

192nd General Court
Special Joint Committee on Redistricting
End of Session Report from the House Chair



Representative Michael J. Moran
House Chair
2021-2022



Special Joint Committee on Redistricting

MASSACHUSETTS GENERAL COURT

Open Letter to the Residents of Massachusetts:

I was honored to serve again as the House Chair of the Special Joint Committee on Redistricting during the 192nd General Court of the Commonwealth of Massachusetts.

The Special Joint Committee on Redistricting and the General Court set a new standard for redistricting after the 2010 Census by instituting an open and transparent process, holding 13 public hearings in cities and towns throughout the Commonwealth, and providing to every person and advocacy group access to the Census data and software to draw their own maps and submit them to the Committee for consideration.

This time the Committee was faced with unique and complex challenges related to the COVID-19 pandemic including the delayed release of the 2020 Census data that compressed the timeframe for us to draw new congressional, legislative, and councillor districts. Above all was how to build upon the open, transparent, and inclusive foundation established during the 2010 redistricting process while increasing access to the process. COVID-19 public health requirements limited our ability to hold in-person hearings across the Commonwealth, so we held 21 virtual hearings allowing concerned residents more opportunities to express their opinion to the Committee. For the first time, our website could be translated into 133 languages. The website provided information on the redistricting process, an interactive map so people could enter their address and find the legislative district they live in, links to even more free software for people to draw their own maps for submission to the Committee, the schedule, archives, and translations of all our hearings, and detailed geographic files for every legislative seat allowing for public review and comment before anything was acted upon by the General Court.

We expanded access for everyone, including those whose primary language is not English, so their voices were heard. It was this open, inclusive, and transparent process that once again gave us the ability to draw fair districts so the residents of the Commonwealth can elect their candidate of choice. It was the process we used to create the most majority-minority opportunity districts in the history of the Commonwealth.

Throughout the course of our proceedings, I was asked to again produce a final report with recommendations on issues that came to light during this round of redistricting.

The following report includes a review of the Committee accomplishments and an analysis and recommendations on the method and timing for municipal reprecincting.

I am thankful for the support and advice received from my colleagues on the Committee, the members of the House and Senate, local elected officials, and advocacy groups from across the Commonwealth. Most importantly, I want to thank the concerned residents who offered testimony at hearings or offered their suggestions through our website. I believe this collaborative effort was the reason for the success of the redistricting process and produced new districts that reflect the many faces of Massachusetts.

Sincerely

A handwritten signature in black ink, appearing to read 'Michael J. Moran'.

Representative Michael J. Moran
House Chair

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Special Joint Committee on Redistricting

Committee Charge:

In accordance with an Order¹ adopted by both the House of Representatives and Senate on February 18, 2021, a Special Joint Committee on Redistricting (hereinafter Committee) was established and directed to study the division of the Commonwealth into (a) congressional districts under the United States Constitution, (b) 40 senatorial and 8 councillor districts and (c) 160 representative districts.

The charge of the Committee was to develop legislation for the redistricting of congressional, state representative, state senatorial, and governor's councillor districts for the Commonwealth that meet all applicable constitutional and legal standards and to recommend plans for such districts to the General Court in a timely fashion so as to permit public deliberation and enactment by the General Court in time for the 2022 state and federal elections.

The congressional, legislative and councillor districts within each plan are required to be composed of contiguous territory. No town containing fewer than 2,500 inhabitants may be divided in the formation of districts. When creating districts, the Committee must be mindful of federal and state redistricting legal precedent including equal voting opportunities established by the Voting Rights Act, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, the Massachusetts Constitution, and traditional redistricting principles. The Committee was required to hold public hearings across the Commonwealth to solicit the views of interested parties.

¹ [H.66 \(192d Sess.\)](#)

2021-2022 Membership

Senators

Chair William N. Brownsberger of Belmont
Vice Chair Anne M. Gobi of Spencer
Senator Sonia Chang-Diaz of Boston
Senator Julian Cyr of Truro
Senator Adam Gomez of Springfield
Senator Adam G. Hinds of Pittsfield
Senator Ryan C. Fattman of Sutton

House of Representatives

Chair Michael J. Moran of Boston
Vice Chair Marcos A. Devers of Lawrence
Representative Joseph F. Wagner of Chicopee
Representative Sarah K. Peake of Provincetown
Representative Thomas A. Golden, Jr. of Lowell
Representative James J. O'Day of West Boylston
Representative Frank A. Moran of Lawrence
Representative William M. Straus of Mattapoisett
Representative John J. Mahoney of Worcester
Representative Josh S. Cutler of Duxbury
Representative Carole Fiola of Fall River
Representative Daniel Hunt of Dorchester
Representative Bud L. Williams of Springfield
Representative Tricia Farley-Bouvier of Pittsfield
Representative Chynah Tyler of Boston
Representative Andres X. Vargas of Haverhill
Representative Kip Diggs of Barnstable
Representative Paul K. Frost of Auburn
Representative Kimberly N. Ferguson of Holden
Representative Nicholas A. Boldyga of Southwick
Representative Sean Dooley of Norfolk

Committee Accomplishments

The Committee held 21 public hearings: 1 introductory and informational hearing; one hearing for each of the 9 congressional districts; 8 hearings for Spanish, Cantonese, Mandarin, Cape Verdean, Portuguese, Haitian Creole, Khmer, and Vietnamese speaking residents of the Commonwealth; 1 to present the draft House and Senate Districts and explain the public comment process; 1 hearing to allow anyone to comment on the proposed House and Senate Districts; and 1 hearing for comment on the proposed Congressional Districts. Over 700 individuals registered to offer suggestions to the Committee at our 21 public hearings.

The Committee created a website with relevant redistricting information, a calendar of our hearings, links to free redistricting software for people to draw their own districts, and a contact page so they could submit their maps and comments directly to the Committee. We also included the ability to translate the site into 133 different languages to ensure equitable access for all residents of the Commonwealth. The website had over 172,000 pageviews.

The Committee expresses its thanks to all residents, members of the General Court, and organizations which provided information and feedback to the Committee.

In preparing the congressional, legislative and councillor districts, the Committee took care to comply with all constitutional and legal requirements and endeavored to draw lines that balance numerous and often competing traditional redistricting principles, including population equality, political continuity, equal electoral opportunity, compactness and contiguity, the preservation of county and municipal boundaries and of other communities of interest. In addition to well-chronicled federal decisions, there are also several significant decisions by the Supreme Judicial Court interpreting Massachusetts Constitutional provisions which were reviewed and followed.

The 2020 Federal Census² revealed substantial shifts within the Commonwealth that affected the population of the congressional, legislative and councillor districts. The 7,029,917 residents of Massachusetts counted by the Census Bureau shows the diversity of the Commonwealth and our changing demographics. The Non-Hispanic White population is now 4,748,897, a **decrease** of 7.01% or 260,031 people. The Black population is now 457,055, an **increase** of 16.69% or 65,362 people. The Asian population is now 504,900, an **increase** of 45.30% or 157,405 people, and the Hispanic population is now 887,685, an **increase** of 41.43% or 260,031 people.

Given the overall growth in population, the ideal House District size grew from 40,923 in 2011 to 43,937 in 2021, Senate Districts from 163,661 to 175,748, Congressional Districts from

² Decennial Census P.L. 94-171 Redistricting Data, <https://www.census.gov/programs-surveys/decennial-census/about/rdo/summary-files.html>.

NOTE ON REPORT HYPELINKS: All website links in this document were active and accessible on January 4, 2023, the first day of the 193rd General Court.

727,517 to 781,102 and Councillor Districts from 818,454 to 878,748. Given our changing demographics, it was incumbent upon the Committee to draw new district lines that reflected the diversity of Massachusetts. The Committee took this seriously and increased the electoral opportunities of minority voters living in the Commonwealth in accordance with the principles articulated by the United States Constitution, the Massachusetts Constitution, the Voting Rights Act, and state and federal court decisions.

The House of Representatives now has 33 majority-minority opportunity districts, an increase of 13 districts from 2011 and 4 more than requested by a statewide coalition of advocacy groups on their Drawing Democracy Unity Map. Of these 33 opportunity districts, 8 are majority Hispanic and 2 are majority Black or African American. The Senate doubled their minority opportunity districts from 3 to 6. And the Committee further strengthened minority representation in the majority-minority 7th Congressional District.

The Committee did not, however, unduly subordinate traditional redistricting principles for racial or ethnic considerations. The Committee instead gave due weight to all the competing state interests. The new districts reflect neighborhoods and communities of interest. They preserve compactness and contiguity. And they advance equal electoral opportunity for all residents.

In Massachusetts, the General Court is vested with the responsibility for redistricting. The districts we created are directly attributable to our extensive public outreach effort during the COVID-19 pandemic and the public response that overcame the handicap of the late release of the 2020 census data that strengthened the final plan. As was the case with the 2010 redistricting cycle, we again conducted an open and inclusive process for any resident to submit their opinion to the Committee for consideration.

This open dialogue is what created the new districts in the Commonwealth. It is the reason we were able to expand upon the 29 majority-minority opportunity House districts proposed by the Drawing Democracy Unity Map and ultimately draw 33. The 193rd session of the General Court has more people of color than any other session in the history of the Commonwealth. That did not happen by accident. The Committee drew 4 incumbent free House districts to empower communities of color to elect the candidates of their choice. The 2 majority-minority Hispanic seats centered around Lawrence and Chelsea will be represented by Latinas. The other 2 seats in Framingham and Brockton will be represented by women who immigrated from Brazil. The outreach and process strengthened the plans and we are thankful for the overwhelming public participation that guided us in creating fair and legally defensible districts.

Review of Reapportioning Issues and Concerns

Building Blocks of Redistricting

The process of creating new districts involves giving due consideration to many different factors that often compete - several are listed in the matrix below.

Issues to Consider for Redistricting

Contiguousness	Compactness	Communities of Interest
Voting Rights Act	Massachusetts Constitution	United States Constitution
U.S. Supreme Court Decisions	Massachusetts Case Law	Core Districts
Population Shifts	Preservation of Political Subdivisions	

Adhering to Section 2 of the Voting Rights Act may impact compactness and the preservation of political subdivisions such as municipalities or wards and precincts. Constitutional limits on the splitting of towns due to population sizes has a ripple effect on the configuration of adjoining districts. Population shifts within municipalities exempt from reapportioning create inequities in precinct population sizes that impact how neighboring districts are formed. The population disparity of precincts in general among municipalities can potentially shift multiple district boundaries to conform to legally acceptable limits on population deviation. These potentially competing interests coupled with the COVID-19 delivery delays of the 2020 Census data led the Committee to conclude that using census blocks would be the best way to craft the new districts in 2021. Although historically precincts had been used as the building blocks for creating new districts in Massachusetts, there is no legal requirement to do so and in fact many states use census blocks or a combination of other political subdivisions to draw district lines.

COVID-19 Delay Impacts

Under Title 13 section 141 of the United States Code,³ the Census Bureau was required to deliver Congressional reapportionment data to the President by December 31, 2020 and deliver to each state the 2020 Census data to be used for redistricting by April 1, 2021.

The COVID-19 pandemic caused months long delays in the statutory delivery deadlines of the 2020 data. Congressional reapportionment was delivered to the President on April 26, 2021. Although the Census Bureau posted the 2020 Census Redistricting Data (P.L. 94-171) Summary Files in the Legacy Format, on August 12, 2021, the Census Bureau official notification

³ [13 U.S.C. § 141](#).

letter⁴ and full redistricting toolkit was delivered to the Speaker of the House on September 16, 2021. By comparison, in 2011, the Census Bureau shipped Massachusetts 2010 Census data to the Governor, Senate President, and Speaker of the House on March 21, 2011.

The nearly six month delay required the Committee to work within a compressed timeline to complete our work. A major issue before the Committee was how to address statutory timelines that could not be met for municipalities to review and draw new precincts. Article CI of the Massachusetts Constitution mandates that the decennial census shall be the basis for determining legislative districts.⁵ That, coupled with a constitutional requirement that Representatives live in the district for one year prior to the 2022 election, made it clear that the Committee could not wait for municipalities to draw new precincts.

Municipal Reapportioning and Redistricting

The 2012 Report from the Chairs of the Special Joint Committee on Redistricting⁶ provided an extensive study on issues related to the timing for creating new municipal precincts including a recommendation to further study the feasibility of amending the Massachusetts General Laws to conduct reapportioning after new districts are drawn. The COVID-19 related delay in the delivery of the 2020 Census data pushed the issue to the forefront. The delay put stresses on the reapportioning process which made it impossible for municipalities to meet the deadline to draw new precincts under Chapter 54 of the General Laws. Chapter 54 outlines the strict deadline for reapportioning by municipalities and final approval by the Local Election Districts Review Commission (LEDRC) under the supervision of the State Secretary. The due date for municipalities to vote on the new precincts created using the 2020 Census data was June 15, 2021 with a final issuance of the new precincts by the LEDRC on August 25, 2021. The Census Bureau had announced plans that the earliest release of any data was August 12, 2021 with the final redistricting data toolkit delivered to all states and the public on September 30, 2021. Clearly the legal reapportioning deadlines under Chapter 54 were untenable.

The legislative process to rectify these timing issues began with a June 7, 2021 hearing conducted by the Joint Committee on Election Laws on H.820, *An Act relative to reapportioning*.⁷ The proposed legislation essentially reversed the order for drawing precincts with municipalities

⁴ Letter from James Whitehorne, Chief, Census Redistricting and Voting Rights Data Office, to Ronald Mariano, Speaker of the Mass. House of Representatives (Sept. 15, 2021), <https://malegislature.gov/assets/redistricting/US%20Census%20Official%20Notification%20Letter%20to%20the%20Speaker%20of%20the%20House.pdf>.

⁵ [Mass. Const. amend. art. CI](#).

⁶ Report from the Chairs of the Special Joint Committee on Redistricting, <https://malegislature.gov/assets/redistricting/ChairFinalReport.pdf>.

⁷ [H.820 \(192d Sess.\)](#).

creating new precinct lines to conform to the new legislative boundaries. The bill was supported by numerous advocates - including Common Cause, MassVote, and a former member of the Local Election Districts Review Commission - as a common-sense approach that is used in many other states and allow us to create fair legislative districts. The opposition included the State Secretary and the Massachusetts Municipal Association (MMA). MMA members include 349 of the Commonwealth's 351 cities and towns. In an open letter to Representatives, the MMA argued the bill "*would require the creation of new federal and state legislative districts **before** municipalities are able to redraw their local precincts using 2020 U.S. Census numbers, and then require cities and towns to shape their precincts based on the new state and federal legislative districts. This complete reversal of the process would lead to unintended consequences and disruption to local governance, charters and elections in many cities and towns across the state. As you know, Secretary of State William Galvin has voiced these same concerns regarding the legislation.*"⁸

The entire process was widely reported by the media. Ultimately, the legislature enacted *An Act relative to reprecincting* which became law on October 3, 2021.⁹ The MMA was correct in one respect, the intent of the law was to reverse the process and have new precincts drawn after the creation of the new legislative districts. Unfortunately, many municipalities choose to draw new precinct lines before redistricting was completed with the result that unnecessary sub-precincts were created to conform to the new legislative district boundaries.

Objections to Senate and House Districts

Redistricting can be a highly contentious process that in many states results in litigation. This is the second consecutive round of redistricting in Massachusetts that saw no lawsuits filed challenging the new districts. That positive result is mainly due to the transparent and inclusive process the Committee followed to create fair and legally defensible districts. The Committee went to great lengths to allow for input from individuals, advocacy groups, and elected officials. That input is what created the new districts. After conducting a final 5 hour comment hearing on the proposed Representative and Senate maps on October 15 and following a week long public review period, the General Court enacted H.4210 and S.2560 on October 28, 2021.¹⁰

During our redistricting deliberations, a parallel process was being followed by the LEDRC with the approval of municipal precinct maps. Although the intent of the reprecincting legislation was that this process follow the completion of redistricting, the approval of local voting districts

⁸ Letter from Geoffrey C. Beckwith, Executive Director & CEO, Massachusetts Municipal Association, to Representatives of the Mass. House of Representatives (June 9, 2021), <https://www.mma.org/advocacy/mma-urges-house-to-protect-local-control-of-municipal-reprecincting-process/>.

⁹ [Chapter 56 of the Acts of 2021](#).

¹⁰ [H.4210 \(192d Sess.\)](#); [S.2560 \(192d Sess.\)](#).

continued. The State Secretary provided many municipalities subject to reprecincting new precinct draft maps to review for ultimate LEDRC approval. At no point before or during the public comment period were these draft precincts submitted to the Committee for review to potentially minimize sub-precincts.

The inevitable collision of competing interests culminated with a November 1, 2021 memorandum¹¹ from the Office of the State Secretary sent to the Governor's Chief Legal Counsel requesting a delay in signing the new legislative districts into law. The memo urged *"the Governor to delay the signing of the legislation so that we can propose some fixes (emphasis added) that should not impact the overall shapes and composition of the districts. We believe that there are technical errors in the data, resulting in the creation of unnecessary sub-precincts and can propose remedies."* Municipalities had new precinct plans provided to them by the Office of the State Secretary prior to the new legislative district plans being submitted to the public for comment. Many municipalities already had reprecincting plans approved by the LEDRC. The Committee held a weeklong open comment period that brought about changes in several district boundaries. Yet these "proposed remedies" were not offered to the Committee any time prior to the districts being sent to the Governor for approval.

With the signing of the bills by the Governor, the State Secretary issued the following statement: *"I am extremely disappointed that these bills were signed into law in their current form and I think it is a devastating blow to the voters of Massachusetts. With local precincts divided multiple ways, it will inevitably lead to chaos at the polls and make it impossible for voters to understand who their elected representatives are."*¹²

Reprecincting has been a concern for the last two redistricting rounds. I feel it is important to respond to issues raised in the Secretary's Office November 1, 2021 Memorandum and also on the dire prediction that the approved districts would negatively impact the 2022 election.

Enactment of Representative and Senate District Bills

Concerns Identified in the November 1, 2022 Memorandum from the Office of the State Secretary

Secretary's Office Concern:

"While the proposed House and Senate districts have been touted as having created majority-minority districts, as we conduct this analysis we are finding that whether by accident or by

¹¹ [SOC Comments Legislative Districts 11.2021 \(statehousenews.com\)](#) NOTE: State House News Service requires a subscription. [Copy of November 1, 2022 Memorandum downloaded from statehousenews.com.](#)

¹² Chris Lisinski, *As Baker OKs new districts, top elections official warns of chaos*, WBUR (Nov. 5, 2021), <https://www.wbur.org/news/2021/11/05/Massachusetts-house-senate-reistricting-approved-galvin-concerns>.

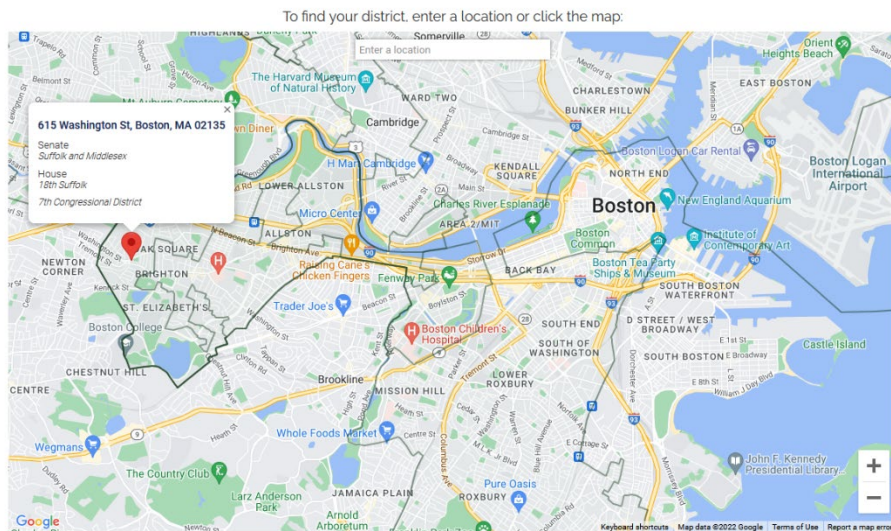
design the plans are likely to have the inverse effect—disenfranchising minority voters, by complicating the orderly administration of the election and leading to widespread voter confusion and increased apathy.”

Response

Their “analysis” provided no documentation to back up the claim of disenfranchising minority voters. The Committee’s analysis of the 2022 election results shows no disenfranchisement for the majority minority opportunity districts created by the Committee. In fact, the 193rd Session of the General Court is the most diverse in the history of the Commonwealth. To help voters identify their new districts and avoid “confusion” the Committee created an interactive map on the Redistricting website.¹³ Simply point and click, or enter an address to display the new Congressional, Senate, and House Districts.

Find My New District

The materials reflect the districts signed into law by Governor Baker on November 4th, 2021 and November 22nd, 2021.
These districts will be effective for the 2022 elections.



There were no widespread mass media reports of voter confusion or apathy. The United States Department of Justice (DoJ) for the District of Massachusetts monitored the election under the Election Day Program to handle “*election day complaints of voting rights concerns, threats of violence to election officials or staff, and election fraud, in consultation with Justice Department headquarters in Washington*”.¹⁴ In addition to taking complaints, the DoJ also monitored the

¹³ *Find My New District*, MALEGISLATURE.GOV. <https://malegislature.gov/Redistricting/FindYourNewDistrict>.

¹⁴ Press Release, U.S. Attorney's Off., Dist. of Mass., United States Attorney Rachael S. Rollins Announces Election Day Program Efforts (Nov. 1, 2022), <https://www.justice.gov/usao-ma/pr/united-states-attorney-rachael-s-rollins-announces-election-day-program-efforts>; Press Release, DoJ., Justice Department to Monitor Polls in 24 States for Compliance with Federal Voting Rights Laws (Nov. 7, 2022), <https://www.justice.gov/opa/pr/justice-department-monitor-polls-24-states-compliance-federal-voting-rights-laws>.

polls in Clinton, Everett, Fitchburg, Leominster, Malden, Methuen, Randolph, and Salem. They informed the Committee that there were **no** issues to report for Massachusetts.

Issues reported in the mass media involved municipal election administration problems such as improperly displaying “Voter ID Required” signs to vote, election official confusion over the rights of people to vote on election day if they had not returned a mail in ballot, and malfunctioning vote tabulators. All were reported as being quickly corrected.¹⁵

“Widespread voter confusion and increased apathy” were not evident for the 2022 general election which recorded the second highest voter turnout in state history with 300,000 more voters than predicted by the State Secretary. He was quoted as saying, *“I’m delighted to have been wrong.”*¹⁶

Secretary’s Office Concern:

“For all practical purposes, a sub precinct is a precinct in that they each require their own unique voter list, tabulator and set of poll workers.”

Response

The last section of H.4217 for the Representative Districts provided relief for the number of poll workers: “If the polling place for a sub-precinct created under this section is located in the same building as the precinct no additional election officers need be appointed for such sub-precinct.” A sub-precinct is a precinct. That is why drawing new precincts after redistricting to match the new districts lines would help eliminate the need for sub-precincts in general rather than tweaking LEDRC pre-approved precincts.

Secretary’s Office Concern:

“Based on our initial analysis of the overlaps of the districts, if the House and Senate districts are approved as it, we will likely see the creation of hundreds of sub-precincts. Accordingly, we urge the Governor to delay the signing of the legislation so that we can propose some fixes that should not impact the overall shapes and composition of the districts. We believe that there are technical errors in the data, resulting in the creation of unnecessary sub-precincts and can propose remedies.”

¹⁵ Noah R. Bombard, *Signs incorrectly saying voter ID required removed at Mass. polling sites*, MASSLIVE (Nov. 8, 2022), <https://www.masslive.com/politics/2022/11/signs-incorrectly-saying-voter-id-required-removed-at-mass-polling-sites.html>; Glenn Kittle, *Some Springfield voters experience machine problems at polling locations*, WESTERN MASS NEWS (Nov. 8, 2022), <https://www.westernmassnews.com/2022/11/08/some-springfield-voters-experience-machine-problems-polling-locations/>; Maria Papadopoulos, *Reports of broken voting machines, confusion surrounding mail-in ballots among Election Day issues*, YAHOO (Nov. 8, 2022), <https://www.yahoo.com/video/reports-broken-voting-machines-confusion>.

¹⁶ *Mass. commonwealth secretary on voting turnout: 'Delighted to have been wrong'*, WCVB (Nov. 28, 2022), <https://www.wcvb.com/article/massachusetts-2022-election-voting-turnout-exceeded-projections/42087478>.

Response

There were not “hundreds of sub-precincts” created. The 2022 general election results reported by the Secretary included 140 sub-precincts. This number can be somewhat misleading in that several towns create sub-precincts for the convenience of voters. These municipalities include the cities of Boston, Chicopee and Peabody, and the towns of Dracut, Hingham, Newburyport, and Warren. The towns are wholly in one Representative District and were not split during redistricting.

Secretary’s Office Concern:

“As part of the 2011 redistricting, precinct 9 in the Town of Andover was split into two congressional districts creating a sub-precinct 9A. For many years there were only two registered voters who voted in that sub-precinct and they often voted the same way. Since the election results must be reported by precinct, how those voters voted was easily discoverable and they had no secrecy in their vote. Using single census blocks for any district could create this issue again and result in voting secrecy issues for the next decade.”

Response

In fact, the Congressional Districts in H.3798¹⁷ as engrossed by the House in 2011 moved one census block with nine residents to precinct 1 in Andover rather than creating a sub-precinct. The Office of the State Secretary lobbied unsuccessfully to amend the bill in the House to create the sub-precinct. At the insistence of the Office of the State Secretary, an amendment was filed in the Senate creating sub-precinct 9A. In 2016, *An Act eliminating sub-precinct 9A in the town of Andover* was signed into law.¹⁸ The law did exactly what was envisioned in H.3798 by moving census block 250092543011034 into precinct 1 rather than creating a sub-precinct.

The Committee’s position in 2011, and seemingly adopted by the State Secretary in 2021, was to eliminate small sub-precincts such as 9A by merging them with an adjacent precinct. Again, the intent of the 2021 Reapportionment Act was to have municipal reapportionment done after redistricting to minimize this same type of scenario. Unfortunately, some municipalities decided to create new precincts first and sub-precincts were created.

Secretary’s Office Concern:

“At this point, 163 of 351 communities (emphasis added) have had their local precinct maps approved by the LEDRC.”

¹⁷ [H.3798 \(187th Sess.\)](#).

¹⁸ [Chapter 320 of the Acts of 2016](#).

Response

Article CI of the Massachusetts Constitution prohibits the dividing of towns of less than 2,500 residents. Towns with less than 6,200 inhabitants are not required to be split into multiple precincts for voting purposes under Chapter 54 Section 9 unless divided into multiple legislative districts. Seven municipalities, including the City of Boston, are exempt from drawing new precinct lines. Therefore, 126 municipalities do not require LEDRC precinct approval.

Yet, the LEDRC approved new maps for 72.44% of the 225 cities and towns required to reprecinct under Chapter 54 Sections 1, 2, and 6 prior to the release of the new legislative maps. It appeared from their comments that the 2011 North Andover sub-precinct 9A model would be required after all to conform with the new LEDRC approved precinct lines rather than drawing precincts to conform to the new legislative districts. This is not an unintended consequence of municipalities having to tweak approved precincts lines to conform to new district boundaries. It is one that was foreseen in the debate on the reprecincting bill.

Secretary's Office Concern:

*“As you are aware, under the provisions of section 1(c) of chapter 56 of the Acts of 2021, cities and towns who have already approved their precincts **may revisit and revise their precincts** (emphasis added) to bring them in line with the Legislative districts and resubmit to the LEDRC. However, it is clear that most cannot possibly redraw them within the bounds of the law to fit within the Legislative districts. We need time to review the data, identify problems and propose practical fixes to the Legislature or work with the cities and towns to find solutions.”*

Response

The clear intent of the COVID-19 related Reprecincting Law, as reported widely in the press, was that municipalities draw their precincts after redistricting.¹⁹ It is not surprising that creating LEDRC approved precincts before the new legislative district maps were approved would result in the creation of many unnecessary sub-precincts.

¹⁹ Matt Stout & Emma Platoff, *A fight is breaking out over how to redraw Massachusetts' political boundaries – and Democrats are on both sides*, BOSTON GLOBE (June 10, 2021), <https://www.bostonglobe.com/2021/06/10/metro/fight-is-breaking-out-over-how-redraw-massachusetts-political-boundaries-democrats-are-both-sides/>; State Rep. Aaron Michlewitz defends proposed change in Massachusetts redistricting procedure, WCVB (June 13, 2021), <https://www.wcvb.com/article/state-representative-aaron-michlewitz-massachusetts-redistricting/36710020>; Colin A. Young, *Baker signs reprecincting bill, changing redistricting process*, WBUR (Oct. 4, 2021), <https://www.wbur.org/news/2021/10/04/massachusetts-reprecincting-bill-signed>; Emma Platoff, *After decades, Boston is suddenly redrawing its voting precincts*, BOSTON GLOBE (Oct. 2, 2021), <https://www.bostonglobe.com/2021/10/02/metro/after-decades-boston-is-suddenly-redrawing-its-voting-precincts-many-including-michelle-wu-say-its-right-move-wrong-time/>.

Secretary’s Office Concern:

“As of today, we have conducted a detailed analysis of 24 communities and have found that in these 24 communities alone, more than 150 sub-precincts will need to be created.”

Response

Although the memorandum, which became available to the Committee from a State House News article, implied a “detailed analysis of 24 communities” only 21 communities were included in a table showing municipalities that “so far according to our analysis will require sub precincts.” According to their analysis, 149 sub-precincts would be required for the 2022 election for these 21 municipalities alone. That is 248.33% more than the 60 sub-precincts ultimately reported for the 2022 general election.

Sub-precinct “Prediction” versus Actual Reported Precincts for the 2022 General Election

From the Memo		Committee Analysis	
City/Town	Sub-precincts Required	# of Sub-Precincts Reported by SoC ¹	# of Sub-precincts Reported in PD-43 ²
Barnstable	3	0	0
Boston ³	26	0 ³	5
Bourne	1	1	1
Brockton	4	0	0
Cambridge	19	9	9
Charlton	1	1	1
Chelmsford	3	2	2
Chicopee	6	1	1
Easton	4	1	1
Haverhill	13	8	7
Lowell	9	11	7
Malden	10	3	3
Marlborough	3	3	3

From the Memo		Committee Analysis	
City/Town	Sub-precincts Required	# of Sub-Precincts Reported by SoC ¹	# of Sub-precincts Reported in PD-43 ²
New Bedford	13	5	5
Newton	3	3	2
Quincy	8	1	1
Randolph	1	0	0
Reading	2	0	0
Revere	7	1	1
Springfield	9	9	9
Worcester	4	5	2
Total	149	64	60

1: Submitted to the Committee on August 24, 2022 by the office of the Secretary

2: [Public Document No. 43](#): After each state primary and election, every community sends to the Secretary of the Commonwealth an official report detailing how many votes were cast by precinct for each candidate and every question on the ballot under Massachusetts General Laws [Chapter 54 Section 133](#).

3: The City of Boston, exempt from LEDRC approval, updated they own precincts and where not included in the 8/2/22 file submitted to the Committee by the SoC, sub-precincts for Boston were included in the file submitted on 8/24/22.

Secretary’s Office Concern:

“As stated at the start of this memo, we are not seeking to dramatically change the districts. However, we would like the opportunity to work with the House and Senate to minimize the impacts where the districts split cities and towns. It should be noted that we attempted to work with the House and Senate Chairs on Redistricting during their drafting period. Senator Brownsberger was receptive to receiving proposed precinct maps for cities and towns to try fit the Senate districts within them. On the House side, we had little to no communication on the lines. The only municipality that was successful in working with the House to adjust the lines was the City of Worcester, who had increased from 50 to 60 precincts. The City of Cambridge, whose

population increased by over 13,000, indicated that they requested the House make adjustments, but those changes were not made resulting in multiple overlaps of split precincts for the City if the Districts are approved.”

Response

The Committee worked with many municipalities including Worcester, Boston, Braintree, North Andover, Haverhill, Winchester, Topsfield, Chicopee, Framingham, Lexington, Plymouth, and Cambridge and accommodated requests for changes when feasible.

Cambridge completed reprecincting prior to the release of the new legislative districts. The Cambridge Election Commission notes on their reprecincting website²⁰ that “before the new map could be submitted to the Local Election District Review Commission (LEDRC), the state agency responsible for approving reprecincting plans, **the Election Commission learned** (emphasis added) that the legislative redistricting was going to require the entire map to be redrawn to minimize the number of sub-precincts.” Cambridge is a member of the Massachusetts Municipal Association (MMA) that actively opposed the Reprecincting Act reversing the order for drawing new precincts. The Act and how it would affect municipal reprecincting was widely reported in the press. It is unfortunate that the Cambridge Election Commission was apparently caught unaware of this law. The changes the Cambridge Election Commission proposed for the House districts to accommodate their new precinct lines would have created a domino effect for districts in adjoining communities and ultimately impact several of the majority-minority opportunity districts the Committee created in the Greater Boston area. That is the consequence of going first, but as shown in the above sub-precinct table the anticipated number of sub-precincts was more than halved from 19 to 9 for the general election. This number may have been lessened further if new precincts had been drawn after the legislative districts and in light of the fact that Cambridge elects their councilors city-wide and therefore does not require the use of precincts to create district seats.

The statement, *“It should be noted that we attempted to work with the House and Senate Chairs on Redistricting during their drafting period.”* is misleading. At no point did the Office of the Secretary share new precinct lines they prepared for municipalities with the Committee. If they had, some of the concerns raised in the November 1, 2021 Memorandum could have been addressed. For example, they note that the City of Marlborough would require 3 sub-precincts to accommodate the new House district lines. The Marlborough City Clerk, commenting on the new precinct lines, stated *“The first version of this year’s map was prepared entirely by the*

²⁰ Cambridge Election Comm’n, *Reprecincting*, CITY OF CAMBRIDGE, <https://www.cambridgema.gov/Departments/electioncommission/Reprecincting>.

office of Massachusetts Secretary of the Commonwealth William Galvin.”²¹ Changes the city made were completed in September - well before draft House maps were released for comment. The sub-precincts “required” due to the new legislative districts could easily have been eliminated if their precinct changes had been brought to the attention of the Committee at any time before the end of the comment period on October 18, 2021. Based on the information now available to the Committee, 2 of the sub-precincts could potentially be eliminated by filing a Home Rule Petition with the General Court and still meet the population deviation requirements for their Ward Councilor districts.

Unfortunately, the Office of the State Secretary only shared proposed precinct changes with municipalities and not the Committee. As a result, additional sub-precincts became necessary.

Reprecincting is Not Redistricting

LEDRC Background

The LEDRC was created by Chapter 10 of the Acts of 1975²² to oversee and supervise the division of the cities and towns into wards and precincts as required by Chapter 54 of the General Laws. In general, the division of cities and towns into precincts is done to create convenient voting precincts under Chapter 54. Although, precincts may be required to create representative municipal districts, precincts are not required to be used to create state and federal legislative districts.

Towns are required to reprecinct under Section 6 of Chapter 54 of the General Laws and that each precinct “shall contain, **as nearly as may be** (emphasis added), an equal number of inhabitants, but not more than four thousand inhabitants.”²³ Cities under Section 2 of Chapter 54 “shall be divided into precincts containing **as nearly as may be** an equal number of inhabitants.”²⁴ The LEDRC has determined that “nearly as may be” as a hard +/- 10% population deviation for the municipal precincts.

The Supreme Judicial Court, however, has opined that redistricting (as opposed to reprecincting) required the consideration of multiple, competing factors and rejected an interpretation of the phrase “as nearly as may be” that imposed an absolute minimum threshold or mathematical

²¹ Stuart Foster, *Marlborough proposes revisions to state recommended redistricting plan*, CMTY. ADVOC. (Oct. 6, 2021), <https://www.communityadvocate.com/2021/10/06/marlborough-proposes-revisions-to-state-recommended-redistricting-plan/>.

²² [Chapter 10 of the Acts of 1975](#).

²³ [Mass. Gen. Laws ch. 54, § 6 \(2020\)](#).

²⁴ [Mass. Gen. Laws ch. 54, § 2 \(2020\)](#).

accuracy. The Court instead held that "the words import some flexibility", and "[there] is abundant room for the exercise of reason and judgment in the formation of the districts."²⁵

There is no need for the LEDRC to find a town with an Open Town Meeting form of government with differently sized precincts to be deficient because the precincts have no impact on one person one vote principles. Each inhabitant in a town has an equal opportunity with others in the town to vote for and elect town officers. Each inhabitant in the precincts has an equal opportunity with others in their respective state and federal legislative districts. The same principle can be applied to cities that elect municipal officials city-wide.

Towns with a Representative Town Meeting²⁶ form of government and cities that have district councils may need to create sub-precincts to meet the +/- 10% district deviation to protect one person one vote principles but those could potentially be minimized if done following the creation of state and federal districts.

LEDRC Approved New Precincts

Delivery of New Precincts to the Legislature

*An Act Relative to Reprecincting*²⁷ required the LEDRC to approve new municipal precinct lines by December 15, 2021 and “within 14 days of receipt of the division of a city or town into convenient voting wards or precincts pursuant to section 1, deliver to the president of the senate and speaker of the house of representatives an electronic geographic information system shapefile, or equivalent, containing said division.” The House received a final version of the new precincts on August 2, 2022 and a list of sub-precincts on August 24, 2022. The sub-precinct files did not include population statistics.

Anomalies

There were several anomalies in the precinct and sub-precinct shapefiles sent to the Committee. Sixteen sub-precincts in the files and listed on the district descriptions posted on the Secretary’s website²⁸ where not reported in the 2022 PD-43 election results.

²⁵ See *Merriam v. Sec’y of the Commonwealth*, [375 Mass. 246](#), 258 (1978).

²⁶ [Mass. Gen. Laws ch. 43A, § 4](#).

²⁷ [Chapter 56 of the Acts of 2021](#).

²⁸ Mass. State. Sec’y, Massachusetts Congressional Districts (2021), <https://www.sec.state.ma.us/ele/elepdf/districts/2021-Congressional-Districts.pdf>; Mass. State. Sec’y, Massachusetts Senate Districts (2021), <https://www.sec.state.ma.us/ele/elepdf/districts/2021-Senate-Districts.pdf>; Mass. State. Sec’y, Massachusetts House of Representative Districts (2021), <https://www.sec.state.ma.us/ele/elepdf/districts/2021-House-Districts-.pdf>.

Not Included in PD-43 2022 Election Results

Municipality	Sub-Precinct	Population	Legislative Body	District
Braintree	3B1	0	Senate	Norfolk & Plymouth
Braintree	6B1	0	Senate	Norfolk & Plymouth
Concord	3A	0	House	14th Middlesex
Concord	5A	0	House	13th Middlesex
Framingham	11A	0	House	7th Middlesex
Haverhill	3-2A	0	House and Senate	15 Essex (House) and 2nd Essex & Middlesex (Senate)
Lowell	7-3A	0	House	17 Middlesex
Newton	2-1A	0	House	10th Middlesex
North Andover	5A	0	House	18th Essex
Plymouth	2A	0	House	1st Plymouth
Plymouth	3A	0	House	1st Plymouth
Raynham	1A	0	Congress	4th District
Walpole	8A	0	House	12th Norfolk
Weymouth	1A	0	House	3rd Norfolk
Worcester	3-2A	0	House	15th Worcester
Worcester	9-3A	0	Senate	1st Worcester

The Committee determined that the sub-precincts had zero population and can only assume the Secretary or municipality combined them with another precinct within the district when tabulating the 2022 election results after submitting the precinct files to the Committee.

There were eight sub-precincts reported in PD-43 that were not included in the files sent to the Committee. Chicopee, Hingham, and Peabody filed Home Rule Petitions²⁹ to create sub-precincts and added voting locations for the convenience of the residents of those communities. All were approved prior to the Committee receiving the sub-precinct file. This is not uncommon, by our count, 22 sub-precincts were created through Home Rule Petitions from 2012

²⁹ **Chicopee:** [Chapter 125 of the Acts of 2022](#);

Hingham: [Chapter 36 of the Acts of 2022](#);

Peabody: [Chapter 96 of the Acts of 2022](#).

through 2020. In fact, a Home Rule Petition was filed on behalf of the City of Revere two weeks after the 2022 primary to create sub-precincts by adding 2 additional polling locations for Ward 3 Precinct 2 and Ward 5 Precinct 1 that was signed into law by the Governor on December 28, 2022.³⁰

Although no legislation was filed in 192nd Session of the General Court for Dracut and Newburyport, - towns that are not split between by any legislative districts - they had prior legislative approval after the last redistricting round to create sub-precincts.³¹ The Town of Warren, another town that is not split by legislative districts, relies on a 1993 Act approving 2 sub-precincts.³² These sub-precincts and additional voting locations were created for the convenience of the residents of those communities and not to create “chaos at the polls”.

The 8 Sub-precincts Not Submitted to the Committee

Municipality	Ward	Pct	Split Legislative Districts	Signed into Law
Chicopee	6	AS	Yes	July 28, 2022
Chicopee	6	BW	Yes	July 28, 2022
Dracut	-	6A	No	No Legislation Filed
Hingham	-	7A	No	March 25, 2022
Newburyport	1	P	No	No Legislation Filed
Peabody	4	3A	Yes	June 27, 2022
Warren	-	A	No	No Legislation Filed
Warren	-	B	No	No Legislation Filed

An administrative decision was seemingly made to create sub-precincts for Dracut, Newburyport, and Warren without formal legislative approval after this round of redistricting.

Regardless of how the sub-precincts were created, they were not included in the list of new precincts submitted to the Committee. And to our knowledge, not generally available to the

³⁰ **Revere:** [Chapter 331 of the Acts of 2022](#).

³¹ **Dracut:** [Chapter 46 of the Acts of 2012](#);

Newburyport: [Chapter 13 of the Acts of 2012](#).

³² **Warren:** [Chapter 144 of the Acts of 1993](#).

public. MassGIS (Bureau of Geographic Information) only posted the new ward and precinct lines³³ after the 2022 general election.

- [2022 Wards and Precincts](#) (New! 11/21/2022)

These MassGIS files do not include the new sub-precincts.

Split Municipalities for House Districts.

The Committee needed to split 92 municipalities. Every split was carefully considered and done to create fair and legally defensible House Districts so residents could elect their candidate of choice. Considering the perceived sub-precincts issues it is important to offer some additional information on why the municipal splits were necessary, especially for smaller communities.

The Committee, under Article CI of the Constitution, was prohibited from splitting the 67 communities with a population of less than 2,500 inhabitants. The 52 Towns with a population of less than 6,200 people are not required to create precincts. The Committee, however, needed to again split Granby even though the town had dropped under the 6,200 person threshold for creating precincts. This was necessary to accommodate +/- 10% population deviation requirements of surrounding House Districts in Western Massachusetts which saw a decrease or slower population growth than other sections of the state. This split also was necessary for the drawing of the 4 majority-minority opportunity districts in neighboring Hampden County. The Town of Wenham was split to help create an additional incumbent free majority-minority Hispanic seat in Essex County.

The Committee split 59 or 30.26% of the 195 communities that had a population above 6,200 and below the minimum district size of 41,740. These municipalities do not have enough population for a single House District and inevitably some were split to meet redistricting criteria employed by the Committee to draw defensible districts.

Only 7 communities had enough population to meet the population deviation for a single House District. Marlborough, which already had two Representatives remained split which helped the Committee to draw the incumbent free majority-minority opportunity 6th Middlesex District in the neighboring city of Framingham and the new incumbent free 19th Worcester District.

The remaining 30 communities have populations that exceed the upper limit of 46,134 people for a House seat and had to be split.

³³ Mass. Bureau of Geographic Info., MassGIS Data Layers, <https://www.mass.gov/info-details/massgis-data-layers#political/administrative-boundaries-> [https://perma.cc/FS59-KG87].

51 Split Communities with Sub-precincts

Sub-precincts were not created in 41 split communities. The other 51 had a total of 130 sub-precincts. The following is an analysis for the various municipalities that were split.

Towns with and Open Town Meeting and Town-wide elections

The LEDRC created 23 sub-precincts within 19 towns that have an open town meeting form of government. As noted above, there is no strict requirement to do this because precincts are not used for any local districts and all officials are elected town wide. The total number of towns would have been 21 but the Governor filed petitions on behalf of Middleton and Medway pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as appearing in Article LXXXIX. The two pieces of legislation, which were passed by the Legislature, moved one census block with zero population from precinct 2A to precinct 3 in Middleton and one census block with 173 inhabitants from precinct 1A to precinct 2 in Medway.³⁴ Each town with an open town meeting makes their own determination if sub-precincts and associated cost for administering elections meets their needs. Town officials in Middleton and Medway, much like Andover did for sub-precinct 9A in 2016, determined that eliminating the LEDRC approved sub-precinct was in the best interest of the community. A Home Rule Petition filed with the Legislature was the remedy.

Cities with At Large Representation

The LEDRC created 21 sub-precincts within 4 cities with no district representation. Although precincts may be required by some city charters to be used as the building blocks to create municipal district council seats, that is not the case for Cambridge, East Longmeadow, Haverhill, and Medford. Their councilors are elected city-wide. These municipalities decide what is the best for determining voting district population deviations to administer election. If they choose to revisit their LEDRC approved plan and potentially eliminate sub-precincts, they can file a Home Rule Petition with the General Court.

Cities or Towns with District Representation

The LEDRC created 86 sub-precincts within the 28 cities that have district representation. These include towns having Representative Town Meeting and cities with a Mayor – Council/Alderman form of government. Evidently, each of these municipalities agreed with what was approved by the LEDRC. The city of Quincy, however, revisited their approved ward

³⁴ **Middleton:** [Chapter 110 of the Acts of 2022](#);
Medway: [Chapter 82 of the Acts of 2022](#).

and precinct plan and filed a Home Rule Petition to create precincts that fit their needs.³⁵ The other 27 municipalities - including the already discussed city of Marlborough - are also free to file a Home Rule Petition if they wish to adjust their LEDRC approved precincts.

Boston Sub-precincts – A Special Case

The precinct files submitted to the Committee by the Office of the Secretary on August 2, 2022 did not include any Boston precincts. Boston is exempt for the reprecincting under Chapter 54 by special law but had re-aligned their own precincts and created sub-precincts in some of their larger voting districts in 2021. The sub-precinct file submitted on August 24, 2022 did include 7 sub-precincts. However, only 5 sub-precincts were reported in PD-43. Ward 8 sub-precinct 6A was listed 3 times for separate census blocks and was seemingly consolidated as 1 sub-precinct in the official vote count. The Committee analysis shows zero population for each of the 7 submitted sub-precincts. This may have been due to the Census Bureau policy of “Differential Privacy” where population data is swapped between census blocks to protect an individual’s privacy. However, the official election results had no votes cast in any of these sub-precincts. Registration data was not available for any of these sub-precincts for use in our analysis but based on the location of the census blocks used to create the sub-precincts, they appear to have no inhabitants and could potentially be eliminated.

List of Split Communities for House Districts

[Form of Government compiled by the Massachusetts Municipal Association \(MMA\)](#)

Town-Wide Election					
Municipality	County	# of Districts	Sub-precincts	Form of Government	Districts
Acton	Middlesex	2	1	Open town meeting	No
Acushnet	Bristol	2	1	Open town meeting	No
Andover	Essex	2	1	Open town meeting	No
Bourne	Barnstable	2	1	Open town meeting	No
Charlton	Worcester	2	1	Open town meeting	No
Easton	Bristol	2	2	Open town meeting	No
Granby	Hampshire	2	1	Open town meeting	No
Groton	Middlesex	2	1	Open town meeting	No

³⁵ Quincy: [Chapter 113 of the Acts of 2022](#).

Town-Wide Election					
Municipality	County	# of Districts	Sub-precincts	Form of Government	Districts
Halifax	Plymouth	2	1	Open town meeting	No
Lunenburg	Worcester	2	2	Open town meeting	No
Mansfield	Bristol	3	2	Open town meeting	No
Marshfield	Plymouth	2	1	Open town meeting	No
Middleborough	Plymouth	3	2	Open town meeting	No
Oxford	Worcester	2	1	Open town meeting	No
Pembroke	Plymouth	2	1	Open town meeting	No
Tewksbury	Middlesex	3	1	Open town meeting	No
Uxbridge	Worcester	2	1	Open town meeting	No
Wenham	Essex	2	1	Open town meeting	No
Yarmouth	Barnstable	2	1	Open town meeting	No

City At-Large Elections					
Municipality	County	# of Districts	Sub-precincts	Form of Government	Districts
Cambridge	Middlesex	6	9	Mayor-manager-council	No
East Longmeadow	Hampden	2	3	Council-manager	No
Haverhill	Essex	2	7	Mayor-council	No
Medford	Middlesex	3	2	Mayor-council	No

City District Representation					
Municipality	County	# of Districts	Sub-precincts	Form of Government	Districts
Boston	Suffolk	16	5	Mayor-council	Yes
Brookline	Norfolk	4	3	Representative town meeting	Yes
Chelmsford	Middlesex	3	2	Representative town meeting	Yes
Chicopee	Hampden	3	5	Mayor-council	Yes

City District Representation					
Municipality	County	# of Districts	Sub-precincts	Form of Government	Districts
Everett	Middlesex	3	2	Mayor-council	Yes
Framingham	Middlesex	4	5	Mayor-council	Yes
Lawrence	Essex	3	2	Mayor-council	Yes
Lowell	Middlesex	3	7	Mayor-manager-council	Yes
Lynn	Essex	4	2	Mayor-council	Yes
Malden	Middlesex	3	3	Mayor-council	Yes
Marlborough	Middlesex	2	3	Mayor-council	Yes
Methuen	Essex	3	2	Mayor-council	Yes
Milton	Norfolk	2	1	Representative town meeting	Yes
New Bedford	Bristol	5	5	Mayor-council	Yes
Newton	Middlesex	3	2	Mayor-council	Yes
Peabody	Essex	2	1	Mayor-council	Yes
Quincy	Norfolk	3	1	Mayor-council	Yes
Revere	Suffolk	2	1	Mayor-council	Yes
Somerville	Middlesex	3	4	Mayor-council	Yes
Springfield	Hampden	5	9	Mayor-council	Yes
Stoughton	Norfolk	2	5	Representative town meeting	Yes
Taunton	Bristol	3	2	Mayor-council	Yes
Walpole	Norfolk	4	2	Representative town meeting	Yes
Waltham	Middlesex	2	6	Mayor-council	Yes
Westfield	Hampden	2	2	Mayor-council	Yes
Weymouth	Norfolk	2	1	Mayor-council	Yes
Woburn	Middlesex	2	1	Mayor-aldermen	Yes
Worcester	Worcester	5	2	Mayor-manager-council	Yes

Recommendations

Nothing in this round of redistricting has altered my view that census blocks rather than precincts should be the building blocks for drawing new districts and that reprecincting should be done after redistricting is completed. I will continue to file legislation to make that change permanent.

The Committee used census blocks to produce the largest number of majority-minority House Districts in the history of the Commonwealth. The 193rd Session of the General Court is the most diverse in our history. The new majority-minority opportunity districts allowed people of color to elect their candidate of choice. These facts alone are enough for me to continue advocating that redistricting be completed before municipal reprecincting.

The November 1, 2021 Memorandum from the Office of the State Secretary asking to delay the approval of new Senate and House Districts encapsulates their many arguments against changing the reprecincting/redistricting order and the dire consequences predicted for municipalities and the voting public by having new legislative districts drawn first. The results as presented in this report paint the opposite picture.

Our analysis leads me to conclude that the LEDRC process also needs to be reviewed and guard rails put in place to give cities and towns some relief on the approval process short of potentially costly Home Rule Petitions. Legislative reforms should include:

- No preapproval of precincts before redistricting is complete
 - Any preliminary reprecincting shapefiles and maps created by the Office of the State Secretary as a courtesy to municipalities shall be provided to the Committee to assist them in drawing new districts
- Defining “as nearly as may be an equal number of inhabitants” to address communities with no district representation and eliminate the LEDRC +/- 10% population mandate for precinct size
- Review the Representative Town Meeting formula to determine the feasibility of proportional representation and any potential one person one vote ramifications
- Posting LEDRC meeting agendas and approved precinct lines on the Secretary’s website
 - Including posting a complete list of all precincts and sub-precincts that will be reported in the PD-43 election results
- Publishing and post accurate municipal/ward/precinct descriptions for the new districts as they will be reported in PD-43 on the Secretary’s website
- Set a strict timeline for submitting **all** precincts that will be reported in PD-43 to the General Court after redistricting.

I recognize that sub-precincts may be necessary to accommodate the potentially conflicting requirements of federal, state, and municipal legislative districts. If sub-precincts are needed to draw fair and defensible districts that allow people to elect their candidate of choice, then that is a small price to pay.

Municipal election officials across the Commonwealth conducted the 2022 elections for the new districts. They conducted elections that also included enhanced voting opportunities available through the VOTES Act.³⁶ The voter turnout exceeded predictions. Unlike other sections of the country, the integrity of the election results was not questioned. Every election official from Poll Worker to Municipal Clerk to Commissioner is to be commended for their efforts running elections that should be a model for our nation.

Closing Remarks

The success of a collaborative process such as redistricting is the sum of many parts. Thank you to my Co-Chair Senator William Brownsberger for his counsel, advice, insight, and hard work producing the new maps. Our work began with the support of Speaker Ronald Mariano and Senate President Karen Spilka who appointed us as Chairs and provided the institutional support and resources necessary for the Committee to complete its work. The hard work of the members of the Committee who attended every hearing and our colleagues in the House and Senate who offered insight about community interests in areas of the Commonwealth they represent was invaluable. Thank you to the many advocacy groups who offered suggestions on how to make the process more accessible; the final maps reflect your work.

And finally, my most heartfelt thanks go to the hundreds of residents who took the time to testify at our hearings or contact the Committee with their ideas and maps. The new districts are your maps. It was your participation that once again allowed us to draw fair districts that reflect the many faces of Massachusetts.

³⁶ [Chapter 92 of the Acts of 2022.](#)