

Redistricting Committee

Minority Report

Prepared By: **Jane Aiello**: Democratic Registrar of Voters

Vicki Tesoro: Member Trumbull Town Council District 3 (D)

A majority of the members of the Redistricting Committee, Holden (R), Monaco (R), and Scinto (R), voted to recommend to the full Town Council that it approve the following resolution at the April 2, 2012 Town Council meeting:

- TC24-31: To consider and act upon a resolution which would amend Chapter 6, Section 6-1 of the Trumbull Town Code effective May 16, 2012 as follows: Section 6-1 voting districts In accordance with Section 9-169 of the General Statutes of the State of Connecticut, the Town Council of the Town of Trumbull does hereby redivide the Town of Trumbull into four (4) voting districts.

This Resolution, if enacted as presented, would radically alter the district structure in which Council members are elected, result in unnecessary disparity in the size of Council districts, create voter dislocation, confusion and inconvenience, result in enormous delays in voter participation, and be a blow to representative government in Trumbull. As such, and for reasons stated herein, we, the minority of the Redistricting Committee, Jane Aiello (D) and Vicki Tesoro (D) feel compelled to respectfully issue this minority report. We ask your indulgence in that this report is very detailed.

Brief History:

The current seven district configuration has served our Town for nearly three decades. During that extensive period, Trumbull has seen both Democratic and Republican First Selectman, both Democratic and Republican majorities in our Town Council and both Democratic, Republican and Unaffiliated Voters run in our Town elections. These facts clearly show that Trumbull voters take the time to do their homework, have choice available to them and, that the current structure provides the voter with ample opportunity to make change when they feel change is needed. Trumbull was awarded recognition for the best turnout of voters in the recent election. This too is a sign that the current configuration encourages participation by our voting population. Further, other than the occasional rambunctious child at a bake sale or the rare parking problem at a polling location, there are no significant polling place issues at this time that would mandate a radical change in our voting configuration as is being proposed by the majority. Clearly, Trumbull has a configuration that works.

THE COUNCIL and CHAIRMAN HOLDEN'S CHARGE TO THE COMMITTEE:

The Town Council and Chairman Holden charged our Committee to produce a result that follows four critical redistricting precepts including the mandate of TC Resolution 24-8. They are, in no particular order:

1. Remove Unnecessary Split Districts.
2. Number of people each Council member should represent is 1,715.
3. There should be voting Districts of substantially equal populations.
4. Follow "one person one vote" rule

Let us look how each plan meets these criteria:

REMOVE UNNECESSARY SPLIT DISTRICTS:

As you will recall, changes by the State Legislature resulted in a large number of split districts that might have resulted in voter confusion as well as increased cost to our Town. Both the Four District Plan (Majority Plan) and the Seven District Plan (Minority Plan) reduce the split districts to the lowest possible number. However, the Seven District Plan satisfies this criteria without moving one-half (1/2) of the Town's population to a different voting district.

The Seven District Plan maintains strict district balance with all districts having substantially equal population and equal number of representatives. So, while both plans meet this criterion, the Minority Plan does so with a minimum of disruption to our voters and preserving an equal balance in the number of representatives per district.

NUMBER OF PEOPLE EACH COUNCIL MEMBER SHOULD REPRESENT IS 1,715:

In multi-member districts such as Trumbull ideal population is determined by dividing the total town's population (Trumbull - 36,018) by the number of Council members (Trumbull -21). Therefore, the ideal population number each Council member should represent in Trumbull is 1,715. As you know, and as will be further elaborated below, while that number is accurate, and is achieved by **BOTH PLANS**, in reality, each Council member represents all the constituents within a particular district.

As noted above, the Minority Seven District Plan satisfies this criteria without moving one-half (1/2) of the Town's population to a different voting district. So, while both plans meet this criterion, the Minority believe that the Seven District Plan by maintaining district balance with all districts having substantially equal population and equal number of representatives meets this criterion with less disruption and therefore is the better choice.

THERE SHOULD BE VOTING DISTRICTS OF SUBSTANTIALLY EQUAL POPULATION:

The two plans break out as follows:

Majority Plan:

<i>District</i>	<i>Population</i>	<i>Representatives</i>
District 1	8,586	5
District 2	8,552	5
District 3	8,581	5
District 4	10,299	6

The difference between the largest District, District 4 (the “Super District”) and the smallest district, District 2 is 1,747 voters, which is a 20.4% difference.

Minority Plan:

<i>District</i>	<i>Population</i>	<i>Representatives</i>
District 1	5,194	3
District 2	5,169	3
District 3	5,095	3
District 4	5,165	3
District 5	5,134	3
District 6	5,159	3
District 7	5,102	3

The difference between the largest District, District 1 and the smallest District, District 3 is a mere 99 voters which is a 2% difference.

As you can see, while the majority tried to keep their districts in line with the Council charge, a four District configuration makes that all but impossible. As the numbers show, ***the minority 7 District plan completely fulfills the Council charge*** while the 4 District Majority plan fails the test. The Council correctly understood that equality in population is preferable. The Minority plan is more responsive to the charge than the Majority plan on this critical aspect.

The Majority Plan is less responsive in other ways as well. As noted above, we must do our best to represent **all** of our constituents. That means that in the Majority plan a single council person at best has to try to understand the interests of 8,552 constituents and at worst must try to understand 10,299 constituents. Under the Minority plan, a single representative at minimum is responsible to 5,095 constituents and at maximum, 5,194 constituents.

Further, in our Town, we, as representatives of our constituents, can get to know our constituents well. Similarly, a single constituent under the Minority Plan can have greater influence on his or her representative. By simple math you can see that it would be far easier for a single representative to get to know 5,000 constituents as opposed to 10,000. Conversely, a single voter in a 5,000 person district by definition will have more impact than a single voter in a 10,000 person district. It is logical to infer that it is more effective for both the voter and the representative to represent a smaller number than a larger number. While both are possible, the Minority approach is clearly more responsive to the charge and more equitable to the voters in all districts.

FOLLOW THE “ONE PERSON ONE VOTE” RULE:

Whether any plan follows this important rule is a matter of law. To my knowledge no member of the Redistricting Committee is a practicing lawyer. In our opinion, the Minority plan, with its nearly equal population and equal number of representatives is a plan that would withstand scrutiny and, on its face, would discourage a challenge. The same cannot be said of the Majority plan. With its twenty percent disparity in population and unequal number of representatives it is far more likely that such a plan would either (or both) face a referendum or a challenge in Court. No matter who prevailed, and it is our hope that the Town would prevail, we would be subject to unnecessary delay, uncertainty and cost. Since, in the opinion of the minority there is no compelling reason for a radical change in our governing structure, why risk the uncertainty?

When evaluated against the charge of this Council, the Minority Plan, because it meets all of the requirements of the Council and is equal to the majority in two of the four charges, is more responsive to the most important article of the charge in another and is less uncertain with respect to legal challenge, is the better choice for the Citizens of Trumbull.

OTHER CONSIDERATIONS:

Cost: The majority maintains that the Majority Plan would save the taxpayers approximately \$8,000 by reducing the number of polling places from 7 to 4. It is the contention of the Minority that this potential savings is small in a budget of over 140 million dollars. While we agree that we should save every dollar that we can, we maintain that those dollar savings are not guaranteed and if they did occur, the confusion, and inconvenience to our voters far outweigh the small potential savings. The Majority Plan carries a high risk of legal challenge on the basis of violating one person one vote. The cost of defending such a likely challenge would certainly outweigh the projected cost savings theorized by the Majority for their plan.

When the Majority put forward these costs savings as one of the key rationale for this extreme change, they could not, with certainty, say that this amount would actually be saved. For example, when asked if these savings factored in the rental costs of polling places (since the schools in a certain district(s) would not be used) they said no. Further, should, as one would expect, that voting lines would be longer additional personnel over that estimated by the majority may become necessary and as such the cost savings would further evaporate.

Finally, Minority member, Jane Aiello can tell the Council the voter angst that resulted from the simple change from Calvary Church to Frenchtown School. Given the substantial changes being proposed, one can imagine the confusion that would result. Under the minority plan 4,900 people (3,100 voters) would be impacted. Under the majority plan 18,000 people, fifty percent of Trumbull's population (11,000 voters) would be impacted. Polling locations will be reduced from 7 to 4. We believe the enormous population and voter dislocation under the Majority plan does not justify the minuscule, if any, cost savings.

Greater Voter Choice: The majority feel that larger districts would result in the opportunity of greater voter choice. We believe that what the Majority believes is choice would in fact have a disempowering effect on voters by making informed decisions more difficult for the following reasons:

Ballot Confusion: Under the Minority plan, in a normal election, there would be two candidates for First Selectman, two candidates for treasurer, 4 for Town Council, and (under the new charter) up to 10 Board of Education candidates, as well as the under ticket candidates. Under the Majority plan a voter would be faced with all of the above but now either 8 or 10 Council candidates. More than likely the ballot would be 2 sided, 14 or 18" wide. Confusion would reign, and would result in people taking more time to vote. This would increase the waiting

time to vote which is already impacted, under the Majority Plan, by the increased numbers of voters at fewer voting locations.

As noted earlier, the current configuration has been well accepted by our voters. Voters have choice and have exercised that choice as demonstrated by the results of our elections. Also, fewer voters, in smaller districts, voting at more numerous polling places has proved to be a successful formula for Trumbull in encouraging voter participation. Why change a system that has proven to be successful?

Excessive Number of Candidates: As noted above, the number of candidates for Town Council, under the Majority Plan, would more than double from the current 4 to 8 or 10 in the “Super District.” This number would make it far more difficult for a voter to research and make sound selections.

While the Chair of our Committee has said he has “faith” in the voters of Trumbull, we believe his comments are not reflective of the reality we face today. While the Minority has faith in our voters that is second to none, we also realize that they live extremely busy lives with active schedules. We respect that our voters want to be informed and we believe a manageable slate of candidates will allow the voters to do their research and express their opinions while still respecting their time. Simple math tells you that it is easier and more time effective to research 4 candidates than 8 or 10 in addition to all the other candidates on the ballot. The minority fears that by increasing the load on our voters that instead of thorough research, voters will be forced to do a more cursory review of the candidates, or, even worse, resort to “Party Line” voting.

As noted in our results, our voters have no trouble making change when they feel it is necessary. We, the Minority, are unaware of any hue and cry from our voters for more candidates, more campaign literature in their mail boxes or more candidates knocking on their doors. Our current system has worked well and should be preserved and that is why the Minority Plan is the better choice.

Impact on Minority Representation: Under the Minority seven district plan, the Party that is in the minority at that time would hold a minimum of 7 seats while the majority would hold a maximum of 14 seats. Under the Majority 4 District Plan, the new maximum will be 17 and the new minimum 4. The Minority believe that this will result in both a diminishing of any individual Council member’s influence and dangerously reduce dissenting voices.

Trumbull, in its Town Charter, recognizes the importance of minority representation. Since the 1980’s the seven district plan has seen our Council go back and forth as to which Party holds sway but, because of the presence of a strong minority, dissenting points of view have not only

been heard but have influenced the outcome of decisions to the benefit of the Citizens of Trumbull. Further, a strong minority presence has allowed individual Council Members to carry a manageable load with respect to Committee assignments and therefore perform their duties at a very high level.

Under the majority plan, the minority, in the worst case, would have absolutely no influence on the outcome of important decisions. Further, an individual Council Member's influence would be reduced in situations where a 2/3rds majority is needed. Today, under our current Council make-up, a single vote could determine the fate of a resolution or action requiring a 2/3rds majority. This puts pressure on the majority Party to accept input from all its' members, to consider their points of view and reach compromise. This would be diminished if not entirely lost under the Majority Plan.

Further, as we all know, Committee assignments can be very demanding on time. With 7 minority members, those 7 can spread the workload far better than in a 4 person minority situation. It is in the best interests of the people of Trumbull that all Council members, majority and minority, have a situation where they can fully prepare and fully participate in Committee deliberations. By ratcheting up the workload on Citizen Volunteers who happen to be elected Council members, the Majority Plan would have the unintended effect of reducing the number of Citizen volunteers coming forward and running for office simply because should they find themselves in the extreme minority, they would not be able to do the job as they would like to do the job. Our structure should encourage our Citizens to come forward with their talents.

Therefore, because the Majority plan would make a sham of minority representation, reduce the influence on any individual Council Member and potentially increase the workload of conscientious minority representatives to an unsustainable level, the Minority Plan that does not have these flaws, is the better choice.

MISCELLANEOUS:

Traditional redistricting principles that have been judicially recognized have been followed to a greater degree by the Minority Plan and as such, make it the better choice. The following are examples:

1. Basing the redistricting plan on existing districts: The Majority Plan completely obliterates existing Districts while the Minority Plan, as much as possible, preserves existing districts.
2. Adopting Districts of **equal size**: As noted earlier, the Minority Plan is far superior in this key criterion than the Majority Plan. The Minority plan has Districts that are virtually

equal in population and are absolutely equal in representatives per district while the Majority Plan has a 20% differential in population and creates a “Super District” with a greater number of representatives.

3. Follow easily identifiable geographic boundaries: The Minority plan, as our previously presented maps show, follow more closely both natural and manmade boundaries. By contrast, in order to create four districts, voters will face more inconvenience as a result of these boundaries than under the Minority Plan.
4. Maintaining communities of interest and neighborhoods: By creating three larger districts and one “Super District” the Majority Plan extends both the geographic area and the number of residents in a given District. By contrast, the smaller and more numerous districts under the Minority Plan are, by definition, more manageable, more intimate and allow smaller groups to more easily coalesce around a particular issue or action thereby increasing the effectiveness and the voice of our voters.
5. Drawing Compact and Contiguous Districts: By definition, a configuration with seven districts is more compact and contiguous than one with four districts.
6. Considering the preservation of incumbent-constituency relations by recognizing the residence of the incumbents and their history in representing certain areas: As members of the minority Party in Trumbull, we were cognizant of minimizing the impact of redistricting on relationships established by the people in the most recent and preceding elections even though, as the minority party, this might not be in our best interests. The Majority Plan disrupts these relationships to a far greater degree than the Minority Plan.

Clearly, on these 6 legally recognized traditional redistricting principles, the Minority Plan follows these important precepts to a far greater degree than the Majority Plan.

We believe the Council should ask itself the following questions and provide the voters with clear, unambiguous answers:

Why does Trumbull need to change a system that has worked well for decades?

Why does Trumbull need districts uneven in population?

Why does Trumbull need a “Super District”?

Why does Trumbull need a Plan that impacts 50% of the population when a Plan that impacts only 13% is available?

Why are we reducing the number of polling places when a Presidential election is looming, an election that traditionally has seen stronger than average voter turnout?

Why risk voter confusion, increase the potential for legal challenges, and create uncertainty when there exists a plan that would eliminate or minimize the chances of those things occurring?

Why choose a plan that reduces dissenting voices?

We think if the Council steps back and does a rational comparison of both plans it will become clear that this is not about cost savings, it is not about voter convenience or empowerment, and it is not about problems at the polling places. In fact, none of those justifications, if examined dispassionately, really compel this Council to undertake an action that radically restructures our current district configuration. It seems clear to the minority that this is an attempt to reduce dissenting voices and gut minority representation, an effort that was attempted during the recent Charter revision and rejected by this Council. It is the same attempt just in a different disguise. We should reject it again.

We believe our Committee was flawed from the start because it was unevenly balanced. We believe had the Committee been balanced there would have been one of two outcomes, that is, a unanimous recommendation to this committee or two plans put forward with either both or neither being recommended. That, however, is water under the bridge. However, given the final vote, we would hope the R & R Committee and ultimately the full Council will give these plans equal consideration and review.

We believe that if you do, you will adopt the minority plan because it minimizes split districts, maintains an equal number of citizens to representative ratio, follows the one person one vote rule and does so with essentially equal populations per district, equal number of representatives per district, impacts far fewer voters and minimizes the potential for voter confusion and litigation. In these respects, and others noted herein, the Minority Plan is the right plan for the people of Trumbull.

ACKNOWLEDGEMENTS

We thank you in advance for your consideration of this Minority Report and in closing we want to acknowledge the efforts of two outstanding Citizens of Trumbull, Cindy Katske and Richard White.

Ms. Katske, an attorney and an expert on our Charter, advised us on whether our actions and recommendations followed the spirit and letter of both the law and our Town Charter. I am sure many of you will remember the outstanding service Ms. Katske rendered to our Council in cleaning up the recommendations of the Charter revision commission.

Mr. White, an expert on our Geographic Information System (GIS), volunteered many hours of his time in helping us prepare the maps we used in creating our recommendation to the Committee and now the Council. When we approached Mr. White and asked for his assistance, he willingly volunteered his time. He made multiple changes based on our input and, no matter how many changes we made he made them quickly. Having his acknowledged expertise allowed us to be thorough and detailed as well as to convert the majority plan to a physical map for review. Unfortunately, one member of our Committee chastised Mr. White for his role in working with us.

Ms. Katske and Mr. White deserve the accolades of every member of this Council as well as recognition of the personal time given to assist the committee

Finally, we want to thank our Town attorneys for their legal opinion that we requested. I want to note for the record, that we, the Minority, asked for some additional clarification from our Town Attorneys and it was not forthcoming. We believe our Chair was in error not allowing that clarification to be presented and discussed. We cast no blame on our Town attorneys for this but on the Chair for his refusal.