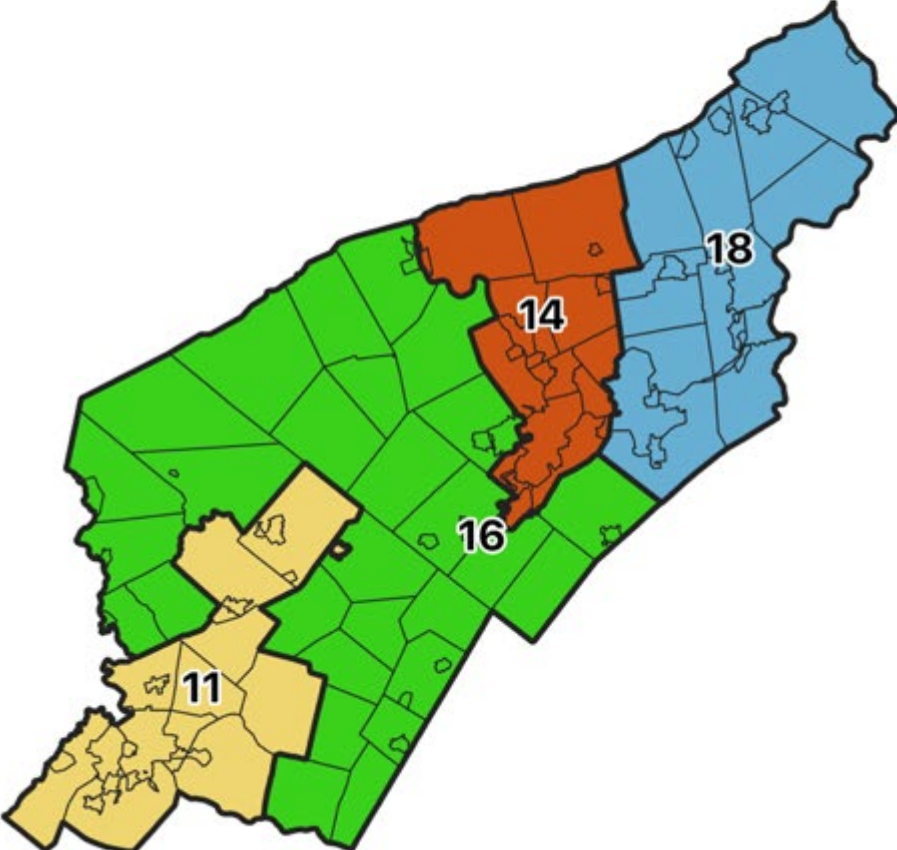


Alternative Districts

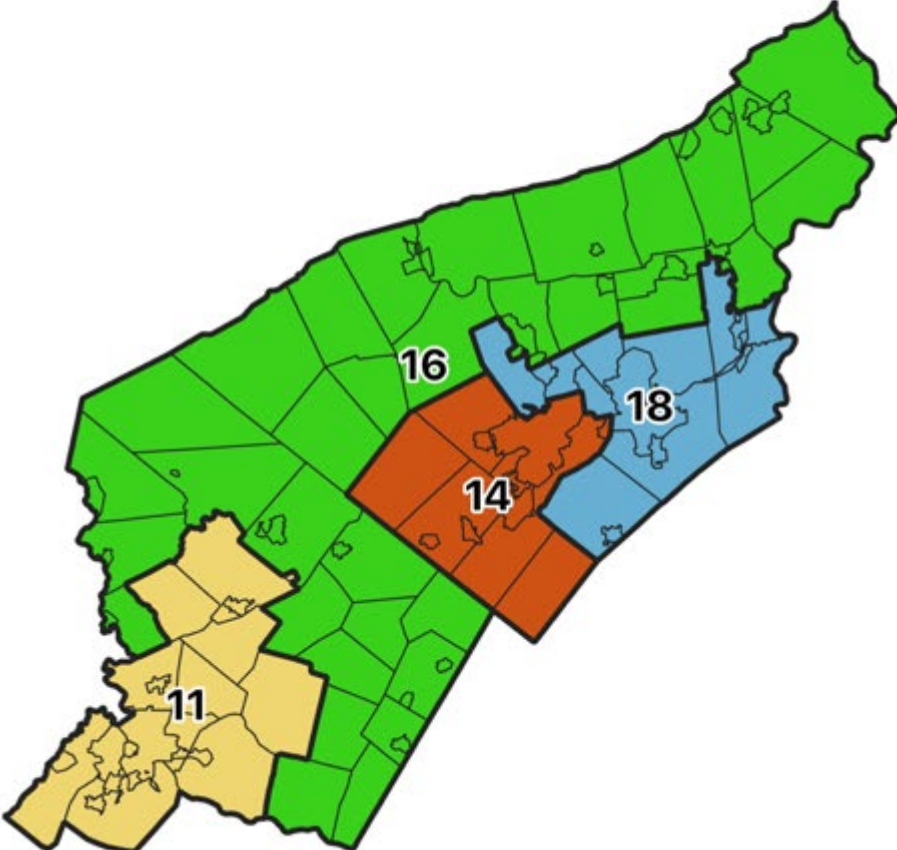


LEHIGH VALLEY – OPTION 2

Preliminary Districts



Alternative Districts



HISPANIC SHARE OF DISTRICTS

TOTAL POPULATION

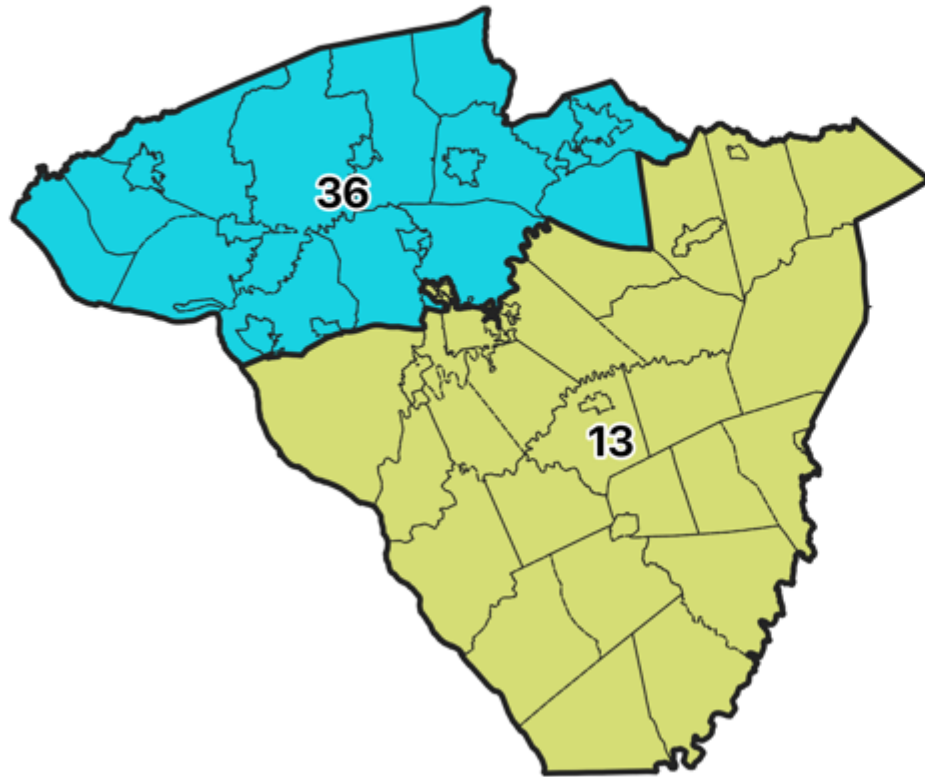
| District | Prelim # | Prelim % | Option 1 # | Option 1 % | Option 2 # | Option 2 % |
|----------|----------|----------|------------|------------|------------|------------|
| SD – 14 | 81,009 | 32.20% | 82,560 | 32.60% | 81,026 | 32.00% |
| SD – 16 | 23,946 | 9.00% | 17,317 | 6.90% | 15,435 | 5.90% |
| SD – 18 | 40,374 | 16.00% | 45,452 | 17.30% | 48,902 | 19.00% |

VOTING AGE POPULATION

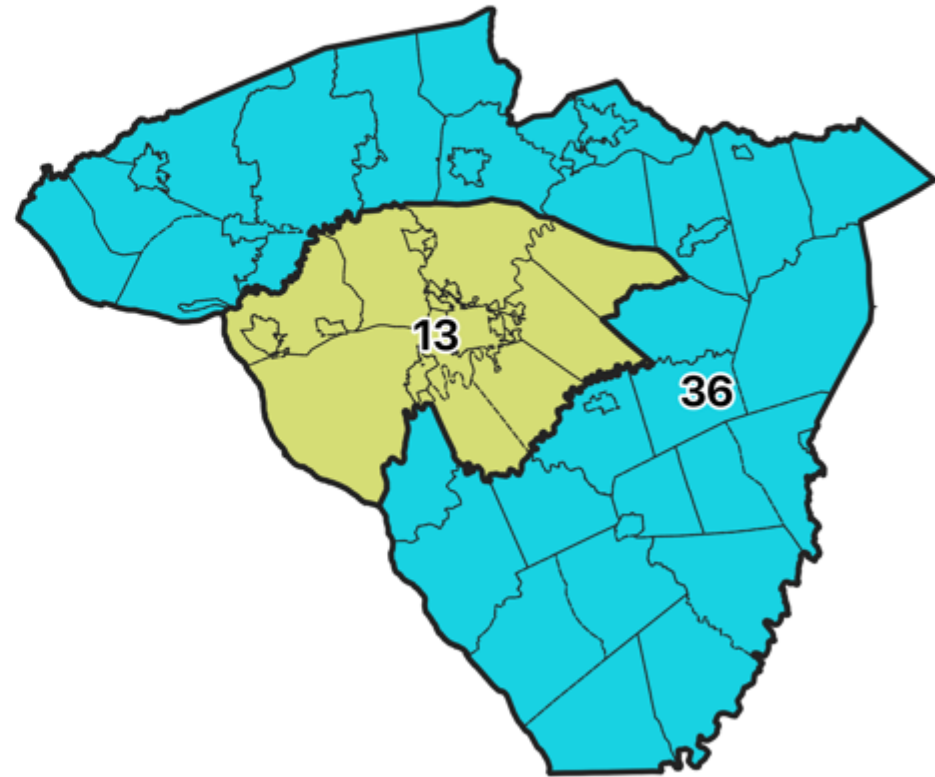
| District | Prelim # | Prelim % | Option 1 # | Option 1 % | Option 2 # | Option 2 % |
|----------|----------|----------|------------|------------|------------|------------|
| SD – 14 | 54,544 | 27.90% | 55,702 | 28.20% | 54,595 | 28.00% |
| SD – 16 | 15,673 | 7.50% | 10,994 | 5.50% | 9,831 | 4.70% |
| SD – 18 | 17,241 | 13.50% | 30,762 | 14.60% | 33,190 | 16.00% |

LANCASTER

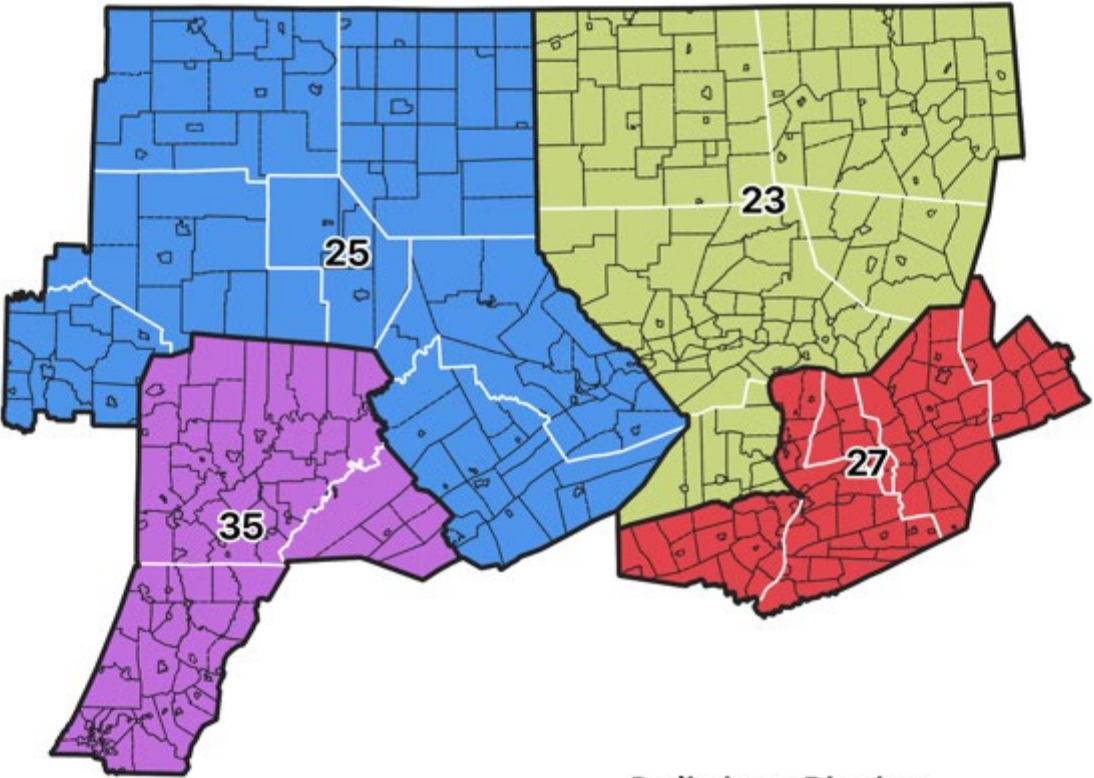
Preliminary Districts



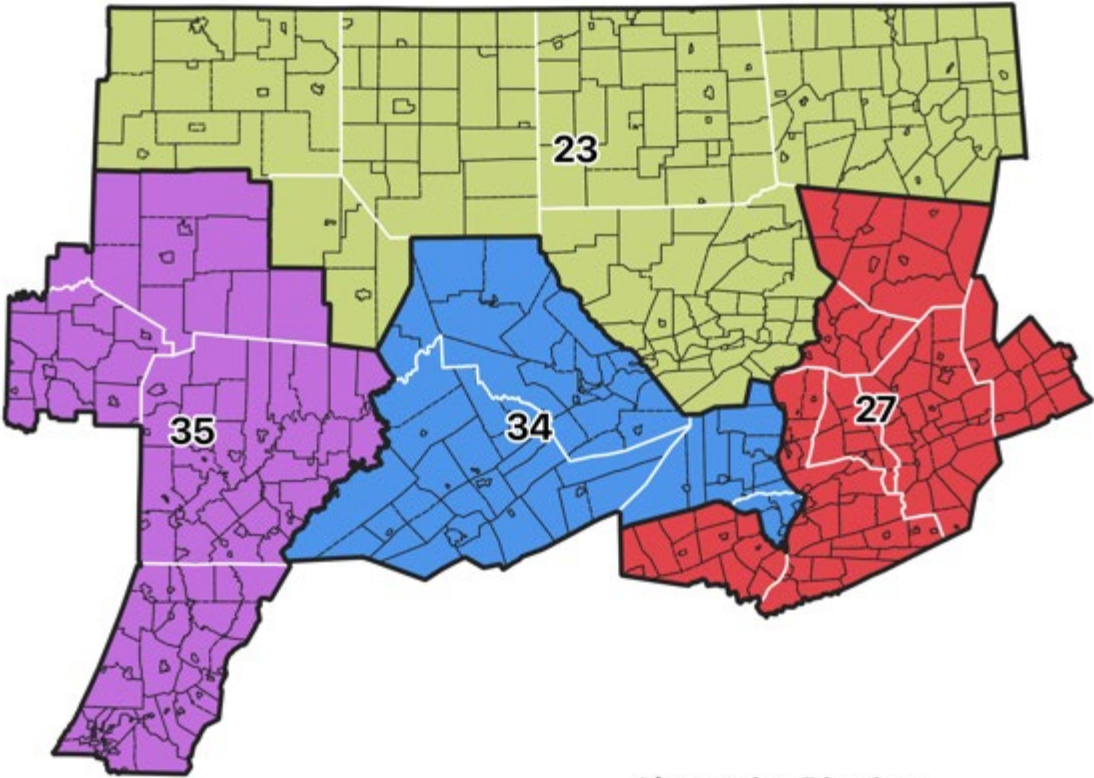
Alternative Districts



NORTH CENTRAL PA



Preliminary Districts



Alternative Districts

My name is Michel Wilcox. I reside at 1172, Old Route 322, Cochran, PA 16314-1718 in Venango County. I am a retired farmer and agri-businessman who farmed in Mercer, Crawford, and Venango Counties. I would like to offer here a few reasons why I think that Venango, Crawford, and Mercer Counties should be in the same PA Senatorial district as recommended by Fair Districts PA in their proposed Peoples Map.

- Their proposed district two is similar in demographics throughout.
 - o Few minorities in all of Northwest or North Central PA are available for inclusion.
 - o Large rural populations with mostly small businesses comprise most of the proposed district with a few manufacturing, tool & die, technology, farming, and trucking/transportation companies. P
 - o Three counties are entirely included with no splitting or gerrymandering. The adjacent small area of Erie County included has similar demographics.
- Crawford Area Transit Authority provides transportation services throughout Crawford and Venango Counties.
- Meadville Medical Center, located in Meadville and Titusville has provided Venango County residents with services for many years. When Covid-19 vaccinations were yet unavailable in Venango County, my wife and I were vaccinated at MMC in Meadville.
- Titusville School District in Crawford County is part of Venango County in statistics and funding, such as student assistance. Students from Titusville attend Venango Technology Center. Manufacturing industries such as Franklin Industries, work with Pitt campus at Titusville for machinist training.
- The Northwest Behavioral Partnership includes Crawford, Mercer, and Venango Counties and provides managed mental health and substance abuse services for Medicaid funded services.
- The Child Development Center now provides the larger part of child care services to Venango, Crawford, and Erie counties as a regional provider.
- Community Services of Venango County is the provider of early childhood services to Venango and Crawford Counties as their main resource.
- Venango, Crawford, and Mercer Counties are included in the Regional Emergency Management Co-op for Emergency Services.
- The Oil Region Alliance provides heritage, recreational, tourist and economic services to both Crawford and Venango Counties.

- The population statistics for Northwest PA of the Peoples Map recommended by Fair Districts range from 254 thousand to 259 thousand. The proposed district 2 comprising Mercer, Crawford, Venango, and the small portion of Erie comes in at 257 thousand.

- The LRC map proposal for the same general counties would range from 249 thousand to over 270 thousand. Finally, in the redistricting of US Congressional districts, most proposals shift Venango County into the district with Crawford, Mercer, Erie, Lawrence and portions of Butler Counties.

Thanks for giving me the opportunity to present my view. I'll register to speak Friday or Saturday if possible.

I grew up, and live in, Lower Merion Township. I am the President of the League of Women Voters of Lower Merion and Narberth, a PA redistricting reform advocate having created and run the resolutions process for Fair Districts PA which now cover over 70% of Pennsylvania, former LWVPA Vice President of Government and Social Policy, and an election and voter rights attorney that has run statewide election protection programs.

Our League has composed the following talking points regarding the proposed House map:

- The proposed House map unnecessarily **divides Lower Merion School District**, the fastest-growing school district in PA, that will only continue to grow through the next decade.
- The proposed House map **is not “compact” under PA law** because it unfairly breaks Lower Merion and Narberth into two uneven districts and combines them with other communities in Montgomery County.
- The proposed House map unfairly **divides Lower Merion and Narberth again**. We are currently divided into four districts from the last redistricting.
- Even with the best-intentioned and hard-working representatives, the proposed House map unnecessarily **puts together different communities with different needs**.
- The proposed House map **impedes our elected officials’ ability to advocate effectively** and leads to confusion in the community as to who their legislator is.
- By keeping HD 148 and 149 similar to the current map in cracking Lower Merion and Narberth, the proposed House map **does not consider the population growth** over the last decade. (HD148 and 149 are in the top five largest population growth districts in fast growing SEPA.)
- At the expense of truly fair representation for our community, the proposed House map appears to **favor incumbents** by maintaining the shape of the current districts.
- The proposed House map **ignores historical districts and communities**, like Villanova and Bryn Mawr, which are more likely to warrant a necessary split in municipalities due to population, but would still allow for most of Lower Merion and Narberth to be together in one compact district.
- The proposed House map **dilutes our voices and representational power in Harrisburg** despite being the largest township in Montgomery County, and with Narberth Borough, larger than most PA cities at 68,125 people.

Thank you for your time and consideration,



Jamie Mogil

President, LWV of Lower Merion & Narberth

Bibiana Boerio

TESTIMONY BEFORE PA LEGISLATIVE REAPPORTIONMENT COMMISSION

Saturday, January 15, 2022 As Delivered with Amendment
2022 01 15 LRC Testimony b2 - 1 - 17-Jan-22

Thank you, Mr. Chairman, Leaders Ward, Costa, Benninghoff and McClinton for this opportunity to offer testimony today. I wanted to speak for three reasons.

First, I want to publicly thank Chairman Nordenberg for stepping up to serve. Last May, when I saw the announcement that the PA Supreme Court had appointed Chancellor Emeritus Nordenberg to serve as Chair of the LRC, I had three distinct reactions.

- First, what a great choice!
- Second, why in the world would he ever agree to do this?
- Third, I knew he would do it because he is a man whose career has demonstrated the value he places on public service and his courage in taking on tough challenges.

So why do I think he is a great choice? My credentials are modest in comparison with the academic standards of yesterday's expert witnesses. I have an MBA from the University of Pittsburgh Graduate School of Business. I completed a 32-year career with Ford Motor Company retiring as the Managing Director of Jaguar Cars, Ltd in Britain. Like Rep. Jones, I have many years of experience in the corporate world, needing to solve complex problems with practical solutions and imperfect information.

Along the way, I was asked to serve on the Pitt Main Board of Trustees. In that capacity, I came to know Chancellor Nordenberg as a man of integrity, a true professional, deliberate and thoughtful in his actions and his deeds. I saw the respect with which he treated faculty, staff, and most importantly, the students and their parents. And that includes two of my nieces – both of whom he knew by name when he would see them on the Oakland Campus. And both of whom send their regards. [I will note that I have not seen Chancellor Nordenberg since the 2017 launch of the Pitt Cyber Center in Oakland and a subsequent Pitt Cyber Center event in 2018.]

So why did I question that he should take on this role? Following my retirement from Ford, I worked on Capitol Hill as Chief of Staff for a Member of Congress. I came back to Latrobe to care for my mother. I ran for Congress in 2018 (and lost) in Pennsylvania's 14th Congressional District. I have watched the country and the commonwealth lose the sense of "working together for the common good." I feared that whatever the Chairman did to be fair and equitable would be turned against him. I suspected that he would be personally attacked by those who aren't interested in fairness and equity.

But I think it's important that those attacks do not go unanswered.

And that's the second reason I wished to speak. As I learned from studying the testimony from previous hearings, the preliminary maps are a major improvement from the present boundaries for our state legislature.

As we heard yesterday, the Pennsylvania Constitution provides criteria for determining boundaries and the Federal Voting Rights Act requires equal opportunity for participation within those boundaries. The latest Census identified two clear trends:

- a shift in population from rural areas to suburban and urban areas and

- an increased percentage of non-white residents.

We heard at length about those demographic changes across our commonwealth as well as specifics by county and municipality. I don't need to revisit those details.

I just want to emphasize that to follow the PA Constitution, the Voting Rights Act, and the underlying American principle of "one person, one vote", the math determines that representation must shift from the SW to the SE, from rural areas and must appropriately reflect the growth in our non-white population.

Simply put, the preliminary maps do just that. They reflect the results of the Census and the law. Further, the Commission's openness to the testimony during the public hearings gives comfort that you are open to making further improvements in the final maps.

My third reason for wishing to speak is to offer a request. This decennial redistricting effort has been marked by a vast improvement in transparency and in the use of sophisticated tools employed by professionals to help shape the legislative boundaries.

Leader Benninghoff, yesterday, you commented to Professor Baretto that you couldn't imagine what it was like to do this work 30 years ago.

I can tell you. 46 years ago, on the 16th floor of Pitt's Cathedral of Learning, I was taught to develop Monte Carlo simulations using IBM punch cards to run on IBM mainframe computers. We certainly don't want to go back to punch cards and mainframes. And the people of the commonwealth of PA don't want to lose the professionalism, transparency and fairness brought to this process by Chairman Nordenberg and the Members of this Commission.

Thank you for this opportunity. Thank you all for your service to our commonwealth. And Leader Benninghoff, a belated Happy Birthday.

Addendum: Followup to question to me raised by Leader Benninghoff about further areas for improvement and his closing remarks.

- 1) I appreciate his closing remarks indicating that his questions were indicative of his engagement and his willingness to learn from each other. Throughout my career, I have always believed that strength comes from testing assumptions to reach a better solution.
- 2) It is with this view, that I suggest to Leader Benninghof, that the present PA HB 2207 as passed out of Committee and under consideration, is in effect, going back. It may not go the whole way back to the age of punch cards and mainframes. However, from the standpoint of honest, independent, citizen engagement – not tethered to incumbent political positions, there is no question that HB 2207 is not a good faith effort to carry on the improvements made by this Commission.

Senator Kim Ward Remarks – January 15, 2022

I will begin by saying that this process, led by Chairman Nordenberg, has been the most open and transparent redistricting process in history. Individual citizens and organized groups were given significant opportunity to present input to the Commission, and in many cases, that input has been incorporated into the preliminary maps.

I'm submitting these comments to address the discussion of population deviations in the Senate map. At the outset, I must point out that the Senate Preliminary Plan received a 5-0 approval by the Commission members, and every member of the Commission was aware of the population totals of each district and the overall deviation of the plan at the time of the vote. For the first time in Pennsylvania history, the Commission staff included a professional map drawer. Population deviations were an identifiable data set throughout the mapping process and were not an issue raised at the time of the preliminary vote. I believe overall plan deviation arguments being made now during this 30-day comment period are being advanced primarily by those who are just genuinely unhappy with the look of the map in general. We can't and won't ever be able to please everyone with a final map.

While the overall plan deviation is at 9.59%, it is well within the "rule of thumb" 10% deviation permitted by the United States Constitution. The overall deviation may get to 10% by the next census, or it may not. However, that is irrelevant because the Commission's work is based on a fixed point in time, when the census is taken. Furthermore, the overall deviation can easily be explained by the limited county splits in the Senate Preliminary Plan. Lowering population deviation may be an achievable goal in the final map; however, it will come at the expense of splitting more counties. Reducing county splits in the senatorial districts was a main priority of this Commission from the start of the process.

Claims have been made that there were efforts to favor some regions of the Commonwealth by underpopulating districts and to disadvantage other regions by overpopulating them. Arguments were also made that population totals were manipulated to advantage one party over the other. This is simply not the case. At our first hearing following the passage of the Preliminary Plan, a slide by Kyle Kopko from the Center for Rural PA was referenced and shown by Chairman Nordenberg. This slide detailed each county's population growth or loss over the last ten years. The slide concluded that much of the state's growth occurred in the Southeast region of the state, which included the following counties: Philadelphia, Bucks, Montgomery, Chester, Delaware, Lancaster, Lebanon, Dauphin, Cumberland, Perry, Adams, Franklin, York, Berks, Lehigh, and Northampton Counties.

The Senate Preliminary Plan includes 28 districts wholly in those 16 counties, with an average population of 262,519 or a .09% deviation from the ideal district size. For comparison, the 2012 Senate Map has 26 districts wholly in that same 16 county region. In our preliminary map we did move Senate District 34 to Cumberland County, a county within the 16 county Southeast region.

The Senate Preliminary Plan has 22 districts in the remainder of the Commonwealth, with an average population size of 256,917 or a -1.2% deviation from the ideal district size. Therefore, the overall deviation from the Southeast Region to the remainder of the state is only 2.1%. However, if a district were moved to the Southeast Region from anywhere else in the

state, each district would average 253,466 or a -2.5% deviation, and the districts in the remaining parts of the state would need to average 269,151 or 3.5% above the ideal district size. This would create a 6% deviation between the Southeast and the remainder of the seats and would most likely result in systematic over and under populated regions. Therefore, decreasing the already low 2.1% deviation between the Southeast and the remainder of the state would likely require significant changes to the map, as well as more county splits.

Even though the average population of the Southeast seats is slightly overpopulated (.09%), several are underpopulated in the City of Philadelphia and in other more urban areas of the Southeast. For instance, the 3rd Senate District, located in the City of Philadelphia, has a deviation of -4.3%. Similarly, the 26th Senate District, located in densely populated Delaware County, has a deviation of -4.6%.

Allegheny County is further evidence that the Senate Preliminary Plan does not systematically overpopulate urban areas. While Allegheny County is one of the faster growing and more urban areas of the state, every district is under the ideal size. This is due to the fact that all 5 districts are wholly contained in Allegheny County – a move that helped keep county splits to a minimum.

Arguments have also been made that areas were over or under populated to create a partisan advantage. We all know this isn't the case because that was never a consideration as we worked together to create a map. In the preliminary map there are 12 seats currently held by Republicans that are underpopulated and nine seats currently held by Democrats that are underpopulated. There is one Independent seat, the 14th Senate District, that is underpopulated. This seat was moved from Luzerne County to create a Hispanic district in the Lehigh Valley. This seat, as currently drawn, strongly leans Democrat. As a matter of fact, looking at the registration and voting trends, this seat is out of reach for Republicans.

There are 15 seats currently held by Republicans and 12 seats currently held by Democrats that are overpopulated. There is also one seat that is open, the 34th Senate District, that is overpopulated. This seat leans heavily Republican the way it is currently drawn. This seat was moved from the West to the 16 county Southeast Region to adjust for population shifts.

Some have testified the prisoner reallocation effort of the Legislative Reapportionment Commission (LRC) has been effectively undone by systematically under populating districts with state prisons and over populating districts without prisons. This is not true. The LRC chose to reallocate prisoners from 25 State Correctional Facilities in Pennsylvania. Thirteen are in districts below the ideal district size and 12 are in districts above the ideal district size – almost an even split. It is hard to say there was some kind of systematic effort to negate the prisoner reallocation efforts.

While there is no evidence to support that there was manipulation to disadvantage any region or political group, the overall deviation of the plan can be lowered with slight adjustments. For instance, the largest district on the map and smallest district on the map are adjacent to each other – the 29th and the 40th. Population can be shifted between those districts, and with others in the region, to create districts more equal in population.

Moreover, the second smallest district in the map, Senate District 32, is made up of three whole counties. However, if desired, an additional county could be split to move some population from Senate District 39, which is overpopulated, to Senate District 32.

The third smallest district on the map, Senate District 26, is located in the Southeast adjacent to some of the largest districts on the map. Population could be shifted from neighboring districts to further lower the overall deviation.

I put forth that further improvements to the map can be made in the Lehigh Valley. The Commission made efforts to draw a Hispanic influence district by moving the 14th Senate District from Luzerne County to the Lehigh Valley, an area with a growing Latino community. Most notably this district includes many Hispanic dominant communities and has no incumbent currently living in the district. However, I am afraid we missed the mark by not including the Northampton portion of the city of Bethlehem, which has the 2nd highest Hispanic population in the region. Including it in the 14th Senate District would increase the Hispanic voting age population (VAP) from 27.90% to 33.42% and the overall Minority VAP from 34.74% to 41.36%, which is closer to the numbers required for minority influence districts according to experts who testified before the Commission.

Any adjustments that occur with this preliminary map should be done within the context of correcting small areas of concern. Shifting lines in adjacent districts to balance population and/or tweaks to increase Hispanic opportunity would fall into this category. A wholesale redraw of the Senate map at this juncture would be a bait and switch on the public. Advancing a preliminary map that looks nothing like the final product is not a fair or transparent process. Historically, the Legislative Reapportionment Commission does not make substantial changes to the preliminary map. We cannot and should not fundamentally change the preliminary map by making significant alterations, such as moving seats from one region to another, without giving the public time to comment on those changes.

The Princeton Gerrymandering Project graded the Senate Preliminary Plan an "A." Again, we had a 5-0 vote. There is always room for improvement, but we should not throw the baby out with the bathwater. We worked together to come to an agreement on a map, so we should make corrections where appropriate, and adopt the final plan sooner rather than later.

I just couldn't let all of the, what I consider "organized" disagreement, submarine the plan without getting the facts on the record.

Thank you, Chancellor Nordenberg, for your leadership in bringing this transparent process to a close.