

REDISTRICTING 101

Wednesday, June 30, 2021
10:00 – 11:30 AM

THANK YOU FOR JOINING

Webinar Host & Moderator

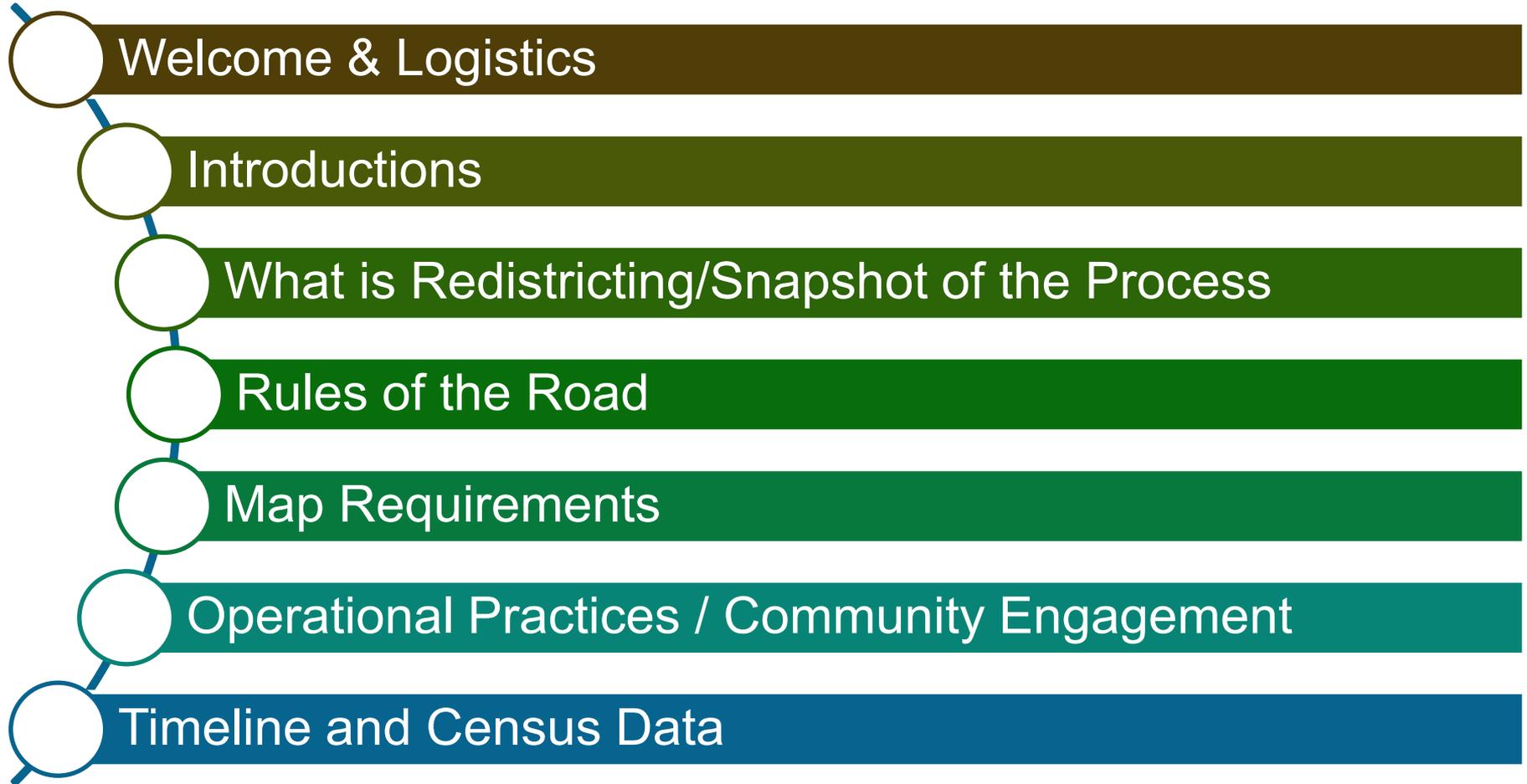
Melissa Kuehne
Senior Program Manager
Institute for Local Government



WEBINAR OVERVIEW

Local governments across the state are beginning the redistricting process. Because this process only happens once every decade, the stakes are high, especially for those doing it for the first time. This webinar will share the basics of the process, legal requirements and tips to navigate the process gracefully. Gain a better understanding of the roles of staff and elected officials and how to manage the timeline to create a successful redistricting process and plan.

TODAY'S AGENDA



HOW TO ASK A QUESTION

- All webinar participants will be on MUTE during the entire call.
- Please TYPE any questions into the question box at any time during the webinar.
- The moderator will read your questions during the question period at the end of the webinar.



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ILG is the non-profit training and education affiliate of...



**California Special
Districts Association**
Districts Stronger Together



We provide practical and easy-to-use resources so local agencies can effectively implement policies on the ground.

ILG'S PROGRAMS AND SERVICES

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Leadership & Governance

Civics Education & Workforce

Public Engagement

Sustainable Communities



Services

Education & Training

Technical Assistance

Capacity Building

Convening

Our mission is to help local government leaders navigate complexity, increase capacity & build trust in their communities

TODAY'S PRESENTERS

**Matthew "Mal"
Richardson**
Partner
Best Best & Krieger



Stephanie Smith
Director of Election
Services &
Former City Clerk



Ken Strasma
CEO
HaystaqDNA



Thank you to our Partner Best Best & Krieger for making today's webinar possible!



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Why Redistricting is Important

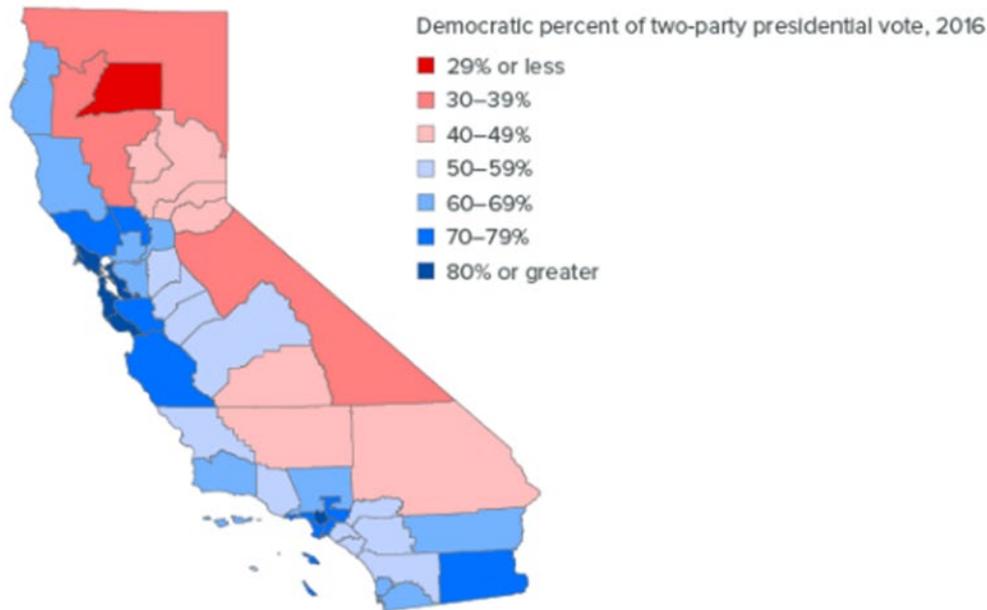


Why Redistricting is Important

Area	2019 ACS Population	Percentage Change from 2010 ACS Estimates			
		Population	Hispanic	White	Some other race
City of Big Bear Lake	5,241	+1.4%	+37.7%	+18.5%	-86.2%
Census Tract 112.03	1,404	-7.3%	+253.0%	-9.5%	NA
Census Tract 112.04	1,685	+16.2%	+255.2%	+22.3%	-60.9%
Census Tract 112.05	1,163	-7.8%	-37.6%	+46.6%	-99.3%
Census Tract 112.06	951	-4.0%	-17.2%	+31.4%	-83.3%

More than Just Mapping People

Figure 2. The land area of the state is evenly balanced between the two parties

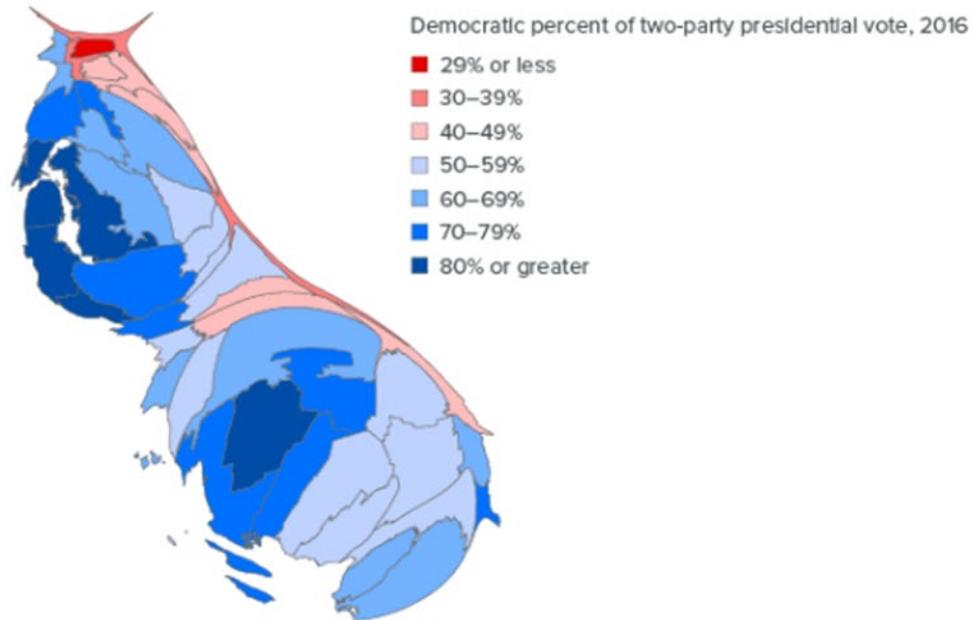


SOURCE: California Statewide Database (presidential vote by precinct).

NOTE: Shading reflects share of votes cast for Hillary Clinton in the 2016 presidential election (third parties excluded).

More than Just Mapping People

Figure 3. The state is more Democratic when distorted to reflect number of eligible residents

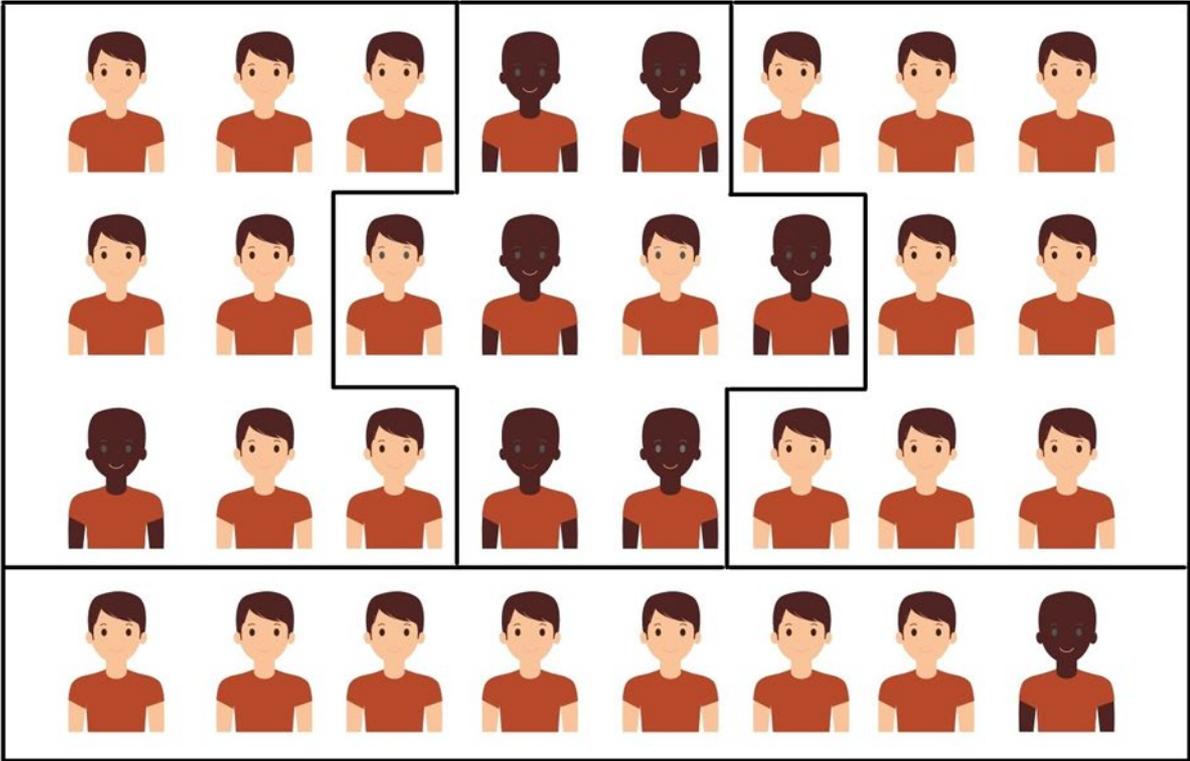


SOURCE: California Statewide Database (presidential vote by precinct).

NOTE: Shading reflects share of votes cast for Hillary Clinton in the 2016 presidential election (third parties excluded).

What is Redistricting

Redistricting can allow the community to elect the candidates of their choice.



Snapshot of the Process

General Provisions – Elections Code § 21000 et seq.

General Law Cities – Elections Code § 21600 et seq.

Charter Cities – Elections Code § 21620 et seq.

Special Districts – Elections Code § 22000 et seq.

Rules of the Road

Cities

- At least four public hearings:
 - One public hearing must be conducted before the Council draws a map
 - At least two public hearings after Council draws a map

Rules of the Road

Cities (continued)

- At least one hearing, or a workshop/community meeting, must be held on a Saturday or Sunday, or on a weekday after 6:00 p.m.
- Locations for all meetings must be accessible for people with disabilities
- Must be time specific

Rules of the Road

Special Districts

- At least two public hearings:
 - One hearing before the vote to adopt the map of proposed boundaries
 - One hearing where the legislative body votes to adopt the map of proposed boundaries

Rules of the Road – All Agencies

Advisory Commissions

- Hold meetings/workshops and take input that is provided to the legislative body. The legislative body holds the public hearings, and makes the final decision on the map

Independent Commissions

- Hold all the public hearings and make the final decision on the map. The legislative body has no approval authority.

Hybrid Commissions

- Hold some of the public hearings and make recommendations on one to two maps. The legislative body can only adopt one of the recommended maps.

Map Requirements – Criteria for All Cities

The council shall adopt council district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).

Map Requirements – Criteria for All Cities, Con't

The districts must be drawn so that they are “substantially equal in population” as required by the United States Constitution

- Based on the total population of residents of the city based on the census
- Does not include incarcerated persons unless the last known place of residence of the person is within your city

Map Requirements – Criteria for All Cities, Con't

The FAIR MAPS Act (AB 849) and its subsequent cleanup bill, AB 1276, provides the following required criteria, in order of priority:

1. Districts are geographically contiguous
2. The “geographic integrity” of local neighborhoods or “local communities of interest” shall be respected “in a manner that minimizes division”
3. Easily identifiable and understandable by residents
4. If practicable, and when not in conflict with prior criteria, districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
5. Districts shall not be drawn in favor or discriminate against a political party.

Map Requirements – Criteria for Special Districts

Equal in population

United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).

May give consideration to the following:

- Topography, geography, cohesiveness, contiguity, integrity and compactness of territory, and communities of interest of the division.

Map Requirements – All agencies

Compliance with the Voting Rights Act

1. Substantially equal in population as required by the US Constitution

2. Compliance with the federal Voting Rights Act of 1965

Map Requirements – All agencies

Compliance with the Voting Rights Act

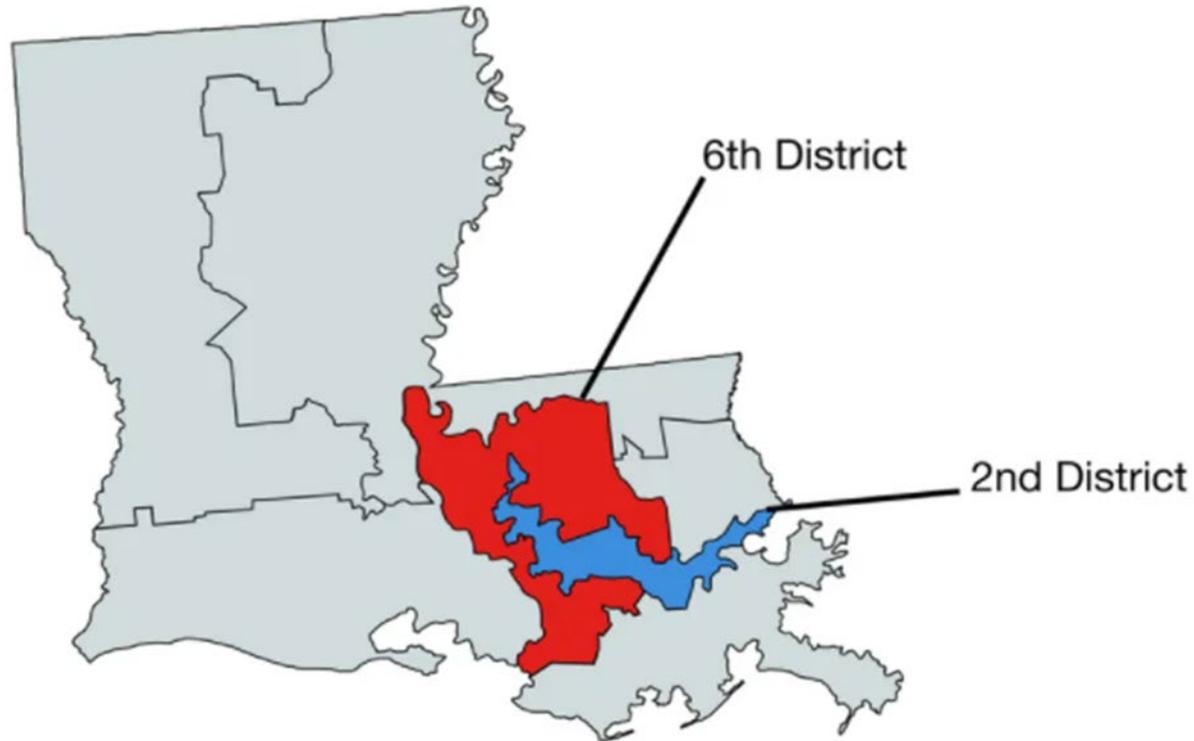
3. Consider adding verbiage to redistricting ordinance to ensure protection of minority voting rights

4. Section 2 (of the VRA): no local agency's redistricting map can deny or abridge the right to vote on account of race, color, or membership in a language minority group

5. Avoid “Cracking” and “Packing” minority votes

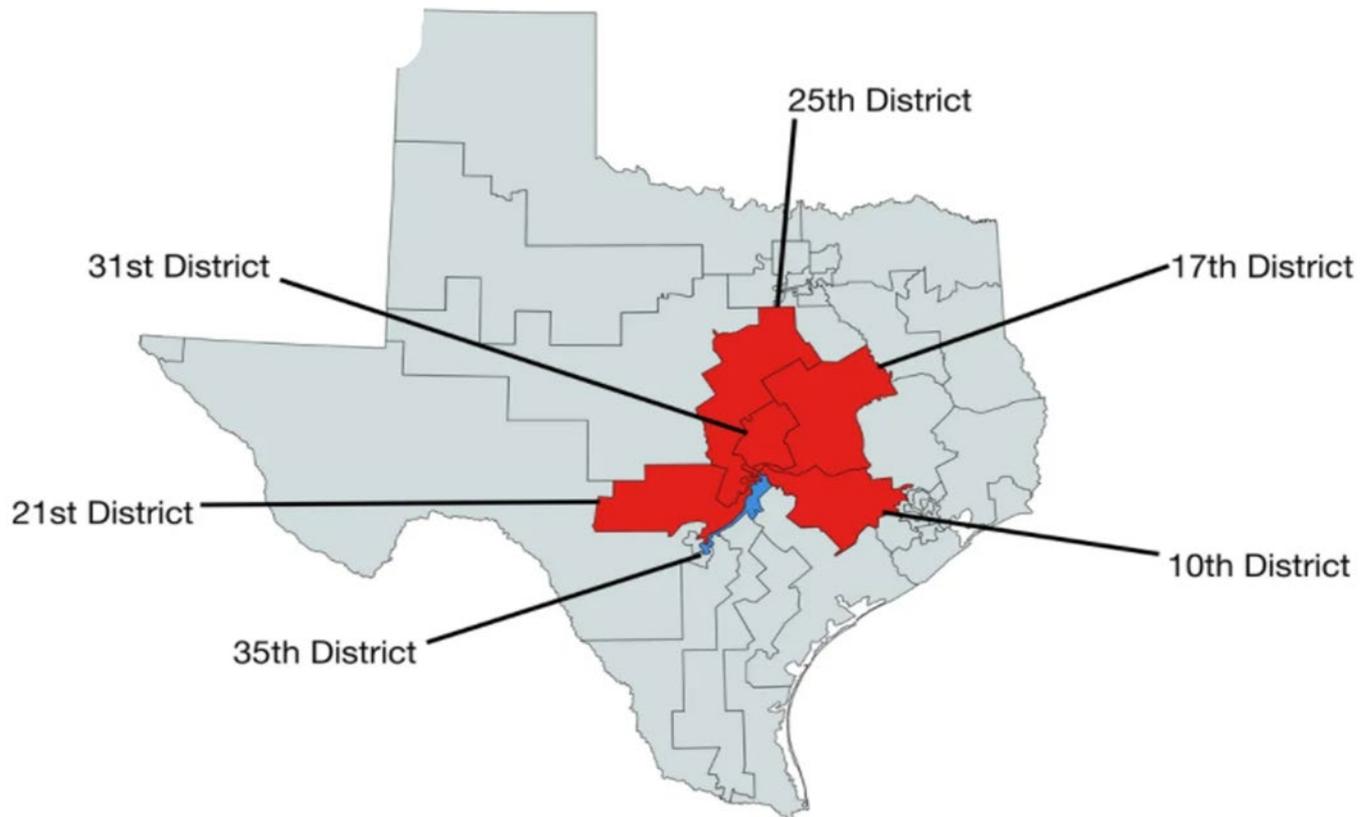
Map Requirements – All agencies

What Not to Draw



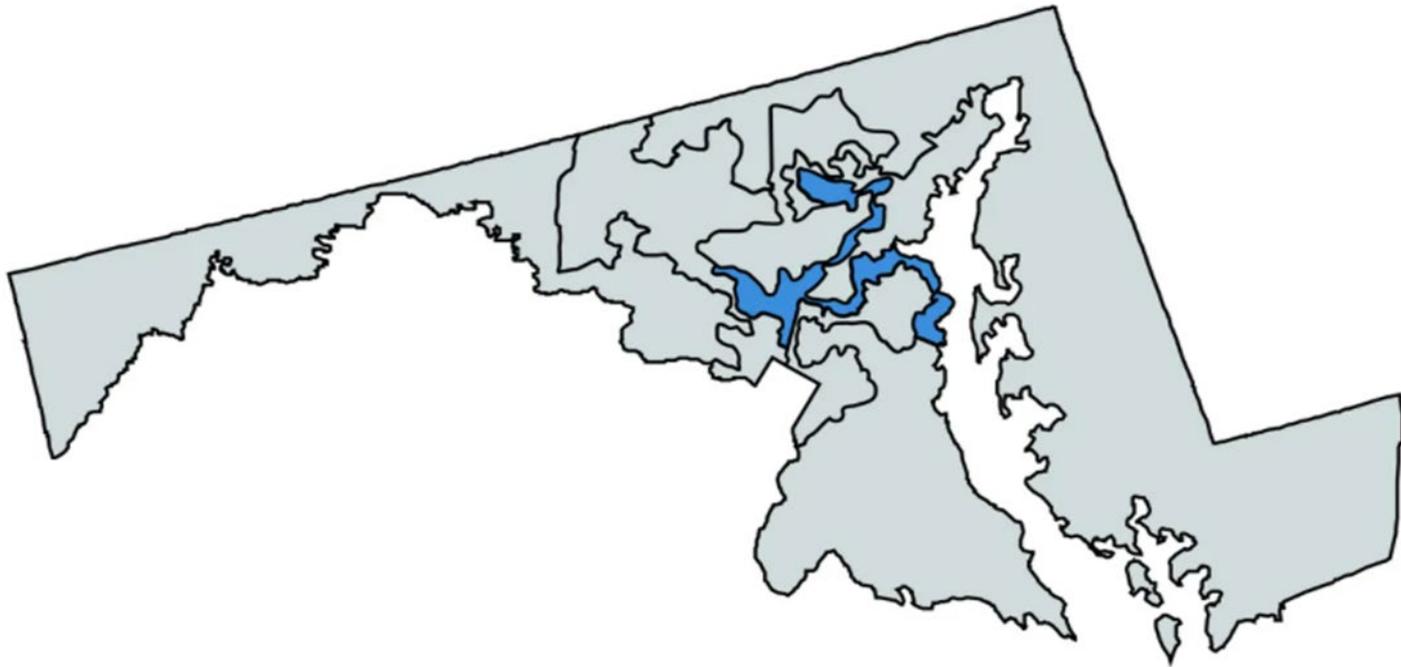
Map Requirements – All agencies

What Not to Draw

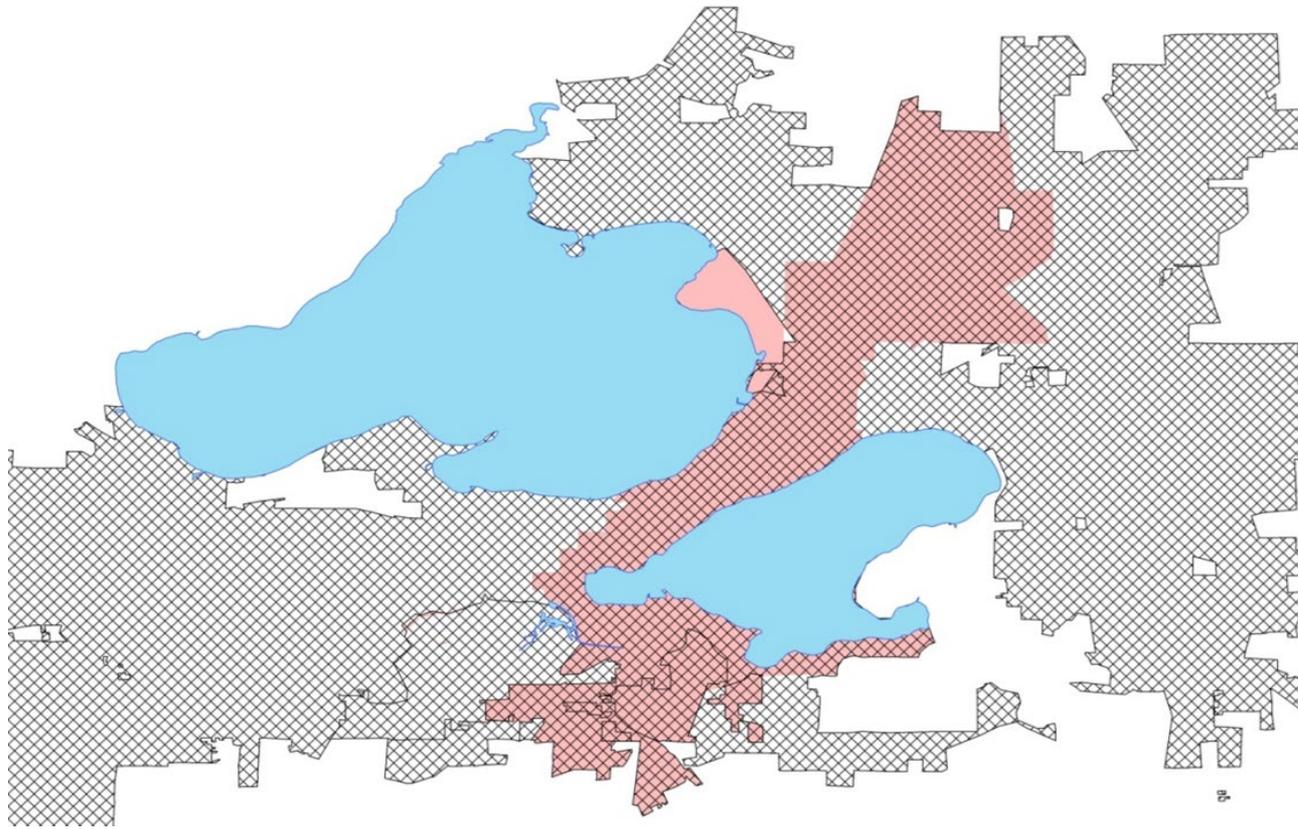


Map Requirements – All agencies

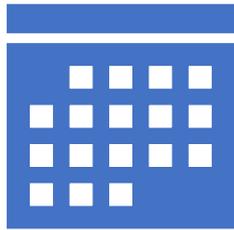
What Not to Draw



Map Requirements – Not Everything that Looks Weird is a Gerrymander



Census Data



Due in part to COVID,
the release of Census
data will be later than
usual this year



The current target
release date is
September 30th

Census Data

Total Population and Demographics

The Census provides total population counts at various levels of geography including:

- State
- County
- Tract
- Block Group
- Voting Tabulation District
- Block

Census Data

Total Population and Demographics

In addition to total population, the Census releases counts by six main racial categories:

- White
- African American
- Native American
- Asian
- Native Hawaiian and other Pacific Islander
- Other

Census Data

Total Population and Demographics

In addition to total population, the Census releases counts by six main racial categories.

Respondents can list anywhere from one through six different races. The Census releases counts by each racial category alone, and then separate counts for combinations of 2,3,4,5 and 6 races.

Census Data

Total Population and Demographics

In the Census, Hispanic is considered an origin rather than a race. For each of the racial categories, the Census releases Hispanic and non-Hispanic counts.

An individual could be non-Hispanic White, Hispanic White, non-Hispanic African-American, Hispanic African-American, etc.

Census Data

Total Population and Demographics

For each race and origin combination, the Census releases both total and voting age (18+) counts.

For purposes of district population equality, one uses total population.

Census Data

Total Population and Demographics

The Census also releases what they call a special tabulation of Citizen Voting Age Population.

This is individuals age 18+ who are U.S. Citizens.

Again, for district population equality, one uses total population, not Voting Age Population or Citizen Voting Age population.

Census Data

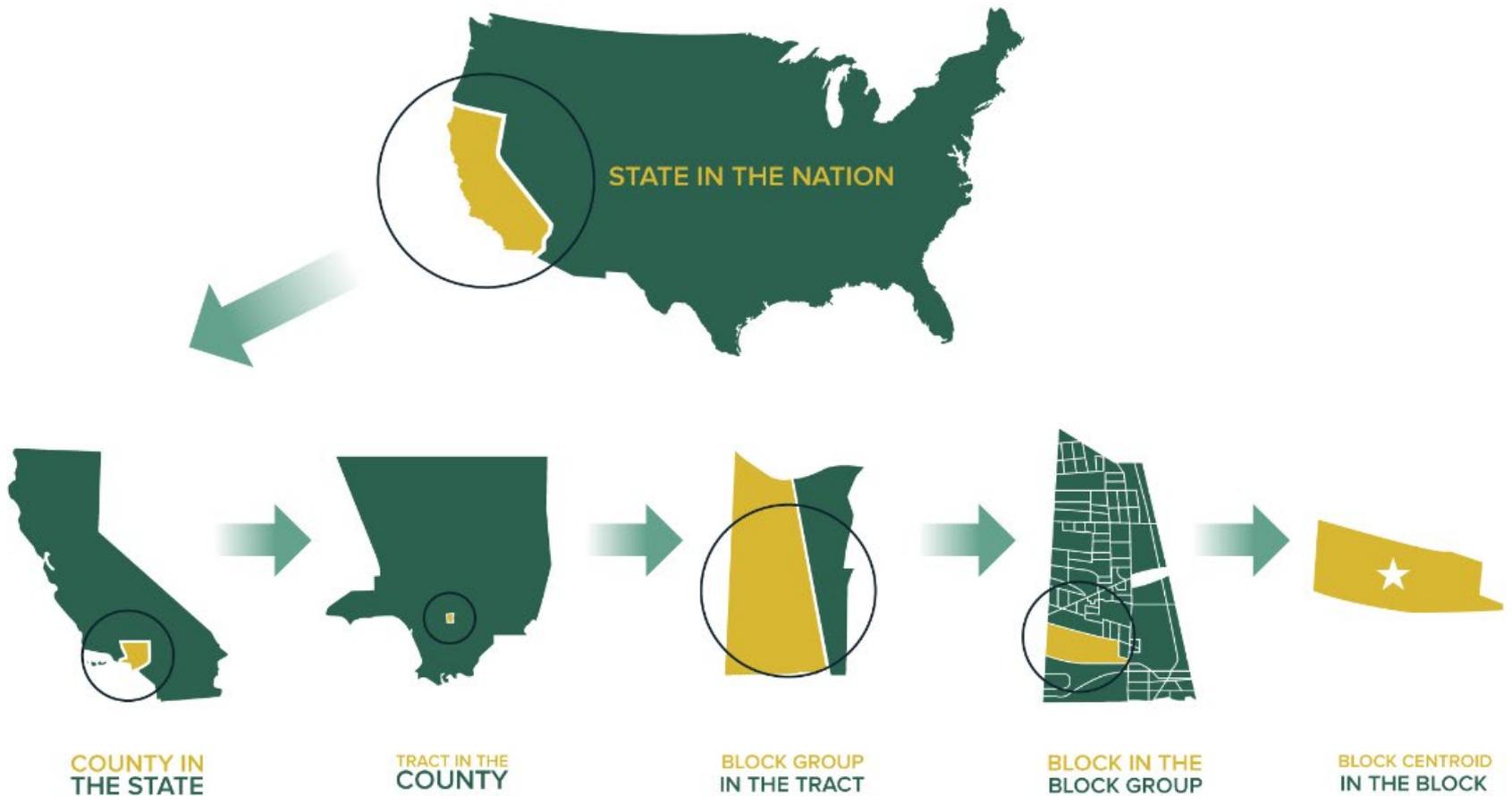
Total Population and Demographics

Although they are not used for district population equality, Voting Age Population and Citizen Voting Age Population can be useful for racial block voting analysis.

Census Data & Racial Block Voting Analysis

Racial Block Voting Analysis is the process of determining how cohesive a racial group is, which then helps to determine if a district is one in which a racial minority group has the ability to elect their candidate of choice.

Census Geography



Census Terminology

PL94-171:
Census
population
counts

STF3: More
detailed Census
demographics

VAP: Voting Age
Population

CVAP: Citizen
Voting Age
Population

VRA: Voting
Rights Act

TIGER: Census
geography line
files

Operational Practices / Community Engagement – Cities (generally)

Utilize all of your media outlets, including foreign language newspapers

Consider volunteering language translation or outreach at public meetings

Produce your materials in multiple languages

Don't forget American Sign Language

Make the process as transparent as possible

Invite the public to submit their own maps

Operational Practices / Community Engagement – Special Districts

Utilize all of your media outlets, including foreign language newspapers

Consider volunteering language translation or outreach at public meetings

Produce your materials in multiple languages

Don't forget American Sign Language

Operational Practices / Community Engagement – Special Districts

Make the process as transparent as possible

Avoid having in-house GIS staff draw maps, if possible

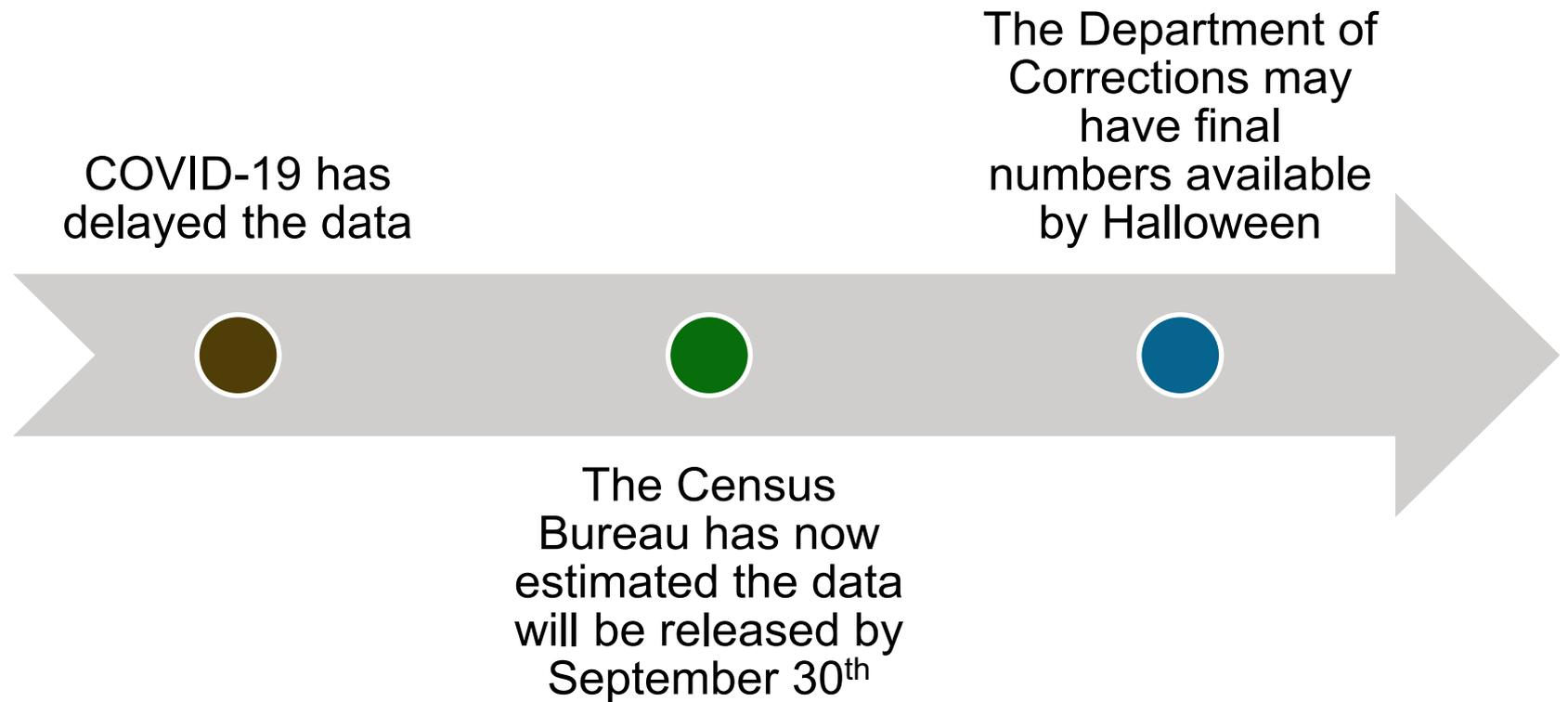
Invite the public to submit their own maps

Timeline

Date of Election	General Law City	Charter City	Special District
Jun 7, 2022	December 15, 2021	December 15, 2021*	December 9, 2021
Nov 8, 2022	April 17, 2022	April 17, 2022*	May 12, 2022

* A Charter City may adopt a different redistricting deadline by ordinance or in its city charter before October 1, 2021 and by October 1 of each year ending in the number one thereafter

Timeline



Timeline

If a City misses the deadline to draw the map, it shall “immediately” petition the superior court to draw the map*

If the City doesn't file the petition within five days, a resident may file the petition (and recover fees)

Pitfalls and Potential Challenges

Not understanding the hierarchy of criteria

Using in-house staff versus demographer with specialized expertise

Section 2 (of the FVRA) Litigation Framework:
Risk Analysis

Pitfalls and Potential Challenges

CVRA Litigation

Risk of Packing/Cracking

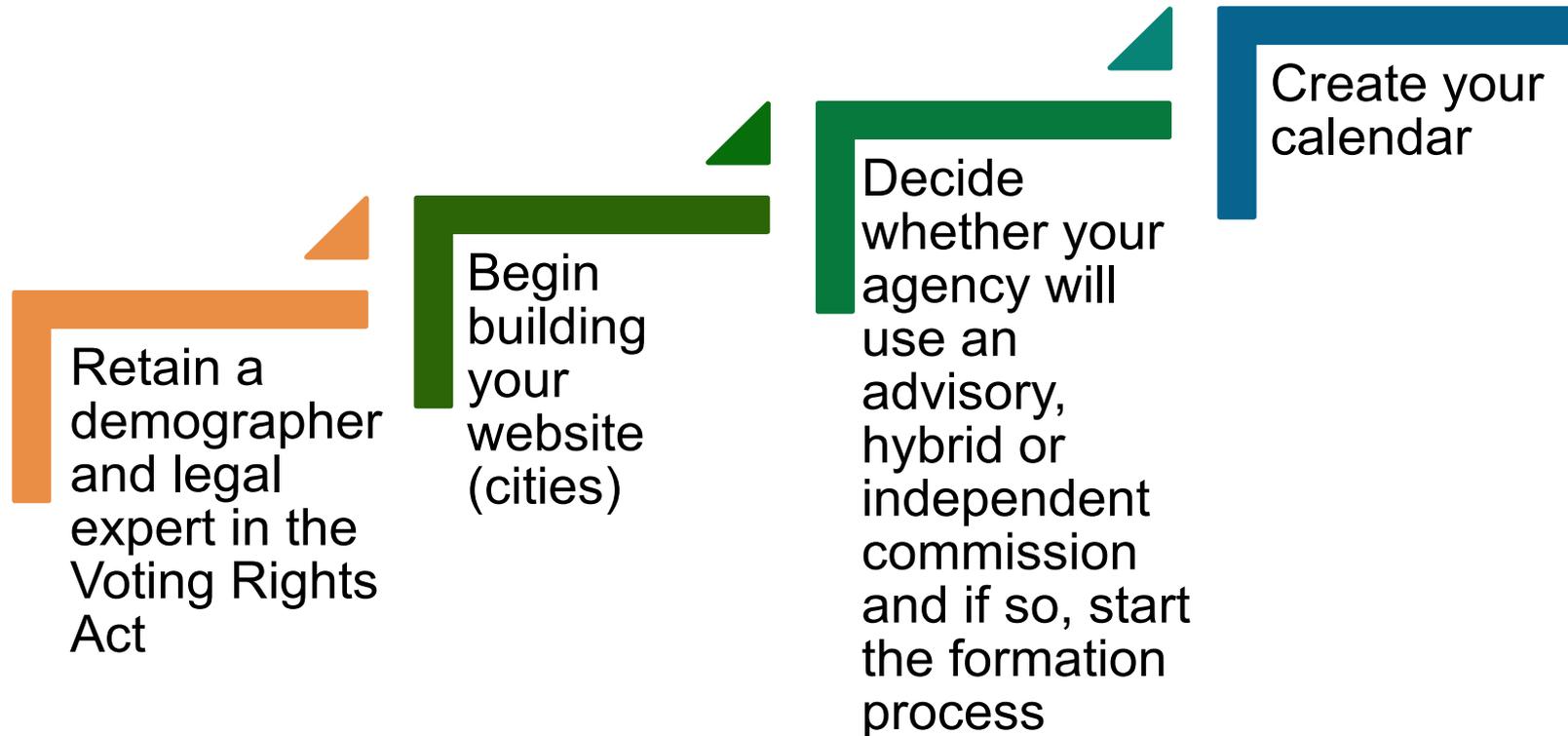
Racially Polarized Voting

Pitfalls and Potential Challenges

Potential for Conflict between the
FVRA and Communities of Interest

SB 443 (Newman)

Steps to Take Now





UPCOMING WEBINARS



FREE WEBINARS

REDISTRICTING INFO SESSIONS

WHAT CITIES & COMMUNITIES
NEED TO KNOW

SESSION 1: WED, JUNE 30 | 10:00 AM - 11:30 AM
SESSION 2: TUES, JULY 20 | 11:30 AM - 12:30 PM

HOSTED BY: 

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 **TACKLING CALIFORNIA'S
HOUSING CRISIS**
A FREE WEBINAR SERIES FOR LOCAL GOV'T STAFF & ELECTED OFFICIALS

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California's housing crisis is growing. While local governments do not build housing units, local officials play an integral role in land use and housing decisions that set the stage for housing development.

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This series is hosted by the Institute for Local Government with funding from the California Department of Housing and Community Development.

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