

**December 6, 2021**

**Testimony on HB 1 & SB 1  
Congressional Districting Plan  
Joint - House Rules & Executive Nominations - Senate Reapportionment & Redistricting**

**Position: Information**

Common Cause Maryland writes to provide informational testimony on HB 1 and SB 1 which outlines a plan to redraw the boundaries of our eight congressional voting districts.

We first want to thank the Maryland General Assembly, specifically the Legislative Redistricting Advisory Commission (LRAC), for working to make the redistricting process more transparent and accessible to the public. We appreciate draft congressional map proposal being released early in comparison to the 2011 redistricting cycle, in interactive formats with the files needed for analysis. We also appreciate hearings being move to a more convenient time.

Even with these minimal improvements and our encouragement that LRAC opted to adopt Plan #2 over Plan #3, we are concerned that the plan outlined in HB 1/SB 1 does not reflect the feedback provided by the public - many calling for more compact districts - or aim to improve many of the issues in our current congressional map. When congressional districts cut through our counties, neighborhoods, and communities, the voice of those communities are fractured. The accountability between our elected officials and their constituents is also equally fragmented. Voters feel the elections are rigged – that elected officials are choosing their voters, not the other way around. We understand a desire to wait until more states across the country have modernized their redistricting processes.

While the plan outlined in HB 1/SB 1 includes at least two majority Black congressional districts as well as a plurality districts, we are also concerned that the Latinx community, one of the fastest growing communities in the state, is being split between congressional districts 4 and 5. There are also unnecessary splits to counties that we believe this could have been avoided in a fairer map that also achieves LRAC's goals. And while we considered redrawing the plan, we opted to take no position as very little consideration would be given to the alternative map as we believe the outcome to be preordained.

We also continue to be concerned by the overall redistricting process as it does not build public confidence and trust. We hope the General Assembly will work with us and partners over the next decade to improve the process. Common Cause also continues to fight for a national solution.

As the General Assembly works to finalize a congressional plan, we urge members to take the following principles into consideration:

- **Compliance with the letter and spirit of the federal Voting Rights Act and its prohibition of vote dilution and of retrogression:** preserve extant remedial districts under the Voting Rights Act and create new opportunity districts consistent with growth in relevant populations. Moreover, the requirements of the Voting Rights Act should be viewed as a floor, and not a ceiling, with respect to the voting rights of voters of color in redistricting. Make it a priority to exercise considerable latitude within the law to create coalition and/or influence districts for voters of color where the creation of Voting Rights Act-compliant opportunity districts, in which voters of color comprise the majority of the voting-age population in a district, is not possible.

- **Consideration of communities of interest:** maintaining identified communities of interest intact in redistricting maps should be second only to compliance with the United States Constitution and the federal Voting Rights Act as a consideration in redistricting.
- **Transparency:** timely disclosure as changes, if any, are made to the plan being voted upon to allow ample opportunity for public review and input before adoption. The legislative process must also remain open and accessible to the public in all but the most limited of circumstances.
- **Public input:** we urge members of the General Assembly to review testimony and maps that have been submitted by the public during and prior to special session, paying close attention to testimony that highlights communities that want to be kept together.

Once a congressional plan is passed, we urge the General Assembly to release the legislative districting plan. Swift action should be taken during the regular session in January 2022 to finalize the plan, providing the State and local boards of elections ample time to prepare for the primary election.

Our congressional district lines should be drawn to reflect the interests of the people of Maryland, not politicians. We hope that will be achieved in HB 1/ SB 1.

