

The logo features a stylized orange location pin icon with a white circle inside, set against a white square background.

Redistricting **Insights**

Prepared for the American River Flood Control District

July 2023

WHAT IS DISTRICTING?

Districting is at its core the act of equalizing population among districts.

This is important in order to meet two requirements - one constitutional, one from Supreme Court precedent:

- Equal Representation (14th Amendment) - how effective any resident can be at advocating for themselves or being represented within a jurisdiction.
- One Person One Vote - equal ability to elect a candidate of choice.

WHAT IS DISTRICTING?

Districiting has changed significantly over the years as federal and state laws, norms, best practices, and public opinion has transformed.

In California/Municipal Law:

- Prop 11 and 20 (Statewide Districiting/Redistricting)
- CA FAIRMAPS Act

REDISTRICTING/REAPPORTIONMENT

They are different things but people mistakenly conflate them

Reapportionment

Allocating the 435 Congressional seats among the states

**N.Y. loses single seat in Congress by just 89 people as
Census Bureau releases reapportionment figures**

April 26, 2021

Redistricting

Drawing district lines within the states, counties, cities, school districts

DEFINITIONS



REAPPORTIONMENT
Census Bureau for Congress
(30 seconds)

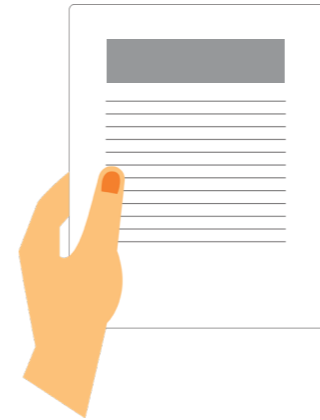
DISTRICTING/REDISTRICTING
Done by states, cities, school boards

GERRYMANDER

PRINCIPLES OF DISTRICTING



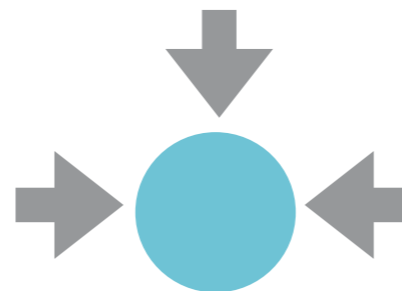
POPULATION EQUALITY



FEDERAL VOTING RIGHTS ACT
SECTION 2



COMMUNITIES OF INTEREST



COMPACTNESS



CONTIGUITY

POPULATION EQUALITY

For Congress it is 1 person for deviation

For State and local governments it is a deviation range of 10%

	Population	Deviation	% of Deviation
D1	21,000	1000	5%
D2	20,200	200	1%
D3	19,800	-200	-1%
D4	19,250	-750	-3.75%
D5	19,750	-250	-1.25%

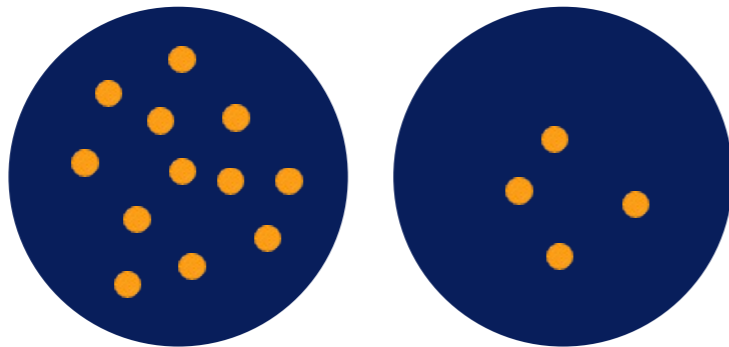
**These numbers are just an example and not reflective of the district's current population*

EQUAL POPULATION

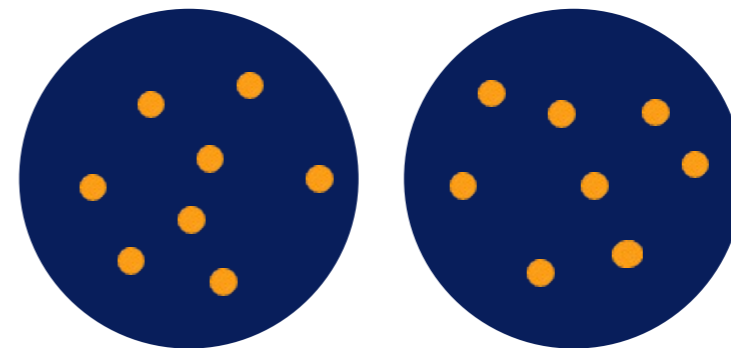
What is “equal” population has been a key subject in districting litigation.

- Population Equality is based on “People” not citizens or voters or other metrics.
- The metric used is called “deviation” which is a measure of how close a district is to equal size.

Not Equal Districts



Equal Districts



EQUAL POPULATION

What is “equal” population has been a key subject in districting litigation.

- Equality is Required
- *Strict adherence to a numeric goal for equality beyond what is required is not necessarily better.*



FEDERAL VOTING RIGHTS ACT



**FEDERAL VOTING RIGHTS ACT
OF 1965**



MOBIL V. HOLDER (1980)



**CONGRESSIONAL RESPONSE TO
MOBIL V. HOLDER (1982)**



THORNBURG V. GINGLES (1985)

WHAT IS THE VOTING RIGHTS ACT?

The decision to invoke Section 2 is something that requires legal counsel.

Does the minority population qualify under Section 2?

Is the proposed district a sufficient remedy – is it an “effective” majority minority district?

Is there a claim for a coalition district?

Without Section 2, a community of interest can still be supported but race cannot be a predominant factor in drawing lines.

GINGLES FACTORS

“Gingles factors” are three preconditions that a minority group must meet 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, also known as “bloc voting”); and,
3. A majority of voters vote sufficiently as a bloc usually to defeat the minority group’s preferred candidate.

BUT THE GINGLES FACTORS HAVE LIMITS.....

SHAW V. RENO, [509 U.S. 630](#) (1993)

SIGNIFICANCE: Legislative and congressional districts will be struck down by courts for violating the Equal Protection Clause if they cannot be explained on grounds other than race. While not dispositive, “bizarrely shaped” districts are strongly indicative of racial intent.



MILLER V. JOHNSON, [515 U.S. 900](#) (1995)

SIGNIFICANCE: A district becomes an unconstitutional racial gerrymander if race was the “predominant” factor in the drawing of its lines

Source: NCSL

COMMUNITIES OF INTEREST

Districting plans are built with census data to put communities of interest together to form districts.

When members of the public come forward to testify about their communities it can be almost anything.

Items to consider:

- What is the community of interest that is being described through the testimony?
- What is the geographic area of that community of interest?
- What data can be utilized to help identify that community of interest?
- How does that community of interest relate to ARFCD?

COMPACTNESS

Many measures based on geography are available but in California we tend to adhere to

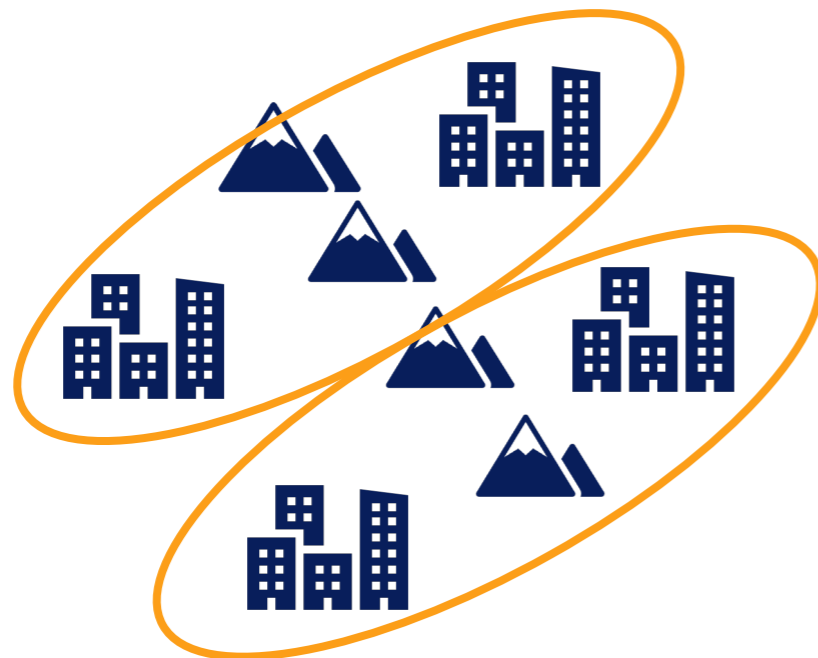
“shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.”

CONTIGUITY

This is not an issue in most counties... unless they have islands.

State law does not allow point contiguity...it is advisable to seek functional contiguity where you can travel through the district to each point.

Point Contiguity



Functional Contiguity



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In Public Opinion / Media:

- 97% of Voters agree that “local government should be required to have transparent/open districting/redistricting.”
- Media and Community Based Organizations have become much more adept at covering districting.

COMMUNITIES OF INTEREST

Bringing like people together for representation

What are you looking for in trying to judge the applicability of a Community of Interest to the districting process?



Group with shared culture / characteristics



Geographic Nature / Density / Ability to be mapped



Relationship to Agency / Policies

American River Flood Control District - Districting Timeline

Ongoing

- Redistricting Insights will develop materials for public engagement on communities of interest.
- Staff and Redistricting Insights will engage community members utilizing the outreach materials we have prepared. This may include a press release announcing the availability of the tools, information made available on the district website describing the process, and outreach to community members and groups to utilize the outreach materials.
- Staff, in consultation with the Board of Directors, will adopt a hearing schedule and outreach plan.

July 14th, 2023

- Public hearing #1: Redistricting Insights will present a “Redistricting 101” presentation to the Board of Directors. Community members are invited to provide feedback and identify communities of interest.

August 11th, 2023

- Public hearing #2: Focuses on communities of interest and soliciting input that the public would like staff to consider in the development of draft maps, includes the opportunity for the public to submit communities of interest as well as draft maps.
- Board of Directors will provide input to Redistricting Insights on what they would like to see included in the draft maps.
- Redistricting Insights will prepare draft maps.

September 15th, 2023

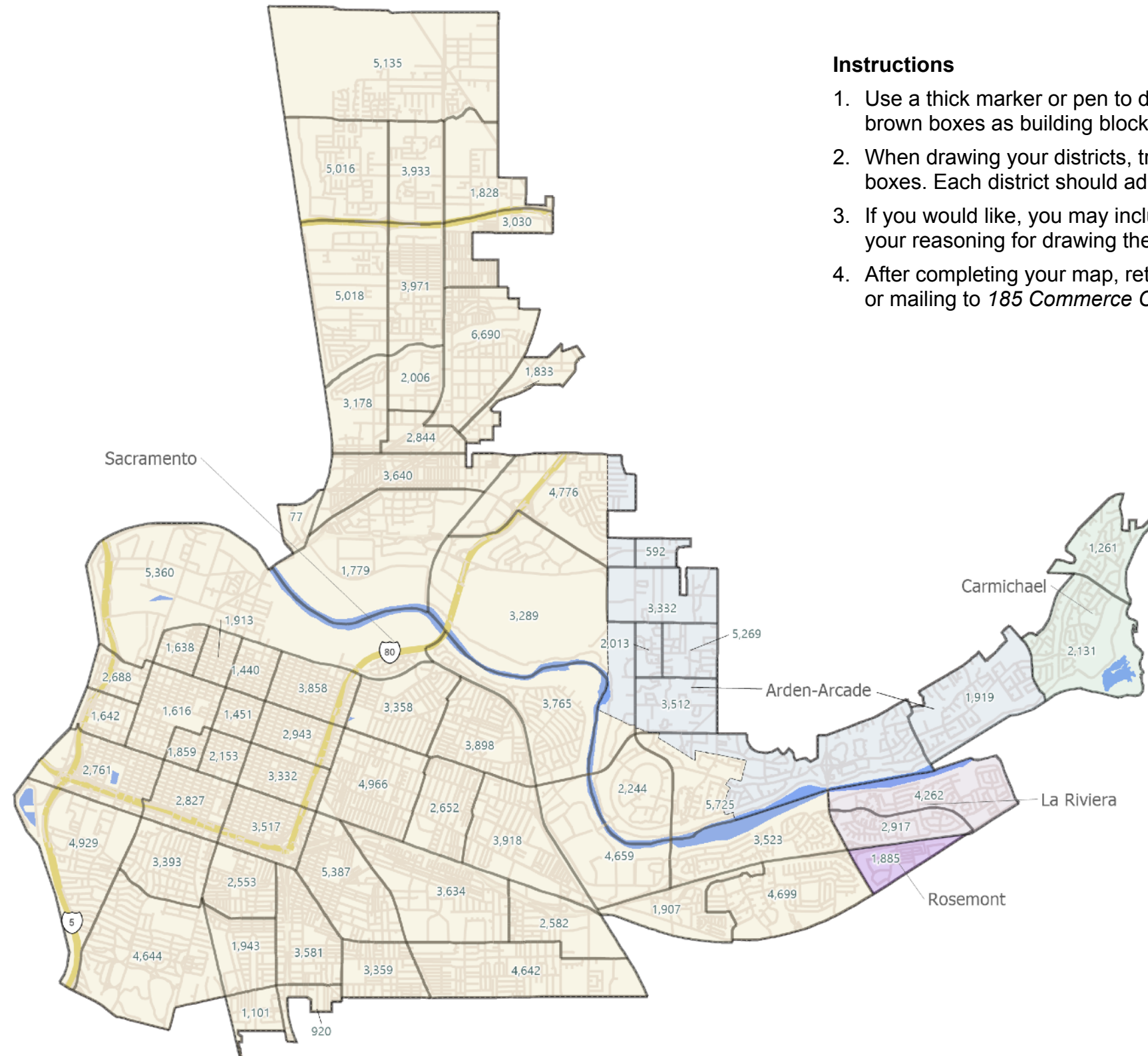
- Public Hearing #3: Redistricting Insights will provide the first draft maps for the public and board to consider, made available seven days prior to the hearing. Public testimony will be invited on the draft plans.
- Board of Directors will provide input to Redistricting Insights on what they would like to see revised in the draft maps and narrow down options to a few final contenders.
- Redistricting Insights will revise the draft maps as directed.

October 13th, 2023

- Public Hearing #4: Redistricting Insights will provide revised draft maps for the public and board to consider, made available seven days prior to the hearing. Public testimony will be invited on the revised draft plans.
- Board of Directors will provide input to Redistricting Insights and select a single draft plan to finalize. In the case that there are no additional changes, the Board of Directors may adopt the maps and cancel the fifth hearing.
- Redistricting Insights will finalize the selected plan.

November 10th, 2023 (if needed)

- Public Hearing #5: Public input on final maps. Board of Directors adoption of final plan.
- Redistricting Insights will transmit the final maps to the County Registrar of Voters



Instructions

1. Use a thick marker or pen to draw five districts, using the gray/brown boxes as building blocks.
2. When drawing your districts, try to add up the numbers within the boxes. Each district should add up to approximately 43,223.
3. If you would like, you may include written testimony describing your reasoning for drawing the districts as you did.
4. After completing your map, return to the district by dropping it off or mailing to 185 Commerce Circle, Sacramento CA 95815

Item 4

WE ARE DISTRICTING

AND NEED YOUR INPUT!

ARE YOU WONDERING:

- What is districting?
- Why is it important?
- How can I help?
- How do I submit a map



**WE'VE GOT YOU
COVERED!**

Find the
mapping
worksheet
here!

GO TO:

www.arfcd.org/districting





Item 4

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FIND OUT:

What districting is
Why it is important
How you can help
How to submit a map



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