

October 2, 2023

**STATEMENT OF NEW YORK INDEPENDENT REDISTRICTING
COMMISSION CHAIR KEN JENKINS AND COMMISSIONERS
COLLADO, CUEVAS-MOLINA, FLATEAU, AND FRAZIER ON PUBLIC
INPUT IN ADVANCE OF COURT OF APPEALS DECISION ON
CONGRESSIONAL DISTRICTING**

New York Independent Redistricting Commission Chair Jenkins, and Commissioners Collado, Cuevas-Molina, Flateau, and Frazier hereby invite public input while awaiting a decision from the Court of Appeals on congressional districting by the Commission.

On June 28, 2022, a group of New York voters filed a lawsuit against the New York Independent Redistricting Commission (the “IRC” or “Commission”) in Albany County Supreme Court asking for a writ of mandamus that would direct the Commission to prepare and submit to the Legislature a second congressional districting plan and the necessary implementing legislation for such plan.

On July 13, 2023, the New York Appellate Division, Third Judicial Department, granted the writ and directed the New York Independent Redistricting Commission to “commence its duties forthwith.” That order is currently on appeal to the New York Court of Appeals, which has scheduled a hearing on the matter for November 15, 2023. The Court of Appeals has held that although the Appellate Division’s order is stayed pending appeal, the “stay does not prohibit the IRC or its members from taking any actions.”

Accordingly, Chair Jenkins, and Commissioners Collado, Cuevas-Molina, Flateau, and Frazier are taking action to obtain public input in the event the Court of Appeals affirms that the Commission is required to submit a second congressional districting plan to the Legislature. As the Appellate Division held, the “right to participate in the democratic process is the most essential right in our system of governance,” and the Commission process is the “means of providing a robust, fair and equitable procedure for the determination of voting districts in New York.”

Although the Commission already discharged its constitutional duty under Article III, Section 4(c)(6) to hold public hearings on proposals for the redistricting of congressional districts, Commission Chair Jenkins, and Commissioners Collado, Cuevas-Molina, Flateau, and Frazier invite members of the public to submit any

additional input they may have on congressional districts while the Court of Appeals' decision is pending. Any input received will be available to the full Commission and all Commission staff. The Commission remains fully constituted and fully staffed.

Should the public wish to view the congressional plans the Commission previously submitted to the Legislature, those plans can be found at <https://www.nyirc.gov/plans>.

Should the public wish to view the congressional plan drawn by the Special Master appointed by the Steuben County Supreme Court and used in the 2022 congressional elections, that plan can be found at https://www.latfor.state.ny.us/maps/?sec=2022_congress.

The public is invited to submit input by emailing submissions@nyirc.gov or by sending mail to Attention: Submissions, Independent Redistricting Commission, 250 Broadway, 22nd Floor, New York, NY 10007. All submissions received will be made available to all Commissioners and staff.

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