

Testimony of Robert Paul (Southeast Regional Hearing)

While reapportionment is a political process it can only be done in conformity with the requirements of the Pennsylvania constitution. Those requirements were set out in two Pa supreme court cases *Mellow v Mitchell* in 1992 and *League of Women Voters v Commonwealth* in 2018. These case provide that the plan for the districts must be compact contiguous equal in population does not divide a county city town borough township or ward except when necessary to ensure equality of population. Further the court held that partisan gerrymandering violates the Pennsylvania constitution. In *Mellow* the Court appears to have said that maximizing the ability of minority populations to be heard by not cramming them in one or more districts or cracking them by spreading them out among districts so their voices cannot be heard as they are too small a group in the district should also be a goal in this process. Further given the importance of the matter the committee should alert the public to its thinking and provide opportunity for public comment on the plan as it is being developed not just release a plan and then force the public to comment by litigation only.

Thus, whatever your private preferences are in the matter of districts should be put aside in favor of the public interest as described in the *League of Women Voters* case. The plan must be in place by January '24. A plan which fails to meet the criteria in the *League* case will be rejected by the courts leading to chaos. This should be avoided. A plan more like 2018 than 2011 should be adopted by you to make the process of the 2022 election go more smoothly. People need to know what district they live in sooner rather than later.

Finally, while our Montgomery county population is bigger than one district the least amount of division should be the goal. Spread out elongated district designed to reduce the role of cities and to split counties and smaller units from areas of natural affinity by geography should be avoided.