

PA SUPREME COURT THROWS MAP OUT, ELECTIONS INTO UNCERTAINTY

Harrisburg PA – A divided Pennsylvania’s Supreme Court today threw out the State’s Congressional map, and, with a one-vote majority, gave the legislature less than three weeks to craft a new one – an unprecedented intervention some feel has brought chaos and confusion on the eve of 2018 elections, and directly impacts the outcomes.

“As a result of today’s decision, millions of Pennsylvanians will wake up tomorrow not knowing who will be their Member of Congress,” said Jackie Kalbach, one of the individual Intervenors. “With the Primary less than four months away, voters don’t know what District they will be living in, or which nomination petitions to sign next month.” The Intervenors had petitioned the court to delay any new map until 2020 to avoid throwing the electoral process into “mass confusion.”

The current map, enacted by the legislature in December of 2011, with support from both parties, had been in place through three Congressional election cycles without challenge. Seeking to change it now, with 2018 electoral process well underway, will seriously disrupt the orderly election process. It’s a reality even Justice Max Baer recognized. While he declared the map “unconstitutional”, he also acknowledged that delaying the new map until 2020 would have minimized confusion.

“This decision will create substantial voter confusion and displacement. Candidates, many of whom have been campaigning since November of 2016, now don’t know if they live in the District anymore,” Lynne Ryan, one of the Intervenors, said. “Those campaigns for Congress are effectively shut down, and all investments are effectively lost.”

There is no question the Court’s decision will have a profound and immediate impact. Campaigns, which have invested substantial financial resources on materials, travel, hiring, and fundraising, are likely to suffer significant losses. Efforts to organize, enlist and train volunteers in preparation for February 13th petition circulation, are brought to an abrupt halt since campaigns are not likely to know the new District lines, and whether or not their campaign is whole, until February 19th. Financial hardships could be exacerbated if campaign donors ask to have their contributions back. At best, Congressional campaigns will have to start over from scratch.

Mark Harris, one of the Intervenors, contends that the decision favors the rights of some Pennsylvanians over others. “Even though all Pennsylvanians have Free Speech and Freedom of Association Rights, the Intervenors’ 2018 Constitutional rights have been wiped out – no remedy for them. Their rights are lost forever.”