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Panel begins process to redraw 6th Congressional District

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The shape of Frederick County's congressional landscape may change in a matter of weeks as an emergency commission begins to redraw District 6 and the U.S. Supreme Court accepts another hearing.

The Emergency Commission on Sixth Congressional District Gerrymandering met for the first time in Annapolis on Friday to review orders from the U.S. Supreme Court and a three-judge panel at the U.S. District Court in Maryland to draw a new election map for western Maryland ahead of the 2020 election.

The orders are specific to redrawing District 6, which divides Frederick County in half, but the work will inevitably shift the boundaries of two or more adjacent districts. Democratic Rep. David Trone was sworn in on Thursday to represent District 6.

"You can't just fix the one without affecting the others," said Chris Mincher, deputy legal counsel to Gov. Larry Hogan (R), who formed the commission in November.

Attorney General Brian Frosh appealed the lower court's decision, and the U.S. Supreme Court announced Friday it would review Maryland's case again in March. However, Hogan plans to move forward with the redistricting on a tight deadline that will have a new map in front of state lawmakers before the 90-day General Assembly session is scheduled to adjourn April 8.

The work will begin with a public hearing in Frederick County on Jan. 14. The exact time and location of the meeting are not yet set.

The new map must be based on "traditional criteria for redistricting" — such as geographic contiguity, compactness and natural boundaries — and may not be drawn with consideration to how residents are registered to vote or the political party to which they belong.

The partisan history of counties and towns, however, is likely to be shared through public testimony at the three public hearings the commission has scheduled, said co-chair Walter Olson, a registered Republican and senior fellow at the CATO Institute Center for Constitutional Studies who lives in New Market.

"We can't ask the public to gag itself. ... We should smile and explain to them at each hearing, 'You're allowed to say things that we're not allowed to do anything with,'" Olson said.

Hogan appointed Olson and retired U.S. District Judge Alexander Williams, a registered Democrat, to serve as co-chairs of the commission. Hogan also appointed League of Women Voters administrator Ashley Oleson, who is unaffiliated.

The remaining six members were selected from the public with equal representation given to the Democratic and Republican parties and unaffiliated residents. Deborah Lundahl, a Republican from Frederick County, was selected to serve on the commission.

Lundahl lives in the Ballenger Creek neighborhood in the 6th District and experienced the state's last redistricting in 2011 firsthand. The courts have since ruled that the 6th Congressional District was unconstitutionally drawn.

"I was not as politically active until after the fact," Lundahl said.

The commission will allow all residents to be involved in redistricting. The public may electronically submit new congressional boundaries for the commission to consider through the Department of Planning's website. The site is not yet live, but is expected to be available in a week, said Secretary of Planning Robert McCord.

Each of Maryland's congressional districts must have approximately 721,000 people. Maps that do not meet this criterion cannot be submitted.

Olson also hoped the General Assembly would draw its own map.

Democrats hold the majority in the state House of Delegates and Senate, and the House Rules and Executive Nominations Committee has provided an unfavorable report for the past three years on bills that would guide the redrawing of congressional districts.

The court orders, however, make clear that the redistricting that occurred after the 2010 census tainted the congressional boundaries with "bad intent," Olson said.

Through private conversations, Olson said he knows there is interest in redistricting within both parties. The Legislature needs to look past its own interests and proceed with changing the maps or its system for drawing congressional maps, he said.

All of Maryland's congressional districts will be open for redistricting following the 2020 census.

"We're not here to save the world redistricting-wise," Olson said. "If we were, they would have given us a couple extra weeks."