

News

Census results will shape 2011 Pa. redistricting

By **MARK SCOLFORO**
ASSOCIATED PRESS

Pennsylvania political junkies have much to chew over this year, as state voters are about to pick a new governor, decide whether to return Sen. Arlen Specter to Washington as a converted Democrat, sort through a host of competitive congressional races and select 228 of the 253 state legislators.

At the same time, the state's roughly 12.5 million residents are completing census forms that also will have a big influence on their political future, most notably because Pennsylvania seems headed toward the loss of one of its 19 congressional districts.

Those shifting population patterns also will complicate the task of the five-person legislative reapportionment commission that in about a year will begin to redraw the General Assembly's district lines.

Pennsylvania has added about 324,000 people since the 2000 census, ranking it a very average 21st among states, according to preliminary figures. The 2.6 percent growth rate, however, is among the weakest in the nation.

The commonwealth's newcomers are concentrated in the Pocono mountains region that straddles Interstate 80 near New Jersey; the suburbs of Philadelphia, particularly booming Chester County; and the south-central Pennsylvania region along the Mason-Dixon Line that runs through Gettysburg, York and Lancaster.

According to the census estimates, Philadelphia has grown by about 2 percent, while Allegheny County, which includes Pittsburgh, has shrunk by nearly 5 percent. Population decline is concentrated in the western counties.

Intriguingly, about half of Pennsylvania's total estimated growth over the past decade, or some 176,000 people, consists of people who have moved to the state from foreign countries. In terms of state-to-state migration, Pennsylvania has had a net loss of about 40,000 people.

Redistricting goes on in two tracks — one for Congress, the other for the state Legislature.

The congressional map will begin to be redrawn after Pennsylvania gets the official word about the size of its delegation. If, as

expected, the state loses a seat, many expect that to be felt most acutely in the far southwestern district represented until recently by the late U.S. Rep. John Murtha, D-Pa.

The congressional plan requires approval by each legislative chamber as well as the governor. A decade ago, Republicans, who held all three power centers, produced a plan aimed at giving them a stranglehold on the state's congressional delegation, but it hasn't quite turned out that way.

It's true that three Democratic incumbents were immediately out of their jobs, but in the past eight years Republicans have watched their 12-7 edge in seats turn into a 7-12 deficit.

The General Assembly's procedure for drawing its own districts, revamped by the 1968 constitutional convention, falls to a five-person commission that consists of the Democratic and Republican floor leaders of both the House and Senate and a fifth person selected by the other four — or, if they can't agree, by the state Supreme Court.

Public outrage over lawmakers' 2005 pay raise generated a lot of discussion about changing

the redistricting process, which some have criticized as a way for leaders to settle old scores and customize districts to protect friends and help allies.

Democratic Gov. Ed Rendell has spoken in favor of changing the current system, and a handful of bills have been introduced. But nothing has gained traction, and at this point it's far too late to amend the state constitution in time to affect next year's process.

Tim Potts, co-founder of Democracy Rising PA, a Harrisburg-based citizen advocacy group, blames cynical redistricting for often giving voters just one name on the fall ballot.

"That is precisely because the districts are so gerrymandered as to make the districts uncompetitive," Potts said.

Another school of thought is that the leaders, as elected representatives, are best positioned to do the job, and that the fifth person on the commission has successfully played the role of honest broker in the past. In short, some think the system works and that blatant gerrymandering is the exception, not the rule.

"We don't see the pressing need

for fundamental changes to the system that's in place," said Erik Arneson, spokesman for one of the leaders expected to be part of next year's map-drawing, Senate Majority Leader Dominic Pileggi, R-Delaware.

The goals of those who favor redistricting changes can often be self-contradictory.

A district designed to encompass those with the same "community of interest" can end up being so homogenous that the minority party has zero chance. Eliminating strangely shaped districts and making them more compact could expose the plan to a legal attack on the basis of voting rights for minority groups.

And the composition of the nonpartisan redistricting panel can itself lead to charges of undue influence.

"It is very difficult to create an authentically nonpartisan process," said Nathaniel Persily, a law and political science professor at Columbia Law School. "These people are ultimately elected or appointed by someone."

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Judge weighs juror-misconduct claim in Veon case

By **MARK SCOLFORO**
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A county judge said Friday he would take about a week to decide if three people convicted in last month's public corruption trial deserve a new trial or a hearing based on juror misconduct claims.

Dauphin County Judge Richard Lewis told lawyers a blog account of a trip to the state Capitol by some jurors during the trial of former state Rep. Mike Veon and three of his ex-aides did not seem to suggest an emotional or inflammatory influence that might require the judge to declare a mistrial or take some other action.

Friday's hearing was prompted by the posting by former juror Jonathan Smith, made shortly

after the March 22 verdict was returned, describing how a group of jurors walked over to the Capitol during lunch one day and tried unsuccessfully to get a look inside one of Veon's former offices that had been the topic of trial testimony.

Veon, Annamarie Perretta-Rosepink and Brett Cott were found guilty of some of the counts against them in the case that centered on allegations they conspired to divert public resources to wage political campaigns. The fourth defendant, Steve Keefer, was fully acquitted.

Defense attorneys argued that Smith's account was sufficient to justify a mistrial, and that the defendants deserved to learn more about who went on that walk to the Capitol, and the extent to which they discussed

the trial — contrary to the judge's instructions — before the start of deliberations. An evidentiary hearing could shed more light on what happened, they said.

"I don't know what they did up there, and I don't think you can sit here and say, well, obviously there's no harm, because they didn't do anything," said Bryan Walk, Cott's attorney. He said a hearing could explore "why did you go, when did you go, who went and whose idea was it, what was discussed?"

Chief Deputy Attorney General Christopher Carusone told Lewis there was no reason to think the Capitol trip prejudiced the jury and warned that calling jurors onto the stand after they have issued a verdict is "a very dangerous undertaking."

"To attribute some evil motive to

the jurors' actions is completely out of line and improper," Carusone said.

Lewis said he plans to issue a decision by the middle or end of next week.

"There's no issue that the visit to the Capitol was not thought out very well by the jury," the judge said.

Smith did not immediately respond to a message seeking comment, and the blog post apparently has been removed from his Web site.

After six weeks of testimony, Veon was found guilty of 14 offenses related to using taxpayer-paid bonuses to reward state workers for campaign efforts, illegal campaign fundraising, other campaign efforts and having aides drive two motorcycles to a North Dakota rally.

Cott was found guilty of three of the 42 counts he faced, and Perretta-Rosepink was found guilty of five counts, related to campaign efforts from 2004 to 2006.

Veon was formally arraigned in front of Lewis on Friday for charges related to the Beaver Initiative for Growth, a now-defunct legislative nonprofit he headed up.

Trial in that case, in which Perretta-Rosepink also faces charges, is scheduled to begin April 19, but Veon's attorney said he may seek a delay and Perretta-Rosepink's lawyer said he plans to file a motion saying prosecutors have waited too long to bring her to trial.