



Fair Districts New Jersey Statement Vote NO on Question 3

Fair Districts New Jersey urges voters to vote NO on statewide public question 3 on New Jersey's ballot. This question postpones redistricting for two years during any cycle in which New Jersey does not receive new Census data by February 15.

While the public question is said to be in response to the COVID-19 pandemic's possible impact on the U.S. Census Bureau's timeline for delivery of population counted to each state, the proposal goes too far and would be permanent.

Question 3 has significant issues and must be defeated by voters. Voters should vote no for the following reasons:

It makes a permanent change to a one-time problem: While any delay of Census data delivery in 2021 would be a result of the COVID-19 pandemic, question 3 is a permanent change to our Constitution that would be triggered every time New Jersey receives Census data later than February 15. This change could impact redistricting for decades to come, even after we are no longer grappling with the impacts of COVID-19. Under normal circumstances, the deadline for the Census Bureau to deliver Census data to the states is April 1. As a courtesy, the U.S. Census Bureau has previously prioritized delivering the data to New Jersey and Virginia because these states hold off-year legislative elections. However, legally the Bureau has no obligation to provide data early to New Jersey or Virginia. In fact, in 2001, New Jersey received the data in March (past the February 15 courtesy date but before the April 1 deadline) and New Jersey was able to carry out the redistricting process under the usual timeframe by moving the primary election date. Currently, the Census data collection and data delivery timeline is an ever-changing situation, with shifting plans and predictions, as well as court proceedings that could impact that process. It is uncertain how late New Jersey might receive Census data or if the data will be late at all. In any event, a permanent constitutional fix is not the appropriate response to an uncertain, one-time situation.

It is also concerning that a great deal of power over New Jersey's redistricting would be given to the federal government under this proposal: if deemed politically advantageous, future administrations could delay our receipt of Census data past February 15 (even by one day), forcing us to extend our outdated legislative maps by 2 years. **In conclusion, both the February 15 date and the permanency of question 3 should cause voters to vote NO on question 3.**

It dilutes the power of New Jersey's diverse communities: New Jersey is significantly more diverse now than it was ten years ago when the current map was drawn. Question 3 asks New Jersey voters to approve the continued use of a map that does not reflect and does not represent New Jersey's growing diversity. New Jersey's Hispanic/Latinx and Asian populations have grown by 20%. The Princeton Gerrymandering Project, in their statement opposing this question, said that in "11 of the 21 counties, the combined Black, Latino, and Asian population will exceed 37%," and explained that "in every district except District 30, the proportion of white population has decreased," and in all but four districts, "the Latino or Asian populations have increased." Delaying redistricting denies communities of color fair representation for two years.

Testifying in opposition to the question, Henal Patel, Director of the Democracy and Justice Program at the New Jersey Institute for Social Justice (the Institute), on behalf of both the Institute and members of the United Black Agenda, summarized the impact of the question on New Jersey's communities of color as follows:

“While both the government and the people of this State have taken drastic measures to address this pandemic, we continue to face the worst of this virus. Crucially, it is communities of color who have suffered the most. This public health crisis has exposed the cracks of structural racism in New Jersey’s foundation. And that those cracks have caused earthquakes in Black and Brown communities in New Jersey. Our groups have been working to ensure that these earthquakes don’t reach our democracy.

“We oppose the proposed bill because it will exacerbate the cracks of structural racism in our foundation by using the existing, outdated legislative maps, which do not include the substantial growth of people of color in New Jersey since 2010, thereby diluting the political strength, influence, and power to which people of color are entitled based on their composition of New Jersey’s population as it exists right now.

“A New York Times analysis found that in every single county in New Jersey, Black or Latino communities had the highest rates of coronavirus cases. People in New Jersey – but particularly those who are facing the brunt of systemic racial inequalities – must have a meaningful opportunity to elect officials and to have a government that represents them.

Despite these realities, in addressing the possible delay in receiving Census data as a result of COVID-19, of all the possible solutions that could have been found, this is the one option where the *only* people harmed – the only people asked to make this sacrifice to their representation – are communities of color. **Delaying rightful political representation, and power, for two years is an unacceptable sacrifice being asked of communities of color.**

It disregards the need for meaningful, substantive reform in the redistricting process: It is unfortunate that New Jersey continues to attempt to make harmful changes to our redistricting process while ignoring calls for meaningful reforms. For years, the [Fair Districts New Jersey coalition has been working to reform New Jersey’s redistricting process so it better serves the residents of our state](#). We have called for a redistricting process that is inclusive, transparent, and community-driven, with meaningful public input and fair line-drawing standards similar to the ones states across the country have adopted as part of their redistricting reform efforts. However, instead of advancing these good government reforms, New Jersey has attempted to legitimize gerrymandering through a previously introduced and defeated constitutional amendment in 2018, made headlines through party infighting regarding a Chairmanship position and the power to appoint redistricting commissioners, and has drawn widespread public criticism for the egregious lack of diversity within the partisan groups’ confirmed and suggested commissioner appointments.

Over and over, these headlines have sent a clear message to the public: the redistricting process is one to be gamed by elected officials and party operatives, and the public has no meaningful place in the process.

The message being sent by ballot question 3, a proposal for unnecessary permanent changes to our Constitution that dilute political power and representation for communities of color while doing nothing to improve our redistricting process, is no different.

In these uncertain times, with the Census’ uncertain operational timeline, a complete count in jeopardy, political polarization at a high and public trust in government at a low, the redistricting “status quo” in New Jersey is not only inadequate, but harmful to our democracy. **Process improvements are needed now more than ever before.**

Vote no on question 3. New Jersey deserves better.

###

Fair Districts New Jersey: Started in 2017, Fair Districts New Jersey is a nonpartisan coalition fighting to reform New Jersey's redistricting process. We believe redistricting should be impartial, transparent, inclusive, community-driven and fair.

Paid for by the League of Women Voters of New Jersey: The League of Women Voters of New Jersey is a nonpartisan, political organization founded in 1920 that works to empower voters and defend democracy across the state. The League envisions a democracy where every person has the desire, the right, the knowledge and the confidence to participate.