

The New York Times**JULY 17**PRINTER-FRIENDLY FORMAT
SPONSORED BY

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers here or use the "Reprints" tool that appears next to any article. Visit www.nytreprints.com for samples and additional information. Order a reprint of this article now.

May 10, 2009

Both Parties Sharpen Pencils for Redistricting

By CAREN CHESLER

KEVIN O'TOOLE, a Republican lawmaker, was in the New Jersey senate for just two months in 2001 before the lines of his legislative district were moved in the state's last redistricting, and he lost his seat.

Such is the beauty — or frustration — of the census. As the population is recounted every 10 years, legislative districts are redrawn to assure that each has about the same number of people. But moving the lines can change the complexion of a district from Democrat to Republican, depending on where the new boundaries are.

For that reason, even though the process will not take place until 2011, Democratic and Republican strategists are already hard at work coming up with new state legislative maps that ensure the population shifts are evenly distributed — but in a way that is most beneficial to their parties.

"The Democratic Party has been focused on redistricting for well over a year, and we'll continue to do so," said Assemblyman Joseph Cryan, the state's Democratic chairman.

Republicans are also chomping at the bit. They feel aggrieved about the last redistricting, which many say gave the Democrats a distinct advantage in some races, like Essex County.

"You can affect the outcome of a race with the sweep of a pen," said Mr. O'Toole, who was re-elected to the Senate in 2007. "By changing the boundaries, you can turn it from a competitive race to a Republican race, or you can make it heavily Democratic."

The G.O.P. sees the coming redistricting as a way of gaining back ground the party lost in the last round. While strategists say the process will put every district in play, Republicans have their eyes on three in particular: in the central part of the state, 12 and 14, and in Bergen County, 36. "It's a very big deal," said Tom Wilson, chairman of the state Republican Party. "There are some things we'll be able to change, but population is population."

Given the significance of the process, its details are carefully spelled out in the constitution: a commission is established, with five members from each party chosen by their respective state political organizations. The members must be named by Nov. 15 of the year when the census takes place.

Once the commission receives the census data, which is expected to be in January 2011, it must come up with a plan to reapportion the legislative districts. If it doesn't reach an agreement in that time — and given the vying interests, it usually doesn't — an 11th member is appointed to the commission by the chief justice of the State Supreme Court to act as the tiebreaker.

“Frankly, I’m not really even sure why we go through the issue five on five, because they never agree,” Mr. Wilson said.

The 11th member is so important to the process that in the last round in 2001, Democrats did almost as much due diligence on the tiebreaker, Larry M. Bartels, a Princeton professor, as they did on the reapportionment process, said Alan Rosenthal, a political science professor at [Rutgers University](#).

“The Democrats really worked methodically and effectively on studying Bartels,” said Mr. Rosenthal, who is also a frequent participant in the redistricting process at the national level. He said the Republicans did not take that route because they believed the chief justice then, [Deborah T. Poritz](#), who was appointed by a Republican governor, would appoint someone sympathetic to their map.

Chief Justice Poritz, for her part, said politics played no role in her decision. She said she reviewed the redistricting appointments made by her predecessor, Chief Justice Robert Wilentz, and saw he had chosen people in academia with expertise in election law. She also asked both parties for recommendations, though she said neither side put forth any.

“I viewed my role as a nonpartisan role, whether I was acting as a judge or in an administrative capacity,” Chief Justice Poritz said. “And it was my understanding that Professor Bartels was a nonpartisan scholar, who knew election law well.”

[Copyright 2009 The New York Times Company](#)

[Privacy Policy](#) | [Search](#) | [Corrections](#) | [RSS](#) | [First Look](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Site Map](#)