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The Voting Rights Act and other redistricting criteria

California Redistricting Training

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This is not your lawyer



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Where to draw the lines?

U.S. Constitution, 52 U.S.C. § 10301, Cal. Election Code §§ 21601, 21621

- Equal population
- Race and ethnicity
- Contiguity
- Neighborhoods and communities
- Compactness
- Partisan favor



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Equal population

District population must be “substantially equal” (< 10% difference)

	Population	Deviation
District 1	1,010	+ 1.0 %
District 2	1,035	+ 3.5 %
District 3	980	- 2.0 %
District 4	940	- 6.0 %
District 5	1,005	+ 0.5 %
District 6	990	- 1.0 %
District 7	965	- 3.5 %
District 8	1,020	+ 2.0 %
District 9	1,050	+ 5.0 %
District 10	1,005	+ 0.5 %

Total population 10,000

Average 1,000

***Total deviation* 11.0%**



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Equal representation: incarceration



Susanville non-prison:	0 % African-American,	24 % Latino
Susanville prisons:	27 % African-American,	35 % Latino

prisons = 48% of total Susanville population
permanent residence often not in Susanville



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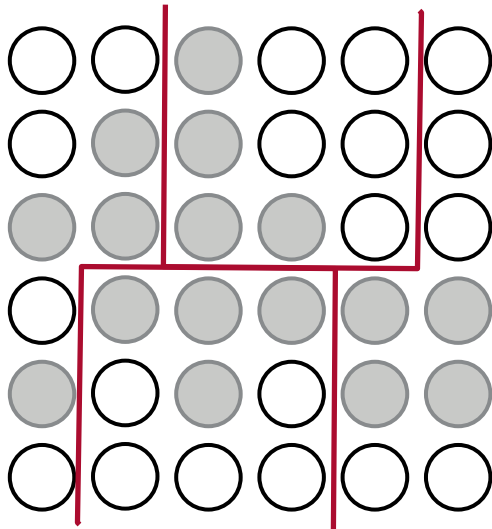
Race and ethnicity



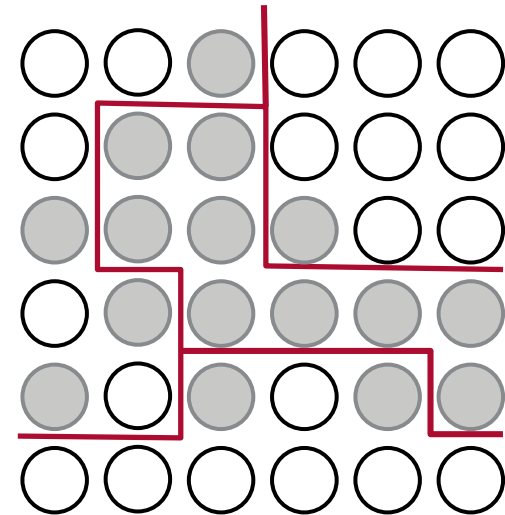
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Rule One

Don't set out to hurt voters based on their race or ethnicity



“Cracking”



“Packing”

- No matter if lines are “pretty”
- No matter the ultimate motive



Rule Two

Comply with the Voting Rights Act

- Are there sizable, relatively concentrated minority communities?
- Do the minority communities have distinct electoral preferences?
- Did (or do) underrepresented minorities face discrimination?
- Can we design districts to give minorities a fair shot?



California Voting Rights Act

Only applies to jurisdictions with at-large elections,
not where all candidates are elected from single-
member districts



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Rule Three

Consider other factors at the same time

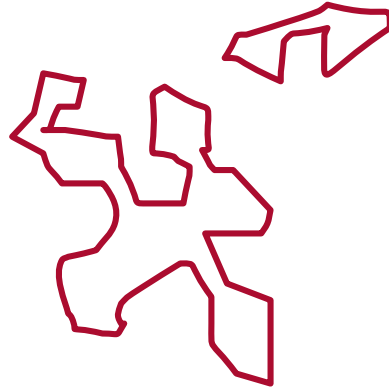
Race can only “predominate” if there’s a really good reason



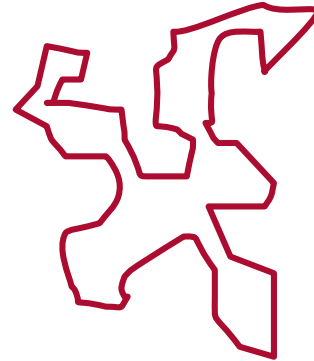
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Contiguity

All parts of a district must be connected to each other



No



Yes



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Contiguity

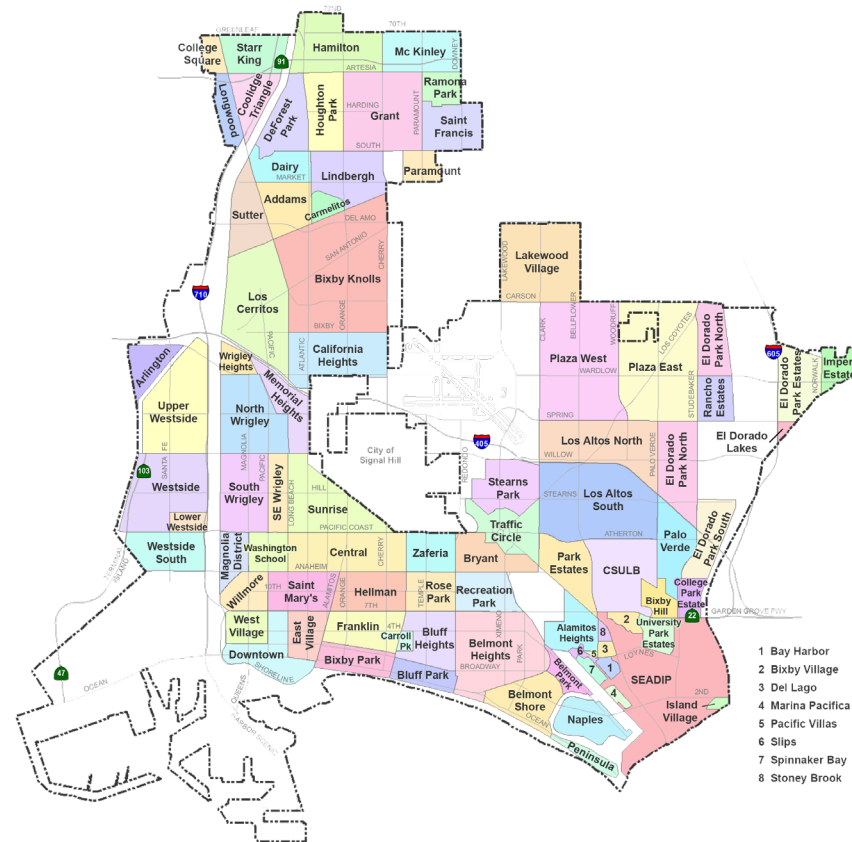
Islands should be connected by bridges/tunnels/ferries



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Neighborhoods

Minimize division of a neighborhood



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Communities of interest

Minimize division of communities of interest, too

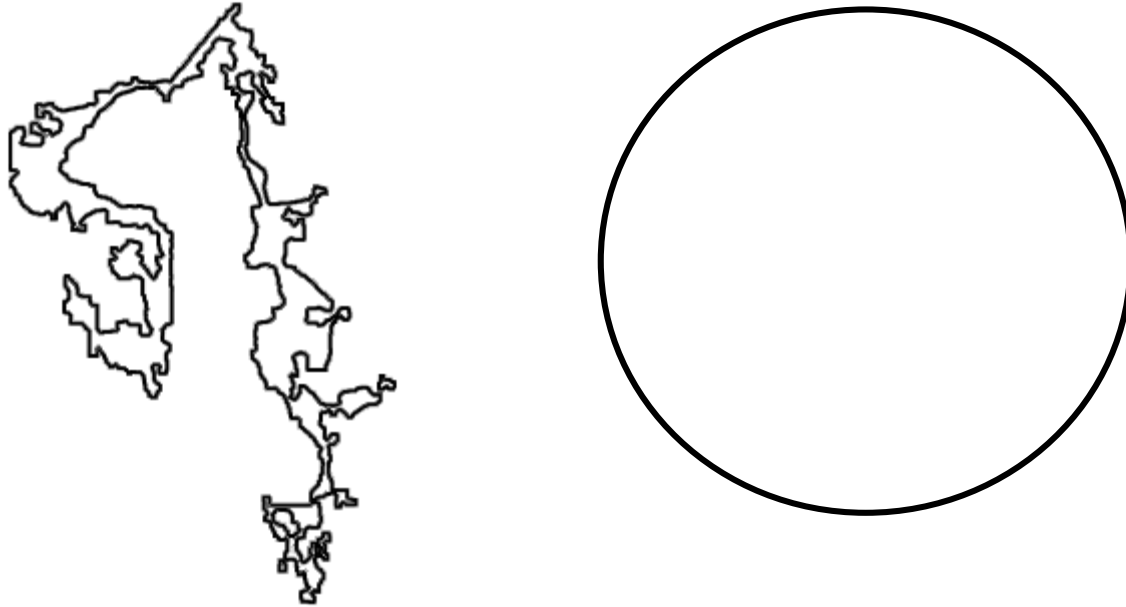
“A community of interest is a population that shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.”



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Compactness

Many think of “compactness” in terms of abstract shapes



But that doesn't fit California law



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Compactness

Some think of “compactness” in terms of geometric formulas

- Total perimeter length
- Area v. area of circle with same perimeter (Cox/Polsby-Popper)
- Area v. area of circumscribing circle (Reock)
- Area v. area of circumscribing convex hull (Niemi)
- Diameter of circumscribing circle (Frolov)
- Moment of inertia / distance to center of gravity (Boyce-Clark)
- Significant corners (Kaufman-King)
- Inward-bending v. outward-bending angles (Taylor)
- Shortest path remaining in district (Chambers-Miller)

But that doesn't fit California law



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Compactness

California standard: Don't bypass nearby population



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Candidates and parties

- Don't draw districts for the purpose of favoring or discriminating against a political party



Further information

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