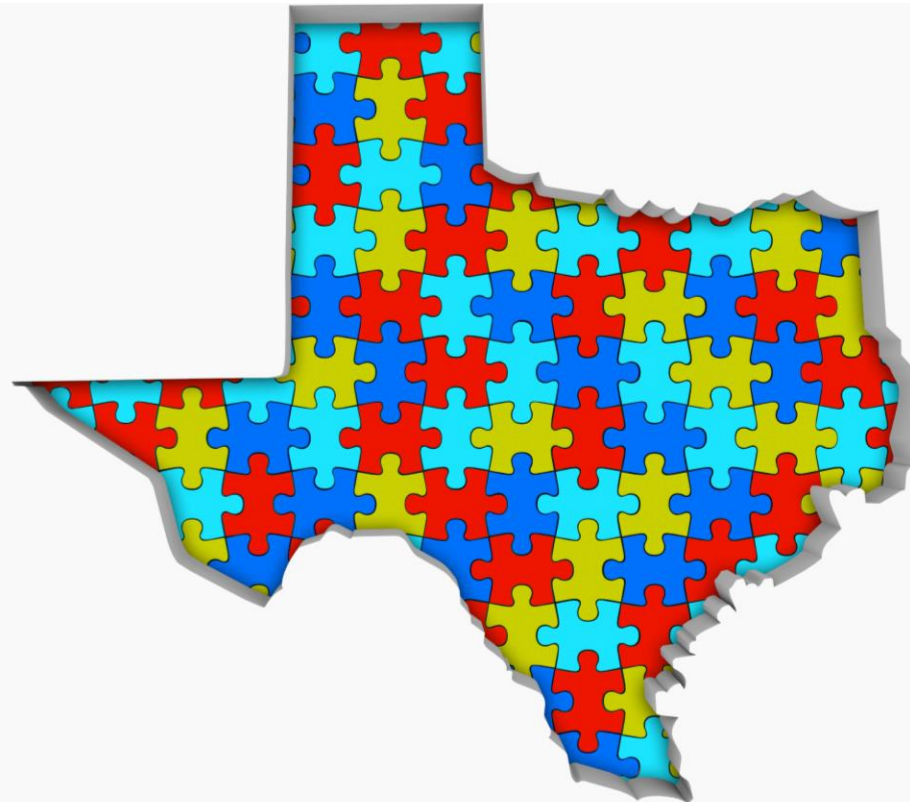


City of Wharton

Initial Training on Redistricting



Rezzin Pullum

- Municipal Attorney
- Texas Southern University
 - JD
- University of Houston
 - BS
- Member, Texas City Attorneys Assn
- Served as Presiding Judge in Harris County Elections



Agenda

- What is Redistricting?
- Why do it?
- How is it done?



What is Redistricting?

- Redistricting (aka, Reapportionment) is the process of drawing (or changing) single-member electoral district boundaries
- It is based on data from the U.S. Census Bureau
- Every 10 years the Census counts each U.S. resident and notes where they live on April 1



What is it About?

Redistricting is about math

- It's about numbers
- It's about lines on a map
- It's about demographics
- It's about streets



What is it *Really* About?

- Redistricting is about *people*
- It's about neighborhoods and communities
- It's about the representative nature of democracy
- It's about the ability to choose one of your neighbors to speak for you and act on your behalf
- It's about making sure your vote counts the same as everybody else's

Texas' 2020 Census Statistics

- Total Population: 29,145,505
- Demographics for the State:
 - White: 41.2%
 - Hispanic: 39.7%
 - Black or African American: 12.9%
 - Asian: 5.2%
 - Two or more Races: 2.1%
 - Other Race: 5.9%
 - American Indian & Alaskan Native: 1.0%
 - Native Hawaiian or Other Pacific Islander: 0.1%

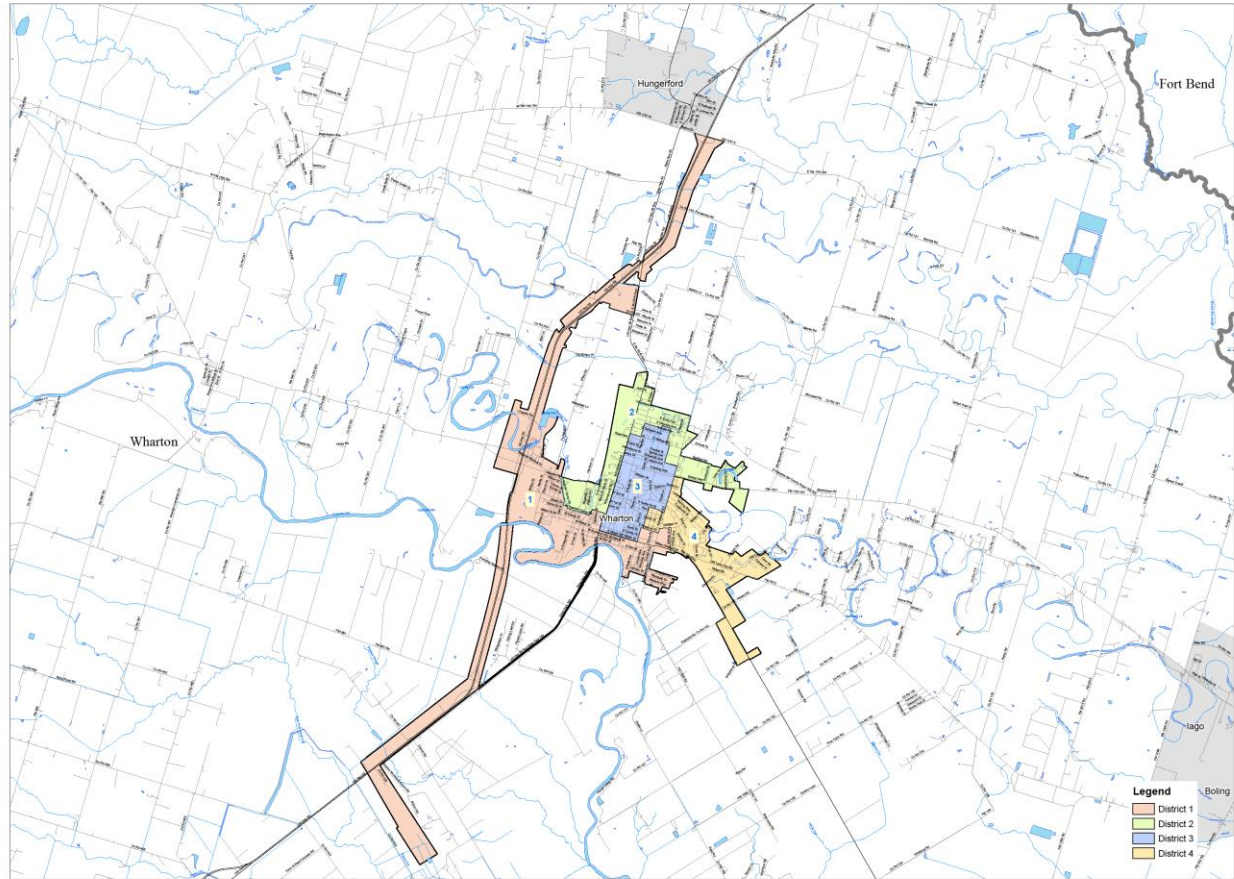


**Obtained from the US Census Bureau on September 10, 2021 at <https://www.census.gov/quickfacts/fact/table/TX/POP010220>*

Wharton Data

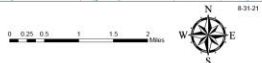
- 2010 Population: 8,832*
- 2020 Population: 8,627

* *US Census Bureau 2010*



City of Wharton, Texas
Current Voting Districts

Data Source:
2020 TIGER/LINE GEOGRAPHY
2020 CENSUS (PL 94-171) SUMMARY FILE



Wharton 2020 Demographics

- White: 28.55%
- Hispanic: 40.93%
- Black or African American: 27.50%
- Asian: 0.52%
- Two or more Races: 2.11%
- Other Race: 0.30%
- American Indian & Alaskan Native: 0.09%
- Native Hawaiian or Other Pacific Islander: 0%

- **NOTE:** Each of the above is one category, *only* (e.g., “White” means White & Non-Hispanic)

Legal Principles

There are 5 basic legal principles that govern the process:

1. One Person / One Vote
2. Section 2 of the U.S. Voting Rights Act
3. *Shaw v. Reno* line of cases
4. Texas Election Laws
5. Your Home Rule Charter



One Person / One Vote

- Derived from the US Constitution.
- Requires that members of an elected body be drawn from districts of *substantially equal population*.
- Applies to the single-member districts of “legislative” bodies such as city councils.
- Exact equality of population is not required.
- Strive for districts with a Total Maximum Deviation of 10% or less measured against the *ideal sized* district based on the 2020 census.



Section 2 of the U.S. Voting Rights Act

Threshold Test to bring §2 Challenge

- Protected minority group must be large enough and geographically compact to constitute a majority in a district
- Protected Minority group must be politically cohesive.
- White majority must typically vote as a block that defeats the choice of minority group voters

Big Question

- Whether under the Totality of the Circumstances the challenged plan gives members of the protected minority group an opportunity to participate in the political process and elect the candidates of their choice (that is equal to that enjoyed by other members of the electorate).

Key Point

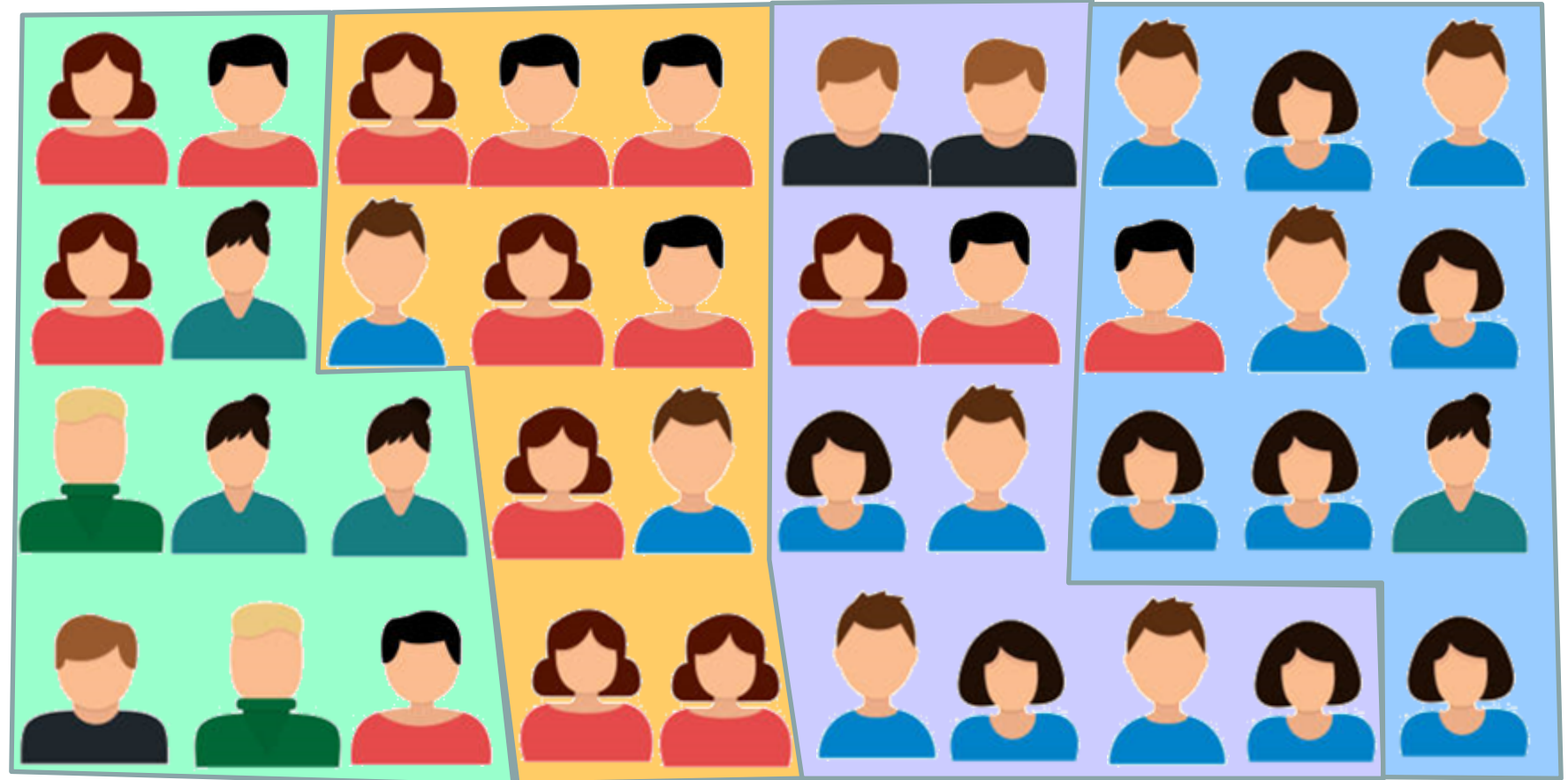
- Avoid ***Cracking*** or ***Packing***



One Option

Pop: 40
Red: 15 (38%)
Blue: 16 (40%)
Other: 9 (2%)

1. Plurality/Influence
2. Blue Majority
3. Red Majority
4. Blue Majority

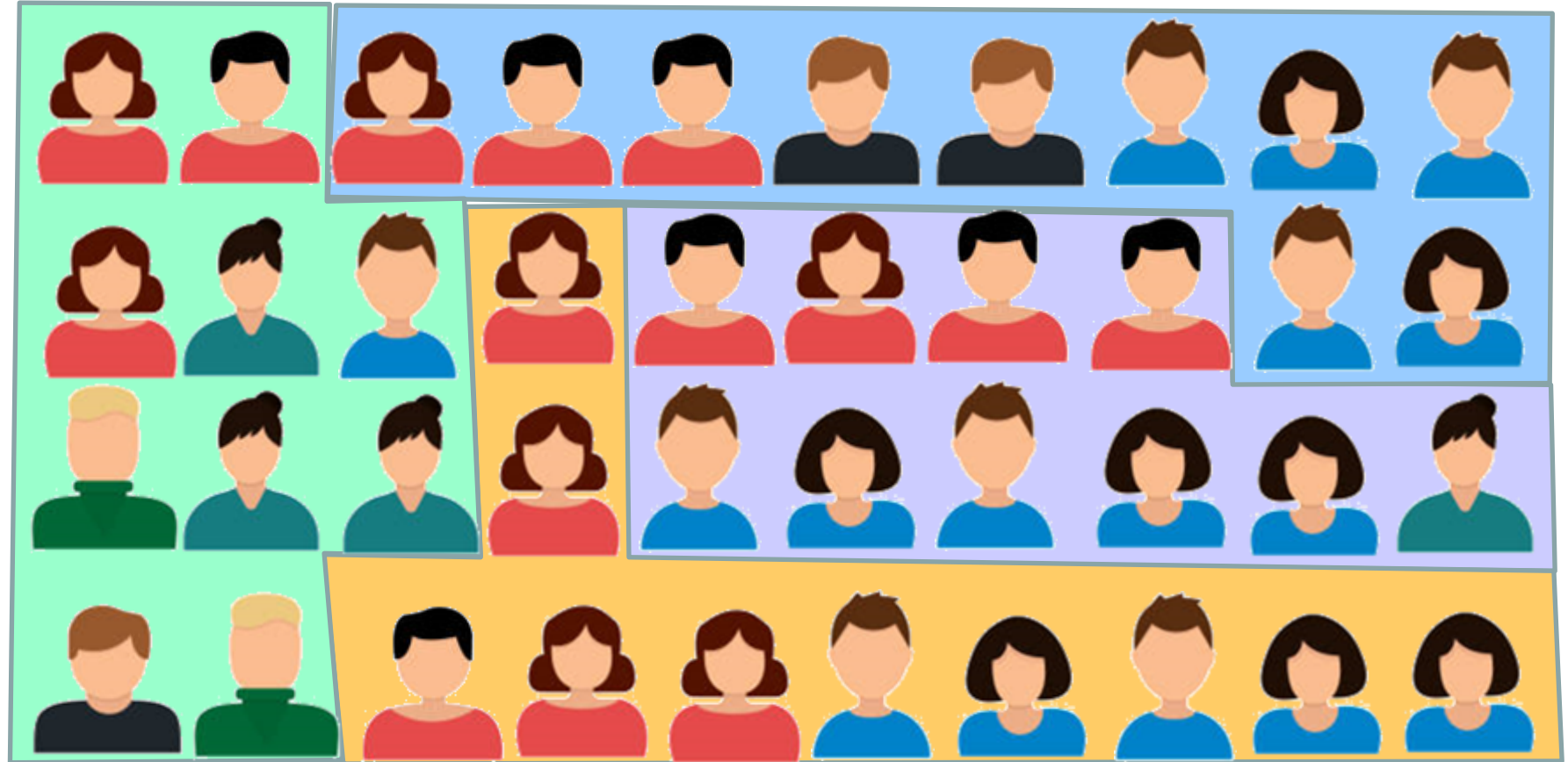


This scenario is not necessarily *ideal*, but just an *illustration* of an alternative

Cracking

Pop: 40
Red: 15 (38%)
Blue: 16 (40%)
Other: 9 (2%)

1. Plurality
2. Plurality/Influence
3. 50/50
4. Plurality/Influence



Cracking: The act of diluting the voting power across multiple districts

Packing

Pop: 40
Red: 15 (38%)
Blue: 16 (40%)
Other: 9 (2%)

1. Red Majority
2. Blue Majority
3. Plurality
4. Blue Majority

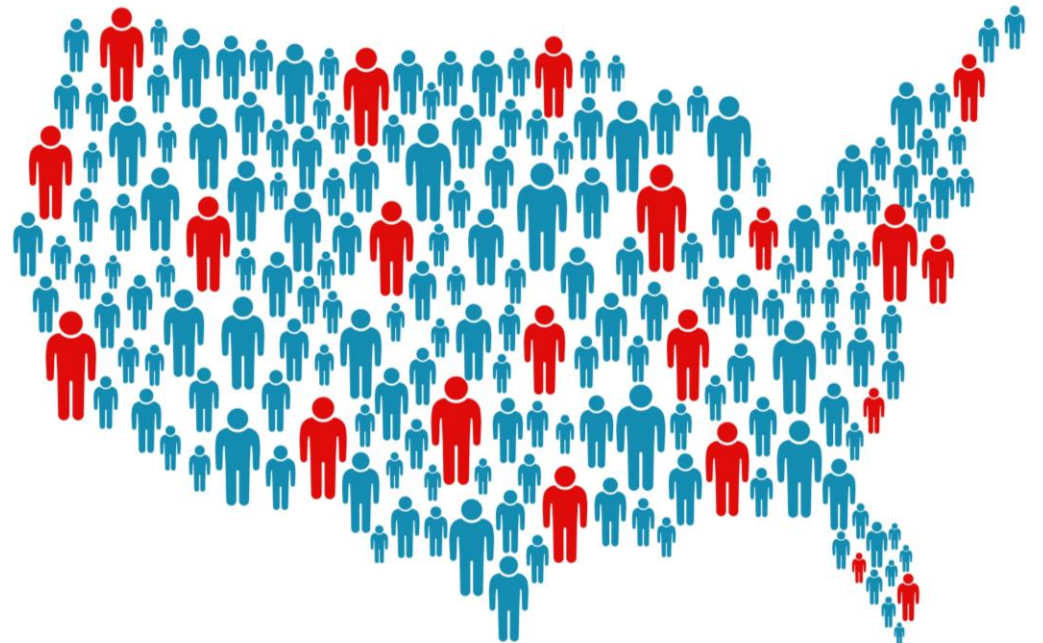


Packing: Concentrating voting power in 1 district to reduce power in other districts

Shaw v. Reno

Guiding Principals:

- Race may be considered as one factor among others
- Race may not be the predominant factor to the subordination of traditional redistricting principles
- Bizarrely shaped wards are not unconstitutional per se, but the bizarre shape may be evidence that race was the predominant consideration
- If race is the predominant consideration, a proposed plan may still be constitutional if it is “narrowly tailored” to address compelling governmental interest such as compliance with the Voting Rights Act
- If a plan is narrowly tailored, it will use race no more than is necessary to address the compelling governmental interest.



Wharton's City Charter

Art. II, Sec. 12:

The elective officers of the City shall consist of a Mayor and

6 Councilmembers,

1 Councilmember to be elected by each of the **4** single-member districts and

2 to be elected for at-large districts



The Process

- Obtain local population data
- Conduct Initial Assessment
- Establish Criteria, Guidelines, Policies & Timeline
- Compile Initial Preferences of Council & Staff
- Determine Approach to Civic Engagement
- Commence Map Drawing
- Civic Engagement
- Possible Plans:
 - Illustrative Maps are internal versions intended for informal feedback
 - Draft Maps are public versions for which public comments are solicited
 - Citizen Maps are submitted by outside parties for public comment and city consideration
- Adoption of new Plan by City Council
- Final Report to City Council



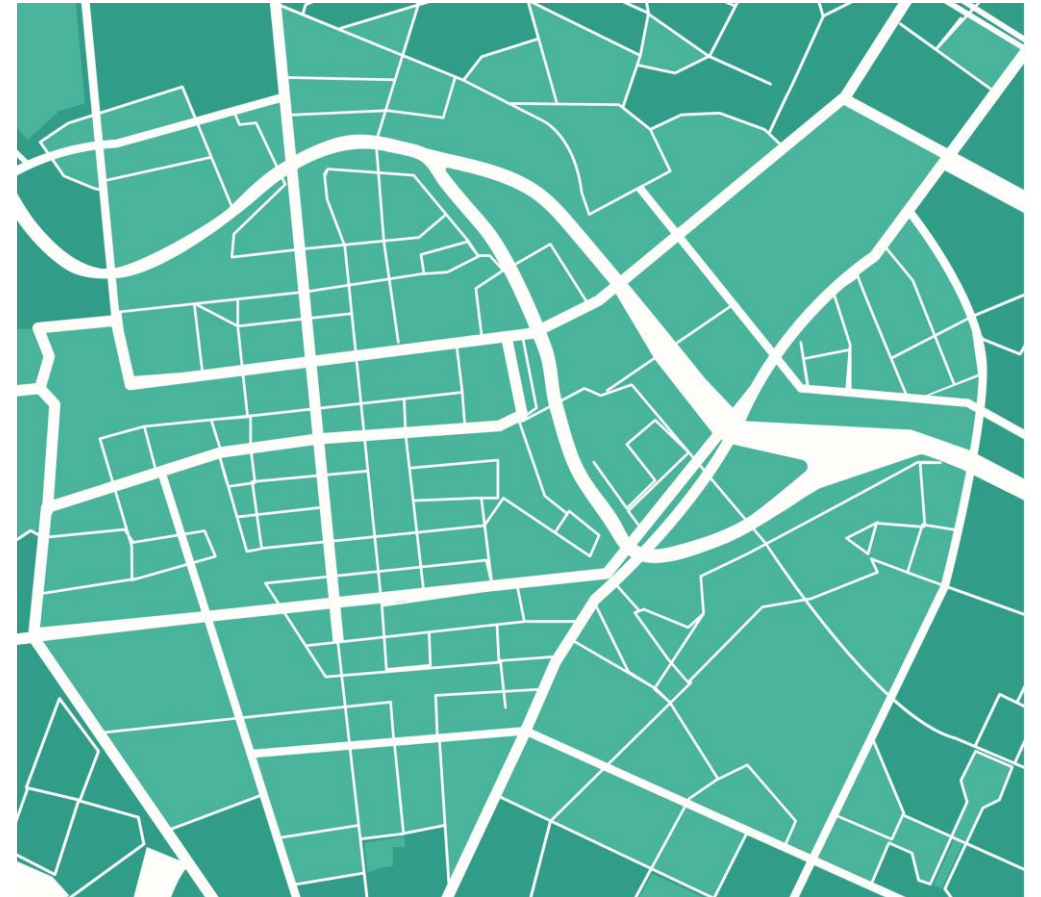
Redistricting Criteria

- Identifiable geographic boundaries should be followed.
- Communities of interest should be maintained.
- Avoid splitting neighborhoods.
- Composed of whole voting precincts (when possible / practicable).
- Configured so they are relatively equal in total population.
- Compact and composed of contiguous territory.
- Preservation of incumbent-constituency relations by recognition of the residence of incumbents.
- Not *crack* or *pack* minority voters .
- Composed of whole census block groups or blocks.
- Within acceptable Total Maximum Deviation.
- Narrowly tailor the plan to comply with the Voting Rights Act.

Guidelines for Citizen Map Submissions

Proposed Maps submitted by members of the public must:

- be submitted in writing (legible).
- show the Total Population and Voting Age Population for Blacks, Hispanics, Asians and White/Other for each proposed City Council district.
- be submitted by the established Deadlines.
- redistrict the *entire* City, not just the district they care most about.
- conform to the Criteria.



Civic Engagement

- Identify particular people or organizations who have expressed an interest
- Decide whether to form committees or citizen advisory groups
- Post Notices & Maps online and at City Hall for public viewing
- Notify the media & respond to media inquiries
- Utilize Web & Social Media
- Consider Requests, Suggestions & Input from Residents, Civic Groups, and Advocacy Groups
- Convene group or individual meetings
- Conduct Public Hearings



Timeline

- The process typically takes about 4 months (+/-)
- Variables include:
 - Number of Maps requested
 - Number of Maps submitted by Public
 - Degree of Citizen Involvement / Civic Engagement
 - Number of Public Hearings & Meetings
 - Willingness to have Special Meetings / Meet over holidays
- Possible Deadline for Completion: **January 10 (date of last scheduled council meeting)**
- First Day to File for Place on the Ballot: **January 19**
- Last Day to File for Place on the Ballot & Last Day to Order Election for May 2022: **February 18**
- Plan must be adopted more than *3 months prior* to Election Day (Texas Election Code §276.006)



Next Steps

1. Initial Assessment:

- Our evaluation of your **CURRENT** districts using **2020 DATA**
- Our recommendation on the need to go through Redistricting

2. Resolution establishing Criteria for Maps

3. Resolution enacting rules for Citizen Maps

Questions

