

Frederick County could return completely to 6th District

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February 20, 2019

An emergency commission assigned to redraw Maryland's congressional map ahead of the 2020 election has given preliminary approval to return all of Frederick County to the 6th District.

The proposed map would unify Garrett, Allegany, Washington, Frederick, and portions of Carroll and Montgomery counties into one congressional district. The commission settled on this concept because it will affect the smallest number of existing congressional districts while meeting a federal order to redraw the 6th District.

The solution, however, may not be as elegant for the rest of the state.

The challenge of redrawing the 6th District alone is that it will inevitably require other congressional boundaries to be shifted as well. The commission considered on Wednesday whether it should make small changes to all eight districts to fix the map or limit its changes to two districts — namely, the 6th and 8th districts that currently divide Frederick County in half.

“I would like to see less destruction to the others,” said retired U.S. District Judge Alexander Williams. This became the consensus opinion.

Williams, a registered Democrat, is co-chairing Gov. Larry Hogan's (R) Emergency Commission on Sixth District Gerrymandering with Walter Olson, who is a registered Republican from Frederick County and senior fellow at the CATO Institute's Center for Constitutional Studies. The commission also includes League of Women Voters Administrative Director Ashley Oleson, who is unaffiliated, and six community members.

Williams cautioned that the commission could open a “hornet's nest” of lawsuits if it overstepped and redrew all the districts instead of just the 6th District. The General Assembly may also not approve the map if too many districts change, Oleson said.

The design of the current congressional map — which has been in place since 2013 — makes it difficult to keep the existing districts intact, though. Many of the congressional districts “snake” across multiple counties to reach populated areas, including the 3rd District, which borders the proposed changes to the 6th District.

“You may think 3 is the worst district ever designed, but there are ways to make it worse,” Olson said.

He knows this from test manipulations of the 6th District with publicly available mapping software from the Maryland Department of Planning. He and others on the commission noted that small manipulations often led to a “cascade” of changes to the other congressional districts.

For instance, when some tried to pull all of Carroll County into the 6th District — as it historically was — it required then shifting the borders of the 1st District, which covers the Eastern Shore and northeast Maryland. Then, to fix that district required changes to districts 2, 3, 4 or 7.

“The map is so messed up, in so many ways. It’s like an auto accident where you’re doing surgery on the shoulder and the leg is amputated,” Olson said in an interview after the meeting.

What has also become obvious through the test maps is there is no way to keep all Maryland counties intact while also preserving as many congressional districts as possible.

The majority of the commission agreed it did not want to split counties into multiple congressional districts, but due to the state’s geography and how its population is clustered, it will be impossible not to divide some counties while meeting the strict population requirements for congressional districts. Each congressional district must have an equal population, which for Maryland is approximately 721,000 people.

Montgomery County has a population of over 1 million people, so there is no way to keep the county in a single congressional district.

But some potential changes could also make the splitting of counties worse than it already is, Olson said. Certain scenarios would divide Montgomery County into four congressional districts — rather than three — and others would break Anne Arundel County into five districts, instead of the four districts that exist now.

“We want to minimize where we’re splitting counties,” said Matt Douglas, an unaffiliated voter on the commission from Montgomery County.

The commission is reviewing approximately seven maps submitted by the public. It will continue to accept [map submissions](#) online for one more week, until Feb. 27.

The commission is leaning toward moving the portions of Frederick and Carroll counties assigned to the 8th District back into the 6th District, and extending the 6th District down to Germantown in Montgomery County. The 8th District would then absorb the remaining area, including Montgomery Village and Gaithersburg.

It may also consider a map that would bring the “four corners” where Frederick, Carroll, Montgomery and Howard counties meet and pull the rural section of Howard County into the 6th District. But this change would affect the 7th District and potentially others as well.

Due to inclement weather, the commission met via conference call Wednesday. It will meet in Annapolis next week to vote on a final map, which will then be sent to the governor. The map must be on the governor’s desk by March 4.

In his executive order forming the emergency commission, Hogan outlined that there would be a public comment period on the proposed map through March 26 and the map would be finalized by April 2.

In the interim, the U.S. Supreme Court has agreed to hear a legal challenge from Maryland Attorney General Brian Frosh (D) to the order to redraw the 6th District. The case — *Lamone v. Benisek* — is on the court’s calendar for oral arguments on March 26.

“We’re going to do all we can to meet our deadline,” Williams said.