
Commission Meeting

of

NEW JERSEY CONGRESSIONAL REDISTRICTING COMMISSION

“Testimony from the public on the establishment of Congressional districts in New Jersey that will be in effect for the next 10 years”

LOCATION: Committee Room 4
State House Annex
Trenton, New Jersey

DATE: December 22, 2021
10:00 a.m.

MEMBERS OF COMMISSION PRESENT:

Honorable John E. Wallace, Jr., Chair
Janice Fuller, Democratic Delegation Chair
Iris Delgado
Senator Vin Gopal
Stephanie Lagos
Jeffrey Nash
Dana Redd

Doug Steinhardt, Esq., Republican Delegation Chair
Michele Albano
Jeanne Dovgala Ashmore
Mark Duffy
Mark LoGrippe
Lynda Pagliughi



ALSO PRESENT:

Raysa Martinez Kruger <i>Office of Legislative Services</i> <i>Commission Secretary</i>	Jessica Oestreicher Roshard Williams <i>Office of Legislative Services</i> <i>Commission Aides</i>
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Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

DEMOCRATIC MEMBERS

Janice Fuller
Delegation Chair

Iris Delgado
Vin Gopal
Stephanie Lagos
Jeff Nash
Dana Redd



REPUBLICAN MEMBERS

Doug Steinhardt
Delegation Chair

Michele Albano
Jeanne Ashmore
Mark Duffy
Mark LoGripio
Lynda Pagliughi

**NEW JERSEY CONGRESSIONAL
REDISTRICTING COMMISSION**

STATE HOUSE ANNEX • P.O. BOX 068 • TRENTON, NJ 08625-0068

John E. Wallace, Jr.
Chair

REDISTRICTING COMMISSION NOTICE

TO: MEMBERS OF THE REDISTRICTING COMMISSION

FROM: JOHN E. WALLACE, JR. – CHAIR

SUBJECT: **REDISTRICTING COMMISSION MEETING – DECEMBER 22, 2021**

The public may address comments and questions to Raysa Martinez Kruger, Commission Secretary, or make scheduling inquiries to Sophie Love, Secretary, at (609)847-3890 or email: OLSAideREDC@njleg.org. Written and electronic comments, questions and testimony submitted to the Commission by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.

The Redistricting Commission will meet on Wednesday, December 22, 2021 at 10:30 AM in Committee Room 4, First Floor, State House Annex, Trenton, New Jersey, 08625.

The purpose of the meeting will be to vote on a plan to establish congressional districts in New Jersey that will be in effect for the next 10 years.

Members of the public may view the proceedings via the New Jersey Legislature home page at <https://www.njleg.state.nj.us/> or via the Commission's home page at <https://www.njredistrictingcommission.org/default.asp>.

This meeting will observe the COVID-19 protocols in place at our host location. The State House Annex has reopened to the general public. Visitors to the State House Annex are required to show ID and proof of full vaccination or a negative COVID-19 PCR or rapid test conducted within the previous 72 hours. All visitors are required to undergo a temperature screening prior to proceeding through security. Masks are mandatory at all times inside the State House Annex, including in Committee Rooms and the hallways, and other facilities.

Please visit the New Jersey Legislature's website at www.njleg.state.nj.us/JMC%20Rules.pdf for more information.

(OVER)

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Issued 12/20/21

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For changes in schedule due to snow or other emergencies, see website <http://www.njleg.state.nj.us> or call 800-792-8630 (toll-free in NJ) or 609-847-3905.

TABLE OF CONTENTS

Page

mej: 1-11

JUSTICE JOHN E. WALLACE, JR.: All right, if everyone is in place we'll get started this morning.

I welcome you, and I'm sorry to get started a little bit late, but I think we -- at least I had a little problem getting from the garage to this room.

In any event, the meeting is hereby called to order, and I ask the Secretary to please take the roll.

MS. MARTINEZ KRUGER: Commissioner Redd.

MS. REDD: Present.

MS. MARTINEZ KRUGER: Commissioner Pagliughi.

MS. PAGLIUGHI: Present.

MS. MARTINEZ KRUGER: Commissioner Nash.

MR. NASH: Here.

MS. MARTINEZ KRUGER: Commissioner LoGrippo.

MR. LoGRIPPO: Here.

MS. MARTINEZ KRUGER: Commissioner Lagos.

MS. LAGOS: Present.

MS. MARTINEZ KRUGER: Commissioner Gopal.

SENATOR GOPAL: Here.

MS. MARTINEZ KRUGER: Commissioner Duffy.

MR. DUFFY: Here.

MS. MARTINEZ KRUGER: Commissioner Delgado.

MS. DELGADO: Present.

MS. MARTINEZ KRUGER: Commissioner Ashmore.

MS. ASHMORE: Here.

MS. MARTINEZ KRUGER: Commissioner Albano.

MS. ALBANO: Here.

MS. MARTINEZ KRUGER: Republican Chair Steinhardt.

DOUG STEINHARDT (Republican Delegation Chair):
Here.

MS. MARTINEZ KRUGER: Democratic Chair Fuller.

JANICE FULLER (Democratic Delegation Chair): Here.

MS. MARTINEZ KRUGER: Chair Wallace.

JUSTICE WALLACE: Here.

Thank you, and good morning again. I am prepared this morning
(technical interference)

I would remind everyone who is on the call, please mute your
phones. Thank you very much. We will try it again.

As I was about to say: I am prepared this morning to make a
very difficult decision. I say difficult because both delegations have presented
me with a map that substantially satisfies the standards proposed at the
outset. I will list those standards shortly.

To be sure, the citizens of New Jersey have aided the
Commission greatly in the process of formulating the two maps. The
Commission held 10 hearings between in-person and Zoom hearings, where
almost 200 people testified; while others submitted written testimony, and
some even submitted proposed maps.

Following the Public Hearings the two delegations, considering
the evidence submitted by the public, began the process of preparing their
map. I am fortunate to have had Judge Lefelt as my Special Counsel, and
together we prepared and suggested standards that each delegation should
consider in the mapmaking process. Here are the Congressional Redistricting
standards we proposed.

One: Mapmakers shall establish 12 congressional districts that shall be geographically contiguous; in counting the total population for each district to be formed, incarcerated prisoners should be counted at their prior addresses; districts must be as equal in population as possible to the ideal district population of 773,585.

Two: Mapmakers shall comply with the Voting Rights Act, and all relevant Supreme Court decisions applying the Equal Protection Clause and the Apportionment Clause. The map should include sufficient numbers of minority majority districts, and provide the racial and/or language minorities with reasonable opportunity to participate in the political processes and elect representatives of their choice, whether alone or in coalition with others. Furthermore, any consideration of race should only be as necessary to avoid a violation of the Voting Rights Act, and shall be narrowly tailored to satisfy the Act's requirements.

Three: Political subdivision boundaries and communities of interest -- that is cultural, ethnic, linguistic, economic, and religious -- shall be respected. Mapmakers shall not split political subdivision boundaries and communities of interest unless necessary to achieve compliance with standards one or two.

Four: Competitive districts are favored so long as compliance with standards one, two, or four -- or three, that is, would not be significantly hindered or impaired.

Five: No district may be formed solely to favor or disfavor any political party or the election of any person.

Six: To assist voters in assessing incumbents and minimizing voter confusion, districts may include the cores of existing districts, provided

the new district to be formed will substantially comply with all over preceding standards.

Seven: All districts shall be as compact and regularly shaped as possible, unless deviation is required to comply with any of the above standards.

Each delegation engaged outstanding map experts. It was my privilege to work with them during this process. In addition to Judge Lefelt's expert guidance, I have been greatly assisted by the Electoral Innovation Lab at Princeton University throughout.

Turning to this Commission, the Chairs and their delegations are outstanding, and clearly represent the interests of New Jersey and their respective parties. Each member has been extremely considerate throughout the process and responded positively to the many comments my team proposed in an effort to make a good map even better. The delegations spent four consecutive days and evenings meeting with my team in an effort to improve their respective map, and to convince me their map was the better of the two.

You can imagine the process was not easy. For example, in order to meet the Constitutional requirement of one person, one vote, each time we proposed a new configuration it caused other changes in the district, or other districts, that were not always contemplated. Nevertheless, the process produced two constitutional maps.

In brief, both maps comply with the Federal Equal Population mandate, each has 12 districts with substantially equal population. Both maps satisfy the Voting Rights Act. Each proposal contains five majority minority districts. Both maps consider race only to the extent necessary to

avoid a violation of the Voting Rights Act, and those considerations were narrowly tailored to satisfy the Act's requirements. Similarly, both maps were close to one another in county and town splits, and considered communities in each district. Competitiveness, preservation of district cores, and compactness were also satisfied in both maps.

The only area where one map pulled ahead of the other is in partisan fairness -- that is, no district may be formed solely to favor or disfavor any political party or the election of any person. Both maps were evaluated by my team using various statewide tests for partisan fairness. Without getting into the details of the test, I simply state that the results showed that the partisan fairness would favor the Democrat's map. However, because neither delegation used these tests, I have decided not to give any weight to them in making my decision.

In summary, both delegations aptly applied our standards to their map. In the end, I decided to vote for the Democratic map simply because in the last Redistricting map, it was drawn by the Republicans. Thus, I conclude that fairness dictates that the Democrats have the opportunity to have their map used for this next Redistricting cycle.

Thank you, that concludes my comments. I open the floor to any Chairs who wish to make a comment.

Chair Fuller.

MS. FULLER: Thank you, Chairman Wallace.

Good morning, everyone here with us today and watching us from home. It's a privilege to be with you all here today at the State House for this incredibly important meeting that carries tremendous significance for the future of our State and the nation.

First and foremost, let me thank Justice Wallace, Chairman Wallace, for his service to the Commission. Your leadership established a fair and collegial process that we were all honored to be a part of; and thank you for your service.

I want to thank my fellow Commissioners, my Democratic colleagues and the Republican Delegation -- particularly Chairman Steinhardt -- who have all given their time, and their effort, and their focus on the citizens of the State of New Jersey.

I would like to take a moment to thank those who helped us develop this map, our staff led by Executive Director Sarah Jones, our legal team led by Raj Parikh, and our mapmaker, Tom Bonier.

From the outset, the Democratic Commissioners had a primary goal: To put forth and develop a fair and representative map that embraces the diversity of our state, not just for the next election but for the next decade. We wanted an open and transparent process that allowed for robust participation, and we're proud to have convened more public hearings than ever before, with nearly 200 witnesses testifying.

We put forth a map for consideration, which we will be voting on today, that we believe is responsive to the voices of the public, and also the principles set forth by Chairman Wallace. We have limited arbitrary splits in towns and counties to ensure that citizens select the representatives, and not the other way around. In fact, 9 counties have no municipal splits at all, and only 14 of our state's 565 municipalities are split. The map maintains core competitive districts and does not gerrymander to favor one political party. We maintain all of the existing minority majority districts,

and have ensured a decade of real and meaningful representation by minority voters.

In a state where people of color represent more than 48 percent of the population, we believe it is our responsibility to fight for the right of minority voters to choose their representation and to increase opportunities for minority representation. In the wake of the Supreme Court striking down parts of the Voting Rights Act, our Democratic Commissioners understood that our map must show leadership on the issue of racial justice and be a map that represents all of New Jersey, not just the privileged.

We increased the African American population of District 10, maintaining a majority African American district. The map increases Asian American influence, reflecting our state's fastest-growing population and ensuring that people of AAPI descent will have an opportunity to participate robustly in our democracy. We preserved the Latino influence in District 8, not diluting an important and growing voice in our communities.

These are just some of the highlights of the map before you today. We believe the map achieves our primary goal of creating a fair and representative map, and embraces the robust public participation we have heard over the course of the past month.

On behalf of the most diverse partisan delegation in history, and as the first female Chair, I again thank Chairman Wallace for his service and thank you for the opportunity to offer these remarks.

JUSTICE WALLACE: All right, thank you for your comments, Chair Fuller.

Chair Steinhardt.

MR. STEINHARDT: Thank you so much; thank you very much.

Chairman, thank you. Grateful for the opportunity, of course, to participate in this process. Grateful to Chairwoman Fuller for her professionalism, and those of my Democratic counterparts for their service. They were all a pleasure to deal with.

Grateful especially to my Republican colleagues Michelle Albano, Jeanne Ashmore, Linda Pagliughi, Mark Duffy, and Mark LoGrippe for their time and service. I hold each of you in the highest regard, and your time and energy have earned the respect of your colleagues and your State.

Our map was designed to empower New Jersey voters. The final map, we feel, is just the antithesis of that. Our map provided voters, including minority voters, with meaningful opportunities to impact elections, and met or exceeded every standard we were provided. With five minority majority districts and nine districts of the minority voting-age population above 30 percent, the distribution of minority population among all districts accurately reflected the State's diverse nature.

After considering the testimony from 11 public hearings, and a full adoption and agreement with Special Counsel Lefelt's philosophy that towns and counties are a strong measure of communities of interest, we believe we improved the current map. Our map left nearly 85 percent of the State's voters in their current districts, avoiding unnecessary voter confusion; and maintained five districts that gave voters the opportunity to meaningfully impact general election outcomes and elect a candidate from either party.

To be candid, we are disappointed in the final result. We are disappointed in a process that disenfranchises most of the State's voting

population. We are equally disappointed in a process that purported to promote equity, fairness, and competition, but in the end has eschewed those virtues. We went to the 13th member with a map that we believe empowered the greatest number of New Jersey voters, and our caucus will vote today in that spirit and that spirit alone.

JUSTICE WALLACE: Thank you Chair Steinhardt.

Any other Commission members wish to make any comment?

(no response)

Hearing none, do I have a motion on the floor?

MS. DELGADO: Justice Wallace, I move to adopt the map presented by the Democratic Commission.

JUSTICE WALLACE: Is there a second?

MS. REDD: Justice Wallace, I wish to second that motion.

JUSTICE WALLACE: All right, it's moved and seconded.

Please call the roll.

MS. MARTINEZ KRUGER: Commissioner Redd.

MS. REDD: Yes.

MS. MARTINEZ KRUGER: Commissioner Pagliughi.

MS. PAGLIUGH: No.

MS. MARTINEZ KRUGER: Commissioner Nash.

MR. NASH: Yes.

MS. MARTINEZ KRUGER: Commissioner LoGrippe.

MR. LoGRIPPO: No.

MS. MARTINEZ KRUGER: Commissioner Lagos.

MS. LAGOS: Yes.

MS. MARTINEZ KRUGER: Commissioner Gopal.

SENATOR GOPAL: Yes.

MS. MARTINEZ KRUGER: Commissioner Duffy.

MR. DUFFY: No.

MS. MARTINEZ KRUGER: Commissioner Delgado.

MS. DELGADO: Yes.

MS. MARTINEZ KRUGER: Commissioner Ashmore.

MS. ASHMORE: No.

MS. MARTINEZ KRUGER: Commissioner Albano.

MS. ALBANO: No.

MS. MARTINEZ KRUGER: Republican Chair Steinhardt.

MR. STEINHARDT: No.

MS. MARTINEZ KRUGER: Democratic Chair Fuller.

MS. FULLER: Yes.

MS. MARTINEZ KRUGER: Chair Wallace.

JUSTICE WALLACE: Yes.

The motion carries. The Democratic map is adopted for the next Redistricting cycle.

Any other business to come before the Commission today? (no response)

Hearing none, do I hear a motion to adjourn?

MR. STEINHARDT: So moved.

JUSTICE WALLACE: So moved. Second?

MS. FULLER: Second.

JUSTICE WALLACE: All in favor of adjournment, say aye.

ALL: Aye.

JUSTICE WALLACE: Thank you very much.

Again, thank you everyone. Please be safe, have a very happy holiday, and I look forward to seeing you on other occasions.

(MEETING CONCLUDED)