# ALAMEDA COUNTY

# REDISTRICTING 2021

## Public Training Workshop

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# *Roadmap*

- ➢ Introduction & Background
- ➢ What is Redistricting?
- ➢ Laws Governing Redistricting
- ➢ Criteria for Redistricting
- ➢ Process Timeline
- ➢ How to Get Involved

# *Introduction & Background*

- The County of Alameda has 5 Board of Supervisor districts

- Members of the County Board of Supervisors must live in their district to be eligible to represent it

- Voters in each district elect the County Supervisor for their district

# *Districting versus Redistricting*

- Districting is the process of creating districts where there were none before

- Redistricting is the process of adjusting the existing district boundaries

- Redistricting usually happens every 10 years after the release of the decennial Census

- Decennial Census data are used to equalize the populations of the districts

- Redistricting provides the opportunity to bring the existing districts into compliance with all redistricting criteria

# *Laws Governing Redistricting in California*

- U.S. and CA Constitutions

- Federal Law
  - Voting Rights Act

- California Elections Code

- Alameda County Charter & Administrative Code

# *FAIR MAPS Act — Overview*

- "**F**air **A**nd **I**nclusive **R**edistricting for **M**unicipalities **A**nd **P**olitical **S**ubdivisions"

- Addresses local redistricting for Cities and Counties

- CA Elections Code Sections 21500 — 21509 address County Redistricting

- Became law in October 2019

- Creates a "state-mandated local program" and details the required processes for local redistricting

# *FAIR MAPS Act — The Process*

The FAIR MAPS Act has strict timelines and requirements for the process

- There are a minimum of 4 hearings that must take place before adopting the new district boundaries:
  - At least 1 hearing must be held prior to creating a draft map
  - A workshop led by staff or consultant may be held in lieu of 1 pre-draft hearing
  - 2 hearings must be held after creating a draft map
- Draft map(s) must be posted for feedback
- There are specific timelines for posting Hearing Agendas and Drafts

# *County Charter and Administrative Code*

- The Charter and Administrative Code provisions must be harmonized with State law requirements.

- The County Administrative Code requires additional hearings

- Administrative Code §2.04.030(B) requires 60 days notice prior to the first public hearing to approve redistricting maps

- Requires the Board, by a two-thirds vote, to effect any change to the boundaries of the supervisorial districts.

# FAIR MAPS Act —
## Components of Redistricting

1. Website

2. Public Hearings

3. Draft plan development

4. Posting requirements

5. Public Access (including applicable language Translations and Interpretation)

6. Public Input (oral, written or electronic)

# *FAIR MAPS Act —*
## *Public Input, Education, and Transparency*

**Outreach and Education:**

- Provide information to county media organizations, including media organizations that serve language minority communities.

- Provide information through good government, civil rights, civic engagement, or community groups or organizations that are active in the county

**Meetings and Workshops:**

- Start at a set-time if combined with a regular or special meeting

- Collect public input including on Communities of Interest

- Provide live interpretation for non-English language speakers for certain languages

- Meeting location accessible to people with disabilities

# *The Project Website*

- Will remain live for 10 years

- Will provide information about the date, time, and location for any public hearing or workshop five days before the hearing or workshop (or 3 days as we are closer to the final adoption date)

- Will contain educational materials, handouts, presentations, videos or transcripts of hearings

- Will contain mapping files, supporting documentation and associated demographic reports

- Will include a district viewer where the Draft maps and any visualizations can be accessed

- Will host the Draft(s) and Final District Maps

# *Access Tools*

- The county will make **a free, online mapping application** available that the public can use to define and submit their Communities of Interest.

- The online mapping tool will also allow members of the public to create district map proposals (available Sept. 2021)

- Proposals developed with the online mapping tool can be submitted to the Board for consideration

- The tool will allow users to view census geography and data for any area of interest within the County boundaries

# What are the mapping criteria?

*Criteria Ranked in Order of Priority ("to the extent practicable")*

1. Compliance with US and CA Constitution (**equal population**)
2. Compliance with **Federal Voting Rights Act** (race and language minorities)
3. Contiguity
4. Respect for* local **neighborhoods** and **Communities of Interest** (COIs)
   - COIs may not include relationships with political parties, incumbents, or political candidates.
5. Respect for* **Cities** and **Census Designated Places**
6. Boundaries should be **easily identifiable and understandable** by residents
7. Compactness: If it doesn't conflict with preceding criteria
8. Do not favor or discriminate against political parties

* *"Respect for" means minimize divisions*

# *Alameda County Criteria*

- Alameda County Charter Section 7 lists similar criteria:

  1. Population
  2. Topography
  3. Geography
  4. Cohesiveness, contiguity, integrity, and compactness of territory
  5. Community of interests of the districts

- An additional criterion is included in Administrative Code §2.04.030 – *"that cities within a proposed district shall be maintained intact, insofar as possible."*

# _Criterion 1: US and CA Constitutions_

- The US Constitution requires districts to have <u>reasonably equal populations</u>
  - "one person, one vote"

- 14$^{th}$ Amendment (Equal Protection)
  - Prohibits intentional discrimination because it is a violation of equal protection (the jurisdiction is treating residents differently because of race, and thus not according them equal protection under the law).

- 15$^{th}$ Amendment
  - Bans racial discrimination in voting

# *What is the Ideal Population per district?*

**Ideal population per district = Total population ÷ # of districts**

- Districts are equalized with the count of all persons from the decennial census
  - Alameda County 2010 Census: 1.513 million
  - 2019 American Community Survey Estimate: 1.671 million
    - *The ACS only provides estimates!*
  - We will have 2020 Census results tomorrow!

- Ideal population for Alameda County Supervisorial Districts?
  - Total Population ÷ five districts = Ideal population
  - 1.671 mil ÷ 5 = **~334,200 people per district** (based on a 2019 Census ESTIMATE and will be updated with the 2020 data)
  - Total population for 2020? ÷ 5 districts = ? population

# *How equal is equal?*

- **Different standards for different jurisdictions**
  - Congressional Districts held to 'strict scrutiny'
  - Lower level districts have more flexibility

- **Supervisorial districts must be <u>reasonably</u> equal**
  - Some deviation above and/or below the ideal population is allowed
  - Generally up to ±5% is used in Federal Voting Rights Act compliance
  - Ideal population: 302,600 ± 15,130 people (from 2010)

# _Criterion 2_: Federal Voting Rights Act, Section 2

- Prohibits the denial or abridgement of voting rights on the basis of **race** _or_ **language minority status.** (42 USC § 1973)
  - FVRA defines "language minority" as Asian, Native American, Alaskan Native or Spanish heritage. Does not apply to other language groups.

- Prohibits practices that have the <u>purpose</u> or <u>effect</u> of discriminating on the basis of race or language minority status.

- Applies to ALL jurisdictions that conduct elections

# *FVRA and Redistricting: Vote Dilution*

- Electoral systems can limit the "ability to elect a candidate of choice" by a protected class of voters in various ways:
  - Example: at-large election systems can make it impossible for even a large minority group to elect a candidate of choice, when the majority votes against them.
  - Example: single-member districts can be drawn in ways that minimize voters' ability to elect a candidate of choice.

- Systems that limit ability to elect in this way are said to **"dilute"** minority voting strength.

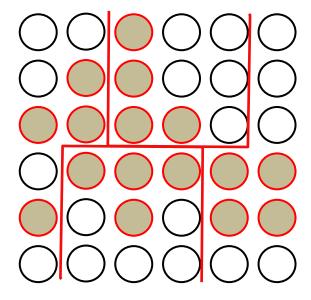# FVRA Section 2:  Methods of Vote Dilution

A redistricting plan can dilute the voting strength of protected minorities through two main ways:

1. "**Cracking**": Dividing up a politically viable protected minority population concentration so it doesn't constitute a majority in any district.
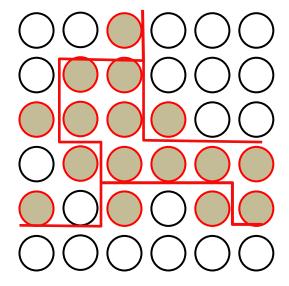
2. **"Packing":** Drawing a high proportion protected minority population into one district when it could be politically viable in more than one district
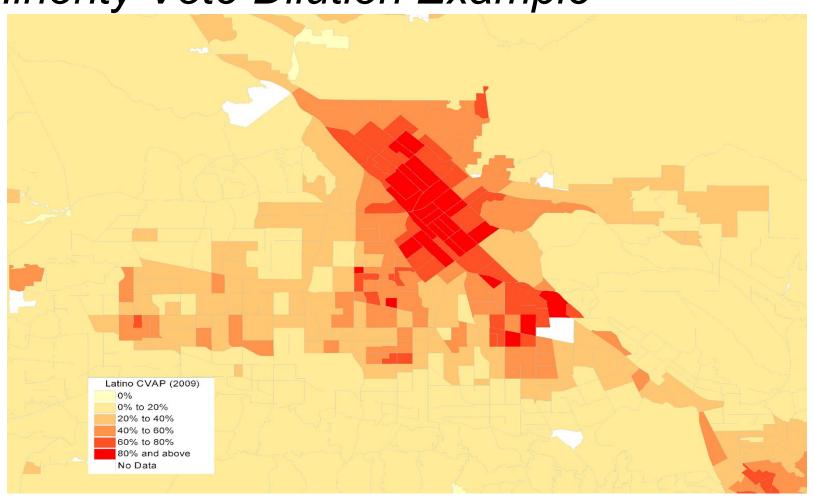
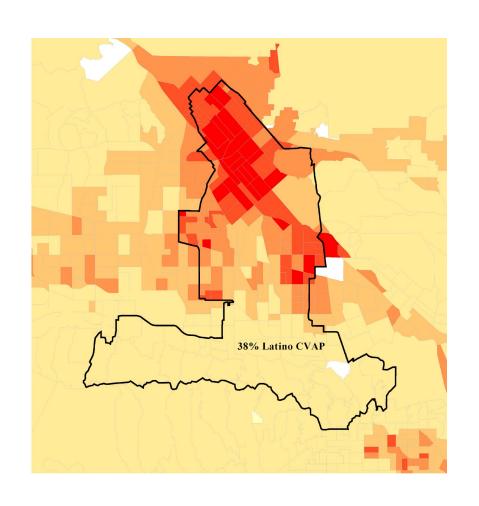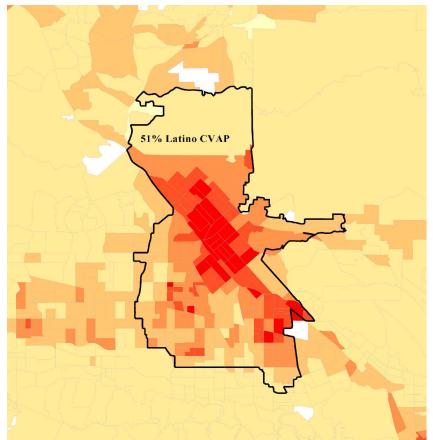# FVRA Section 2: Methods of Vote Dilution

**"Cracking"**

**"Packing"**

# *Minority Vote Dilution Example*

# *Two ways to approach this area*



38% Latino CVAP

51% Latino CVAP

# _Criterion 2_: Federal Voting Rights Act

**There are two parts to compliance with FVRA:**

- Measuring/analyzing
  - Expert conducts a Racially Polarized Voting (RPV) Analysis
  - Work with Expert(s) and Counsel to make decisions about Majority/Minority districts

- Drawing a district
  - Work with redistricting consultant to construct districts that comply with the FVRA

# *Race and Redistricting*

- Supreme Court opinions have limited the role that race can play in electoral map making

- Race cannot be the <u>predominant</u> factor in line drawing

- Race should not subjugate "traditional [re]districting principles" (Contiguity, Communities of Interest, etc.)

- District appearance (Compactness) has been important in some cases.

# *Criterion 3: Contiguity*

- **Contiguity**: *A district in which all parts must be adjacent to another part*
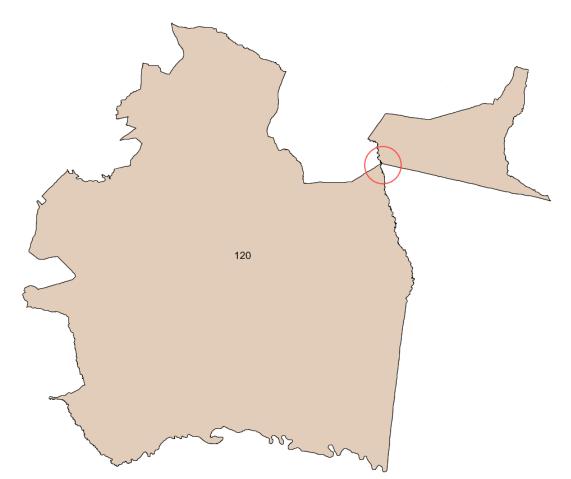
in other words...

- A district in which one may travel from any location to any other location without crossing the district boundary

- California law specifies that areas that meet only at the points of adjoining corners are not contiguous

and that:

- Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

# *Criterion 3: Contiguity*

NO Point Contiguity
allowed
under FAIR MAPS Act

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# *Criterion 4: Local Neighborhoods & Communities of Interest (COIs)*

**Neighborhoods** are specific to each jurisdiction

They are sometimes defined by the jurisdiction and more frequently by the residents that live in a certain area.

The concept of "**Community of Interest**" is generally described as a geographic area comprised of residents who share similar interests COIs are defined by those familiar with the community...

- Law does not limit the kinds of interests that may bind a community.

- It is up to those who live in or work with a community to identify and establish the interests that unite it.

- Interests need not be limited to current situation but can also include common goals.

# *What common interests unite a COI?*

➢ **Economic interests:**
- *Current situation* — common employment or economic opportunities (or lack thereof).
- *Goals* — expanding opportunities, development, bringing in jobs & businesses, etc.

➢ **Social interests:**
- *Current* — schools, culture, transportation, parks
- *Goals* — improving recreation opportunities or public safety, etc.

# *Documenting a COI*

Please answer the following questions:

- **Outline what defines your COI:**
  - What bonds your community?
  - What is your mission or commonality?
  - You may also explain what is different outside of the boundaries of your Community of Interest

- **Where is your community located in the County?**
  - Create a map of the boundaries (use the county's COI mapping tool, drawmycacommunity.org, Google maps, GIS/mapping program, paper, etc.) or
  - Write down the boundaries

# _Criterion 5_: Cities & Census Designated Places

➢ To the extent practicable, the geographic integrity of Cities and Census Designated Places shall be respected.

- A Census Designated Place is generally an unincorporated community
  - (Ashland and Sunol are examples in Alameda)

- At least one city in Alameda County is too large to be kept together (Oakland)

- Not all Cities and Census Designated Places can be maintained in one piece

# _Criterion 6: Easily Identifiable Districts_

"Supervisorial district boundaries should be easily identifiable and understandable by residents. To the extent practicable, supervisorial districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the county."

District lines should be straightforward
- ➤ Respect roads, natural features
- ➤ Lines need to make geographical sense

# *Criterion 7: Compactness*

- Addresses the geography of the district

➤ To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, supervisorial districts shall be drawn to encourage geographical compactness

More Specifically...

- Don't bypass nearby areas of population in favor of more distant populations

➤ Regularly included compactness measures in GIS tools do not measure this criterion in accordance with CA law

# *Criterion 7: Compactness*

- Many measures developed - CA's definition
- Assumed to "guard against all types of gerrymandering" "drastic departures from compactness are a signal that something may be amiss"
  - (Karcher v. Daggett, 462 U.S. 725 (1983))
- Most common complaints come from appearances:
  - Does a district look "funny"?
- "eyeball approach" "appearances do matter"
  - (Shaw v. Reno, 509 U.S. 630 (1993))

# Is this Compact?

# _Criterion 8_: No Politics

- The Board shall not adopt supervisorial district boundaries for the purpose of favoring or discriminating against a political party

- Communities of Interest may not include relationships with political parties, incumbents or political candidates.

# *Proposed Timeline Overview*

- **2 Public Workshops to provide training**
  - Saturday, July 24, 11am – 1pm
  - Wednesday, August 11, 6pm - 8pm

- **2 Board Meetings to obtain public input**
  - Special Board Meeting: Tuesday 9/21 at 6pm
  - Regular Board Meeting: Tuesday 10/12, Set Matter at 12pm

- **1 Public Hearing / Special Meeting to draw draft maps**
  - Special Meeting: Tuesday 10/26, at 6 pm

# *Proposed Timeline Overview*

- **5 Public Hearings to gather feedback on draft maps within each of the current districts (Admin. Code section 2.04.030)**
  - Special Board Meeting: Tuesday 11/2 at 6 pm
  - Special Board Meeting: Thursday 11/4 at 6 pm
  - Special Board Meeting: Tuesday 11/16 at 6 pm
  - Special Board Meeting: Tuesday 11/23 at 6 pm
  - Special Board Meeting: Thursday 12/2 at 6 pm

- **Public Hearing for 1st Reading of Ordinance to Adopt Draft Final Map**
  - Regular Board Meeting: Tuesday 12/7, 12pm Set Matter at 12pm

- **Public Hearing for 2nd Reading of Ordinance and Adoption of Final Map**
  - Regular Board Meeting: Tuesday 12/14, Set Matter at 12pm
  - Deadline for adoption of Final Map: 12/15

# *Why should you participate?*

➢ To make sure we know about your Community of Interest.

➢ To give your community a voice and make sure it has equal access to the political process.

➢ To encourage citizens to register, vote, and remain politically engaged.

➢ To help shape a redistricting plan that provides communities a meaningful opportunity to elect candidates who represent their interests on issues that are important to their lives.

# *Get Involved & Learn More*

- **What should you share?**
  - What is your Community of Interest? What ties your community together? *(Tip: Look closely at Criteria #4)*
  - Where is your COI? Be specific in your geography

- **How to submit your input?**
  - Online COI Tool – *Launching soon!*
  - Draw your proposed map of the districts – *mapping tool will launch in late September*
  - During a hearing – *see schedule on our website with more details*
  - Written:
    - Via our website's Contact Us page to submit comments online.
    - By Email at redistricting@acgov.org
    - By Written correspondence to Community Development Agency, Attn: Sandi Rivera, 224 W. Winton Ave., Rm 110, Hayward, CA 94544
  - By Telephone - 510.670.5333

- **Where to learn more & find these resources?**
  - https://redistricting2021.acgov.org/

# *How to engage your community?*

➢ Lead conversations with your community, neighborhood, club, organization, association, network, or colleagues

  ➢ With **Toolkit** coming soon!

> - Slides
> - Video of this presentation
> - Handout on Redistricting
> - Discussion questions for defining your Community of Interest
> - Guide to use the online COI Tool

Toolkit will be translated into at least **5** languages

➢ Promote Alameda County's Redistricting Process at an upcoming event or meeting – Contact Casey Farmer

Casey.Farmer@acgov.org

# ALAMEDA COUNTY
# REDISTRICTING 2021

# THANK YOU
# FOR
# PARTICIPATING!!!