

FEB 18 2022

To The Court of Appeals of Maryland

Suzanne C. Johnson, Clerk
Court of Appeals
of Maryland

I, David Whitney, am a registered voter in the State of Maryland. I contend that the 2022 legislative districting plan voted on by the General Assembly is invalid as it clearly violates Article III, § 4 of the Constitution of Maryland which states:

“Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”

I live in Cape St. Claire on the Broadneck Peninsula between the Magothy and the Severn Rivers. My current State Legislative district, Anne Arundel County’s District 33, would in the plan voted in by the General Assembly, be chopped into three subdistricts for no apparent reason other than it would prove more favorable to one party rather than the other. There is nothing in the language of Article III, § 4 of the Constitution of Maryland which permits such type of redistricting. Furthermore the specific language speaks to,

“Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”

This plan would also divide the Broadneck Peninsula by forcing a portion of the Peninsula which is on the Severn River across the water with the Annapolis Peninsula in District 30A.

We see other example of this with District 30A ignoring the natural boundary of the South River and reaching across that natural boundary to hijack Edgewater and place it within Annapolis Peninsula in District 30A.

And additional example of this violation of Article III, § 4 is District 27B of the plan voted in on January 27, 2022. That District is nearly divided in half by the Patuxent River.

Throughout central Maryland we find the most mischief in this redistricting plan. Another District in the Legislature’s plan, District 23, stretches north to south, while just to its west are four separate districts

abutting District 23, District 21, 22, 24, 25 and therefore it does not meet the requirement of

“Each legislative district shall consist of adjoining territory, be compact in form...”

In the instance of the interplay between District 21 and 23, District 23 carves out a portion from an area that would have been District 21 if the Constitutional Standard was consistently adhered to.

“Each legislative district shall consist of adjoining territory, be compact in form...”

There are other examples of the same problem in the interplay between District 25 and 26.

Clearly these violate the requirement that a district consist of “adjoining territory,” and “be compact in form.” This Legislative plan voted on by the General Assembly does not meet the Constitutional requirements.

It is important to understand that the Commission members were split on the vote to send the proposal to the General Assembly, the four Democratic lawmakers on the commission were in favor of the plan and the two Republican lawmakers against it.

It is also troubling to have the Commission Chair Karl Aro say at a virtual meeting Friday January 7, 2022 that the commission opted to include a single-member district around Owings Mills in response to feedback to create one District based on the racial makeup of that District. It seems that this decision was promoted by Baltimore County resident Linda Dorsey-Walker requesting at a December public hearing that District 11 in Baltimore County, which is currently a multi-member district, be redrawn to include a single-member, majority Black district around Owings Mills. There is no authority given in Article III, § 4 of the Constitution of Maryland which permits such type of redistricting.

Living on the Broadneck Peninsula for more than 30 years, I have been in the worst gerrymandered Congressional District, District 3 in the history of our State. The 3rd District has consistently been recognized as a prime example of the absurdities gerrymandering creates. The

redistricting of 2010 made a mockery of our voting rights on the Broadneck. We should recognize that gerrymandering is a form of voter suppression. The residents of my district have suffered the worst injustice of gerrymandering arguably in the history of our country. The 2022 plan voted in by the General Assembly on January 27th adds to our suffering. It is long past time to put an end to the abuses we have experienced.

I request that this plan be rejected and instead the one proposed by the Governor be adopted so that my district, along with the other gerrymandered Districts would be within the requirements of the Supreme Law of the State, the Constitution of the State of Maryland. This would fulfill the Law that,

“Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.”

Sincerely

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