

Lessons in Redistricting: Focused Grantmaking

MARCH, 2023

PREPARED FOR:

New York State Census Equity Fund

PREPARED BY:

Erika Rosenberg, CGR President/CEO



Acknowledgements

CGR is grateful for the time and insights offered by funders, grantees and redistricting experts in interviews, and for support for this project from The New York Community Trust and the New York State Census Equity Fund. We especially appreciate the assistance of Lisa Fasolo Frishman, Program Director of Engage New York, and Patricia Swann, Thriving Communities Program Director at The New York Community Trust.

Staff Team

Erika Rosenberg conducted the bulk of research and authored this report. Donna Harris, Ph.D., assisted with interviews, as well as with writing and editing the report. Devon Rogers, a CGR intern, helped with reviewing grant materials, developing interview questions and conducting interviews.



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Foreword

Dear Colleagues and Allies,

The still-to-be-concluded post-2020 census redistricting cycle was contentious and politicized in many states, including New York. After two rounds of public hearings, a quasi-independent, bipartisan commission appointed by the New York state legislature was unable to agree on recommendations for new districts. State legislators then stepped in with their own proposal, but a New York judge, agreeing with a lawsuit filed in the state's Court of Appeals, voided the legislature's district maps. The judge appointed a special master who subsequently established congressional and state senate districts used in the 2022 elections. But the congressional lines were recently challenged again by Gov. Kathy Hochul and Attorney General Leticia James, who are seeking to have them redrawn by the independent commission. [Note: State Assembly districts were not included in the original litigation but were subsequently struck down by a later lawsuit and have been redrawn by the Independent Redistricting Commission.]

Thousands of New Yorkers from all walks of life participated in the state's redistricting process—testifying at public hearings and attending community forums and map-making workshops. Unlike politicians, they were driven not by the desire to “work the system” on behalf of one political party over another, but rather by their determination to *participate* in the process, flawed as it was, to ensure fair representation for their communities and constituencies.

The New York State Census Equity Fund, a statewide funder collaborative established at The New York Community Trust in 2018, distributed over \$3.5 million in census outreach and education grants to regional and statewide coalitions led by people of color, local nonprofits with deep community ties, and academic institutions. The Fund's post-census pivot to redistricting is reflected in this straightforward account, *Lessons in Redistricting: Focused Grantmaking*, by CGR (Center for Governmental Research). The report shares perspectives gleaned from interviews with grantees and community partners, commission members and commission staff, funders who contributed and funders who didn't.

People are increasingly aware of redistricting as an important part of our democratic infrastructure. And as they become aware, surveys consistently show that a majority of Americans of all political persuasions are in favor of fair maps, and against the practice of gerrymandering. I am glad that the New York State Census Equity Fund invested time and resources into capturing lessons learned while they are fresh. Reports like this are critical as we continue fighting for fair and equitable redistricting processes that are driven by informed citizen participation and community engagement.

Sincerely,

Gary D. Bass

Co-Chair, Fair Representation in Redistricting, and
Executive Director Emeritus of the Bauman Foundation
March 1, 2023

Summary

CGR (Center for Governmental Research) was engaged by the New York State Census Equity Fund to document, reflect on and learn from the Fund's experience making grants to support citizen involvement in the state's redistricting process.

The New York State Census Equity Fund (NYSCEF) was formed in 2018 as a joint effort of local, regional and national foundations and individual donors to support a complete 2020 count of New York State's population and to engage residents in post-census redistricting processes. The Fund provided over \$3 million in funding to support these efforts, initially focusing on the 2020 census. The census effort was documented and assessed in two reports available online – [the first](#) documented grantmaking activities and [the second](#) examined the impact of grantee activities on census results.

Once the census was complete, the Fund turned its attention to making grants to community organizations and academic institutions to support education and residents' engagement related to 2021 congressional, state and county redistricting activities.

The Fund's grantmaking came during a history-making moment for New York State: the state's first attempt at conducting redistricting outside of the usual legislative process. In 2014, the state adopted a constitutional amendment outlining a process for a bipartisan advisory commission to draw congressional and state Senate and Assembly maps for consideration by the Legislature.

The Fund along with aligned funders made redistricting-focused grants of just over \$1 million in grants to 9 organizations. A 10-member steering committee of funder representatives solicited grant applications and made decisions about specific grants.

In order to document and assess the Fund's redistricting-focused grantmaking, we interviewed funders, grantees, and redistricting experts and practitioners. Altogether, we conducted semi-structured interviews with about 25 individuals.¹ This included some directly involved in New York's process as staff or commissioners with the New York Independent Redistricting Commission. We were also pleased to be able to talk with Jonathan Cervas, who was appointed by the New York Court of Appeals as special master to draw congressional and state Senate maps after the court rejected maps drawn by the Legislature.

We found the Fund supported a variety of effective education and engagement activities, from a website with interactive maps of proposed districts that residents, journalists and redistricting officials found useful, to a Unity Map coalition that engaged racial and ethnic groups in a collaborative process to protect and strengthen their communities' rights, to a locally focused effort in Syracuse to engage residents in a redistricting process independent of elected officials. Our interviews with officials involved in the redistricting process at both the commission and special master levels indicate that public input was influential in their decision-making, and it is clear that input was strengthened through the work of the Fund's grantees.

We also heard that the Fund's overall grantmaking process was very efficient and helpful.

¹ See list in Appendix.

Improvement opportunities for the next redistricting process include more work with funders to educate them on the many nuances of redistricting and to foster more dialogue to help bridge the regional divides that led some funders engaged with census work to not be involved or to disengage from the redistricting grantmaking.

More broadly, our research finds larger opportunities for the Fund to potentially continue its efforts right through from now until redistricting comes around again post-2030 census. A multi-sector coalition of government reform groups, community-based organizations, academic institutions, and foundations

is forming to work on a collaborative proposal to reform the state's redistricting process. That will need funding to be effective. In addition, some funders we spoke with envisioned broader efforts to continuously support organizations working to increase community voice in various levels of political decision-making – including but beyond redistricting.

We hope this report assists the philanthropic community writ large to consider how it can build on the success of its redistricting grantmaking to be an even more effective enabler of civic education and engagement benefitting all New Yorkers.



Introduction

CGR (Center for Governmental Research) was engaged by the New York State Census Equity Fund to document, reflect on and learn from the Fund's experience making grants to support citizen involvement in the state's redistricting process.

Our work seeks to understand:

- The role the Fund played in supporting both the congressional redistricting process and focused regional redistricting efforts in select counties
- How philanthropy supported education and community engagement in the redistricting process, and the obstacles the sector encountered
- Best practices and lessons learned regarding nonprofit and philanthropic strategies for outreach and impact

BACKGROUND

The New York State Census Equity Fund (NYSCEF) was formed in 2018 as a joint effort of local, regional and national foundations and individual donors to support a complete 2020 count of New York State's population and to engage residents in post-census redistricting processes. The Fund has provided over \$3 million in funding to support these efforts, initially focusing on the 2020 census. Once the census was complete, the Fund turned its attention to making grants to community organizations to support education and residents' engagement related to 2021 congressional, state and county redistricting activities. The financial investment made by the Fund throughout the state aimed to build community capacity to understand the relevance of redistricting and become involved with public meetings held by the New York State Independent Redistricting Commission.

This report is the third in a series, with two prior reports documenting and assessing the Fund's census-focused efforts.

METHODOLOGY

In order to document and assess the Fund's redistricting-focused grantmaking, we interviewed funders, grantees, and redistricting experts and practitioners. Altogether, we conducted semi-structured interviews with 23 individuals.² This included some directly involved in New York's process as staff or commissioners with the New York Independent Redistricting Commission. We were also pleased to be able to talk with Jonathan Cervas, who was appointed by the New York Court of Appeals as special master to draw congressional and state Senate maps after the court rejected maps drawn by the Legislature.

We conducted semi-structured interviews focused around key questions, including:

- What did you see as the goals of the Census Equity Fund's redistricting-related grantmaking?
- What did you personally hope would be accomplished/feel was most important?
- What factors or variables complicated the process?
- How were those addressed?
- What do you see as learnings or lessons from this experience?
- How do you think grantmakers should work on redistricting in the next cycle, post-2030 census?
- Moving now to New York's redistricting experience, how do you assess the outcomes to date of the new process?
- What do you see as the key factors contributing to these outcomes?
- What do you think should be done in the future? What would improve NY's process and outcomes?

2 See list in Appendix.

Findings

- How did NY's experience compare with that of other states that have tried to move toward independent redistricting?
- Do you have any other thoughts or observations to share?

This report summarizes the information and perspectives we gathered. In order to facilitate open dialogue with our contacts, when asked, we indicated that we would not need to attribute specific comments or quotes to specific individuals. Hence, this report does not do so.

A KEY REDISTRICTING CYCLE

The Fund's grantmaking came during a history-making moment for New York State: the state's first attempt at conducting redistricting outside of the usual legislative process. In 2014, the state adopted a constitutional amendment outlining a process for a bipartisan advisory commission to draw congressional and state Senate and Assembly maps for consideration by the Legislature. The process had critics from the outset who believed it was far too open to manipulation by political leaders, but it was nonetheless significant in taking map-drawing out of the hands of legislators.

In addition to documenting and assessing the Census Equity Fund's grantmaking, this report will address the reformed process, outline the variety of perspectives we heard on its performance and outcomes as well as recommendations for the future, and ultimately offer suggestions for how the Fund might be involved in the future in supporting improved redistricting in New York State.



Findings

PROCESS AND ROLE THE FUND PLAYED

The NY Census Equity Fund raised about \$3.5 million for census and redistricting efforts. A total of \$1.095 million was provided in redistricting-focused grants to 9 organizations, through both the pooled funds and aligned grants from other foundations. A 10-member steering committee of foundation leaders from across the State developed Requests for Proposals in order to solicit grant applications and made decisions about specific grants. The committee's focus was on census until the fall of 2020, when attention turned to redistricting. A consultant helped flesh out an overall approach to redistricting grantmaking and worked with specific funders to raise some dedicated funds.

Although redistricting was a clear second phase of the Fund's work to many involved, several funders and many grantees under the census phase did not continue into the redistricting-focused work. We heard a variety of reasons for this in interviews, including that redistricting felt too political for some funders, that it simply did not rise to the top of important issues for other funders and that, in some parts of the state, fewer organizations were interested in obtaining grants and doing redistricting work. We will further discuss these issues later in this report.

From the perspective of grantees, the Fund overall worked very well. Several of the 9 grantees had received census grants and so were familiar with the Fund and its processes. Grantees said the overall process was smooth and completed in a timely and efficient manner, though one said several months elapsed between receiving notification of the grant and receiving funds.

HOW THE FUND SUPPORTED EDUCATION AND ENGAGEMENT

The Fund through its grants and aligned grants from individual funders supported a range of education and civic engagement efforts. Seven of the 9 grants focused on the state redistricting process, while one grant related specifically to redistricting for Syracuse City Council and another focused on New York City Council redistricting. The grants included statewide efforts as well as activities for specific populations and/or geographic areas. The table below shows the amount and purpose of each grant.

PUBLIC EDUCATION AND ENGAGEMENT

For two organizations, support from the Fund allowed them to add staff capacity to coordinate outreach and education on redistricting with members, affiliates and/or partner organizations. The League of Women Voters, for example, hired a staff member to reach out to League chapters across the state to inform and educate them about redistricting, enabling them to prepare residents in their area to offer input at redistricting hearings. The New York Civic Engagement Table similarly hired a coordinator to provide education and organize group and 1-on-1 sessions for learning and strategizing to about 45 of its member organizations as well as unaffiliated allied organizations. NYCET also created a resource guide for organizations, which are largely (75% or so) led by people of color and include some very small, grassroots groups with little to no knowledge of redistricting. The 1-on-1 coaching was very important to some groups in building their capacity to engage residents and prepare them to offer input to officials on redistricting.

The Fund also supported a broad education and engagement initiative undertaken by the New York Law School. The Census and Redistricting Institute

provided nonpartisan training programs to residents and professionals, a nonpartisan Academic Resource Center online at RedistrictingOnline.org, primers on the law and processes, and a weekly online blog explaining the latest developments in the process and legal battles. A Public Mapping project enabled higher education student teams to draw and analyze their own legislative districts. A Redistricting Roundtable provided a nonpartisan hub for activists, attorneys and experts to share information and resources and stay abreast of developments. The Institute also provided objective and nonpartisan legal, legislative and/or strategic guidance on how to conduct redistricting processes to about 17 local governments in New York State.

EDUCATION AND MOBILIZATION OF SPECIFIC COMMUNITIES

Other grants funded similar engagement efforts that were more targeted toward specific populations. The MinKwon Center for Community Action used funds to provide education, engagement and mobilization activities to Asian and Pacific Islander communities. This included neighborhood tours, map drawing and translation of redistricting materials into several different languages. Language needs were significant – the group provided translators at state redistricting hearings where translation needs were not met. MinKwon also made a documentary about redistricting and mobilized residents to attend the hearing organized by the special master in Bath, NY, a 12-hour drive round trip for residents involved with the New York City-based organization.

The Yemeni American Merchants Association also used Fund resources to educate members of a specific population, Yemeni and Arab Americans. The group held two Facebook live events and designed and disseminated multilingual posters for display in 150 bodegas. The group testified at commission hearings and visited mosques to discuss redistricting.

MAP-MAKING

Other grantees were more focused directly on the redistricting maps themselves.

MinKwon was a partner in the Unity Map process supported by a grant from The New York Community Trust in alignment with the NY Census Equity Fund to LatinoJustice, the Center for Law and Social Justice @ Medgar Evers College/CUNY, and the Asian American Legal Defense and Education Fund. This work aimed to unite the Latino, Black and Asian communities in New York City on redistricting priorities in order to avoid their being splintered or manipulated by other interests. The Unity Map process, which the groups were using for a third consecutive redistricting cycle, allows for equitable distribution of political power, respects communities of interest and keeps communities whole. Historically, political forces have pitted these communities against each other at times, so the Unity Map process works to ensure that communities collaborate, agree on principles, and use data effectively.

The groups involved in the Unity Map ran a 6-week virtual course and 2 mapping sessions to produce the Unity Map, which was publicly praised in hearings by residents in each NYC borough for keeping communities whole. The process was sensitive to the local needs, for example taking into account specific institutions and what districts they were located in. This can be important to residents as districts with institutions such as hospitals and museums will have additional clout, and it also allows residents of those districts to advocate for resources for the institutions. The Unity Map process also provided a “big picture” take on the process, allowing residents to see how at times serving the interests of the whole might require sacrifices of local areas. While one particular community might not be included in its favored district, that allows the district as a whole to retain more of its character and historically close neighborhoods and institutions. For example, a

particular neighborhood might not be included in a district spanning part of Jamaica Avenue in Queens because it would push it over the population target, but the district as a whole retains the character and major institutions of that part of the Jamaica Avenue area.

The Unity Maps were influential in the map-making of the Independent Redistricting Commission, the Legislature and the special master. While none adopted the Unity Map wholesale, each set of maps incorporated some aspects of the Unity Maps.

There was some criticism of the Unity Map process that some South Asian, Arab and Muslim communities were not included in the process and decision-making. The process should have been more inclusive, one interviewee said.

The Census Equity Fund also supported the Graduate Center at the City University’s Mapping Center “Redistricting and You” website, which provided interactive versions of the proposed maps to make it easy for residents to see how they would be affected by redistricting proposals. The interface has an address search box and a slider that allows users to see current and proposed districts for an address or area. It also displays statistics for districts such as total and voting-age populations, voting patterns in the 2020 presidential election and information about compactness, such as how many counties or towns the district splits. The website was used by residents and journalists and CUNY received much positive feedback about it, including from leaders directly involved in redistricting.

EVIDENCE OF IMPACT OF STATE-FOCUSED GRANTS

Our interviews with officials involved in the redistricting process at both the commission and special master levels indicate that public input was influential. Comments offered at hearings and through online or written submissions were reviewed and affected how map-makers thought

about particular districts in different parts of the state. They also used resources like the Redistricting and You website maps (CUNY Mapping Center) and summaries and comments produced by the Census and Redistricting Institute (New York Law School). This supports the comments from grantees' that their work had impact.

LOCAL REDISTRICTING

There were two projects focused on redistricting at the local level: the NYC-focused Unity Map coalition mentioned above, and Common Cause New York's work to educate and engage Syracuse residents in the new independent process to redraw districts for its Common Council. The Syracuse process was unique in having volunteer residents rather than legislators draw redistricting maps. Common Cause hired an organizer in Syracuse to inform and involve residents in the process. This included helping them understand the process and maps produced, and prepare to offer testimony at hearings. Communities representing African Americans, tenants, and immigrants including a significant Somali community participated in the process in part through Common Cause's work, though engagement was higher among the first two than it was among new immigrant communities.

The grant also allowed Common Cause to document and learn from the process, which it considers the only truly independent process in New York State. The commissioners apply and are selected by the City's Audit Department and convene to draw the maps, which are then voted on by Common Council. The grant supported Common Cause in learning from Syracuse's experience to inform ongoing efforts to refine New York State's redistricting process.

The Central New York Community Foundation made an aligned grant to support Common Cause in this work as well. In addition, an aligned grant by the New York Community Trust to Citizens Union Foundation focused on New York City Council redistricting.

OBSTACLES ENCOUNTERED

As with any effort, the Fund's and grantees' work encountered barriers, from lower levels of engagement on the part of both funders and grantees to the state redistricting process itself.

LOWER ENGAGEMENT

Several funders who had been involved did not continue or dropped out of the redistricting-focused effort. Funders cited a range of reasons for this. On one end was a feeling that redistricting just did not make it to the top of their list of issues to be actively involved in, even though they understood the importance of it. Another funder said redistricting was a "non-starter" at the foundation, viewed as too political and partisan. That was not a predominant rationale, however.

As participants remember, there was one specific issue that led to discord in the funders' conversations about redistricting and that related to prison inmates. Where prisoners are counted for redistricting purposes is an issue that has received more attention in recent years. New York State adopted a prisoner reallocation law before the 2010 census that stipulates state prisoners are counted at their home addresses, rather than where they are incarcerated, for purposes of both state and local redistricting. However, lawmakers did not make this change for federal redistricting for congress, apparently unsure whether they had the power to do so.

When prison gerrymandering came up among funders, the discussion was off-putting to some and not well understood, it appears, by the group as a whole. There seems to have been assumptions that the group was against "prison gerrymandering," as it is called by advocates seeking to have prisoners counted at their home addresses. It is unclear whether the funders group knew that New York had acted against prison gerrymandering in the prior census – it seems some did and others may not have. And funders from less populated areas with prisons felt unrepresented and unable to

comfortably represent the nuance of their views within the conversation.

More generally, redistricting was simply a different animal from the census when it came to funders working together and being able to rally around a common cause. It was inherently more complicated (counting every resident vs how to draw three different sets of legislative district lines across all of New York State) and potentially divisive, easy to view as a zero-sum game with winners and losers. The simple act of redistricting looks very different in a sparsely populated community, where questions might center around whether and how to split counties and towns, than it does in New York City, where analysis and debate takes place at a census tract or block level. One funder described feeling like her community was discussed as “a rounding error” in the conversation. Hearing colleagues describe Elmira or Binghamton as close or akin to Buffalo was disappointing when the group had worked so closely and collaboratively in the census effort.

“It’s hard to talk about rural life” in a group more dominated by downstate concerns, one funder said. She expressed a wish that more in the group understood or tried to understand the challenges that come with sparse population, including insufficient resources such as electricity, water and sewage service as well as emergency response and access to health care.

A related issue was the low number of organizations working on redistricting in some parts of the state. Place-based funders had less incentive to be involved in the funding collaborative when there were few or no potential grantees in their areas.

Despite lower funder engagement related to these issues, every funder we interviewed was supportive of the collaborative funding effort on redistricting, even if they were not heavily involved. “How we draw the lines does matter. I like that philanthropy is thinking about it and trying to make sure people

engage in the process,” said one.

INSUFFICIENT FUNDING

A few grantees mentioned that they needed more financial support for their efforts. In one case, the organization had not requested enough and that was not apparent until the work was underway. Factors driving up costs included the delays in the overall census and redistricting processes due to COVID and litigation as well as the work being more labor intensive than anticipated.

Another grantee expressed the opinion that more funding went to good government groups than to community-based organizations working “on the ground” and that some government reform groups questioned whether to bring the CBOs into redistricting. This grantee felt that more support should go to grassroots organizations.

THE STATE’S PROCESS

Some grantees considered aspects of the state process itself as a barrier to their effectiveness. For example, the special master appointed by a judge to draw maps held only one public hearing and it was in Bath, Steuben County. For some grantees, including those in New York City, this was a difficult location to get to for them and their constituents, requiring a 3-day trip that had to be organized as most constituents did not own cars. In addition, the Independent Redistricting Commission’s hearings were not accessible to speakers of other languages, one grantee said. The only way for residents to indicate they needed translation was to fill out an online form in English that asked generally about “accessibility needs.”

In a larger sense, the failure of the new state process to be truly independent from the Legislature and to produce maps that withstood legal scrutiny were considered limiting factors by many grantees. While many of the organizations felt their work influenced the commission, the Legislature and the special master, they also felt the process was

overall too political and not sensitive enough to residents' needs and preferences. Many expressed a desire to see reforms including appointment of commissioners by someone other than legislators.

PERSPECTIVES ON THE STATE'S REDISTRICTING PROCESS

In order to inform funders as they think about future redistricting-focused efforts, we interviewed several experts and practitioners involved in or observers of New York's latest round of redistricting. Although there is widespread skepticism and criticism of the process and outcome, we heard a variety of perspectives including some positive feedback.

To quickly summarize, this was New York's first attempt to accomplish redistricting outside the legislative process. The 2014 constitutional amendment established an Independent Redistricting Commission with 10 members, 8 appointed by legislative leaders and 2 selected by the first 8. The commission is charged to use updated census data and public input through a series of hearings to draw new districts for congress and state Senate and Assembly. The maps then proceed to the Legislature for final approval.

When the amendment was adopted, New York had divided partisan control of the Legislature, with Democrats leading the Assembly and Republicans leading the Senate. By 2021, Democrats had taken over the Senate. While the commission was still bipartisan because both majority and minority leaders have appointing authority, the political dynamics had profoundly shifted. With Democrats dominant in both houses, there was little incentive or hope for the two parties to compromise.

The commission did not produce a single set of maps, instead forwarding one set of maps favored by the Democrats and another favored by Republicans. The Democrats controlling the Legislature instead adopted their own maps, which were challenged in court and found

unconstitutional on procedural grounds. Though given the chance to fix the maps, the Legislature did not act and the job was given to special master Jonathan Cervas. The Assembly map was not initially included in the successful challenge but later was found unconstitutional through a separate legal action, and was the subject of another round of public hearings by the Independent Redistricting Commission. The Commission has adopted a new map that now goes to the Legislature for approval.

As mentioned above, we heard a variety of opinions about the process and outcomes, which we summarize in three broad sections below.

VIEW 1: THE COMMISSION WORKED PRETTY WELL

Though widely disparaged, the process had some defenders. These interviewees were involved in the process and said, despite assumptions and/or appearances, it was divorced from the Legislature. Though some legislators offered testimony in public, they were not invited or brought into the process, and there were not back channels for them to communicate preferences, these interviewees said. One, in fact, felt that in the future it would be better to hear more from legislators about how districts should be drawn because they know a lot about their districts.

The commission took account of public input and worked to draw districts that balanced redistricting priorities including equal size in terms of population, protection of voting rights of minority groups, compactness, and keeping communities of interest together. In addition, the commission reached some bipartisan agreements, including establishing a primarily Latino district in Suffolk County and creating fewer districts that divide up Rochester.

While the commission was ultimately faulted for succumbing to gridlock and forwarding two partisan sets of maps, these interviewees said it was not clear from the redistricting legislation that it was required to agree on a single set of maps.

VIEW 2: THE SPECIAL MASTER DREW GOOD MAPS

While the special master's maps came in for a good deal of criticism, with some faulting them for the loss of four Democratic seats in congress, the maps were seen by some as creating more compact districts and increasing competition between the political parties. In our interview, the special master said he did not set out to increase competition, but the maps had that effect because the previous districts were drawn to maximize partisan advantages. Keeping districts compact and aligning districts as requested through public input were two priorities he did mention in our interview.

Given the complexity and wide range of issues and potential impacts embedded in redistricting, one view is that the best maps are actually done by experts such as special masters with no vested interest in election outcomes. This view notes that the effectiveness of commissions, the preferred alternative of many good government and community groups, is often dependent upon how well they are designed. And designing a high-functioning, truly independent commission is very difficult. As one interviewee commented, "There's no doubt this is a very partisan activity. I don't think it's possible to take politics or partisanship out of the equation."

In addition, advocates and community members seeking to influence redistricting can at times act against their own interests. For example, a group seeking to maximize its chances of electing a representative from the group in a particular district will often advocate to include as many group members as possible in that district. That can paradoxically have the effect of "packing" group members in that district, diluting their influence and chances of electing group members in other districts. This is another example illustrating that the complexity of redistricting argues for decision-making by neutral experts.

VIEW 3: THE PROCESS WAS A COMPLETE FAILURE

This was the predominant view of observers, advocates and community members. As one interviewee put it, "It was all designed to fail and it did so miserably or wonderfully, depending on which adjective you want to use." In this view, the commission was created simply to provide cover for the Legislature to continue to exercise actual power over the process. Legislative leaders never intended to empower residents, increase neutrality or competitiveness, or loosen the grip of partisan interests. The commission was designed to produce partisan gridlock, with 4 Democrat-appointed commissioners, 4 Republican-appointed commissioners and 2 (1 for each side) selected by the 8. And it did. "It is an embarrassment to the state," one grantee said.

PRIORITIES FOR REFORM

Our interviewees offered views on the top issues that need to be addressed if New York is to have a better redistricting process in the future.

TRUE INDEPENDENCE FROM THE LEGISLATURE

The City of Syracuse and states of California and Michigan offer examples of ways to appoint redistricting commission members without having legislative leaders involved. In Syracuse, residents applied and the City's Audit Department vetted and selected commission members. Similarly, in California, a panel of 3 state auditors evaluate the analytical skills, impartiality, and diversity of applicants to the redistricting commission and choose a large pool equally comprised of Democrats, Republicans and independents. The 4 legislative leaders (2 from each party) can each cut 2 people from the pool. The commission is then created from 8 pool members selected at random, who chose 6 others (2 Democrats, 2 Republicans and 2 independents). The final commission of 14 members has 5 Democrats, 5 Republicans and 4 independents.

Michigan uses a similar process under the Secretary of State. In addition to accepting applications, the Secretary of State also mails applications to at least 10,000 randomly selected voters. Rather than evaluating applicants, the Secretary of State randomly selects 30 Democrats, 30 Republicans, and 40 independents from the applicants and equal numbers from the randomly sent applications. The legislative leaders may each strike five applicants. The Secretary of State then randomly selects 4 Democrats, 4 Republicans, and 5 independents from the pool of 180, to constitute the commission.

While evaluating the results of these processes in other states was beyond the scope of this report, we include in the Appendix links to reports analyzing results in these states.

CLEAR AND PRIORITIZED MAP-MAKING STANDARDS

As described on New York's Independent Redistricting Commission website, the law requires the commission to consider and balance several priorities in creating its maps. These include:

- Drawing districts that contain an equal number of inhabitants, as close as practicable.
- Making each district using contiguous territory, and as compact in form as practicable.
- Ensuring districts are not drawn to have the purpose of or result in the denial or abridgement of racial or language minority voting rights.
- Maintaining the cores of existing districts, pre-existing political subdivisions (including counties, cities, and towns) and communities of interest.
- Ensuring districts are not drawn to discourage competition or to favor or disfavor incumbents or other particular candidates or political parties.

These are widely accepted principles of fair redistricting, however, many of our interviewees believe they need to be more clearly defined and prioritized in state law. This would include language

defining what communities of interest are and specifying rules such as a prohibition on splitting counties or towns unless absolutely necessary to create districts of equal population size.

A dissenting view holds that prioritizing more specific standards in law might make redistricting significantly more difficult to accomplish and could require map-makers to fully sacrifice one principle in order to meet others.

PROCEDURAL REFORMS

A variety of procedural reforms could potentially improve the functioning of the redistricting commission, including the appointment of a tie-breaking commissioner and elimination of the partisan split in staff members (with co-executive directors of each party). Here too, dissenters say the even number of commissioners and partisan staff could work to force the parties to work together and compromise.

Lessons Learned & Recommendations for the Future

The insights from interviewees provide a wealth of information about how the New York State Census Equity Fund can learn from its redistricting-focused grantmaking and plan for an even stronger and more effective effort following the 2030 census.

START EARLIER

Or, put another way, don't stop!

Nearly everyone we talked to recommended beginning to discuss redistricting in the middle of the decade, rather than as the census process is ongoing. This provides opportunities to do one-on-one meetings with funders who may have reservations, to do funder education about redistricting (more on that below), and to work

with grantees to understand what they are doing throughout the decade and strategize about how to support public education and engagement efforts. In addition, local redistricting processes are even less well understood than the state process, so a longer time frame would allow funders to be educated and strategic about work in this area.

Given New York's redistricting situation, there is no reason to put the issue aside. About a dozen organizations across the state, including many of the Fund's recent grantees, are strategizing about how they can work together over the next several years to develop a collaborative proposal and push for reform of the state's redistricting process. Significant reform, which many believe is necessary, will require another constitutional amendment, so there is no time to waste. The groups are currently meeting to try to determine an organizing structure for the coalition and a lead. There will likely be three phases to the work: developing a collaborative proposal, lobbying to get the Legislature to put it on the ballot, and campaigning to get it passed – all before 2028. All of this work will require funding, which NYSCEF could be well positioned to provide.

Many of the funders we talked to sound supportive of this. "Now is the time," said one. "I'm very interested in New York having a state-of-the-art redistricting concept. We should be good at this. We should be leading the nation." The opportunity here is to define terms like communities of interest and specify the rules of engagement – "separate from the drama," as this funder put it.

One interviewee raised the question of who is the lead for this work on the funders' side, suggesting that it is intensive enough to require a specific champion to push it forward.

REFINE THE PITCH TO FUNDERS

Interviewees had suggestions about how to potentially make redistricting more appealing to a

bigger group of funders.

One suggestion is to focus on how redistricting matters to their local area. While some funders understood this, to others it was less clear. They did not see how funders could truly make a difference since it is a legislative function. Doing more in local redistricting is one clear way to address this.

As one interviewee put it, "Redistricting paves the path for voter choices to be better reflected." Connecting redistricting to overall decision-making and political power might need to be explicitly done for some funders to join in.

Another suggestion is to be careful about the language used, as it can be polarizing. One funder offered the example of conversations on racism. "We need to recognize that foundations are at different points on the spectrum" with regard to racial and other issues. Taking care in how issues are framed is important. As an example, focusing on the need to ensure processes are equitable and that community voices are heard is something every foundation can support.

DO MORE FUNDER EDUCATION

As discussed throughout this report, redistricting is extraordinarily complicated. Even some who work on the issue may have an incomplete understanding of all the nuances. It is no criticism to say that funders, like many other groups, could benefit from a clearer and more nuanced understanding of the process and related issues. The prison gerrymandering issue provides one example. Educational sessions on topics such as these can help to provide a level playing field, common language and baseline understanding. This can serve to reduce the "heat" during spirited discussions while providing the foundation for healthy dialogue and airing and resolution of conflicts.

A related suggestion was to integrate communications

expertise into the funder education and engagement process. In the latest round, the Fund did use experts to help bring participants up to speed on issues, but some of the information provided was dense. Breaking redistricting into manageable components and taking more time to go through information is likely to provide larger payoffs down the road. These sessions can also help to bridge the regional divides that surfaced around redistricting.

BUILD A COHESIVE EFFORT WITH INFRASTRUCTURE

The New York State Census Equity Fund may also want to consider structuring its next effort as more of a cohesive whole including census, redistricting and voting, potentially under an even larger civic engagement umbrella. One advantage of doing this is it aligns better with how organizations approach these issues. Many work on several or all of them together, rather than in silos. Funding initiatives in a siloed way can be difficult and cumbersome for grantees. This could also help provide ongoing, potentially flexible funding for allied groups to work together over time and build increased trust, enhancing their effectiveness.

Another specific integration opportunity is to involve the census-focused complete count committees at the local level in the redistricting work. The committees are a form of local infrastructure that can be key to increasing interest and understanding of redistricting.

These steps may also help with generating more interest around local redistricting among potential grantees across the entire state. The 2021-22 effort was somewhat tilted toward New York City, where the lion's share of requests originated.

CONSIDER MORE EXPANSIVE EFFORTS

Some interviewees had even larger conceptions of this effort. In these visions, funders work collaboratively to continuously support

organizations working to increase community voice in various levels of political decision-making. Funders also support efforts to improve and/or critique democratic processes to ensure they remain robust and invest in efforts to make government and other institutions less corrupt, less partisan and more responsive to New Yorkers. This may require building this infrastructure and fostering the creation of organizations in some parts of the state where it does not currently exist.

"I would like to see groups focused on community participation and voice in processes be resourced to do work continuously, not just with respect to redistricting or the census cycle. They should have infrastructure and resources to engage constituents in civic processes all the time," an interviewee said. "We shouldn't be funding participation in a process doomed to fail," she added, referring to this cycle's redistricting.

A wide-scale collaborative such as this could be framed in a number of ways. One funder described a think tank focused on ensuring New Yorkers have guaranteed access to the broadest possible set of rights – rights to vote, have health care, have essential resources, have protection of gender identification – the list could be expanded indefinitely. Such a structure would provide time and expertise to think, plan, and hone and distribute key messages. "Let's be expansive," this funder said. "The fullest possible suite of rights, I want that for every single New Yorker."

CONCLUSION

It is clear from our interviews that the New York State Census Equity Fund's investment of just over \$1 million in public education and engagement in redistricting had meaningful positive impact. Grantees worked effectively to increase understanding and involve New Yorkers in the process. Sources directly involved in redistricting at the commission and special master level said they listened and tried to incorporate and respond to public input. Although many believe the process

Appendix

was fatally flawed and needs serious reform, the New York State Census Equity Fund's redistricting grants helped build capacity within and across organizations that can be applied to the work ahead. There is a continued need for funding and funder engagement and opportunities to

broaden and deepen the work, if funders agree on a direction. In any case, the Fund's inaugural collaborative effort in redistricting grantmaking can be considered a success in increasing support for a critical issue and a solid foundation from which to grow.

Appendix

INTERVIEWEES

Garry Bass	Bauman Foundation
Laura Bierman	League of Women Voters of New York State
Karen Blatt	NY Independent Redistricting Commission
Cali Brooks	Adirondack Foundation
Joanthan Cervas	Carnegie Melon University - Special Master for NY
Cathy Duvall	Democracy Ascent Advisors
Lurie Daniel-Favors	Center for Law & Social Justice
Lisa Fasolo Frishman	Engage New York
Randi Hewit	Comm Fnd of Elmira-Corning & the Finger Lakes
David Imamura	NY Independent Redistricting Commission
Sol Marie Jones	Long Island Community Foundation
Martha King	Charles H. Revson Foundation
Susan Lerner	Common Cause New York
Michael Li	Brennan Center for Justice
Melody Lopez	New York Civic Engagement Table
Robin Melen	Westchester Community Foundation
John Park	Minkwon Center for Community Action
Michael Remaley	Hamill Remaley Consulting
Steve Romalewski	City University of NY Mapping Service
Asher Ross	New York Immigration Coalition
Patricia Swann	The New York Community Trust
Sam Wang	Princeton Gerrymandering Project
Jeff Wice	NY Law Census and Redistricting Institute

Reports from Other States



Reports from Other States

Below are descriptions of and links to reports analyzing the results of redistricting in a few states with independent commissions, as well as a report with broader thoughts for funders.

- “Michigan Redistricting Map Analysis” – Michigan State University’s Institute for Public Policy and Social Research with the support of the Joyce Foundation (part of the Fair Representation in Redistricting initiative). The report provides a quantitative analysis of the collaborative draft maps and the Proposed maps drawn by the Michigan Independent Redistricting Commission.
- “Funding Redistricting in California” – Philanthropy California. The report analyses the efforts and impacts of Philanthropy California’s Fair Representation Fund and is premised on interviews with funders, staff, and grantees of the fund.
- “The Arizona Independent Redistricting Commission: One State’s Model for Gerrymandering Reform” – Harvard Kennedy School’s Ash Center for Democratic Governance and Innovation. This policy brief outlines key lessons from Arizona’s redistricting with an independent commission.
- “Drawing New Lines: How Advocates in New Jersey put Communities on the Redistricting Map” – Fair Districts New Jersey (a coalition with contributing funders including The Fund for New Jersey, Geraldine R. Dodge Foundation, New Venture Fund, PSE&G Company Foundation, the Robert Wood Johnson Foundation and the Schumann Fund for New Jersey). The report detail’s the coalition’s advocacy for fair and representative redistricting and highlights lessons learned for future advocates to use in future redistricting battles.
- “Mapping the Future: The Redistricting Process and Private Foundations” – Bolder Advocacy. This article gives best practices and reminders for foundations when funding or advocating for issues related to redistricting.

