



Prepared for the *Monterey Peninsula Regional Park District*

January 2022

WHAT IS REDISTRICTING?

Redistricting 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 REDISTRICTING?

Redistricting 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 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)

REDISTRICTING

Done by states, cities, school boards

GERRYMANDER

PRINCIPLES OF REDISTRICTING



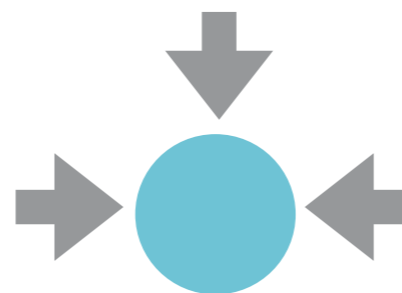
POPULATION EQUALITY



**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%

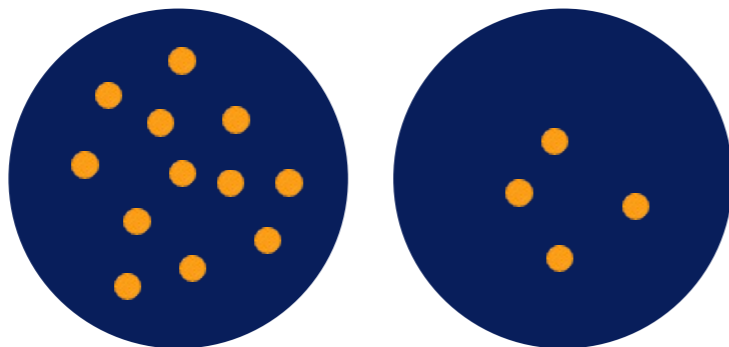
**These numbers are just an example and not reflective of the district's current population*

EQUAL POPULATION

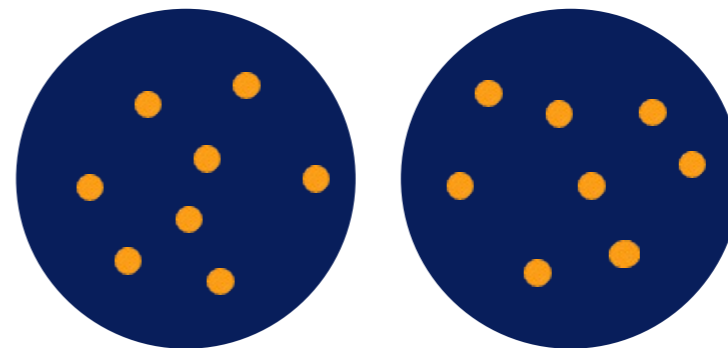
What is “equal” population has been a key subject in redistricting litigation.

- 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

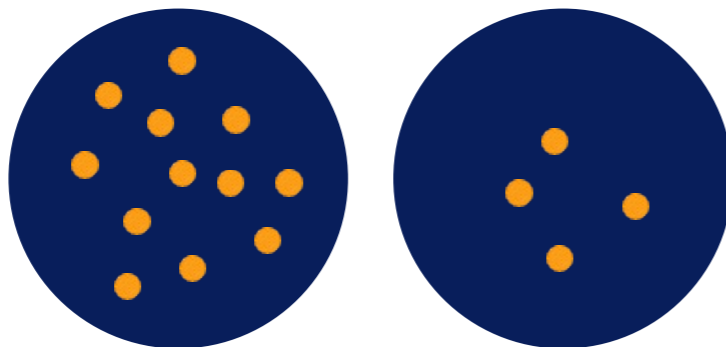


EQUAL POPULATION

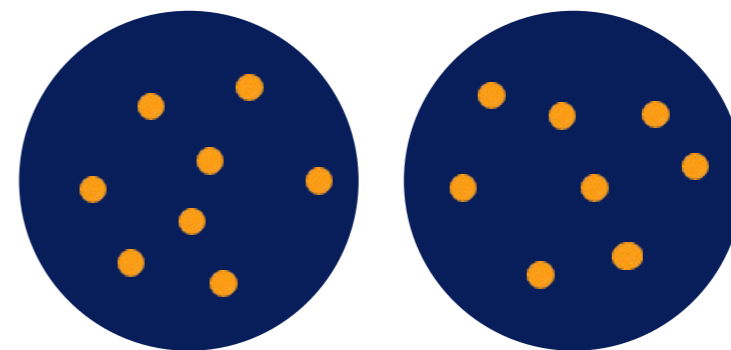
What is “equal” population has been a key subject in redistricting litigation.

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

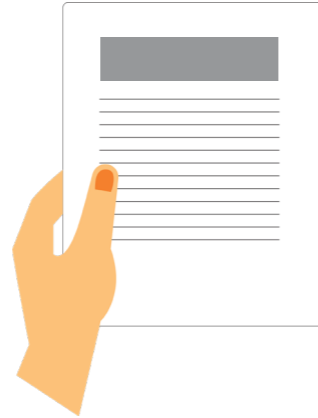
Not Equal Districts



Equal Districts



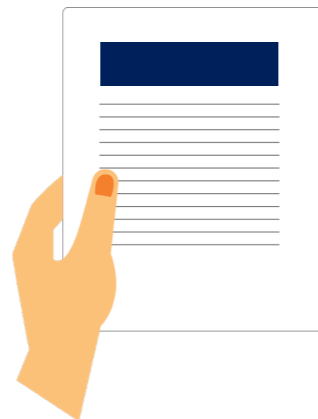
FEDERAL VOTING RIGHTS ACT



**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

Redistricting 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 MPRPD?

COMPACTNESS

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

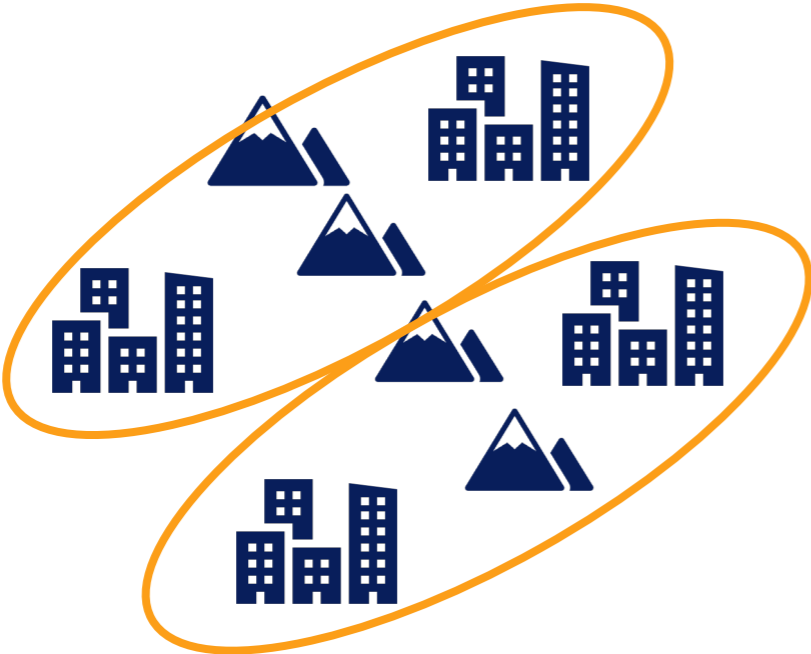
“shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.”

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



WHAT IS REDISTRICTING?

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In Public Opinion / Media:

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

ONLINE MAPPING

There are other mapping tools the public may use, but are not controlled by district staff.

- These tools are *perfectly appropriate* for the community to use as input.
- Data and maps from these programs can be imported to our tools and reviewed by the commission.



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 redistricting process?



Group with shared culture / characteristics



Geographic Nature / Density / Ability to be mapped

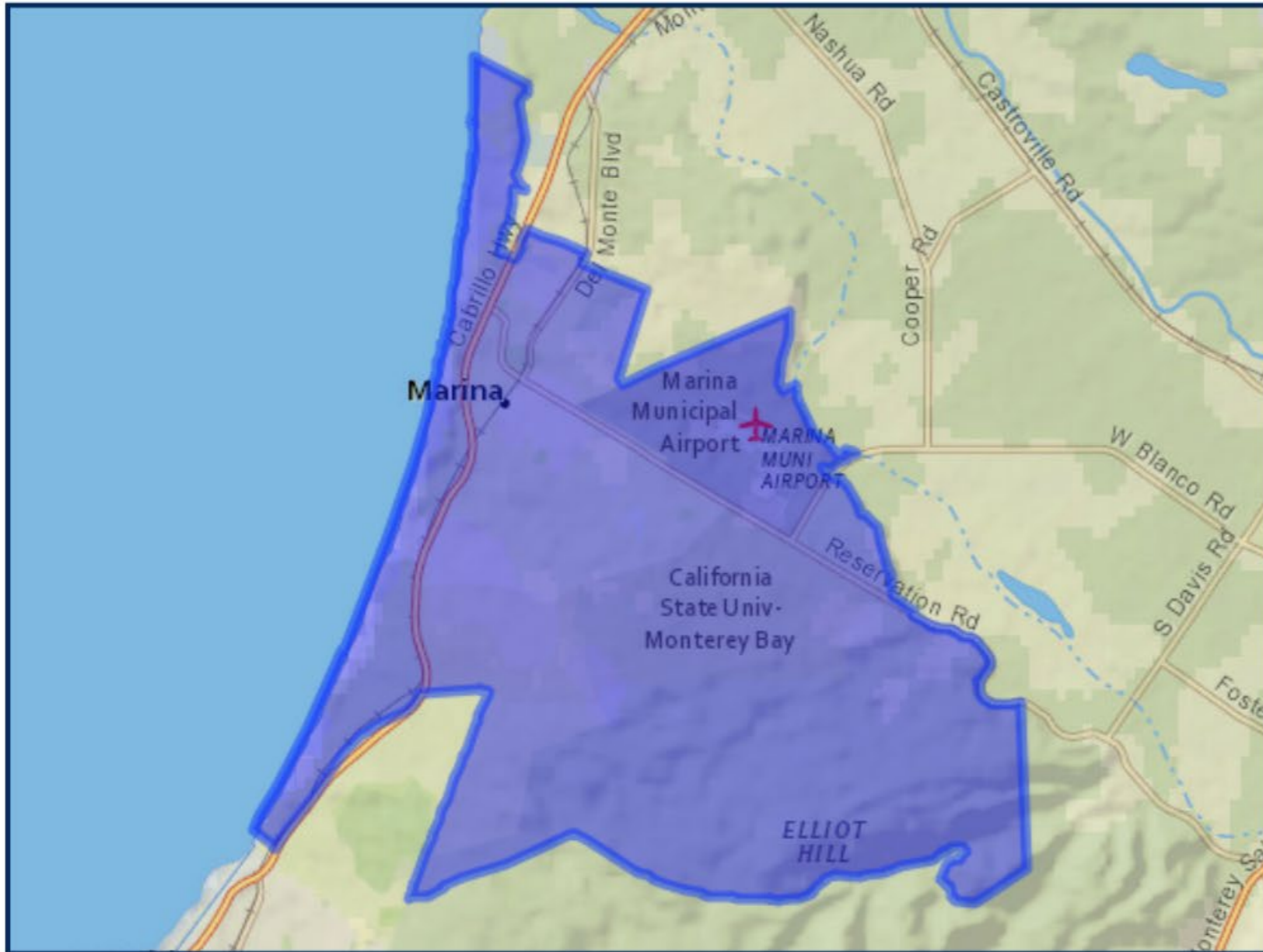


Relationship to Agency / Policies

CURRENT MPRPD WARDS

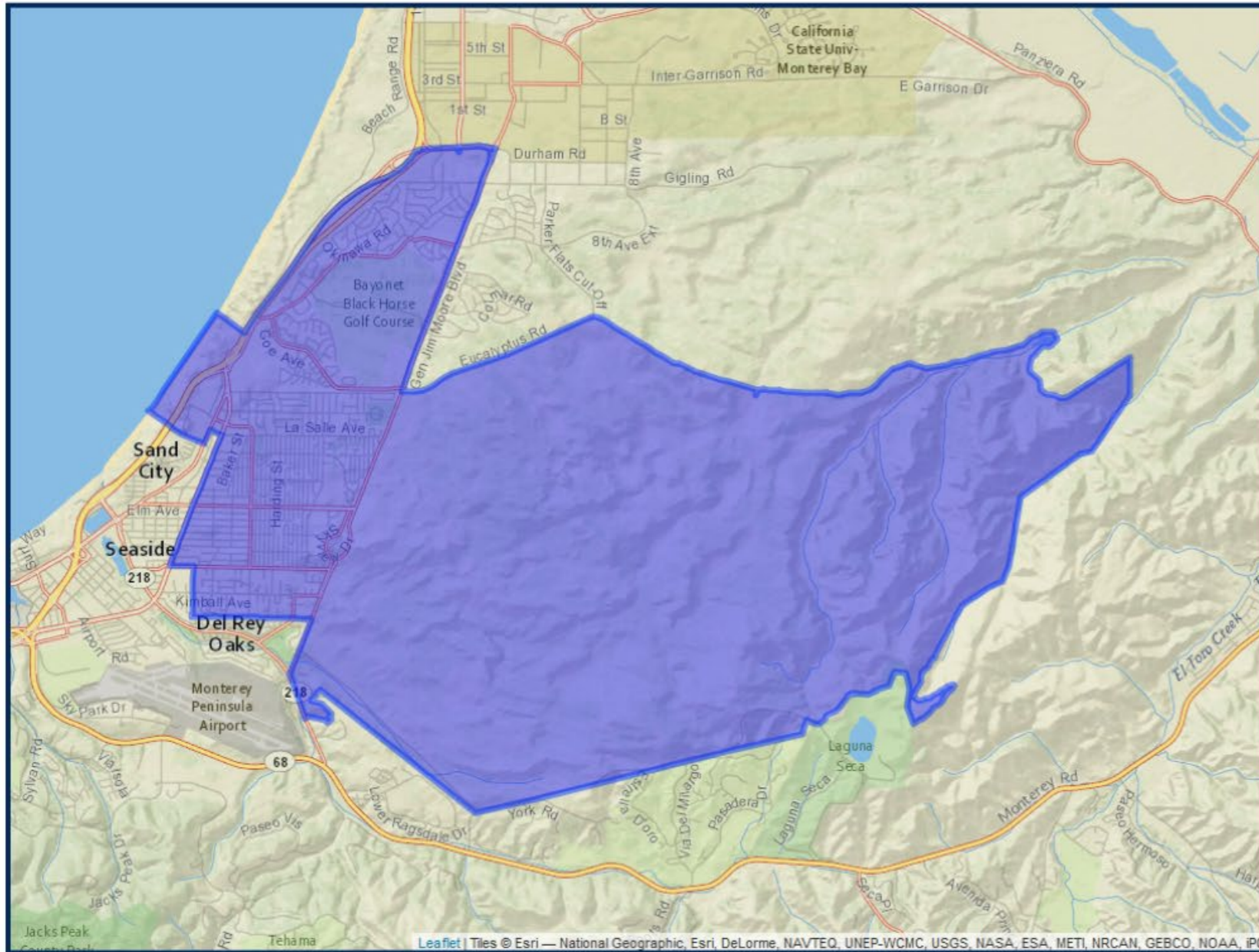
	WARD 1	WARD 2	WARD 3	WARD 4	WARD 5
2020 Census Count*	30,710	26,150	26,247	26,344	25,283
Deviation #	3,763	-797	-700	-603	-1,664
Deviation %	12.3%	-3.0%	-2.7%	-2.3%	-6.6%
2010 Census Count	25,850	26,565	25,532	24,807	25,367
2019 CVAP*	20,064	16,206	18,812	20,583	20,329
2010 CVAP	17,352	13,507	17,454	20,179	20,866

CURRENT WARD 1



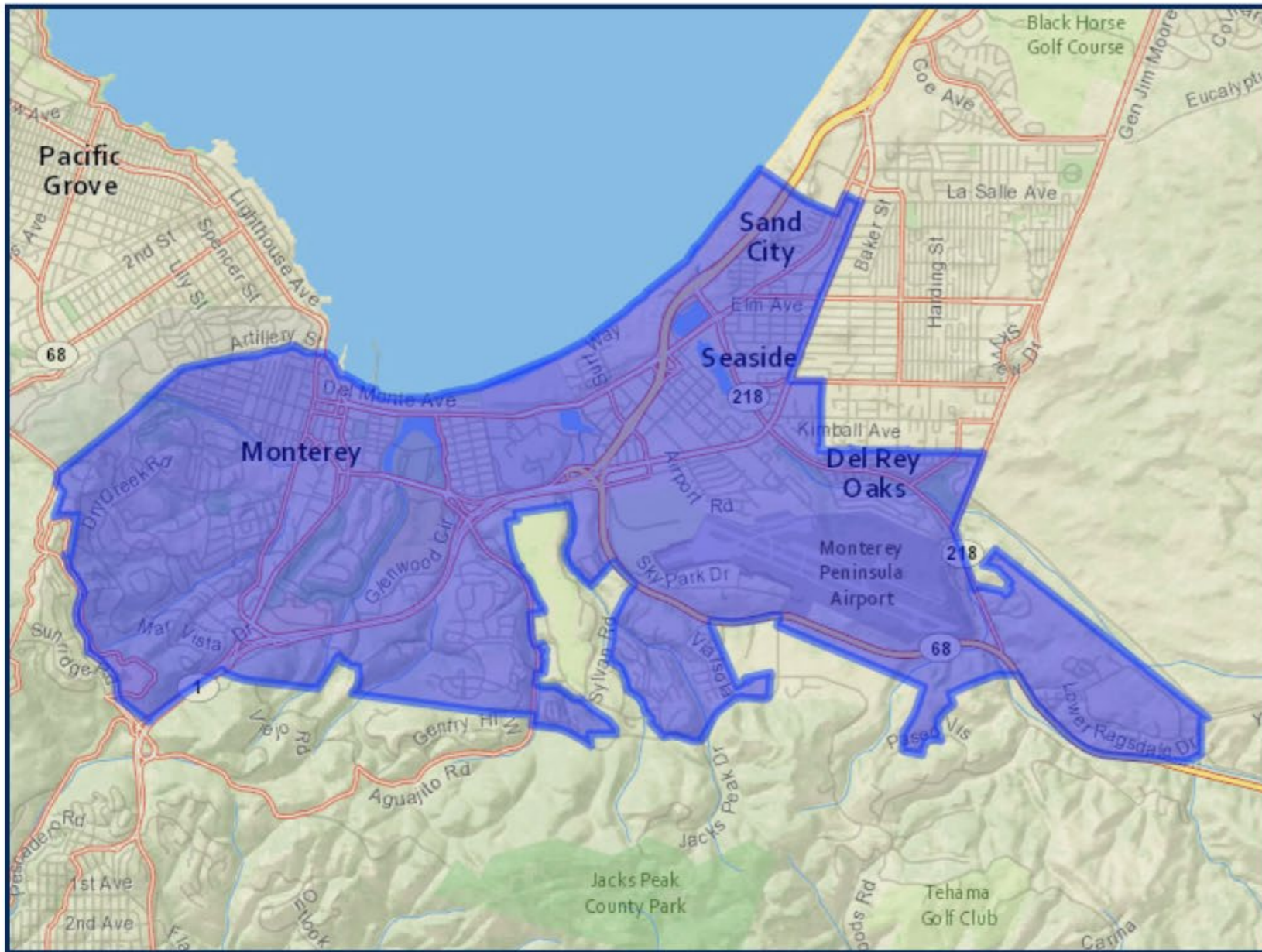
	2020 Count*	2019 CVAP*
Total	30,710	20,064
White	35.02%	45.82%
Black	5.91%	6.59%
Asian	16.87%	14.55%
Hispanic	31.49%	22.52%

CURRENT WARD 2



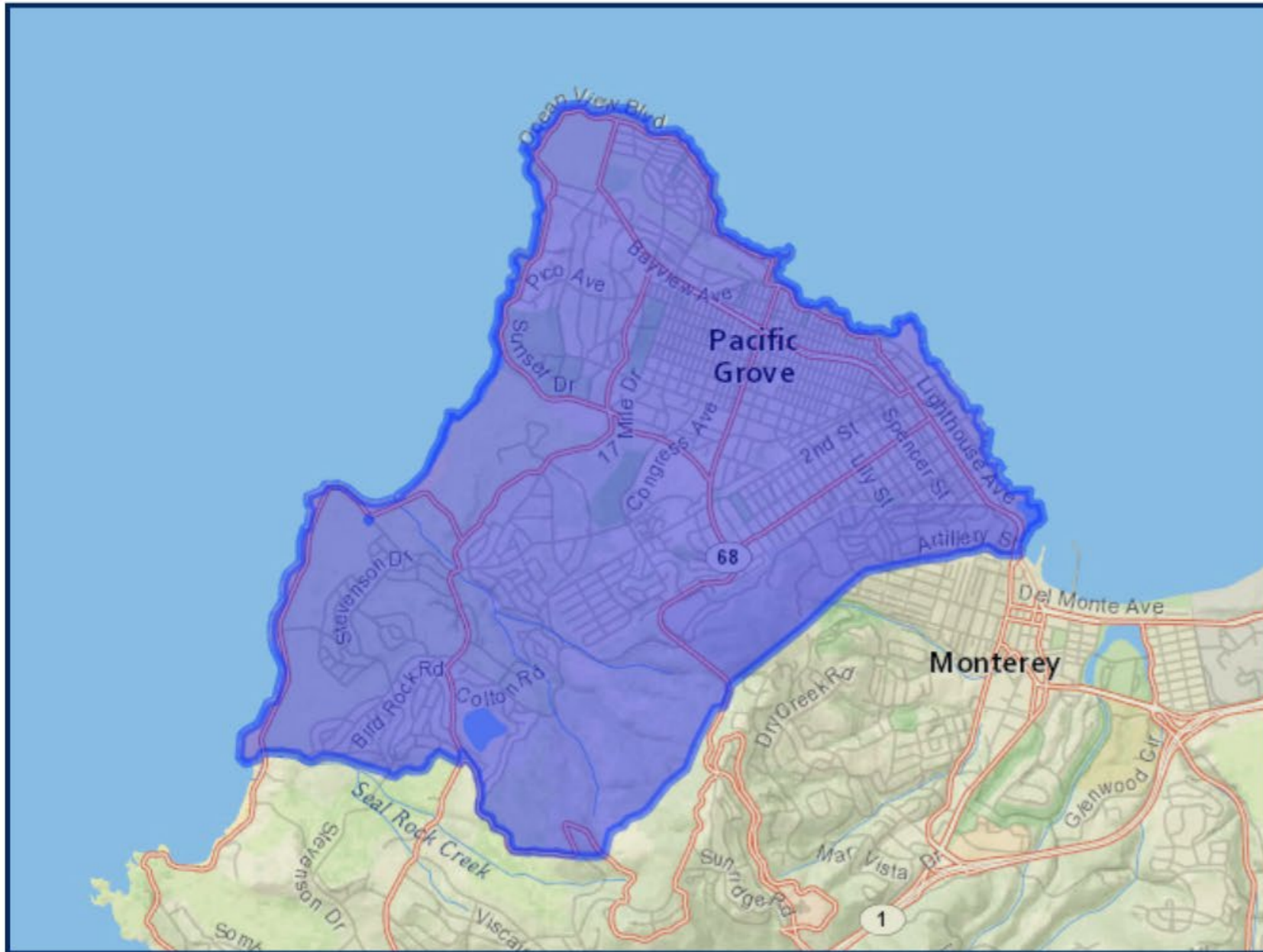
	2020 Count*	2019 CVAP*
Total	26,150	16,206
White	27.61%	42.69%
Black	5.92%	10.61%
Asian	9.19%	10.80%
Hispanic	49.30%	27.57%

CURRENT WARD 3



	2020 Count*	2019 CVAP*
Total	26,247	18,812
White	58.96%	71.26%
Black	2.60%	3.55%
Asian	8.18%	7.30%
Hispanic	23.04%	12.84%

CURRENT WARD 4



	2020 Count*	2019 CVAP*
Total	26,344	20,583
White	69.20%	78.09%
Black	1.83%	2.33%
Asian	6.67%	5.55%
Hispanic	14.61%	10.22%

CURRENT WARD 5



	2020 Count*	2019 CVAP*
Total	25,283	20,329
White	79.58%	87.49%
Black	0.63%	0.54%
Asian	4.79%	3.70%
Hispanic	9.33%	6.67%