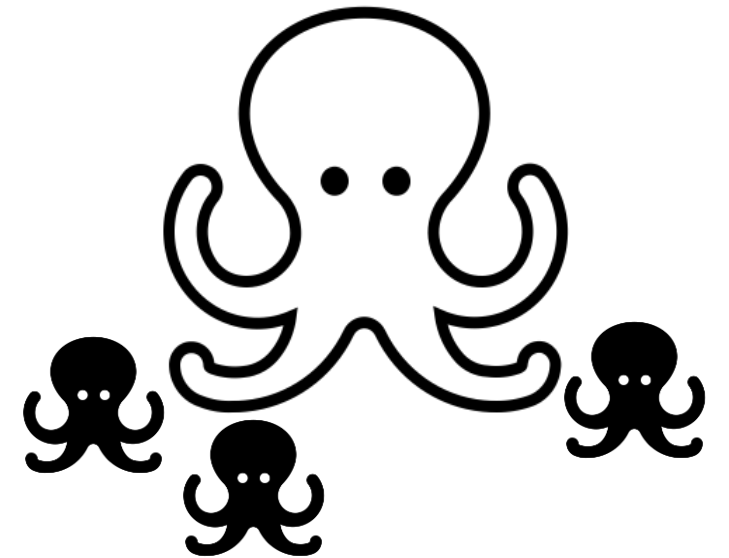




# **CATHY DUVALL & JEFF WICE**

## **REDISTRICTING & KIDS**

**Partnership for America's Children**  
**November 12, 2020**



# Redistricting – Why Important

- Representation drives **policies and access to services** in the areas of health care, education, public services, criminal justice, and other areas.
- Representation affects **resources** to communities.
- District maps determine whether communities have **equitable influence at the ballot box**.

# ***Fair Representation in Redistricting Goals***



**Goal #1:** Draw Maps that Fairly Represent People in the Community.

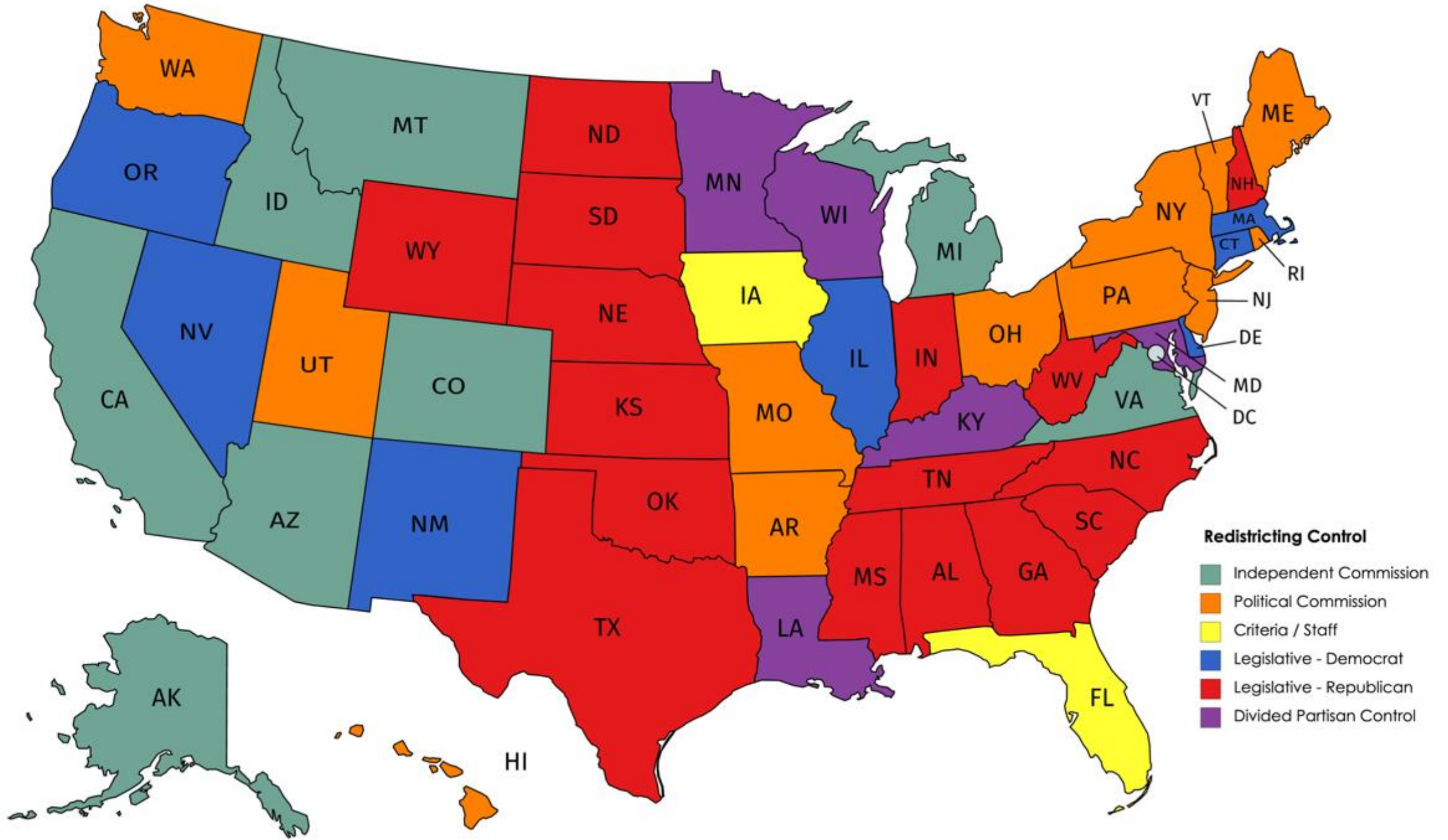
**Goal #2:** Ensure that the Map Drawing Process is Open and Transparent.

**Goal #3:** Ensure that Traditionally Underrepresented Communities Have a Voice in the Process.

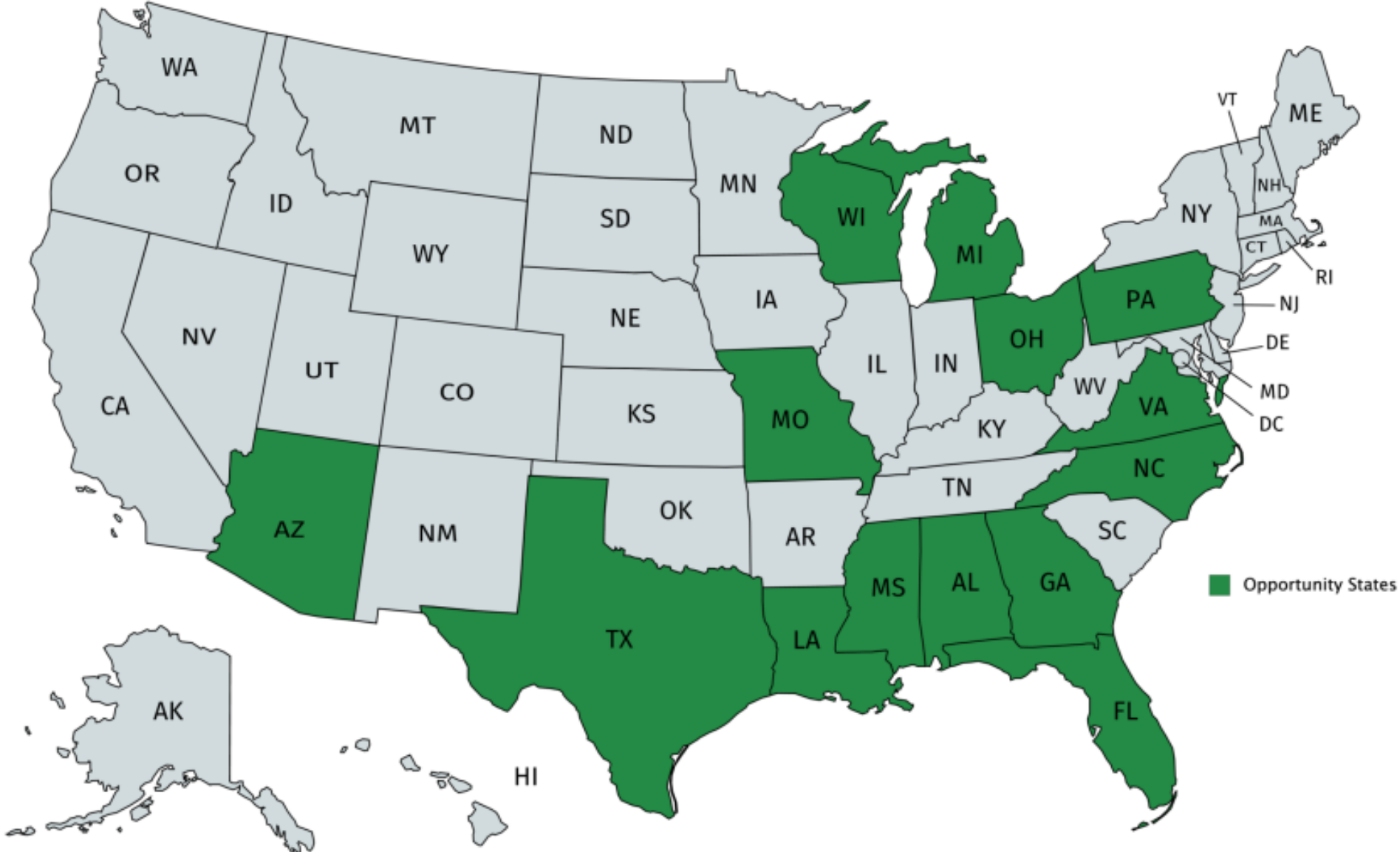


- **Focus on States.** Direct resources to community organizing in 14 priority states.
- **Use Total Population.** Address census data quality to ensure an accurate count. Counter efforts to base district maps only on eligible voters, not the total population.
- **Provide Tools and Assistance.** Help state groups with technical issues, such as how to draw district maps in a fair manner and assist them with legal guidance – all states.





# Priority States



## Reapportionment & Redistricting

- **Reapportionment**- apportioning seats in a legislative body among pre-existing political subdivisions such as states.
- **Redistricting**- the redrawing of district boundaries within a state or locality

# Who Draws The Lines?

# When Are They Drawn?

- State/ local legislative bodies or special commissions redraw district boundaries
- New legislative districts must be in place before the next election following the decennial census count.
  - Congressional lines by 2022
  - most state legislative lines by 2022
  - most local governments by 2023

If legislators or commissions fail to draw new districts, courts may step in



# How Are New District Lines Drawn?

- Generally, legislatures and commissions develop a process involving public input, hearings, comment, draft plans, and approval
- Each state or locality has its own set of rules & criteria
- State courts may review and stop partisan gerrymandering
- Federal Law applies nationwide:
  - "One Person/One Vote" population equality  
(zero deviation/congressional/up to 10% all others)
  - Voting Rights Act- protects racial & language minorities
  - 14<sup>th</sup> Amendment- prevents racial gerrymandering

# How To Get Involved

- Learn your state's laws and rules
- Find out who draws the lines
- Determine when the lines are drawn and deadlines
- Start talking to people about redistricting and promote educational forums and events to explain the process to the public
- Contact the decision-making legislators, commissioners and staff
- Stay on top of the process and testify, write, get your views heard

# National Timeline

- December 31, 2020- Commerce Department send state population totals and congressional district allocations to the President
- By January 10, 2021- President sends the state population totals to the House of Representatives
- By January 25, 2021- Clerk of the House of Representatives sends population totals and district allocation to states
- But..... Will the President try to adjust the data?  
Will the data be late?  
Will the House accept the data or challenge it?

# The States Timeline

- By April 1, 2021- Census Bureau sends detailed block data by race, age, ethnicity and household numbers to the states
- States can then begin the actual redistricting process
- Will states be challenged for attempting to use census data that could be incomplete or inaccurate?
- States and localities must have new plans in place before the next election cycle gets underway

# The Unprecedented

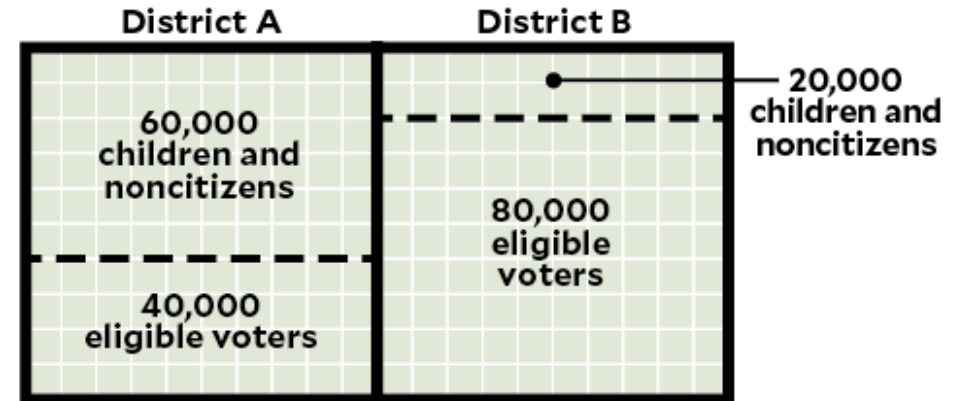
- The President may try to subtract certain numbers from the state population totals for congressional redistricting
- November 30, 2020-The Supreme Court hears an appeal to a court decision invalidating the President's July memo to exclude undocumented immigrants from the state population counts
- Will Congress or the courts extend the apportionment deadline?

***Evenwel  
v. Abbott,***  
US  
Supreme  
Court  
2016

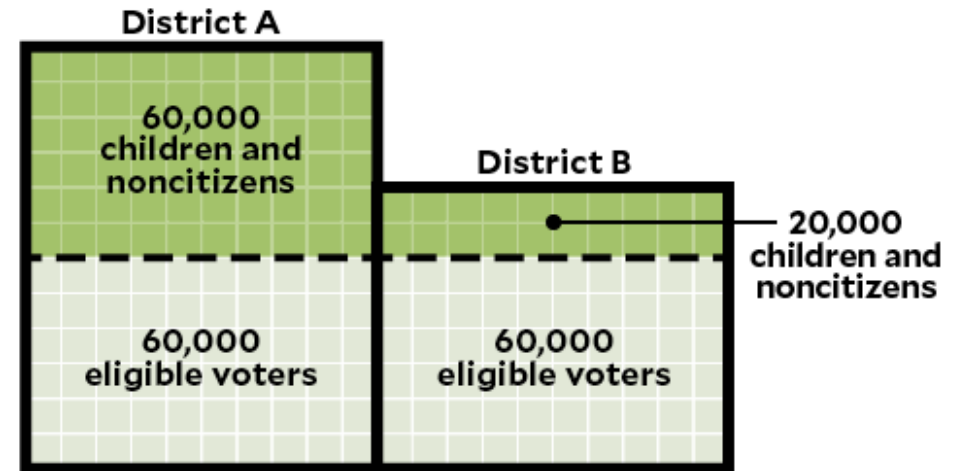
- Unanimous 8-0 decision, Court ruled that states **may** count all residents in drawing up their election districts.
- Concurring Opinion (Alito)  
*“Whether a State is permitted to use some measure other than total population is an important and sensitive question that we can consider if and when we have before us a state that...uses something other than total population as the basis for equalizing the size of districts.”*

# Total Count vs Citizen Voting Age Population

**Current system:**  
All districts have the same total population and get one legislator.



**Under the new system:** Districts A and B would have to be redrawn. District A's total population would be 50% larger than B's, but each still would get one legislator.



Counted for apportionment    Not counted





**21%**  
of white  
Missourians  
are kids and  
noncitizens



**28%**  
of Black  
Missourians  
are kids and  
noncitizens



**54%**  
of Latinx  
Missourians  
are kids and  
noncitizens



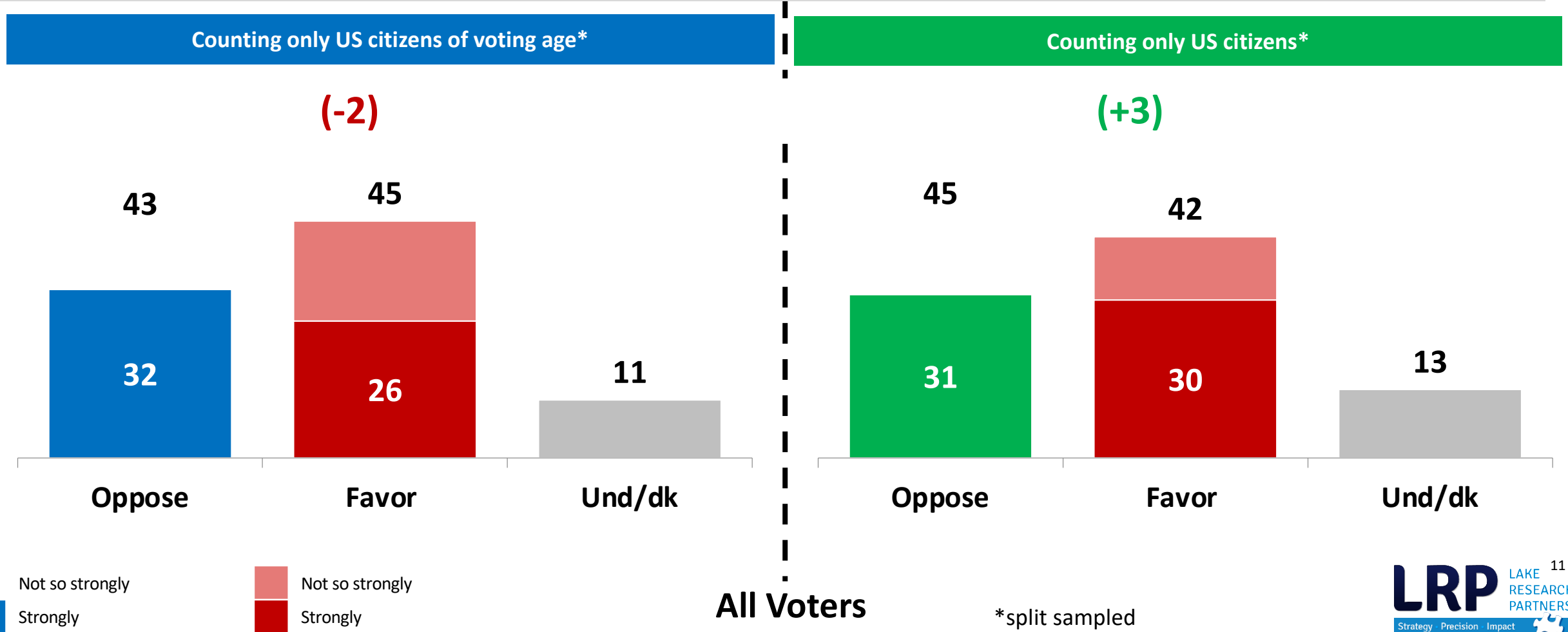
**54%**  
of Asian American  
Missourians  
are kids and  
noncitizens

## Missouri Amendment 3



# The electorate is closely divided on the question of who should be counted for redistricting whether we say count only US citizens or US citizens of voting age.

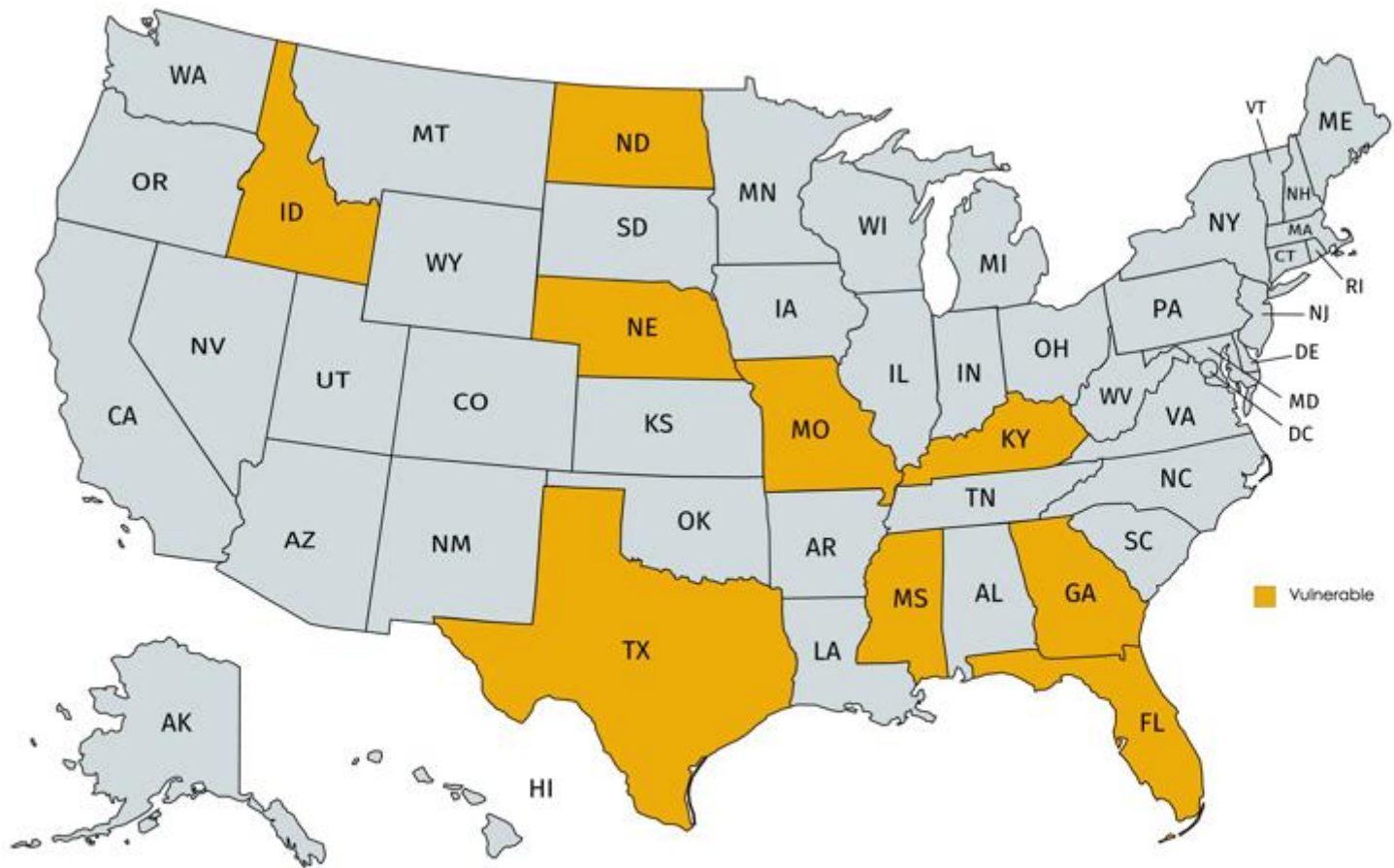
Districts are currently divided by the total population. What do you think about a change that says instead of using total population data, state legislative districts would be drawn counting only the total number of U.S. citizens [of voting age]? Do you favor or oppose this proposal, or are you not sure?



# KEY MESSAGING

**[TOGETHER]** The population numbers for legislative districts are crucial for our entire community. Representation determines how many road repair projects are funded, how much affordable housing gets built, and how many fire trucks each town gets. When our neighbors aren't represented and included in all counts, our entire community loses out. We should use total population numbers to ensure that we get our fair share of resources.\*





# *Evenwel 2.0*

# Redistricting & Children

- Within New York City, one Brooklyn state senate district has a much larger proportion of children (approximately 30% of its total population) than one Manhattan senate district (approximately 9% of its total population) because the Brooklyn district is more residential and home to religious communities that often have many children.
- In Alaska, rural legislative districts often have substantially higher percentages of children than most urban districts—e.g., the population in two rural house districts is approximately 37% children compared with less than 20% in several urban districts—because the Native Alaskan communities living in rural districts often have large families and experience an exodus of voting-age adults moving to cities for educational and employment opportunities.

# Redistricting & Children

- In California, immigrant populations are more concentrated in certain parts of the State, such as Los Angeles and the Central Valley, and the number of U.S. citizens can be as much as 40% higher in some districts than others

# CAP Report

- In North Carolina, voters support expanding pre-K, expanding Medicaid, and raising teacher pay, but the gerrymandered legislature has continually pared back or opposed such policies.
- In Michigan, Democratic Gov. Gretchen Whitmer proposed a budget that would have added \$84 million for preschool for 4-year-olds from low- and middle-income families. But the gerrymandered legislature ultimately increased funding by only \$5 million—less than 6 percent of the governor’s request.
- In Pennsylvania, despite support from voters, the gerrymandered legislature resisted calls to provide greater services to Pennsylvania children in the form of pre-K and childcare funding. The legislature also limited Democratic Gov. Tom Wolf’s efforts to address the huge disparities between Pennsylvania’s high-income and low-income school districts.
- Wisconsin Republican leaders continued to ignore calls to strengthen state programs targeting kids. Gov. Tony Evers (D) proposed fully funding full-day kindergarten for 4-year-olds and expanding access to some 3-year-olds, but the legislature rejected the proposal.

# State Anchor Groups

## ALABAMA

- The Ordinary People Society
- Alabama Coalition for Black Civic Participation
- Hometown Organizing Project

## GEORGIA

- Pro Georgia
- AAAJ-Atlanta
- GALEO
- Georgia Coalition for the People's Agenda
- Latino Community Fund – Georgia

## LOUISIANA

- POWER Coalition

## MICHIGAN

- Count MI Vote Education Fund
- Michigan Civic Engagement Fund
- Michigan Nonprofit Association

## MISSISSIPPI

- Southern Echo

## MISSOURI

- Missouri Organizing and Voter Engagement Collaborative

## NORTH CAROLINA

- Blueprint NC

## PENNSYLVANIA

- Pennsylvania Voice
- CASA
- Make the Road PA
- One Pennsylvania
- Common Cause PA

## TEXAS

- Texas Civil Rights Project
- MOVE Texas
- Texas Freedom Network
- Houston in Action



**Stay In  
Touch**

Jeff Wice

Adjunct Professor/Senior Fellow

New York Law School

[Jeffrey.wice@nyls.edu](mailto:Jeffrey.wice@nyls.edu)



Cathy Duvall

ckduvall@gmail.com

