

Town of Trumbull
2022 Redistricting Committee
Minority Report

Submitted to the Trumbull Town Council

Connecticut General Statute 9-169 designates the legislative bodies of each municipality establish the voting districts. The Trumbull Town Charter, silent on the number of required legislative districts does mandate the election of twenty-one (21) members of the Town Council. The number of legislative districts has fluctuated over the years. In 2020, the Town Council changed the municipality voting districts from four (4) to seven (7).

The Town Charter does not set forth a requirement for a Redistricting Committee. The Town Council established it as it has customarily in the past to delegate its legislative function to redraw lines in accordance with the latest census determination.

Each Council district must be compact in form and be composed of adjoining (contiguous) area. Populations of the council districts must be substantially equal. Before 2020 Trumbull was divided into four (4) legislative districts. The want to divide for seven districts, made by Trumbull Democrats, applied to the 2021 election, and the Town Council continues to consist of twenty-one (21) members, with required minority representation from each legislative district.

The Council delegated its legislative function by Resolution to a Committee on Redistricting comprised of seven (7) members.

- The Committee included three (3) Democratic party members and two Republican party members.
- The majority party politicized the Committee by not constituting a balanced Committee and rejected a minority party councilman.
- No attempt was made by the Council to ensure that at least one (1) member of the Commission resides in each Council district.
- Co-chairs, one from each major political party were not appointed.
- One seated elector presently serves as the chairman of one of the town's major political parties.
- In addition, the Democratic and Republican Registrars of Voters were seated as voting members of the Committee.

The size and organization of the Committee was determined by the First Selectman, Council chair and majority party.

The Committee was established by the Trumbull Town Council on January 6, 2022, under RESOLUTION TC29-22 which stated:

1. The 2022 Trumbull Redistricting Committee be and the same is hereby established;
2. The said Committee shall consist of seven (7) members comprising the two (2) Registrars of Voters, two (2) Town Council members, one from each political party, and three (3) electors of the Town of Trumbull;
3. The said Committee shall recommend to the Town Council a redistricting plan comprising voting districts of substantially equal populations, including the specific boundary lines of each of those districts;
4. The said Committee shall hold its organizational meeting no later than February 1, 2022; and
5. The said Committee shall render its final report to the Council no later than April 4, 2022.

The basis of this minority report is encapsulated in item number three (3) of the resolution: "The said Committee shall recommend to the Town Council a redistricting plan comprising voting districts of substantially equal populations, including the specific boundary lines of each of those districts."

As will be discussed in this report the Committee majority rejected the consideration of any alternative number of legislative districts to the current seven (7).

Republican party members agreed that while compactness should be a requirement for a close union of area rather than a requirement dependent upon a district being of any shape or size, it is subservient to the requirement of substantial equality of population among districts. The population deviation of the seven (7) districts is within the acceptable ten percent (10%) deviation, so the greater geographical area did not affect voting strength. Though it should be noted the Committee majority sought in all practical ways to achieve a zero (0) deviation, well below the federal required standard.

It should be noted that over time, the courts have established a formula for analyzing the "maximum population deviation" among districts for legislatively enacted redistricting plans for local representatives. The court first creates a hypothetical ideal district by dividing the total population of the unit (state, city, or county) by the total number of districts elected representatives who serve that population (in Trumbull's case, that current number is seven (7)). Then the court adds together the percentage population variation of the largest and smallest district in comparison to the ideal district. If that figure is under ten percent (10%) the court regards the difference as de minimis and is unlikely to find an Equal Protection violation. If that figure is over ten percent (10%) the court regards the difference as presumptively invalid, and the government must provide substantial justification to sustain the plan.

The contiguity requirement mandates that there be no division between one part of a district's area and the rest of the district; in other words, contiguous area, or territory, is territory touching, adjoining, and connected, as distinguished from territory separated by other territory. Committee Republicans agreed to use total population, not registered voters for the purpose of redistricting, even as it continued to question offering more than one meets and boundaries to the Town Council.

While the public was noticed and allowed to attend all meetings of the Committee held in a virtual manner there were no community or district forums for the public to provide in-person input to the number of districts, representatives, or boundary mapping of meets and bounds descriptors. The Committee conducted a total of twelve (12) virtual meetings beginning January 13, 2022, concluding March 10, 2022.

- The Committee did not actively seek to engage the Community in the process of drawing new Council Districts.
- The Commission did not meet more than the minimum standard for any regular board, committee, or commission of the town in its outreach.
- It did not contact or make any presentation to distinctive community stakeholder groups, including political parties, civic associations, and communities of interest.
- Every member of the Committee attended all or most of the Committee meetings and participated in the virtual presentations.
- Town Council majority scheduled no public hearings on redistricting at all.
- The public was not presented in person through an open public forum with a district boundary map as prepared for the Committee.

By rejecting the Committee minority party motion to consider districts less than seven (7) the public was excluded from being heard on the needs, wants, and redistricting desires of Trumbull citizens.

This report identifies and highlights deficiencies which the minority believe affects the outcome of a full, fair, and proper redistricting.

- Rejection by the Committee majority for a full, complete, and comprehensive discussion of any district number change more or less than the current seven (7) district model.
 - Four (4) legislative districts to better conform to new four (4) House District boundaries as preferred by State Statute.
 - Three (3) legislative districts would reduce the use of town facilities and resources for voting purposes.
- District lines should have been renumbered in a fashion more closely aligned to where they currently exist.

- Population totals for each district.
 - 2% variation (app. 100 people) per district is both reasonable and acceptable. The U.S. Federal Districts within Connecticut fell between 0.5% - 5%. No Statute states a specific margin, reasonably be close in population is the standard. The Commission majority sought to ensure a near zero percent (0%) variation in population. The near zero percent (0%) deviation required cutting in and out of some odd streets/delineators which would have been much clearer and could have made for better, more compact, and concrete districts (i.e., a border line all the way down Edison Road versus only halfway) those considerations were rejected as was a map that would have had only two (2) split districts.
- The majority party voted to not look at any alternative from three (3) to six (6) districts. This should have been considered.
- Minority representatives requested a mapping of districts less than seven (7). This request was rejected by the Committee chair during the Committee discussions. The request for additional mapping was to review alternatives to seven (7) districts while ensuring equal population. It was further intended to visually present any alternatives to seven (7) districts. The current district model ensures a Town Council super-minority of seven (7). Such a minority may thwart the will of the voters should they choose to want one party over another governing the town for legislation requiring a super majority vote of the Town Council as defined in the Town Charter.

For these reasons, the 2022 Trumbull Redistricting Committee minority members present this report, urges the Council to reject the Committee majority report and requests the Town Council to instruct the Committee to address the deficiencies as outlined in this minority report.

Submitted,

Steve Lemoine

Stephen Lemoine, Town Council Representative

Mark Block

Mark Block, elector