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Members of the Albany County Redistricting Commission:

Part L of Local Law 8 for 2019 provides that the Albany County Legislature, upon a failed vote of a proposed redistricting map, “may provide feedback and recommendations to the Commission in order to assist the Commission in providing an updated redistricting report.” As of this date, no such document has been adopted by the full legislature. Accordingly, the Republican and Conservative Minority Conference of the Legislature will provide its feedback, recommendations, and comments herein.

As you may recall, our Minority Conference voted unanimously on October 11th, 2022, to support the map proposed on that date by the Albany County Redistricting Commission. Our Conference did so for both substantive and procedural reasons: we believed the proposed map was fair and served the residents of Albany County, and we also contend the Redistricting Commission worked in an impartial and methodical way to arrive at that map.

It is imperative that the apolitical and diligent work of the Commission continue independent of any partisan or political influence. Accordingly, it is the recommendation of our Conference that the Commission continue its work in much the same way it has to date, and that any pressure to implement changes to your proposed map in order to benefit incumbent County Legislators be resisted. If changes must be made, especially with respect to the majority-minority districts, they should be made in a way which serves the public interest, enhances representation, and prevents the County from being subject to litigation, sued for violating the Voting Rights Act of 1965 as has happened previously. These changes should also, to the extent possible, continue the Commission’s adherence to Local Law 8 for 2019 which requires districts “be consistent with existing municipal and rural boundaries” as was the case with the Commission’s original proposed map.

Fair maps are desirable not only because they are in the public interest but also because they are required by law. As you know, Local Law 8 for 2019 provides that “the places of residences of incumbents or candidates shall not be identified or considered.” This language mirrors similar statutes on the State level which were confirmed and enhanced by the decision in *Harkenrider v. Hochul*, which rejected an effort by the State Legislature to circumvent a constitutionally convened redistricting commission in order for the Legislature to draw its own maps. That effort lead to, as the decision put it, maps “drawn with impermissible partisan purpose.”

It is absolutely vital that Albany County avoid both the substance of partisan gerrymandering in its maps as well as the process that lead to their adoption and subsequent removal on the State level. Albany County has been subject to three consecutive decades of litigation for its County Legislative maps, and if County Legislators either bypass the Redistricting Commission or unduly influence it, we will undoubtedly see a fourth consecutive round of litigation. Such litigation would assuredly be bolstered by the decision in *Harkenrider v. Hochul* and other emerging precedents against partisan influence in redistricting.

When considering the next map to be sent to the County Legislature for approval, our recommendation is that you continue to consider all best practices in independent redistricting as well as all parameters required by law. We appreciate your consideration of our feedback.

Best,
Albany County Legislature Minority Conference