

To the Legislative Reapportionment Commission,

The Leagues of Women Voters of Lower Merion and Narberth and Abington-Cheltenham-Jenkintown Area, the Main Line and Cheltenham Area NAACP branches, and Community Action Group Alliance of Montgomery County write to respectfully ask the Legislative Reapportionment Commission (the “LRC”) to redraw the Proposed Senate Map (the “LRC Map”). Specifically, with respect to our home county of Montgomery County (“MontCo”). *The proposed Senate map favors keeping incumbents safe while unfairly and unnecessarily splitting MontCo five times and overpopulating every MontCo district in a fast-growing region of PA. Thus, the proposed Senatorial map weakens voters’ representational power in Harrisburg and dilutes the voters’ voices of PA’s third-largest county.*

It must be said from the outset that we respect the LRC and the complexity of drawing the legislative maps for the next decade. We appreciate that this redistricting cycle has had more public input and hearings than previous cycles. However, as long as four of the five LRC members are sitting legislators and party leaders drawing their own districts without rules setting out the mapping factors, it is virtually *impossible to have a fair, transparent and impartial redistricting process*. Many of us, including the League of Women Voters (the “League”) and through its fiscal project, Fair Districts PA, will continue to advocate for redistricting reform to remove mapping from politicians’ hands. We are strongly opposed to any recent legislation for a constitutional amendment to create a politically appointed, partisan redistricting commission that gives even more power to politicians to draw districts.

As LRC Chair Nordenberg noted in his testimony, this is not about going back and correcting or reviewing past maps but to create *new* maps. Frankly, it is not too difficult to improve upon our current maps as they are some of the worst gerrymandered maps in the entire Country. Therefore, we and many others, were disappointed that proposed Senate Map is quite similar to the current map. The map smoothes out an edge or two, making more compact districts, or lessens the number of splits, but essentially keeps the “status quo” for current legislators.

The LRC should redraw the map to minimize the unnecessary splitting of MontCo:

The PA Constitution specifically states districts should be “compact and contiguous” and “no county, city, incorporated town, borough, township, or ward shall be divided” unless absolutely necessary. MontCo is the third-largest county that under current Census

numbers could have three senatorial districts within its borders. Instead, the proposed map splits MontCo with four different counties in five of the six MontCo districts.

It has often been argued in favor of splitting communities and municipalities that this allows for more representation. However, that “more is more” logic does not apply in dividing MontCo or this proposed Senate map. The divisions in the proposed Senate map are not “absolutely necessary” and dilute MontCo’s representational power. Five of the six MontCo districts in the proposed Senate map are shared with four different counties; Delaware, Chester, Philadelphia (2x) and Berks. Again, despite being the third-largest PA county, larger than some U.S. states, *three* of the five MontCo split districts have MontCo with the lesser population of the two counties (SD4 - 46%, SD44 - 40%, SD7 - 11%).

Even with the best-intentioned and hard-working representatives, splits like many of those in MontCo, put together very different demographic and geographic communities that have different needs. Splits also make it harder for legislators and particularly local officials, like MontCo’s County Commissioners, to efficiently and effectively advocate on behalf of their constituents and have to compete for funding - particularly if a legislator is a resident of one side of the split district or there is a larger voting population of one county, as opposed to other, in the split district.

We understand and support that split districts are sometimes necessary to keep communities of interest together, protect and create Voting Rights Act compliant majority-minority districts, and offset population in large and condensed areas. However, these do not appear to be factors in the splitting of MontCo in the proposed Senate map. The MontCo splits particularly stand out as unnecessary in light of the underpopulation of districts in regions of PA that have sluggish growth and low population compared to the overpopulation of MontCo districts in fast-growing SEPA (as more detailed below).

A good example of why MontCo is unnecessarily split is Senate District 7 (“SD7”). This District maintains the overall gerrymandered shape of the current district splitting MontCo and Philadelphia. SD7 runs from 48th & Market up through parts of West Philadelphia around Lower Merion Township in MontCo along the MontCo/Philadelphia border to include Northwest portions of Philadelphia and then dividing the counties, into MontCo to include Whitemarsh and Conshohocken municipalities. In the proposed map, the current Senator is safe by maintains residency in Philadelphia and district number. This disproportional and unnecessary split puts MontCo voters and the County, municipal and school director officials at major disadvantage as MontCo portion comprises only 11% of the total district population and the incumbent or any future

Senator will be from the larger portion of the district, Philadelphia. This split is also problematic as it unnecessarily cuts around the MontCo/Philadelphia border to more suburban MontCo areas with very different, far away urban Philadelphia areas. SD7 is also unnecessarily split as it is overpopulated by 3,643 people beyond the standard size of a senatorial district in an already fast-growing region that will continue to grow in the next decade these maps will be in place.

The LRC should fix the grossly overpopulated districts in the proposed Senate map:

The proposed Senate map disregards the tremendous population growth in MontCo and across SEPA. PA law requires districts to be of “equal population.” The proposed Senate map overpopulates *every single MontCo district* (SD4 by 8,194, SD7 by 3,643, SD12 by 5,606, SD17 by 8,423, SD24 by 10,150, and SD44 by 11,811). While some population deviation is allowed under law, these proposed MontCo districts are examples of why greater overpopulation should be avoided in areas that will continue to grow in the next decade these maps will be in place.

Unnecessarily large population deviations like that in the proposed Senate map dilute voters’ voices and “waste” votes. The overpopulation in the MontCo districts is even more troubling when considering the proposed senate map as a whole *underpopulates* districts in PA that have low, and are losing, population. Thus, the proposed Senate map dilutes voters’ voices and power in MontCo and SEPA where PA’s population is concentrated and growing while also, underhandedly, giving more voice and representational power to areas of PA that have less population with sluggish growth.

The LRC has favored incumbents in a buddymandered map at the expense of fair representation:

As citizens we can only be left to wonder, *why* the unnecessary splits and overpopulation of senate districts in growing regions? The LRC does not have rules requiring disclosure of certain mapping factors and their weight or generally, the mapping process, but Chair Nordenberg has given some testimony alluding to our concern with the proposed Senate map as a product of “buddymandering.” This is when party leaders drawing the maps help keep each other safe. The Democrats and Republicans may be opposing parties, but in this instance, with the power to draw their own districts for the next decade, they are united in keeping themselves safe.

The proposed Senate map generally maintains current partisan advantage and protects incumbents’ residency as well as the even or odd numbers assigned to those districts. Many districts were snipped here and expanded there so as to appear more “compact

and contiguous” as required under PA law and lessen overall splitting of counties and communities, but with a keen eye it could be said that these boundaries changes were also to keep incumbents safe whether for residency purposes (under PA law a candidate must be a resident of their district for one year prior to election) and/or maintain district numbers (even numbered districts run in 2022, odd in 2024), and/or to help maintain an existing constituency in currently split districts. The party trade-offs in buddyandering are even more significant in PA with closed-primaries, in which staying safe in a primary almost guarantees winning the seat in the general election and because incumbents overwhelmingly are favored. This has the effect of warding off potential opponents and diminishing the democratic election process.

Unfortunately, MontCo is a good example of buddyandering in the proposed Senate map. Districts cross county and city borders more than they need to in order to favor incumbents. *Every single MontCo incumbent that lives in MontCo and/or represents MontCo in a split district is safe* in the proposed Senate map maintaining residency, a projected political advantage, and their current district number.

The red herring of MontCo buddyandering is the proposed Senate District 24 that splits MontCo and Bucks County. While it remains competitive, reduces the current county splits from three to two, and is more compact and contiguous, it’s the *only open MontCo seat and has a retiring incumbent*. It also is the only Republican-held seat of six MontCo districts. The partisan-lean holds but to do so, the proposed SD24 cuts diagonally across the top of MontCo leaving out more Democratic-leaning areas. Upon closer inspection this jagged slicing of upper MontC was likely to keep current incumbents safe in their respective districts to meet residency requirements and avoid drawing incumbents into the same district (*Cf.* residence and district in current and proposed Senate map of Sen. Muth in SD44, Sen. Collett in SD12, Cappalletti in SD17).

As more detailed above, SD7 is unnecessarily split and maintains its odd shape cutting through Philadelphia to include a small portion of suburban MontCo. The longtime current Senator would maintain residency in Philadelphia, PA’s largest City, the majority portion of SD7, along with the district number.

Senate District 12 in MontCo also stands out as a result of buddyandering. The proposed map appears to be an improvement by removing the MontCo/Bucks split, is more compact and contiguous, and becomes the only full MontCo seat out of six MontCo districts. However, upon closer inspection SD12 strangely divides the Colonial School District of Plymouth (in SD12) from Whitemarsh and Conshohocken (in SD7 with majority of Philadelphia). While there are no laws requiring keeping school districts together, school districts are communities of municipalities that should be kept together

if they can be. Upon closer inspection, this division of Colonial SD is similar in purpose to the strange diagonal cutting across MontCo in SD24. It was likely to keep current incumbents safe in their respective districts to meet residency requirements and avoid drawing incumbents into the same district (*Cf.* residence and district in current and proposed Senate map of Sen. Haywood in SD4, Sen. Collett in SD12, Cappalletti in SD17). The proposed SD12 also becomes much safer for the incumbent, and less competitive overall, by almost 62% from 55% of the vote share advantage based on the 2020 Presidential Election, all but assuring incumbency protection.

The greatest, and most egregious, example of buddymandering is the overpopulation of the MontCo districts and proposed Senate map as a whole. The Senate party leaders have created a *fait accompli* through buddymandering - the will of the people be damned. As more detailed above, the proposed Senate map overpopulates *every single MontCo district* in a region that is densely populated, fast-growing, and will continue that growth in the next decade. In contrast, the proposed Senate map underpopulated districts in the western and more rural parts of PA that lost population and had sluggish growth. Conveniently and not coincidentally, this is where current Senate party leaders on the LRC, and most of the current Senate majority party's incumbents, reside.

We respectfully ask the LRC to redraw the proposed Senate map to lessen the unnecessary MontCo and community splits, reapportion the district populations with consideration of the growing SEPA population, and most importantly, do not favor incumbents at the expense of diluting representational power and voters' voices in PA third-largest county.

Thank you for your time and consideration,



Jamie Mogil

President, LWV of Lower Merion & Narberth

With permission, and on behalf of:

LWV of Abington-Cheltenham-Jenkintown Area

NAACP Main Line Branch

NAACP Cheltenham Branch