



Redistricting 101

Reapportionment vs. Redistricting

Reapportionment refers to the process by which the 435 seats in the United States House of Representatives are allocated to the 50 states. Based on the populations recorded in the census, congressional seats must sometimes be shifted between states to ensure equal representation between the states in the House of Representatives. California, the most populous state, has 53 representatives. Some states, like Wyoming, have only one.

Redistricting refers to the process by which states and other political subdivisions realign political district boundaries. Each district must contain approximately the same number of people. Population growth and migration patterns can vastly alter the population of a district over the ten year period between censuses. The Constitution guarantees one person, one vote, so district lines must be redrawn to protect that standard.

Changes in State Law

In 2008, Californians created the California Citizens Redistricting Commission with Proposition 11. The commission was originally tasked with drawing new district lines for the State Assembly, Senate and the Board of Equalization. After Proposition 20 in 2010 it became responsible for congressional districts. In all the state commission was charged with creating 177 districts in a very short timeframe.

The state commission process is not binding on local governments, but the public and media now have a heightened expectation for redistricting even on school boards and city councils. The state commission did not create political nirvana in Sacramento and DC, but it has successfully changed how the public thinks of redistricting – something that will have a long-standing impact.

The US Census

Redistricting starts with data. The Census counts the United States population every 10 years. The results are used to allocate representation among the states and within the states. States and local jurisdictions can use additional data to build better districts respectful of communities of interest, however the census numbers must be the basis for population counts within each seat.

Census data is presented in various levels, from the state and city to the smallest unit, the census block. In 2011 this unit of data is used for most district building.

The American Community Survey from the US Census is used for additional information, such as Citizen Voting Age Population, Same Sex Households, and a long list of ethnic subgroups and other measures. This ACS data is written in the Census Block Group level, a geographic area that varies widely in size but is on average 1,500 people

Other datasets can be used to supplement Census information – things such as county voter rolls, city/county planning or local planning department estimates, election returns, housing starts, private commercial databases, and more. While these can be helpful in ensuring that communities of interest are respected, the ultimate plan will be based on the 2010 census information, even if it is viewed as flawed or slightly out of date.

Why is one person, one vote so important?

The so-called Redistricting Revolution of the 1960s was created by a series of Supreme Court decisions that forced states to create districts of equal population. This was seen as a fundamental fairness in democracy, ensuring that all voters have an equal voice in elections. To illustrate this, consider this actual set of districts from a local government in California:

District A includes a small beach town and has 14,000 people. It was equal in size to District B when the lines were first drawn. Now district B has 106,000 people. Given this inequality, District A's vote is approximately 8 times more powerful than a resident in District B. In past elections District A candidates have been successful with just 6,000 supporters, while having 6,000 supporters in District B would have placed a candidate in dead last place.

By equalizing the population of districts you are balancing the representation evenly among residents, no matter where they reside. This is the first and most unbreakable principle of redistricting.

Common Redistricting Criteria

Jurisdictions undertaking the complicated task of drawing new districts generally adhere to common criteria to draw lines fairly. These criteria fall roughly into two categories: fixed rules and interpretive rules.

Population

Representation is about people, so it makes sense that the fundamental factor when drawing districts is population. Districts must contain equal populations within allowable margins, as directed by state and federal law. Who counts? Everybody counts, regardless of age or citizenship.

The ideal population of each district can be calculated by dividing the total number of people by the total number of districts to be created. Based on the 2010 census report there are 4.5 million residents within the district boundaries that need to be squeezed into 7 districts. This means that the ideal population of each seat is 648,733

There will be some deviation from this ideal population. Allowable deviations differ by electoral body. For congressional districts, the courts have found that deviations as small as 1% may violate the one person, one vote principle and the higher the deviation, the higher the potential for legal challenges. As a practical matter most congressional redistricting around the country won't deviate more than one person from the ideal population. However the Assembly and Senate district do deviate more than 1%.

In 2001 local jurisdictions were presumed to have more leeway – generally those districts aimed to have no more than a 10% difference between their least and most populous districts. This does not mean that a plan should start with the intent of creating 10% deviations. Any deviations from perfect equality should be justifiable based on the desire to keep a city, neighborhood, or other community of interest together.

Cohesion

Some neighborhoods share traits that make them a cohesive set of communities that mesh well. In a geographic example, a lot of mountainous communities probably have more cohesiveness than the mountains do with the sea, or those in a gated community could have more cohesiveness than people on different sides of a freeway.

Contiguity

Contiguity can be simple. Areas are contiguous if they are touching. There should be no hopping, skipping or jumping of lines; no orphaned pockets of district separated by other districts, and you shouldn't have to leave your district to get back into the district. All of one district has to be contained within lines that all connect to each other.

For an area like Catalina Island there is a virtual connection via shipping lanes and ferry lines to Long Beach or the San Pedro district of Los Angeles. In other cases a city itself is not contiguous, like in San Diego. In cases like this drawers will do their best within the geographical circumstances.

Contiguity can also be functional. Two cities could be both touching the Sierra Nevada mountain range, but a district that only used the mountains to connect to otherwise non-adjacent cities would be functionally non-contiguous. If you have to leave a district to get back into the district, or the only way to get from one side to the other is with a backpack and a canteen, then it could be called “functionally non-contiguous.”

Compactness

The requirement that districts be compact is harder to measure mathematically – though it can be done. This is generally the “looks like a duck” category, sometimes literally. It is also sometimes easier to illustrate this criterion in the negative – identifying non-compact districts is easy, just think of the shapes that gave rise to the term Gerrymandering, long, serpentine shapes stretching hundreds of miles.

A circle is compact. Any other shape is less so. Compactness is a matter of much mathematical and philosophical debate and there are many measures reflecting the various views of compactness that span gap between the more practical and more idealistic redistricting criteria.

Geographic compactness, however, is often more of a functional determination than a purely cartological one. *The Report and Recommendations of Special Masters on Reapportionment* (1992) described it this way:

“A district would not be sufficiently compact if it was so spread out that there was no sense of community, that is, if its members and its representatives could not effectively and efficiently stay in touch with each other; or if it was so convoluted that there was no sense of community, that is, if its members and its representative could not easily tell who actually lived in the district.”

In many ways, this should be the guiding concern of any attempt to follow a good government districting plan.

Compactness is a functional concept and the factors used to evaluate it can vary. It should not refer to just geometric shapes but to the ability of citizens to relate to each other and their representatives and to the ability of representatives to relate effectively to their constituency. Further, it speaks to relationships that are facilitated by shared interests and by membership in a political community. (Wilson v. Eu (1992) 1 Cal.4th 707, 719)

A squiggly district can be a sign of gerrymandering and is likely to be closely scrutinized by the courts and criticized by the media and public. But ending squigglieness itself is not a sound principle for redistricting. Our rivers and mountains were not thinking about boxes and circles when they were forming, so lines that follow them will have odd shapes. Our cities and neighborhoods could themselves be oddly shaped, and plans that follow those boundaries will also be awkwardly shaped.

Proposition 11 specifically addresses compactness for state redistricting by setting a criteria that lines should not skip over one population center in favor of another one further away. This is a simple way of trying to keep communities together and end districts that dodge and dive population centers to create more oddly shaped districts.

Measuring Compactness

While the appearance and function of a district may be the appropriate measure of its compactness, experts like to turn everything into a mathematical formula. There are currently numerous methods to measure the distribution of population within a district, to measure its borders, and to calculate its compactness.

These tests rely on various ratios and measures, such as the length and width of districts, the circumference of districts, or measures of smooth or contorted boundaries are. No district will be perfectly compact since no jurisdiction is likely to fit everyone into circular districts.

Many scholars suggest that these measures don't work well as absolute standards but rather as a method of assessing the relative strength of competing boundary proposals. Focusing too much on the mathematical computation of a district's compactness, however, can distract from more pressing criteria, such as preserving communities of interest

Community of Interests

District lines should be drawn to unite or preserve communities that share needs and interests. These common traits can be reflected in patterns of geography, social interaction, trade, political ties, and other factors. For redistricting purposes, these communities need to be geographically definable and contiguous.

Communities of interest can be identified through census data, demographic studies, surveys, or, as is frequently the case, through the testimony of community members, activists, and leaders solicited by the redistricting process.

The California Citizens Redistricting Commission was provided this definition to guide their understanding of communities of interest:

“a contiguous population which shares common social and economic interests that should be included within a single district for the purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the electoral process. Communities of interest

shall not include relationships with political parties, incumbents, or political candidates. (Cal. Article XXI Section 2(d)(4))

These rules do not necessarily apply to local jurisdictions – locals, for example, can legally draw lines to preserve incumbents. The City of San Jose actually has this written into their charter.

Other states have been more or less specific about the factors line drawers should consider. Kansas identifies social, cultural, racial, and ethnic interests; Alabama includes historic interests, county, municipal, or voting precinct boundaries and commonality of communications; Montana includes transportation networks, media markets, urban and rural interests, occupations and lifestyles.

Existing boundaries

What makes a neighborhood is a matter of much academic debate. Generally, a neighborhood is a subsection of a larger city where people reside, work, or recreate. A resident's perception of his or her neighborhood can vary depending on context, personal experience, socio-economic status, and duration of residency. Neighborhoods may follow real estate developments or may be as small as a single cul-de-sac.

In Los Angeles there are both neighborhoods and neighborhood councils, either of which could be used in redistricting.

Glossary

American Community Survey

Ongoing statistical survey by the U.S. Census Bureau, sent to approximately 250,000 addresses monthly (or 3 million per year). The ACS regularly gathers information previously contained only on the long form of the decennial census. The data includes fertility, educational status, care giving, disability status, housing characteristics, and commute patterns. The data does not directly relate to redistricting or communities of interest. Data is reported at the block-group or census tract level.

Apportionment

Following each census, the 435 seats in the United States House of Representatives are apportioned to each state based on state population. The larger the state population, the more congressional representatives the state will be apportioned. Apportionment, unlike redistricting, does not involve map drawing.

At-large election system

An at-large election system is one in which all voters can vote for all candidates running for open seats in the jurisdiction. In an at-large election system candidates run in an entire jurisdiction rather than from districts or wards within the area. For example, a city with three open city council positions where all candidates for the three seats run against each other and the top three receiving the most votes citywide are elected is an at-large election system. In at-large election systems, 50% of the voters control 100% of the seats. At-large election systems can have discriminatory effects on minorities where minority and majority voters consistently prefer different candidates and the majority will regularly defeat the choices of minority voters because of their numerical superiority.

Bloc Voting

A behavior of communities in which their voting patterns move as a unit, usually due to race, and their patterns follow their group identity more than traditional other characteristics, like partisanship, age, or left-handedness.

Census

The United States Census is a population enumeration conducted every 10 years, the results of which are used to allocate Congressional seats, electoral votes and government program funding. As part of the Census, detailed demographic information is collected and aggregated to a number of geographical levels. This data is used during the redistricting process, both by partisan interests and by redistricting authorities and the courts. The last census day was April 1, 2010. The Census Bureau was required to deliver population data to the President for apportionment by December, 2010 and redistricting data to the states by March, 2011.

Census block

The smallest level of census geography used by the Census Bureau to collect census data. Census blocks are formed by streets, roads, bodies of water, other physical features and legal boundaries shown on Census Bureau maps. Redistricting is based on census block level data.

Census block group

A collection of Census blocks sometime used for data estimates from the ACS that are not as reliable at the block level.

Census tract

A level of census geography larger than a census block or census block group that sometimes corresponds to neighborhood boundaries and is composed of census blocks.

Community of Interest

A community of interest is a neighborhood or community that would benefit from being maintained in a single district because of shared interests, views or characteristics.

Although the preservation of "communities of interest" is required by many districting laws, the meaning of the term varies from place to place, if it is defined at all. The term can be taken to mean anything from ethnic groups to those with shared economic interests or workforce, to users of common infrastructure to those in the same media market. The Brennan Center for Justice provides a helpful summary of some of these uses.

Compactness

One of the "traditional" redistricting principles, low compactness is considered to be a sign of potential gerrymandering by courts, state law and the academic literature. More often than not, though, compactness is ill-defined by the "I know it when I see it" standard. Geographers, mathematicians and political scientists have devised countless measures of compactness, each representing a different conception, and some of these have found their way into law.

Contiguity

Like compactness, contiguity is considered one of the "traditional" redistricting principles. Most redistricting statutes mandate that districts be contiguous-- that is, they are a single, unbroken shape. Two areas touching at their corners are typically not considered contiguous. An obvious exception would be the inclusion of islands in a coastal district or dealing with a city like San Diego that has two separated parts

Cracking

A form of voter dilution occurring when districts are drawn so as to divide a geographically compact minority community into two or more districts. If the minority community is politically cohesive and could elect a preferred candidate if placed in one district but, due to cracking, the minority population is divided into two or more districts

where it no longer has any electoral control or influence, the voting strength of the minority population is diluted.

Crossover Districts

A crossover district is one in which ethnic or language minorities do not form a numerical majority but still reliably control the outcome of the election with some non-minority voters crossing over to vote with the minority group.

CVAP (Citizen Voting Age Population)

An estimate of the raw number or percentage of 18-and-older citizens provided by the US Census through the American Community Survey. This number represents the amount of potential voters that could be active in elections – an important measure in voting rights act cases.

CVAP is an estimate, and as with other Census Department estimates it comes with a margin of error. In an area as large as an LAUSD district the margin of error will be fairly small.

The CVAP used by the State Redistricting Commission was from the 2005 – 2009 American Community Survey. Newer data may be available to the LAUSD commission but it could come with the drawback that the data is at the Census Tract level and therefore less accurate.

Deviation

The deviation is any amount of population that is less than or greater than the ideal population of a district. The law allows for some deviation in state and local redistricting plans.

Dispersion

Dispersion-based measures of compactness, such as the Reock and convex hull measures, which evaluate the extent to which a shape's area is spread out from a central point. A circle is very compact, while a barbell is less compact.

Gerrymandering

Gerrymandering is the process by which district boundaries are drawn to confer an electoral advantage on one group over another. The term is a portmanteau word formed from the surname of Massachusetts Governor Elbridge Gerry and the salamander shape of the district he approved, which appeared in an 1812 cartoon. Gerrymandering can take on many forms.

Gingles Factors

The Gingles factors are three preconditions set forth by the U.S. Supreme Court in *Thornburg v. Gingles*, 478 U.S. 30 (1986), that a minority group must prove to establish a violation of Section 2 of the Voting Rights Act. These preconditions are the following:

- 1) A minority group must be sufficiently large and geographically compact to comprise a majority of the district;
- 2) The minority group must be politically cohesive (it must demonstrate a pattern of voting for the same candidates, aka Bloc Voting); and,
- 3) A majority of voters vote sufficiently as a bloc usually to defeat the minority group's preferred candidate.

Racially Polarized Voting analysis done by the State Redistricting Commission and Redistricting Partners both support the notion that LA meets the Gingles test for all three major ethnic groups. In addition, a study of the Armenian population in parts of LA County have shown each of these three factors.

Ideal population

The ideal population is the number of persons required for each district to have equal population. The ideal population for each district is obtained by taking the total population of the jurisdiction and dividing it by the total number of districts in the jurisdiction. For example, if a county's population is 10,000 and there are five electoral districts, the ideal population for each district is 2,000.

Influence district

An influence district is one that includes a large number of minority voters but fewer than would allow the minority voters to control the election results when voting as a bloc. Minority voters are sufficient in number in "influence districts" to influence the outcome of the election.

Indentation

Perimeter-area based measures of compactness, like the Polsby-Popper and Schwartzberg measures used on this site, primarily evaluate the indentation of district boundaries. Shapes with a smooth perimeter are more compact, while those with a contorted, squiggly perimeter are less compact.

Meets and Bounds

A written description of district lines used in tandem with maps and other data and in some counties used as the official determination of district lines. These files are known for overly specific wording, such as "walk through the middle of the stream," and "continue through the area between the vacant lot and the open field."

Minority-coalition district

A minority-coalition district is a type of majority-minority district in which two or more minority groups combine to form a majority in a district.

Majority-minority district

A majority-minority district is one in which racial or ethnic minorities comprise a majority (50% plus 1 or more) of the population.

Minority opportunity district

A minority opportunity district is one that provides minority voters with an equal opportunity to elect a candidate of their choice regardless of the racial composition of the district.

Minority vote dilution

Minority vote dilution occurs when minority voters are deprived of an equal opportunity to elect a candidate of choice. It is prohibited under the Voting Rights Act of 1965. examples of minority vote dilution include cracking, packing and the discriminatory effects of at-large election systems.

One-person, one-vote

A constitutional requirement that requires each district to be substantially equal in total population. The principle is based on the mathematical assumption that one person in a district with 10 people has more of a voice in our Democracy than one in a district with 10,000 people.

Packing

A form of vote dilution prohibited under the Voting Rights Act where a minority group is over concentrated in a small number of districts. For example, packing can occur when the African American population is concentrated into one district where it makes up 90% of the district, instead of two districts where it could be 50% of each.

PL 94-171

The eponymous federal law that requires the United States Census Bureau to provide states with data for use in redistricting and mandates that states define the census blocks to be used for collecting data. This is also used as the name for the US Census dataset released every 10 years under the law.

Precinct

An area created by election officials to group voters for assignment to a designated polling place so that an election can be conducted. Precinct boundaries may change several times over the course of a decade. Leading up to the 2010 redistricting process the US Census did a survey of precinct boundaries and worked to align as many of the census lines to those being used by city and county election departments.

Preclearance

Preclearance applies to jurisdictions that are covered under Section 5 of the Voting Rights Act. Preclearance refers to the process of seeking review and approval from either the United States Department of Justice or the federal court in the District of Columbia

for any voting changes to a Section 5 covered jurisdiction. Redistricting plans in Section 5 covered jurisdictions must also receive preclearance. LAUSD has no federal preclearance requirement.

Racially polarized voting or racial bloc voting

Racially polarized voting is a pattern of voting along racial lines where voters of the same race support the same candidate who is different from the candidate supported by voters of a different race.

Reapportionment

Reapportionment (referred to as redistribution outside the US) is the process of allocating seats in a legislative body to geographical areas. Reapportionment is particularly important in the case of the U.S. Congress, where the number of seats in the House of Representatives is fixed at 435 and the number of seats allocated to each state is reevaluated following each decennial Census. When the number of seats assigned to a state changes, the state must redistrict.

Redistricting

Redistricting refers to the process by which census data is used to redraw the lines and boundaries of electoral districts within a state to ensure that districts are substantially equal in population. This process affects districts at all levels of government – from local school boards, wards, and city councils to state legislatures and the U.S. House of Representatives.

Retrogression

A voting change to a Section 2 covered jurisdiction that puts minorities in a worse position under the new scheme than under the existing one.

Section 2 (of the Voting Rights Act)

A key provision of the Voting Rights Act that that protects minority voters from practices and procedures that deprive them of an effective vote because of their race, color or membership in a particular language minority group. Districts covered under Section 2 include those where a ethnic or language minority is 51% or more of the citizen voting age population based on the current lines. In 2001 a district could fall under section 2 protections if any combination of minority groups exceeded 51%, but it was narrowed in the past decade to single-minority representation.

Section 5 (of the Voting Rights Act)

A key provision of the Voting Rights Act that prohibits jurisdictions covered by Section 5 from adopting voting changes, including redistricting plans, that worsen the position of minority voters or changes adopted with a discriminatory purpose. See preclearance. There are four counties in California that fall under Section 5: Yuba, Monterey, Merced and Kings

Undercount

The number of Americans missed in the census.

Voting age population

Everyone in the census that is over 18 years old, irrespective of their legal ability to vote or registration. When evaluating districting plans, analysts may elect to use the voting age population rather than the total population as the basis of comparison to ensure that the principle of one person, one vote is upheld.

Voting Rights Act

The National Voting Rights Act of 1965 was a landmark piece of civil rights legislation that outlawed discriminatory voting practices-- racial gerrymandering among them-- that had been used to disenfranchise African Americans. Crucially, Section 5 of the act requires that jurisdictions with a history of discriminatory practices secure federal preclearance for proposed changes to electoral practices, including the introduction of new district plans. Section 2 prohibits any voting practice or procedure that has a discriminatory result, but in 2009 the Supreme Court ruled that this does not constitute a requirement that authorities draw district lines favorable to minorities when they constitute less than half the population.

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