

Statement before
Chris Collins, Erie County Executive
June 26, 2011
95 Franklin Street, 14th floor
Buffalo, New York 14202

My name is Janet Massaro and I am speaking today on behalf of the League of Women Voters of Buffalo Niagara. The League is a nonpartisan volunteer organization that encourages its members and citizens to participate in government. Our members work to increase public understanding of major public policy issues and to influence public policy through education and advocacy. The League of Women Voters does not support or oppose political candidates or political parties.

On June 16, 2011 the Erie County Legislature met in general session to vote on one of two redistricting plans to send to the County Executive for his approval or rejection. Those of us who attended this session remember an hour of heated debate as both sides condemned the other's plan while seeking to justify their own. At one point a legislator stated that the League of Women Voters was "neutral" with regard to either of the plans being debated. This is indeed true. The League does not support either side in the redistricting power struggle, nor do we endorse either of the plans to be voted upon. However, if the term "neutral" was used to imply that the League was indifferent to, or unconcerned with, the redistricting process and its outcome, nothing could be further from the truth.

League members attended all meetings and hearings of the Citizens Advisory Commission, the Government Affairs Committee and the Legislature and we have evaluated the redistricting and reapportionment process from that perspective. We concluded that the process we observed did not meet the standards League had established for fair, open and transparent redistricting free from partisan influences and gerrymandering. Nevertheless, we are convinced that citizens and lawmakers can work together to reform the way legislative boundaries are drawn. We are taking this opportunity to discuss once more the ongoing redistricting dilemma, knowing that the reforms we support will not be achieved without an informed and engaged public and without their active support.

A bit of history is instructive.

After the last public hearing, we talked with Joan Bozer, who served in the Erie County Legislature for eighteen years and as a member of the Government Affairs Committee. Before her election to public office, Joan was a president of the LWV of Buffalo and remains a League member and valuable resource. Early in 1980 in anticipation of redistricting, Joan submitted a bill to establish a nonpartisan redistricting commission. At that time the Erie County Charter Review Commission had responsibility for making recommendations to the legislature on reducing the size of the legislature in time for the 1981 election. Because the census data was late in arriving, the shortage of time to complete redistricting and reapportionment became an issue of great controversy. If the legislature failed to act quickly, it was feared that the court would impose weighted

voting. Joan recalled that partisanship was at fever pitch in the legislature as time grew short. At stake was reelection of incumbent legislators, control of the legislature staff, chairmanships of the legislative committees, and jobs at various county facilities. There was tremendous pressure from both major parties to gain support for their plans for redistricting and reapportionment. A nonpartisan redistricting commission was not to be.

Prior to the 1991 redistricting Joan again introduced legislation establishing a nonpartisan redistricting commission. What finally passed, she admits, was a watered down version of her proposal, a 15 member Citizen Advisory Commission, not nonpartisan, but one appointed by the majority and minority leaders in the legislature and including the Republican and Democratic Commissioners of the Board of Elections. This is the Redistricting Commission we have today. At least, she said, the legislation provided for public review and discussion.

In acknowledging this one positive provision of the law, Joan was echoing the League's long-standing principle of promoting citizen participation in government.

Just this past January the National League of Women Voters met with other good government groups, the Brookings Institute and the American Enterprise Institute to articulate principles for transparency in redistricting and to identify barriers to public participation in the process. They wrote, in part: "Fostering public participation can enable the public to identify their neighborhoods and communities, promote the creation of alternative plans, and facilitate a wide range of representational possibilities. The existence of publicly-drawn maps can provide a measuring stick against which an official plan can be compared and promote a "market" for plans that support political fairness and the goal of community representation."

www.brookings.edu/opinions/2010/0709_redistricting)

Understanding the technical complexities involved in redrawing district lines and the need to satisfy federal, state and local requirements, we were pleased ("amazed" is the better word) that citizen mapmakers in Erie County responded to the challenge and produced well thought out and detailed alternative redistricting/reapportionment maps. However, when these mapmakers presented their plans to the Citizens Advisory Commission at a public hearing, their plans were summarily dismissed. The argument put forth by a Commission member was that there was not sufficient time left to meet the deadlines in the election year calendar and that the plan proposed by the Commission Chair, but little understood by most Commission members, had to be voted upon without further delay.

When the mapmakers appealed to the Erie County Legislature to have their alternate plans considered, they were again rebuffed.

The provision for public participation provided in the Erie County Charter was considered a hurdle to be overcome, and never as an opportunity to achieve more fair and better representation.

League goals for redistricting reform are clear:

1. Create an independent redistricting commission that is free from partisan political influence.
2. Clearly articulate criteria to be used to create legislative districts. Do not favor or disfavor legislative incumbents or their challengers.
3. Provide meaningful opportunities for public participation.

We have called upon Erie County Legislators, in particular those who are not seeking re-election, to join together to reform the current system. We have stated our commitment to work with you in this effort. We pledge to continue to do all we can to inform the public of the importance of redistricting reform and to gain needed public support.

Thank you once more for this opportunity to present the League's position on Erie County's redistricting and reapportionment process.

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