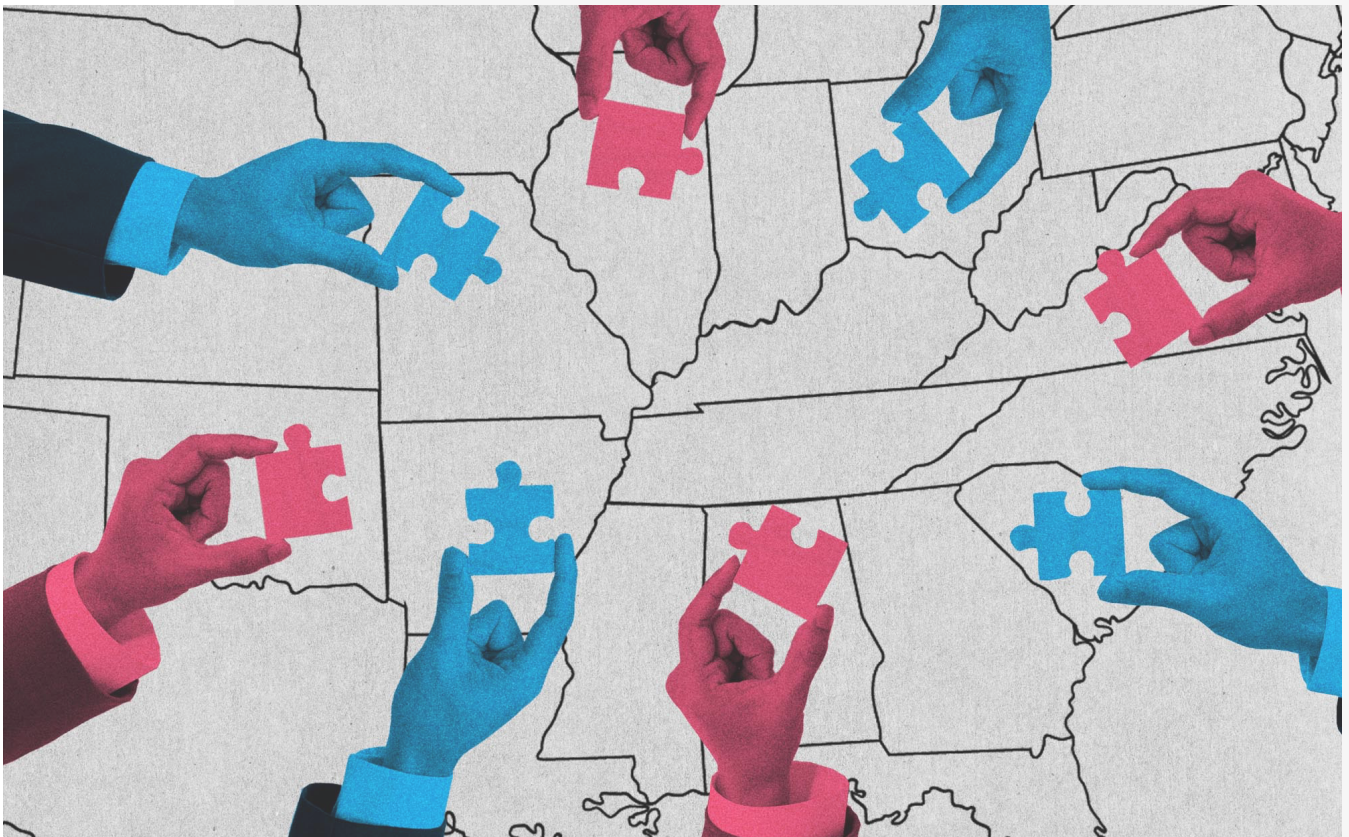


2023

Redistricting in Georgia



Redistricting Overview

What is redistricting and how did it start?

Redistricting is the process of drawing electoral district boundaries, which determines a district's representatives. Redistricting is done at least once a decade following the United States census to get an accurate look at how the population has shifted. Most people elected into federal, state, or local government are elected by people in districts. These districts are created by dividing citizens of a state into geographical territories. In a state, each district is represented by the candidate that received the most votes from the people of that particular district. Members of the U.S. House of Representatives and state and local legislators are chosen by people residing in districts. Unfair governmental representation resulted from population disparities in many states, so in the mid-1960s, the Supreme Court ruled this population disparity unconstitutional. To solve this population imbalance, redistricting is now required to provide all states and races equal legislative representation in the U.S.

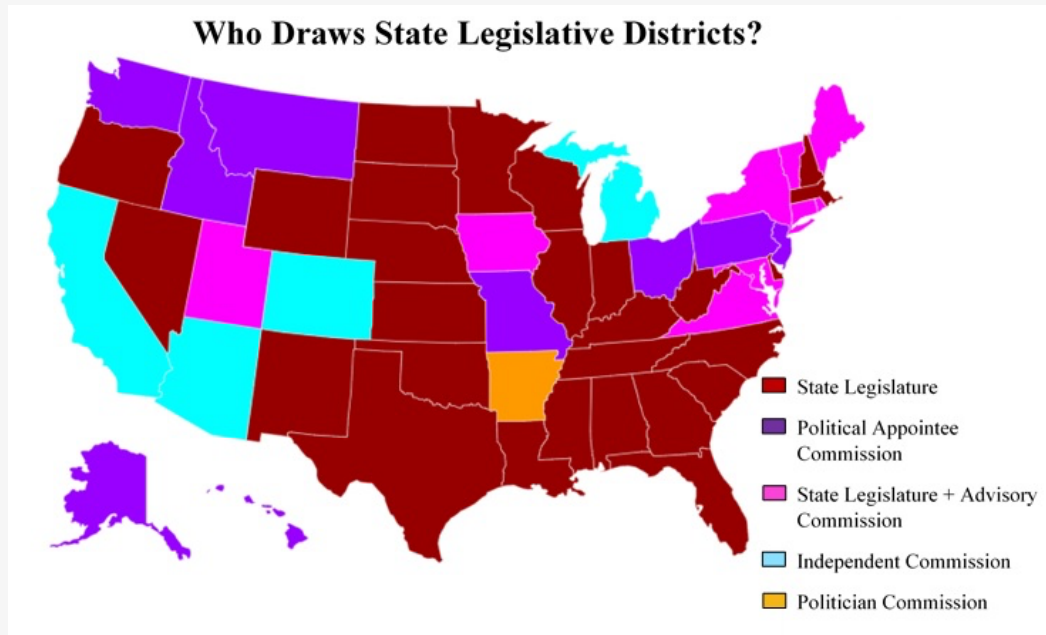
How is redistricting done in each state?

States use their own methods when redistricting. Three examples of methods used for redistricting are legislature-dominant, commission, and hybrid. In a Legislature-dominant state, the state legislature has full authority to draw district lines. Commissions are separate from the state legislative body, with the authority to draw district lines. Depending on the state, there can be either a non-politician or a politician commission. Members cannot hold an elected office in a non-politician commission, whereas those in a politician commission can. A state legislature shares redistricting power with a commission in the hybrid method.

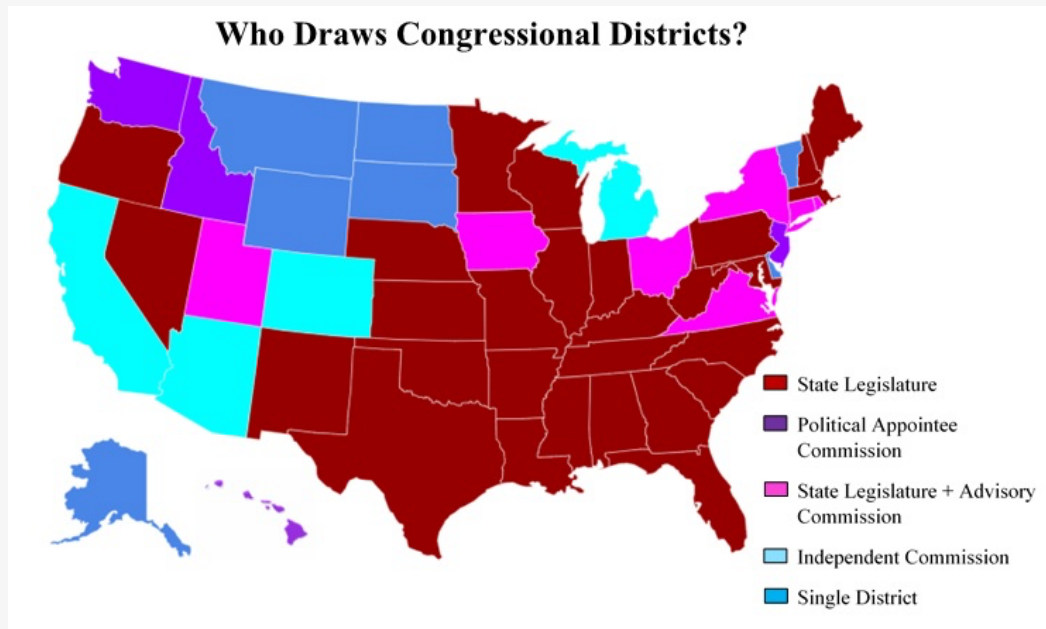
Redistricting Challenges

When redistricting is done in a legislature-dominant state, legislators pick their voters rather than voters picking their legislators. In most states, because politicians are involved in drawing district lines, they have the advantage of ensuring their re-election or political party dominance. This is called partisan gerrymandering. Tools, such as cracking and packing, are also used to create an unfair advantage when redistricting. Packing is where the opposing political party is concentrated into a single district to reduce their voting power, whereas cracking dilutes votes by spreading the opposing party's voters across districts. Previously, the Voting Rights Act contained a coverage formula that required certain states that were known to suppress voters to preclear any changes in voting rules with the federal government. The Supreme Court found the coverage formula section in the Voting Rights Act unconstitutional in the 2013 case of *Shelby County v. Holder*.

Redistricting Method in Each State



SOURCE: "GOVERNORS AND THE REDISTRICTING PROCESS." EAGLETON CENTER ON THE AMERICAN GOVERNOR, 16 AUG. 2021, [HTTPS://GOVERNORS.RUTGERS.EDU/GOVERNORS-AND-THE-REDISTRICTING-PROCESS/](https://governors.rutgers.edu/governors-and-the-redistricting-process/).



SOURCE: "GOVERNORS AND THE REDISTRICTING PROCESS." EAGLETON CENTER ON THE AMERICAN GOVERNOR, 16 AUG. 2021, [HTTPS://GOVERNORS.RUTGERS.EDU/GOVERNORS-AND-THE-REDISTRICTING-PROCESS/](https://governors.rutgers.edu/governors-and-the-redistricting-process/).

Independent Redistricting Commissions

Independent redistricting commissions are used in many states to reduce partisan gerrymandering. These commissions are separate from the legislature and are responsible for drawing the districts used in congressional and state legislative elections. There is a certain criteria that must be followed, and individuals have to meet specific guidelines to be a part of the commission. This allows local communities a chance to be heard and further democracy. Non-partisan redistricting ensures that politicians are not picking their voters and that each vote truly counts. Rather than partisan redistricting, where politicians create maps in their best interest, the ultimate goal of Independent redistricting commissions is to create redistricting maps to reflect the best interest of local citizens. These commissions are critical factors in eliminating voter suppression tactics like cracking and packing because members of non-partisan commissions are not seeking an elected office limiting the urge to dilute votes.



Redistricting In Georgia

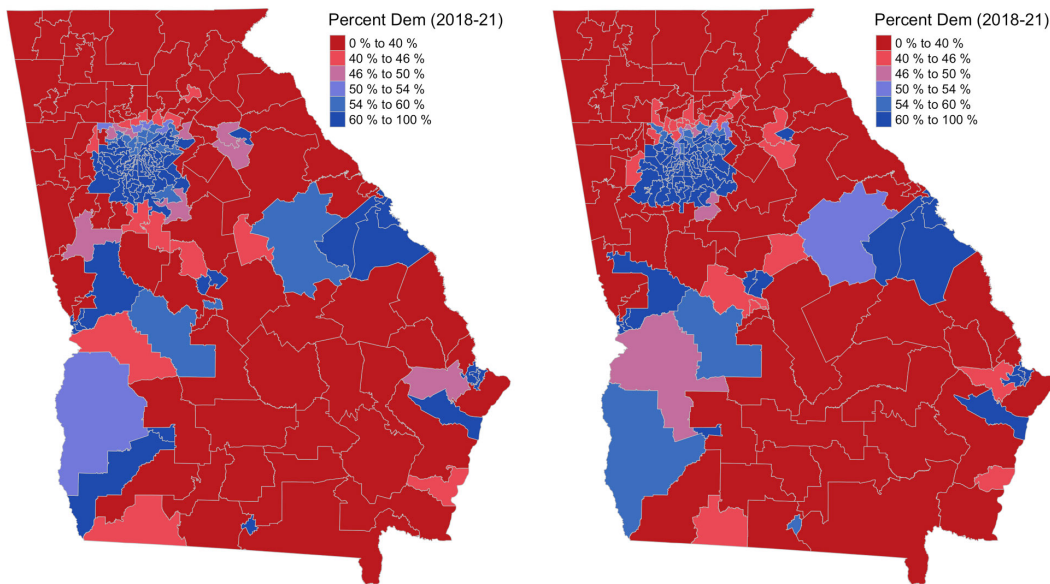
A breakdown of redistricting in Georgia

In Georgia's redistricting process, the State legislature holds all the power. Senate Bill 177, passed in 2019, changed the parameters of "local home rule" for reapportionment to give final approval and oversight to the General Assembly. Now, Georgia's legislature has the final say in determining not only Congressional district lines, but also the maps for county commission and county school board districts across the state's 159 counties. The power given to legislators in redistricting also gives them the ability to significantly impact elections, which undermines democracy.

Another feature of local redistricting in Georgia is that it can happen mid-cycle. The lines for county commissions, city councils, and school boards are often redrawn in between the 10-year cycle mandated for congressional redistricting. This tends to increase the politicization of the local redistricting process rather than centering it on the impacted communities.

Partisan Gerrymandering in Georgia

The maps below show that counties like Cobb and Gwinnett are severely partisan gerrymandered. The redistricting in the counties that are primarily democratic is done in a way that promotes non-competitive elections, ensuring a Republican majority.



SOURCE: RACHEL GARBUS, ET AL. "HERE'S HOW REDISTRICTING CHANGED GEORGIA'S 2022 MAPS FOR THE HOUSE, STATE SENATE, AND U.S. HOUSE." ATLANTA MAGAZINE, 27 JAN. 2022, [HTTPS://WWW.ATLANTAMAGAZINE.COM/NEWS-CULTURE-ARTICLES/HERES-HOW-REDISTRICTING-CHANGED-GEORGIAS-2022-MAPS-FOR-THE-HOUSE-STATE-SENATE-AND-U-S-HOUSE/](https://www.atlantamagazine.com/news-culture-articles/heres-how-redistricting-changed-georgias-2022-maps-for-the-house-state-senate-and-u-s-house/).

2023 Redistricting Bill

S.B. 124

Because Common Cause Georgia is non-partisan and democracy focused, aiming to give power to everyday people rather than politicians, we support home rule for cities and counties and empowering them in local redistricting. During the 2023 legislative session, CCGA tracked Senate Bill 124. S.B. 124 would negatively impact ALL counties in Georgia by restricting them from drawing their redistricting maps locally. This bill would ensure that the state legislature is in charge of redistricting, making it unconstitutional for local governments to draw maps. S.B. 124 was ultimately tabled, but could be reintroduced in the next legislative session. S.B. 124 is problematic as citizens in a county know their area best and have a greater understanding of what will work for them. The possibility exists that counties, like the state legislature, can be politically corrupt. However, people at the local level will have a greater chance of combating this political corruption in redistricting if the maps are drawn at the local level.

What Can We Do About a Bill Like S.B. 124?

ADVOCATE

Testifying during a legislative session allows groups like Common Cause and individual citizens to make known their view of how bills like S.B. 124 would negatively impact counties. This can be done by giving public comment and committee hearings and providing written testimonies to the chair of the committee and critical committee members and can be a powerful way to affect the passing of redistricting bills. We also meet with legislators individually to discuss bills in more detail and provide talking points for them to utilize on the floor before a vote is taken.

EDUCATE

Common Cause Georgia strives to educate voters about the importance of redistricting. Currently, we are planning a redistricting listening sessions where we will travel around the state to engage in conversations with local communities about the impact of local redistricting on real issues affecting voters and inform them of ways they can be further engaged in the process.

Appendix

LOCAL RESOLUTION

RESOLUTION NO. ...

WHEREAS, government derives its legitimacy from the will of the majority and must remain regularly accountable through meaningful elections; and

WHEREAS, the General Assembly is responsible for drawing congressional, legislative and local districts in State of Georgia through a legislative process subject to gubernatorial veto and these districts will determine whether voters have equal opportunities to elect candidates who share their lived experience for the next decade; and

WHEREAS, the redistricting process is a meaningful historical should be conducted in an open manner with real opportunities for public dialogue and feedback, not behind closed doors; and

WHEREAS, districts should not be drawn for the purpose of favoring or discriminating against any political party or candidate; and

WHEREAS, Section 2 and Section 5 of the Voting Rights Act prohibit the use of voting practices or procedures, including redistricting plans, that dilute minority voting strength; and

WHEREAS, the Fourteenth and Nineteenth Amendments of the Constitution of the United States of America ensure equal protection under the law for the right to vote for all eligible American citizens; and

WHEREAS, this body maintains that voters should choose their representatives instead of representatives choosing their voters; and

WHEREAS, public input and involvement in the redistricting process will empower our communities from the start by allowing communities to elect representatives who represent their interests on issues that are important to their lives; and

WHEREAS, Georgia voters should have access to the redistricting process regardless of their means, their language spoke, their access to media, their proximity to the State Capitol or other geographic factors; and

WHEREAS, voters are more likely to participate when they feel that their vote will count and that they have a reasonable chance of electing candidates who represent their interest; and

WHEREAS, fair redistricting can secure meaningful representation for voters if completed properly, and can keep both small towns and rural areas with similar interests as well as suburban or urban districts in cohesive districts that keep representatives attentive to the needs of their constituents; and

WHEREAS, the best defense against unfair redistricting practices are transparency and bipartisan legislation.

NOW, THEREFORE, BE IT RESOLVED, that the [INSERT MUNICIPALITY/BODY] Council of the City of [INSERT MUNICIPALITY], Georgia, urges the Georgia General Assembly to conduct the 2021 redistricting process in a fair, transparent, non-discriminatory, and politically neutral manner.

BE IT FURTHER RESOLVED that [INSERT MUNICIPALITY/BODY] City Council urges the Georgia General Assembly to draw [INSERT MUNICIPALITY] districts in accordance with the following:

- District boundaries should be drawn according to clearly described criteria, including respect for:
 - The U.S. Constitution's requirement of one person, one vote;
 - The Voting Rights Act (VRA);
 - Contiguity requirements (to draw districts as one connected area);
 - Communities of interest, city and county boundaries;
 - Political competition, where this does not conflict with the above criteria;
 - Compactness, where this does not conflict with the above criteria;
- The addresses of any individual, including an incumbent officeholder or candidate, shall not be considered when any district is drawn.
- The Georgia General Assembly should conduct a transparent redistricting process with full opportunities for public participation. All redistricting plan information should be available in a timely fashion, free of charge, via a public website with downloadable files that do not require software for viewing.
- The Georgia General Assembly should ensure language access as demonstrated by translating public facing materials into a minimum set of languages required to reach diverse Georgians (at least Spanish, Korean, Vietnamese, Mandarin/Cantonese, Hindi, Arabic). Also, demonstrate language access by providing for interpretation where necessary and feasible to gain public input.
- The public should be provided the ability to draw and submit maps for Georgia General Assembly consideration.

- The public should be given ample notice to participate in any Georgia General Assembly meetings, committee meetings, and public hearings.
- Hearings to consider redistricting bills must not take place sooner than two weeks after the proposed maps are released to the public, and not sooner than five days for changed maps. Hearings must allow for virtual and remote participation, including citizen testimony, via video conference such that citizens from across the state have ample opportunity to participate.
- The Georgia General Assembly must provide a written response to the communities of interest submissions and clearly indicate whether or not it was deemed applicable and why.
- Redistricting should occur once every 10 years following the decennial U.S. Census and Congressional Reapportionment and should be done primarily using decennial census data. American Community Survey data and other alternative data sources may be used as required by the Voting Rights Act and to protect and preserve communities of interest.
- Mid-cycle redistricting should follow the guidance and standards as the decennial U.S. Census and Congressional Reapportionment and should be done primarily using decennial census data. American Community Survey data and other alternative data sources may be used as required by the Voting Rights Act and to protect and preserve communities of interest.

BE IT FINALLY RESOLVED that Georgia General Assembly shall not draw maps that favor or disadvantage a political party, candidate, or incumbent.

Adopted

ATTES *F. U. U. U.*
Council, Georgia

On behalf of the [INSERT MUNICIPALITY/BODY] City

Clerk of _____ Council

Georgians Demand Meaningful Public Input

Despite repeated calls from advocates for transparency and inclusion in redistricting processes, the Georgia Legislature has failed to respond. We demand transparency and inclusion with redistricting processes at every level of government.

The current systems don't work for Black, Brown, and immigrant communities of Georgia. Our communities must be part of the process in meaningful ways to ensure that we are not further disenfranchised by racial and partisan gerrymandering.

We demand that additional steps be taken to improve access to this process, specifically for immigrants and communities of color across the state. I am not alone in my concerns about how these hearings are proceeding. I along with numerous community members demand a transparent and equitable redistricting process. These demands include:

- To ensure **public input**, the committees must provide communities adequate time and opportunity to discuss and submit suggested maps and written input
- To ensure **accountability**, the committee must provide a written response to the public's submissions and clearly indicate whether or not it was deemed applicable and why.
- To ensure a proper **release of information**, the committee must release proposed maps along with its analysis for public review via a publicly accessible website with downloadable files that do not require software for viewing.
- To ensure that **hearings and timeframes** are fair, the committee must allow for virtual and remote participation, including citizen testimony. Hearing schedules must be announced at least two weeks in advance to allow citizens from across the state to have ample opportunity to participate.
- To ensure **accessibility**, the committee must demonstrate a commitment to language access by translating public-facing materials into a minimum set of languages required to reach diverse Georgians (at least Spanish, Korean, Vietnamese, Mandarin/Cantonese, Hindi, Arabic) and by providing for interpretation where necessary and feasible to gain public input.
- To further ensure **accessibility**, this committee must be compliant with S.508 of the US Rehabilitation Act on their website, where all materials and information is shared, making it accessible to people with disabilities.

Appendix

SB 124 OPPOSITION POINTS



Georgia

H.B. 204

POSITION - OPPOSE

Tell your legislators you want them to vote NO on H.B. 204 when it comes to the floor.

Process:

- An effort was made earlier this session to further restrict counties' local redistricting authority with S.B. 124
- You and other advocates worked to defeat this bill and it did not survive Crossover Day
- However, language from this bill was added as a last minute substitute to H.B. 240, a bill originally meant only to create a Council of Municipal Court Clerks
- Unfortunately, we see this tactic frequently

Talking Points:

- The redistricting provisions added to this bill seek to undermine locally elected officials and counties' home rule powers
- While this bill seemed retaliatory to action taken by Cobb County, the effects of this bill would impact all counties
- Elected officials are supposed to represent the interest and wills of their communities, this bill aims to remove power from the communities and place in the hands of elected officials acting in their own interests
- We support protecting the home rule powers of local elected officials and engaging them in every step of the redistricting process.
- Additionally, this bill seeks to interpret the Constitution, a roll for the courts, not the legislature
 - In fact, a Court case is currently pending regarding the situation in Cobb County that this bill targets

Appendix

SB 124 TESTIMONY



Good Morning Distinguished Members of the Redistricting Committee:

My name is Aunna Dennis, executive director of Common Cause Georgia. Common Cause Georgia is a nonpartisan organization with over 25,000 members and supporters across the state that values transparency and fairness in mapping processes. We have long supported through many cycles of redistricting at every level of our government that is fair, transparent, and protects the needs of communities who have been historically sidelined by those in power. Unfortunately, SB 124 cuts at the core of local counties being able to have autonomy within the local redistricting process. Our members believe that SB 124 acts as a legislative interpretation of the state constitution; unclear if/how it would be used by a court, which has independent jurisdiction/judgment to interpret constitutional language. The language of the bill seems to relies on Georgia Constitution Article IX, Section II, Paragraph 1, noting that powers granted to counties however the reinterpretation of the home rule provisions appear to be in direct conflict of Georgia Constitution Article IX, Section II, Paragraph 1, Point B which states "This, however, shall not restrict the authority of the General Assembly by general law to further define this power or to broaden, limit, or otherwise regulate the exercise thereof." Therefore, we strongly urge the Committee to take further consideration before voting on this bill.

Thank you for your consideration.

In Service,
Aunna Dennis
Executive Director
Common Cause Georgia

Staff & Team Members



Aunna Dennis
Executive Director

Anne Gray Herring
Research & Policy
Analyst

Kiah Hopkins
Legislative Intern
2023

**Dedicated
Volunteers**

We are a growing team, working to expand our efforts in Georgia. In addition to our in-state staff members, dedicated interns and fellows, contractors, and volunteers on the ground, we have many geogia based coalition partners that would like to model people and community power through your generous support.