

Novato Sanitary Redistricting Orientation:

Criteria, Data, and The Process

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Roadmap



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

Introduction & Background

- In 2019, the Novato Sanitary District (NSD) converted from at-large to by-division elections
- NSD now has 5 electoral Divisions for its Board of Directors
- Board members must live in their district to be eligible to represent it
- Voters in each division elect the Board member that represents them
- The Board of Directors oversees the redistricting process and is responsible for adopting the new districts

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

California Elections Code for Special Districts

- CA Elections Code Sections 22000 — 22001 address Redistricting for Special Districts
- Outlines the process, criteria, and deadlines
- 2 Required Meetings
 - At least 1 public input hearing
 - 1 public hearing to vote on the adoption of the map

What are the mapping criteria?

1. Compliance with US and CA Constitution (**equal population**)
2. Compliance with **Federal Voting Rights Act** (race and language minorities)
3. Topography
4. Geography
5. Cohesiveness, contiguity, integrity, and compactness of territory
6. Communities of Interest

Criterion 1: US Constitution and Equal Population

- The US Constitution requires districts to have reasonably equal populations
 - “one person, one vote”
- 14th 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).
- 15th 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
 - Novato Sanitary District 2020 Population: 57,488
- Ideal population for NSD Divisions?
 - Total Population ÷ five divisions = Ideal population
 - **57,488 ÷ 5 = 11,497 people per district**

How equal is equal?

- **Different standards for different jurisdictions**
 - Congressional Districts held to ‘strict scrutiny’
 - Lower level districts have more flexibility
- **Special districts must be reasonably equal**
 - Some deviation above and/or below the ideal population is allowed
 - Generally up to $\pm 5\%$ is used in Federal Voting Rights Act compliance
 - Ideal population: 11,497 \pm ~574 people

Current Population Deviation Per Division

- Division 1 ~ +1.13%
- Division 2 ~ +9.02%
- Division 3 ~ -4.45%
- Division 4 ~ -0.27%
- Division 5 ~ -5.43%

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 purpose or effect 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

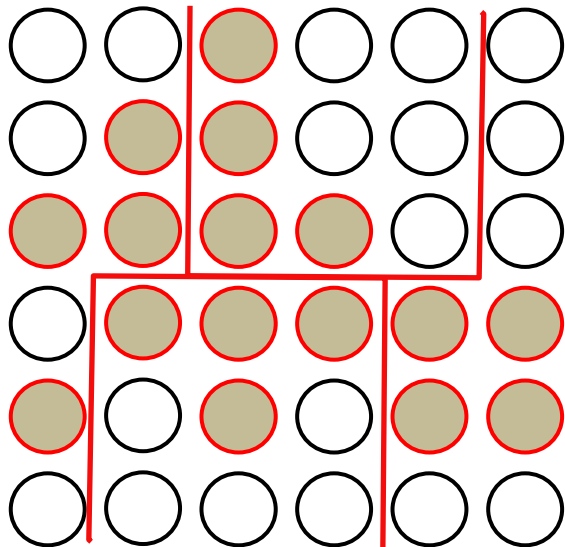
A redistricting plan can dilute the voting strength of protected minorities through two main ways:

1. **“Cracking”**: Dividing up a politically viable protected minority population concentration so it doesn’t constitute a majority in any district.

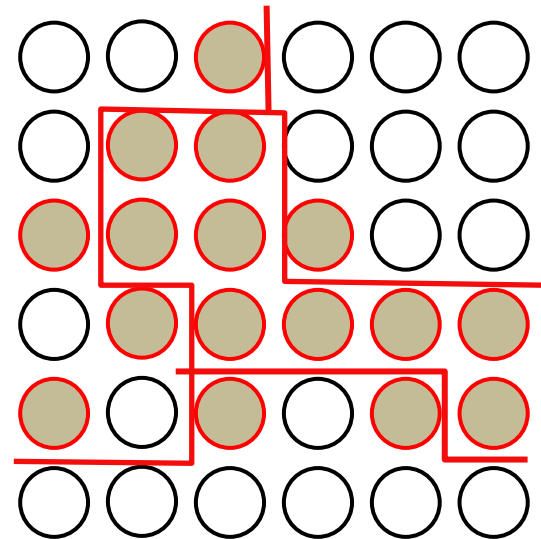
2. **“Packing”**: Drawing a high proportion protected minority population into one district when it could be politically viable in more than one district

FVRA Section 2: Methods of Vote Dilution

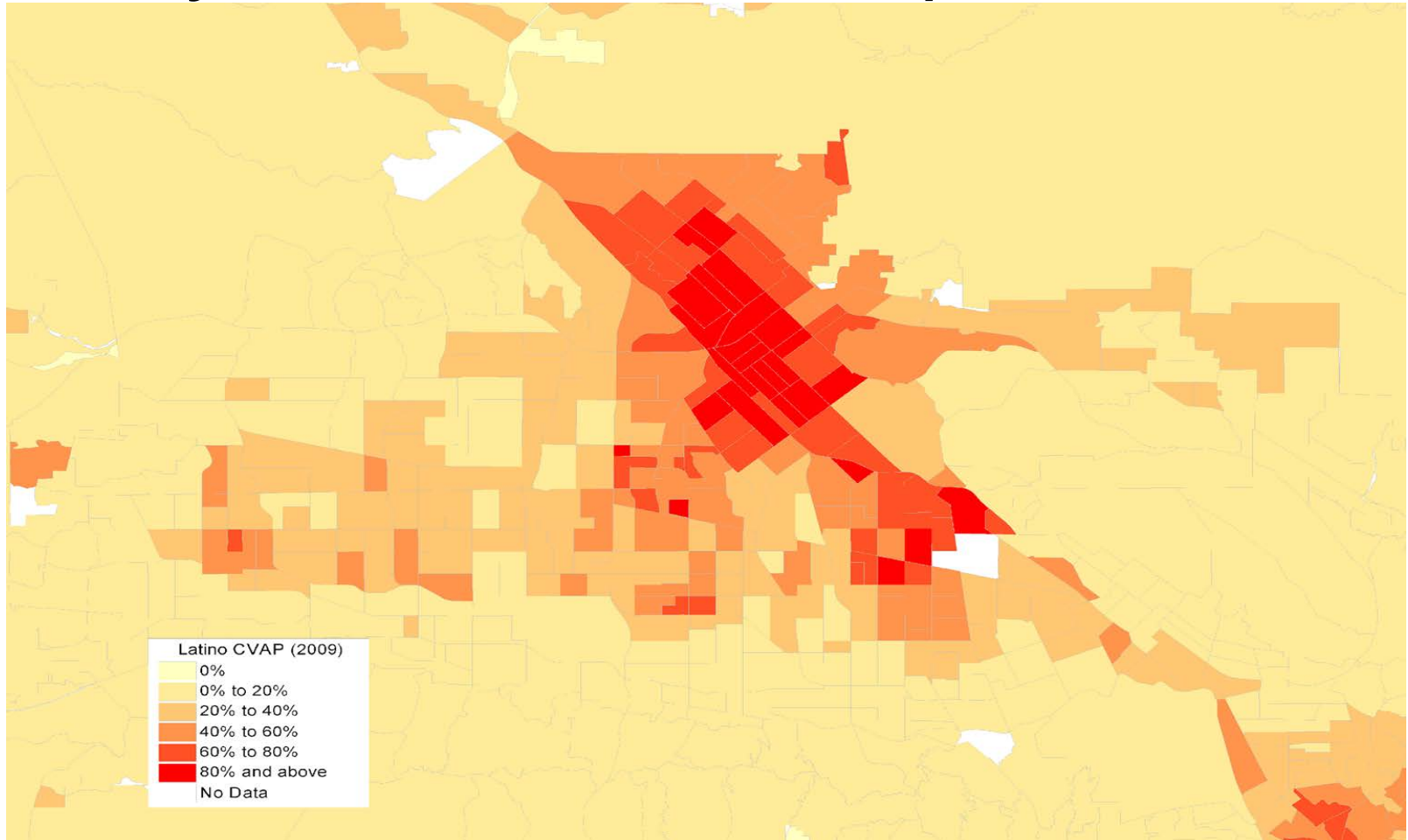
“Cracking”



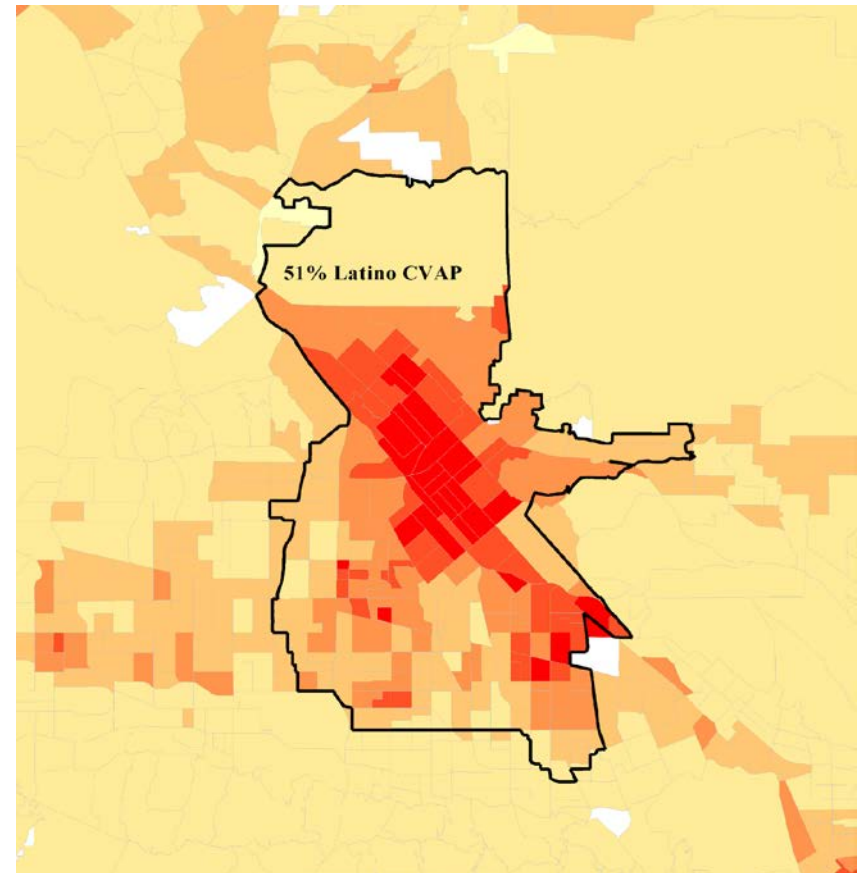
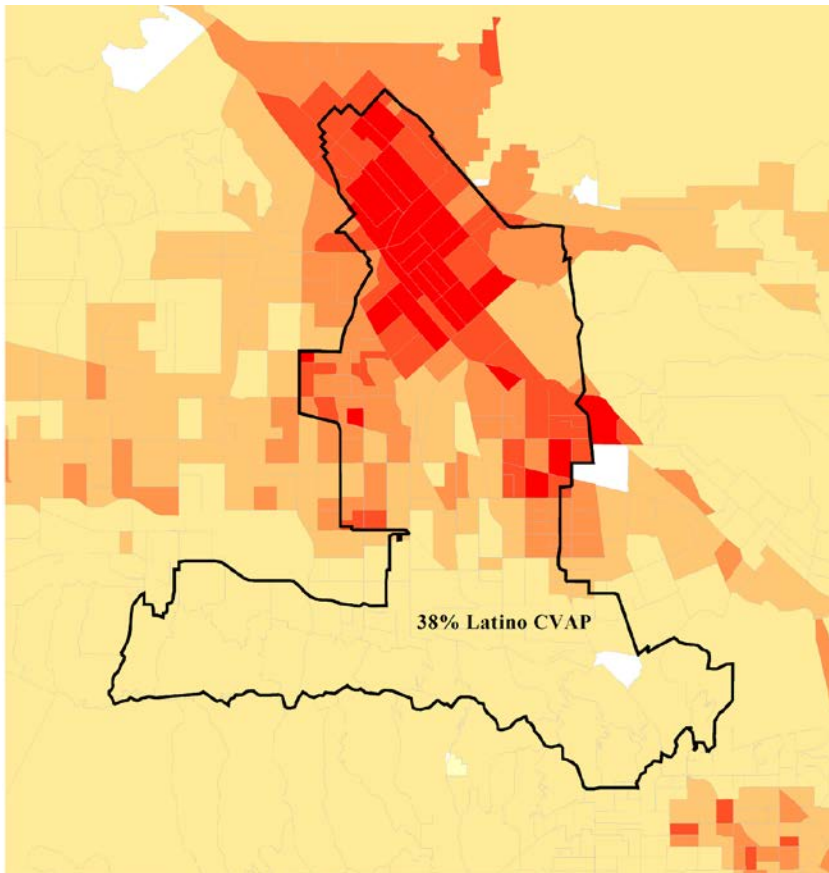
“Packing”



Minority Vote Dilution Example



Two ways to approach this area



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 division
 - Work with redistricting consultant to construct divisions 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 predominant 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.

Criteria 3 & 4: Topography and Geography

- These are geographic criteria
- Division lines should make geographical and topographical sense
- Follow natural and artificial boundaries
 - Ex: Respect roads, natural features

Criterion 5: Contiguity and Compactness

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

in other words...

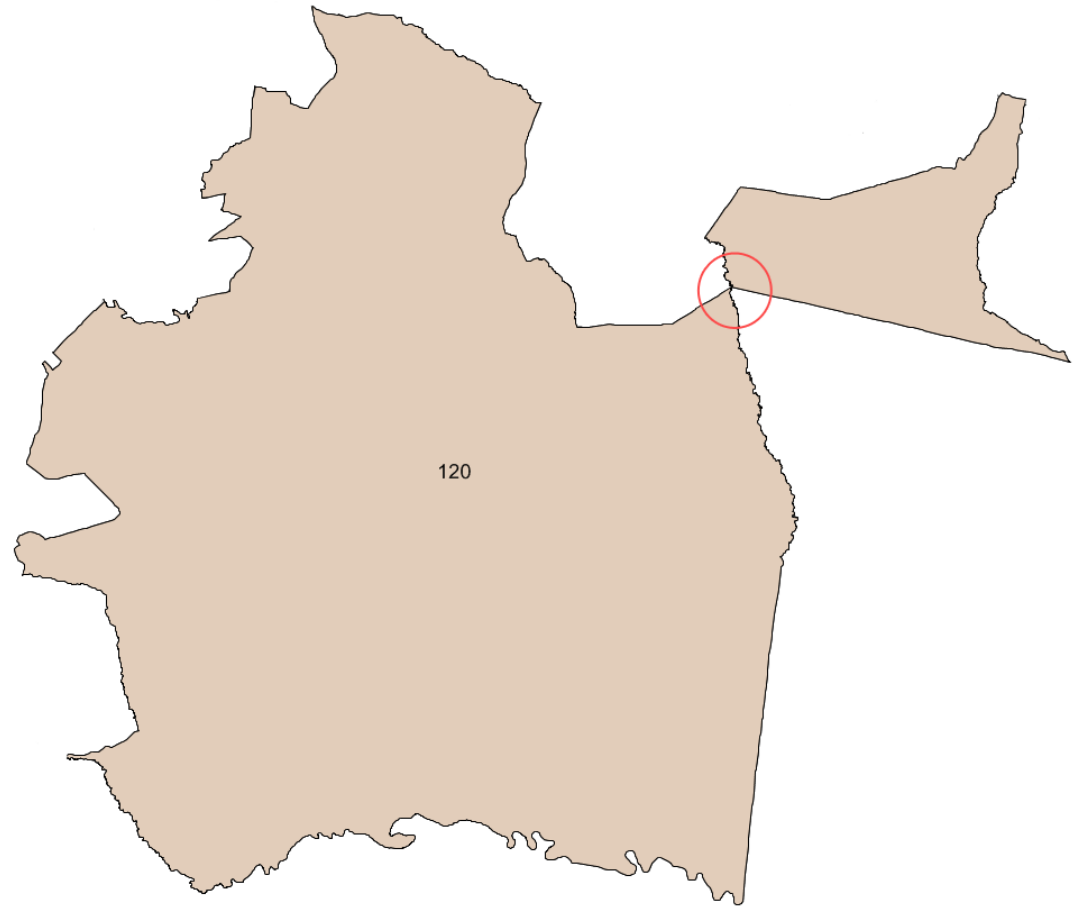
- A district in which one may travel from any location to any other location without crossing the district boundary
- California law specifies that areas that meet only at the points of adjoining corners are not contiguous

and that:

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

Criterion 5: Contiguity

NO Point Contiguity
allowed



Criterion 5: Contiguity and Compactness

- **Compactness:** Don't bypass nearby areas of population in favor of more distant populations
- 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)

Criterion 6: Communities of Interest (COIs)

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 situation:* 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 NSD?**
 - Create a map of the boundaries (use drawmycommunity.org, Google maps, GIS/mapping program, paper, etc.) or
 - Write down the boundaries

Timeline Overview

- **Meeting 1: Kickoff**
 - Overview of criteria and process
 - receive input and instructions
 - Tonight! September 13, 2021 at 5:30pm
- **Meeting 2: Live Mapping**
 - Show map options with live in person adjustments, finalize map
 - October 11, 2021 at 5:30pm
- **Meeting 3: Feedback/Vote**
 - Final vote to adopt the map
 - November 8, 2021 at 5:30pm

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?
- Where is your COI? Be specific in your geography

➤ **How to submit your input?**

- During a hearing on October 11 and November 8, 2021
- Written:
 - By Email at info@novatosan.com
 - By Written correspondence to: Novato Sanitary District, 500 Davidson Street, Novato CA, 94945
- By Telephone - (415) 892-1694

**THANK YOU
FOR PARTICIPATING!!!**

