

Communities of Interest in Redistricting

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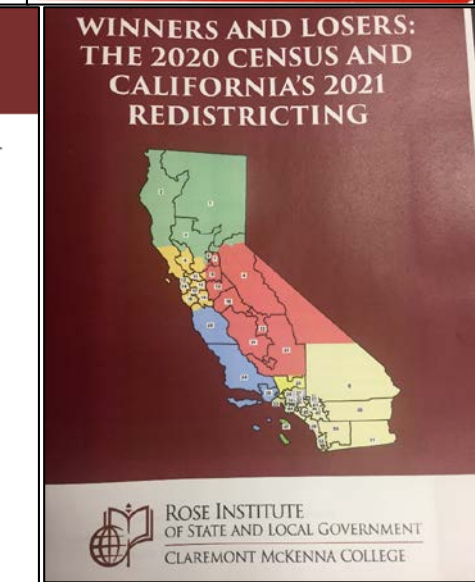
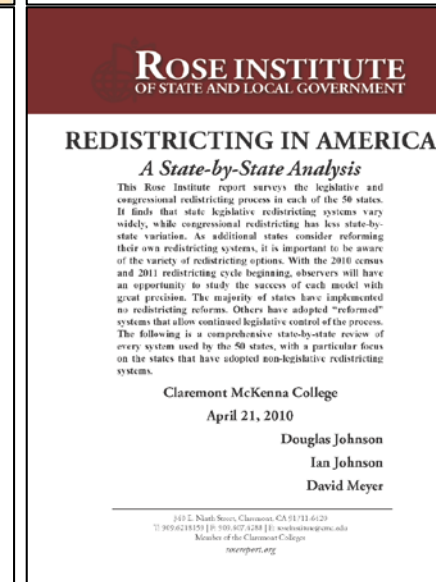
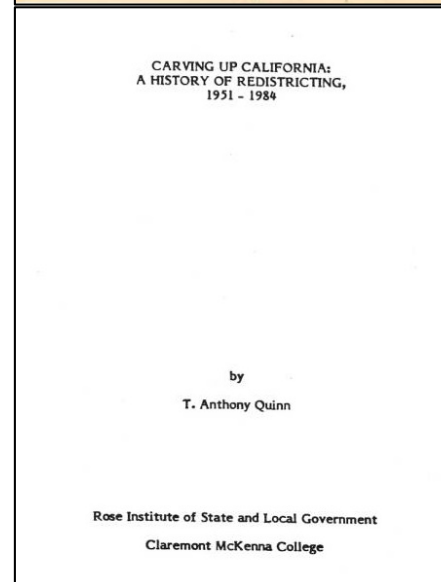
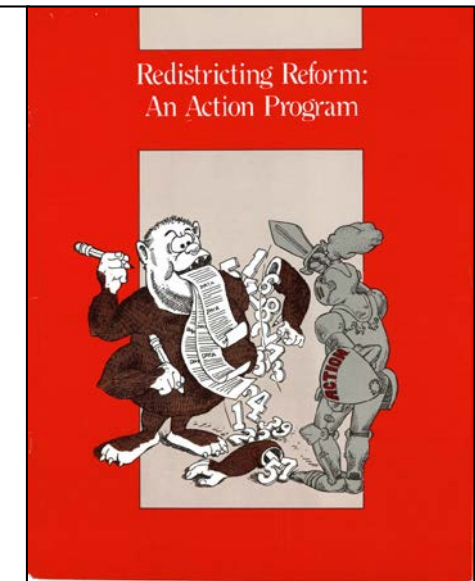
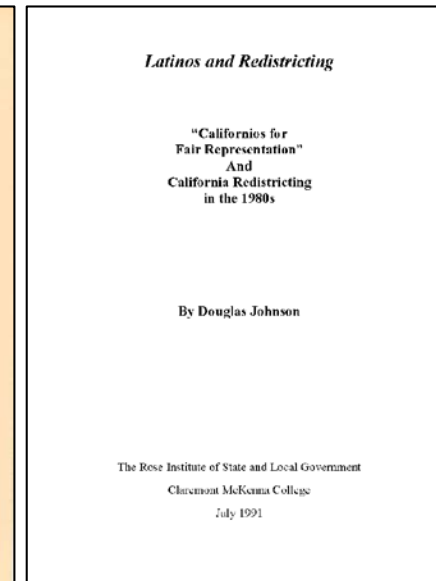
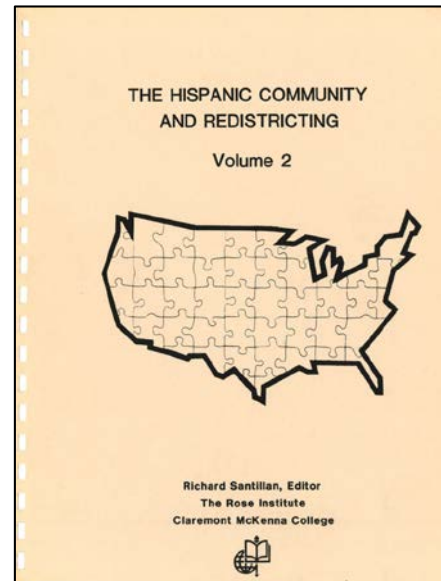
Part 1: Introduction

Prime Focus of Public Input

- In 2011, to save time, the phrase “Community of Interest” was abbreviated to “COI”
 - Pronounced “coy,” one reporter commented that the phrase was used so often it sounded like they were discussing buying fish

Rose Institute History

- Undergraduate Student-Led Research
- Founded in 1973 with a focus on redistricting reform
 - Trailblazer in the use of computer technology for redistricting
- Over time, expanded into other elements of state and local government
 - Fiscal Analysis
 - Inland Empire Center
 - Southern California Almanac
 - Video Voter on California Ballot Measures
 - Miller-Rose Institute Initiative Database
 - Rose Institute Award for Excellence in Public Service



Institute History and Communities of Interest

- 1980 Proposition 6 passed
- But Proposition 6 did not work:
 - 1981 redistricting was the most partisan in history at the time
 - Only redistricting ever overturned via voter referendum (Assembly, State Senate and Congress)
- Lesson Learned from the Referendum:
 - Voter rejection of the maps does not help if voters do not also change who then gets to redraw the maps

Text of 1980 Proposition 6 (Voter-Approved)

SECTION 1. In the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, the Legislature shall adjust the boundary lines of the Senatorial, Assembly, Congressional, and Board of Equalization districts in conformance with the following standards:

(a) Each member of the Senate, Assembly, Congress, and the Board of Equalization shall be elected from a single-member district.

(h) The population of all districts of a particular type shall be reasonably equal.

(c) Every district shall be contiguous.

(d) Districts of each type shall be numbered consecutively commencing at the northern boundary of the state and ending at the southern boundary.

(e) **The geographical integrity of any city, county, or city and county, or of any geographical region shall be respected** to the extent possible without violating the requirements of any other subdivision of this section.



More Efforts at Community-Focused Reform

- 1982 Proposition 14
 - No common county boundary to be crossed more than once.
 - Minimized division of cities, counties, and regions
- 1984 Proposition 39
 - Rose Institute leaders again joined ‘good government’ groups to sponsor
 - No crossing county boundaries more than once.
- 1990 Propositions 118 and 119
 - Minimize county and city splits

“Describing the notion of community is a stubborn problem This cohesiveness may arise from numerous sources, . . . that include geography, . . . history, tradition, religion, race, ethnicity, economics, and every other conceivable combination of chance, circumstance, time, and place, . . . In any event, a community is based finally and unappealably on the society and consent of its members, both of which are known best by the community ‘s members, A community is exactly what a community believes itself to be.”

- *Scott v. DOJ*, 229 F. Supp. 310 (M.D. Fla. 1996))

1973 and 1991 Court-Drawn, Region-Based, maps

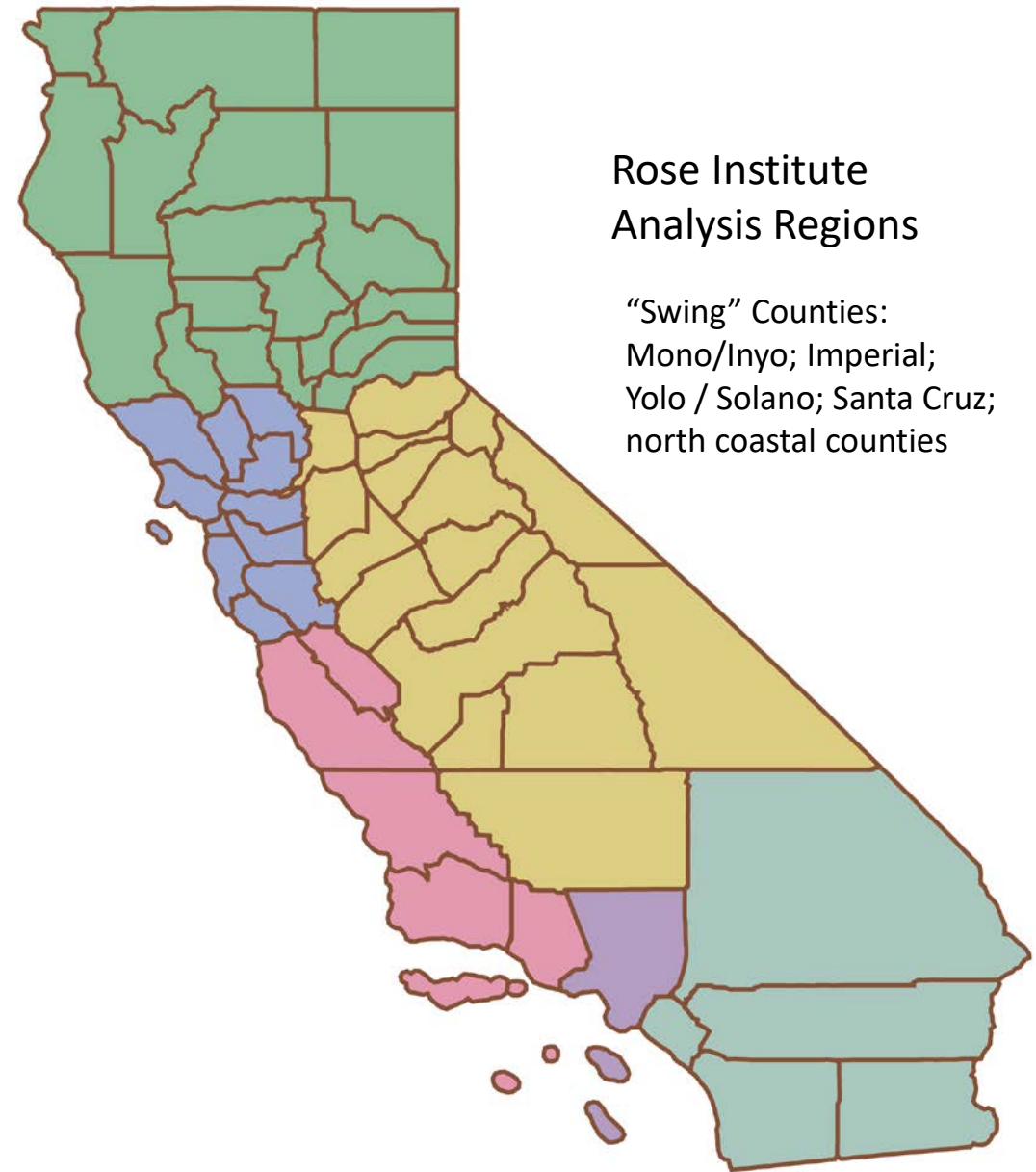
“Our first step, for both congressional and state legislative districts, was to divide the state into three major geographic regions. The first division was between Northern and Southern California. Our second division was between a Coastal and an Interior region in Northern California.

For both congressional and legislative districts the precise division chosen was designed to produce a whole number of congressional or Senate districts. The division between Northern and Southern California for congress was possible using whole counties. By including Kern County in Northern California and Inyo and San Luis Obispo counties in Southern California, it was possible to assign precisely 21 congressional districts to Northern California and 31 to Southern California.

The division for legislative districts was similar. However, because the population required for 16 Senate districts was slightly less than that required for 21 congressional districts, Kern County was divided by a line through the Tehachapis.

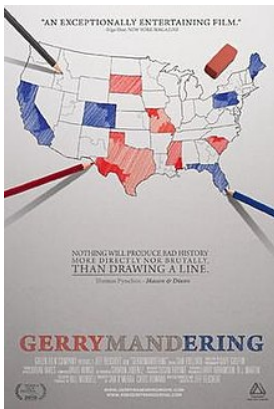
With the exception of Solano County the division of the coastal and interior regions of Northern California was done along county lines which follow the coastal mountain ranges. Without part of Solano County, the other coastal counties do not have quite enough population to form twelve congressional districts or nine Senate districts. Thus, Solano County, which geographically is partly in the coastal region and partly in the interior, was divided to obtain the requisite population.”

Report of the 1991 Special Master, Professor Paul McKaskle



Success: 2008 Prop. 11 and 2010 Prop. 20

- Huge 2008 coalition organized by Kathay Feng as Executive Director of Common Cause
- Rose Institute provided extensive advice and research support to the Proposition 11 Coalition
- 2010 Proposition 20 added Congressional redistricting to the Commission's responsibilities
- Proposition 11 squeaked by, then Proposition 20 passed overwhelmingly



California Constitution, Article XXI, Sec. 2(d)(4)

The geographic integrity of any city, county, city and county, local neighborhood, or local community of interest shall be respected in a manner that minimizes their division to the extent possible without violating the requirements of any of the preceding subdivisions.

A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.

Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process.

Communities of interest shall not include relationships with political parties, incumbents, or political candidates.



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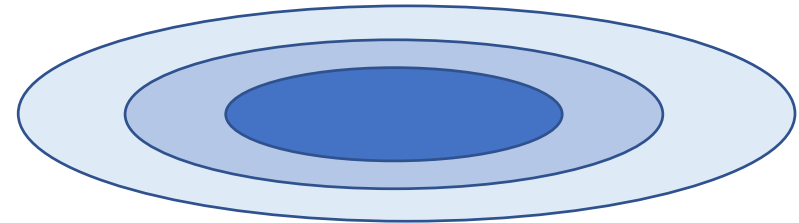
Part 2: Definitions

Defining a Community of Interest

Can be defined by:

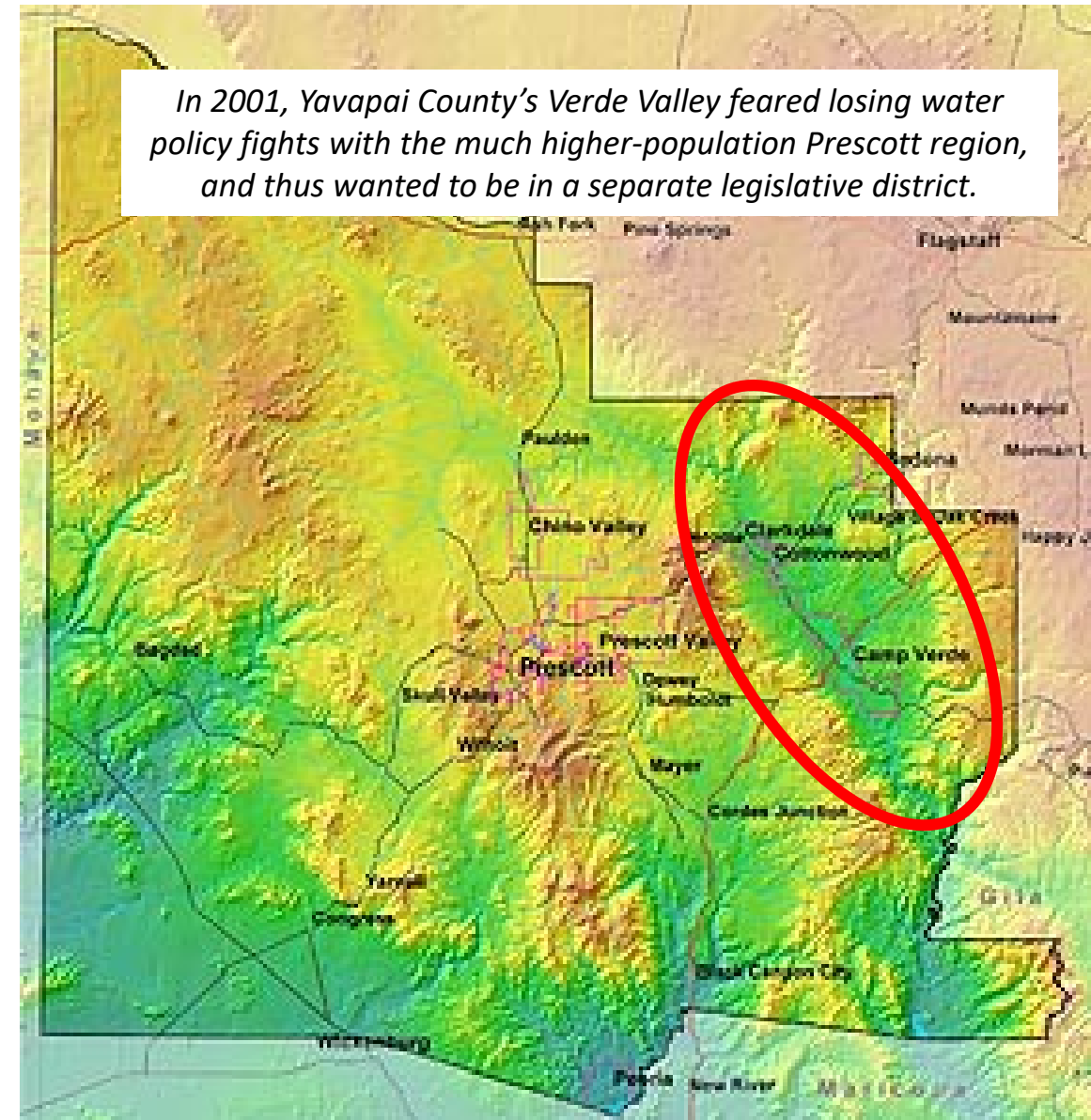
- Legal or other official boundaries
 - Counties, cities, school districts
 - Officially recognized regions and neighborhoods
- Data
 - Socio-Economic data
- Testimony
 - Resident opinions on the connections that make up their community

- LA Times “Mapping LA” Project
 - <http://maps.latimes.com/neighborhoods/>
 - <http://maps.latimes.com/neighborhoods/version-one/>
 - Highlighted how neighbors disagree about their community’s boundaries
 - Early versions highlighted what area 95, 80 and 50 percent of residents agreed were in their neighborhood:



Definitions Can Vary

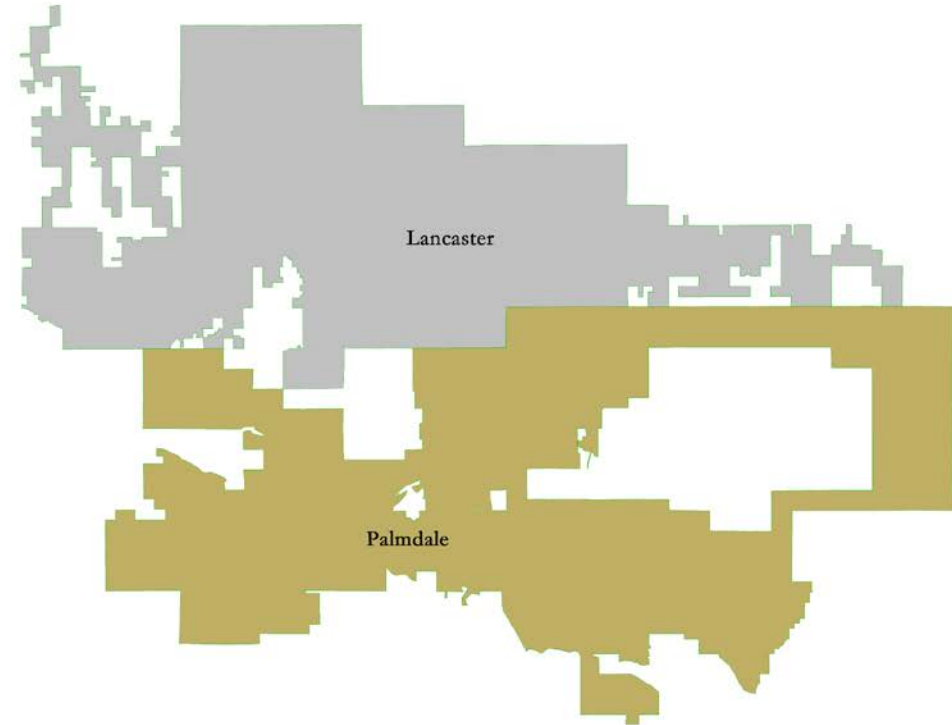
- A community defined by an issue may not be equally applicable at all levels of government
- Examples:
 - Arizona water rules are set by the Legislature, so watersheds tend to be Legislative “communities of interest,” but not Congressional
 - Tribal Government issues tend to be the reverse
 - Individual school attendance zones matter a lot for school board redistricting, but are not as significant for county, state or congressional redistricting



Communities in Unincorporated Areas (1 of 3)

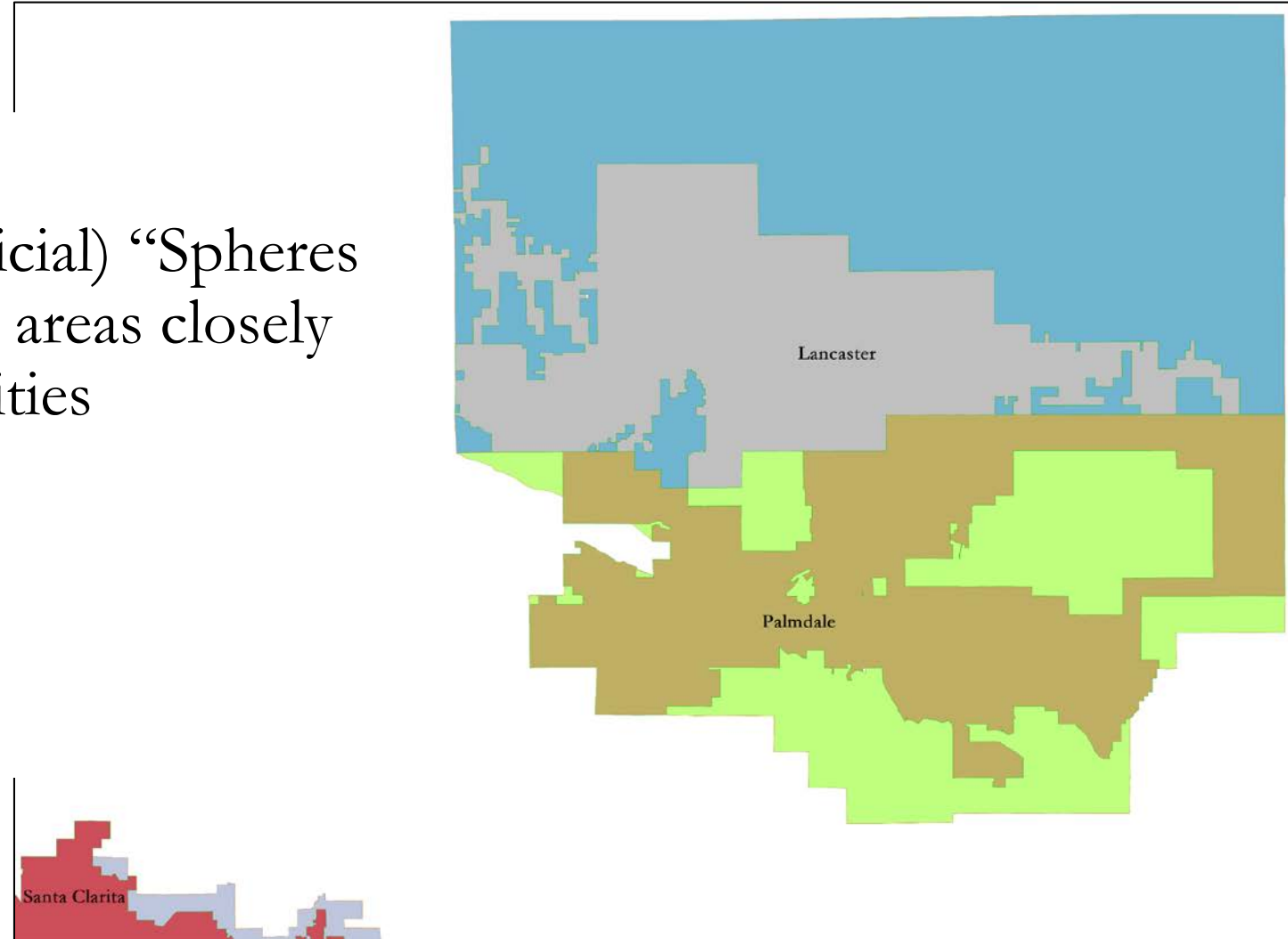
Unincorporated populated areas pose a challenge for defining “communities”

Be creative in using existing data on communities:



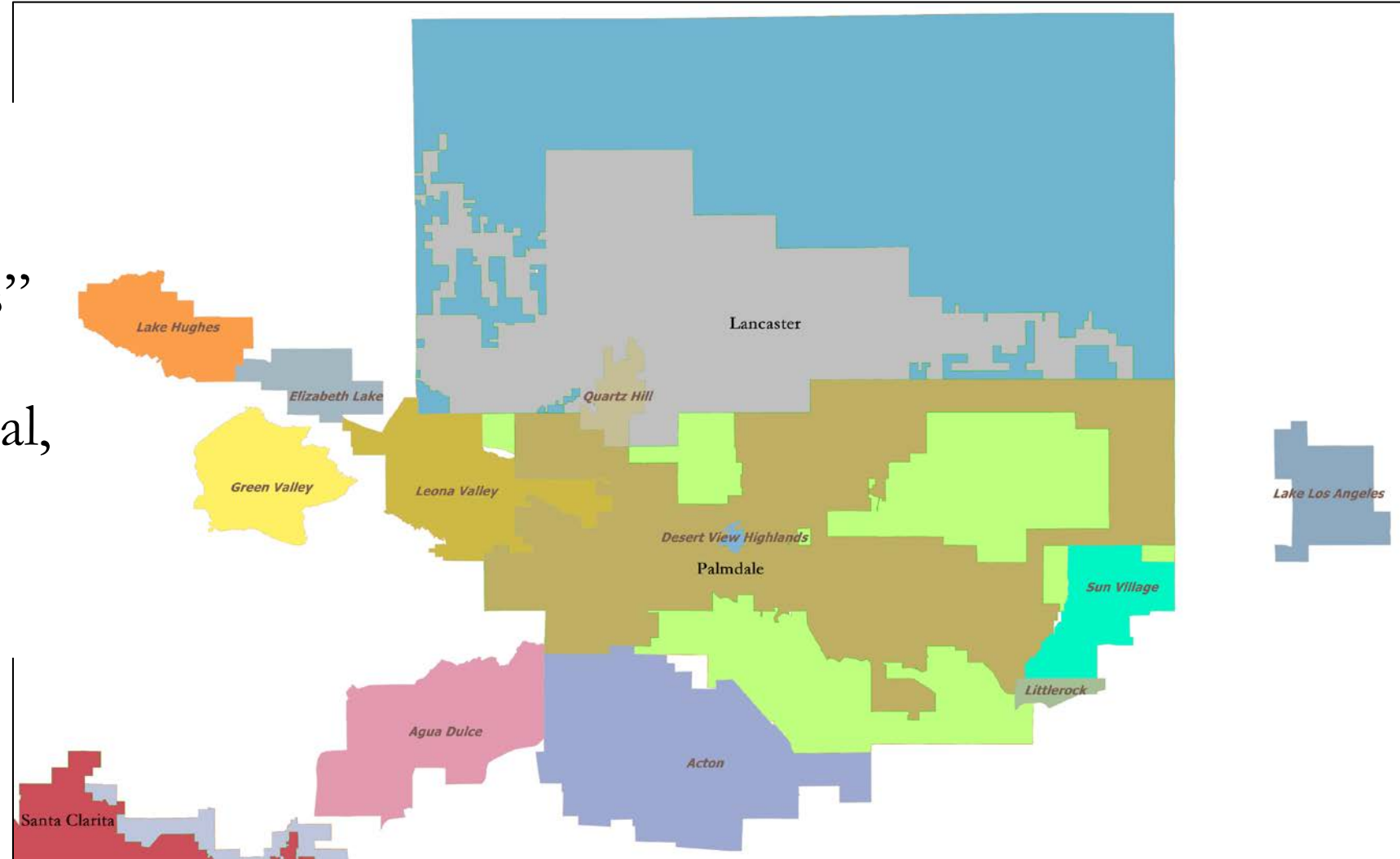
Communities in Unincorporated Areas (2 of 3)

LAFCO-defined (Official) “Spheres of Influence” identify areas closely tied to incorporated cities



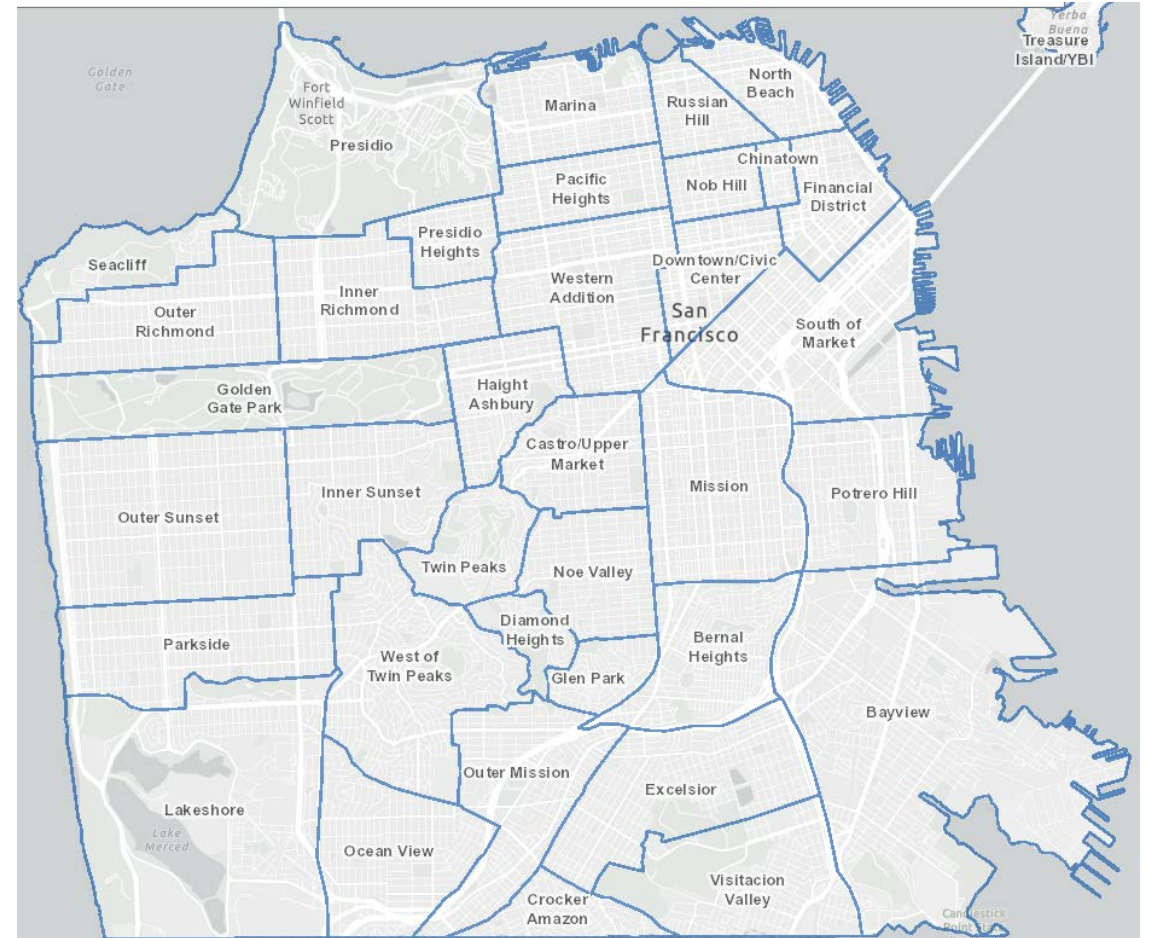
Communities in Unincorporated Areas (3 of 3)

Census Bureau-identified “Census Designated Places” (CDPs) attempt to identify unincorporated, if unofficial, neighborhoods



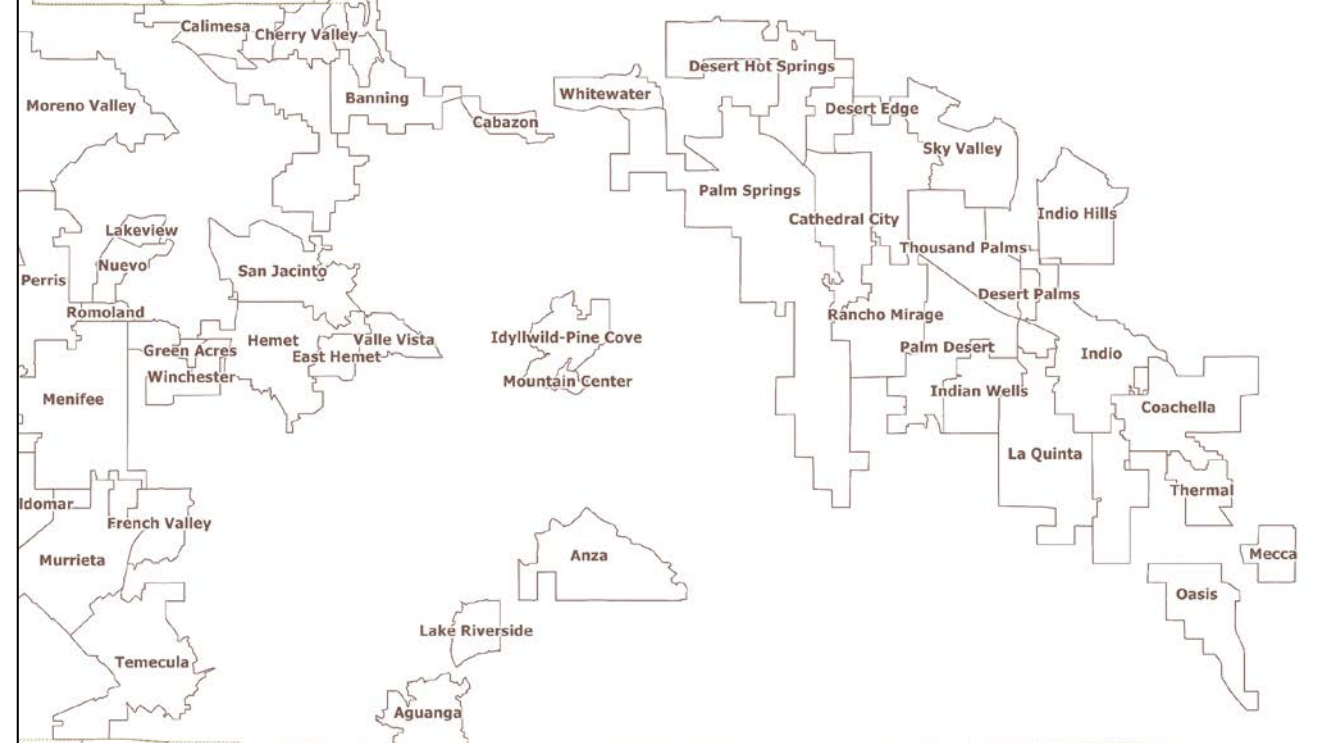
Communities in Big Cities

- Some cities are so big they have to be divided among districts
- Most big cities have officially recognized neighborhoods
- The LA Times data, Nextdoor, Zillow and other sources provide unofficial neighborhood boundaries covering urban areas



Geographic Barriers

- Simple GIS maps can distort reality
- In GIS, Hemet, Idyllwild and Palm Springs look close together (top map)
- But a topographical map reveals the mountains that divide and define them (bottom map)

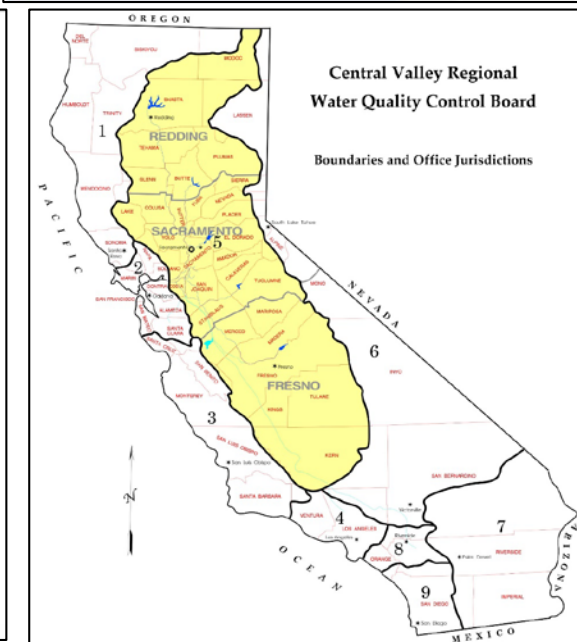


Geographic Region Challenges

Example: California's Central Valley

- One Region?
- Two Regions?
- More?
- Defined by County? By Watershed?

Definition depends on geography, but also on the purpose of the discussion, the speaker's opinions, and the opinions of others.

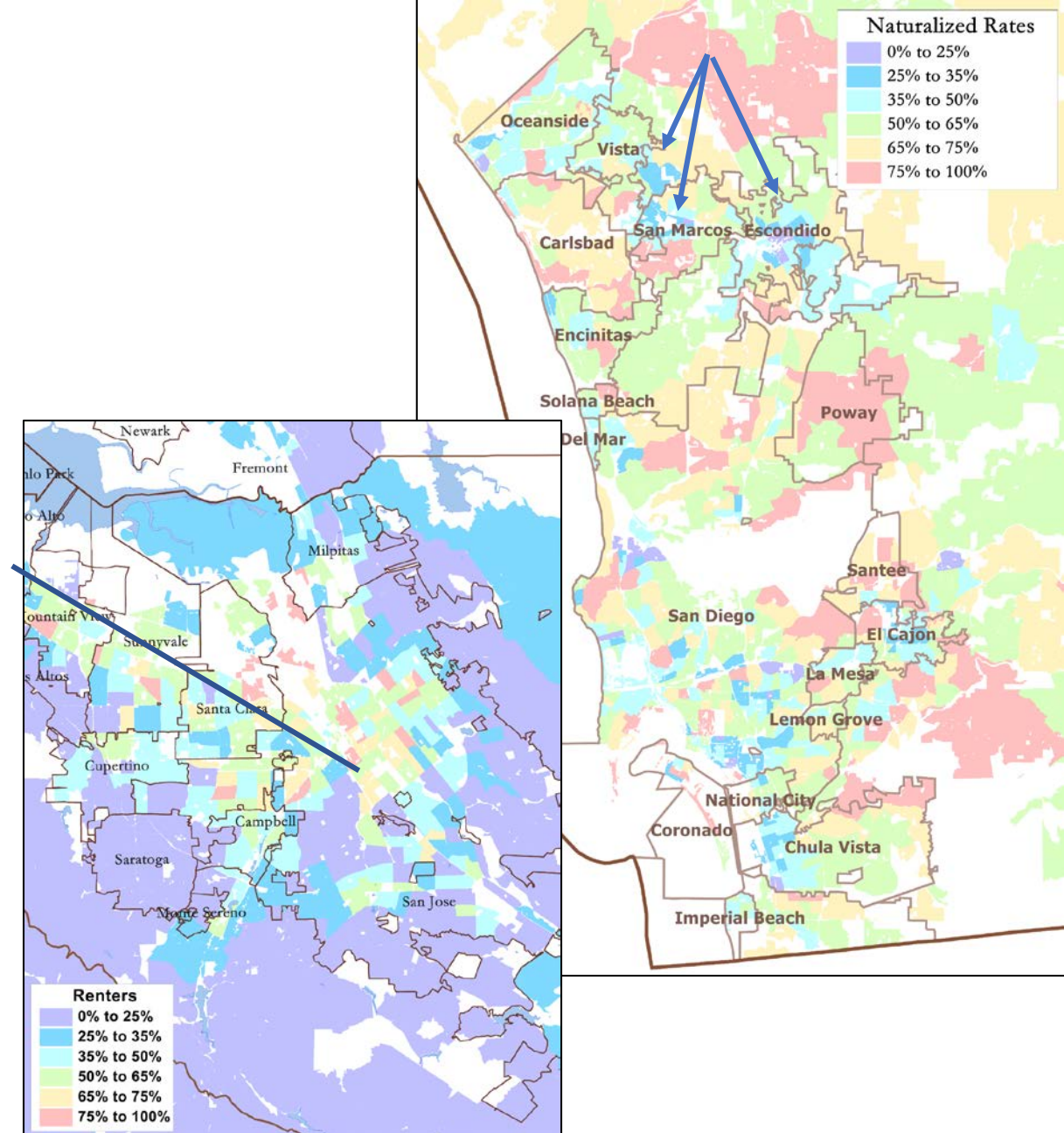


Data-Based Communities

Race and Ethnicity data get a lot of attention and are used for analysis and mapping under Section 2 of the Federal Voting Rights Act

But lots of other data can also define communities beyond just the VRA driven analysis

- Renters
- Language Spoken at Home
- Senior Communities
- Income or Education differences
- Naturalization rates among heavily-immigrant communities
 - Blue arrows in the top map indicate similarly low-naturalization rates in nearby, but separate, cities
 - Blue line in the bottom map highlights concentration of renters along the 101 Freeway in Santa Clara County



Counting “Splits”

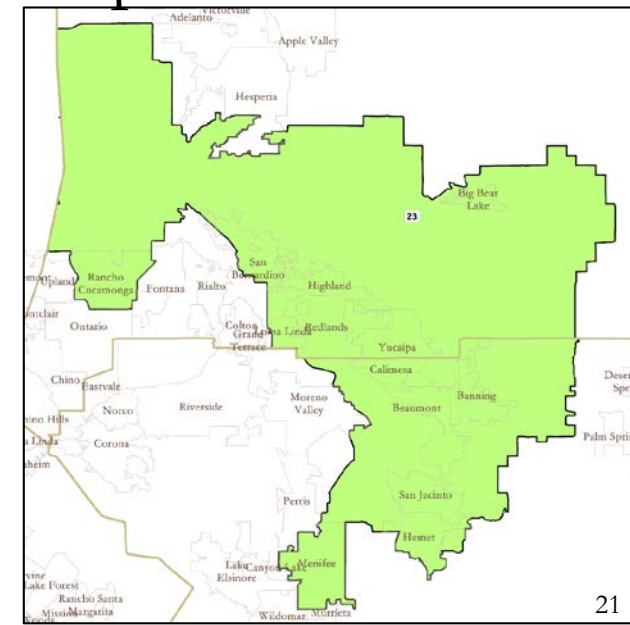
- No division is better than a split
- But only one split is better than two, and two is better than three
 - Do not forget to minimize splits even where at least one split is required

Idea: Score maps like golf:

- Each unnecessary city, neighborhood or community of interest split counts as two points
- Each additional split after the first split of a city/community counts as one point
- Lowest score is preferred
 - After confirming population balance, Voting Rights Act compliance, etc.
 - Subject to legitimate public feedback
- Creates an incentive to minimize # of communities split, then to minimize the splits of split communities

Summary

- The Constitution defines 4 geographic areas that must be kept intact to the extent possible:
 - Cities
 - Counties
 - “Local Neighborhood”
 - “Local Community of Interest”
- Cities and Counties are legally defined
- “Neighborhood” is often officially designated
- Commission must define “local” and decide what meets the definition of “community of interest”
- Areas with competing community ties are important sources of flexibility needed to finish your maps

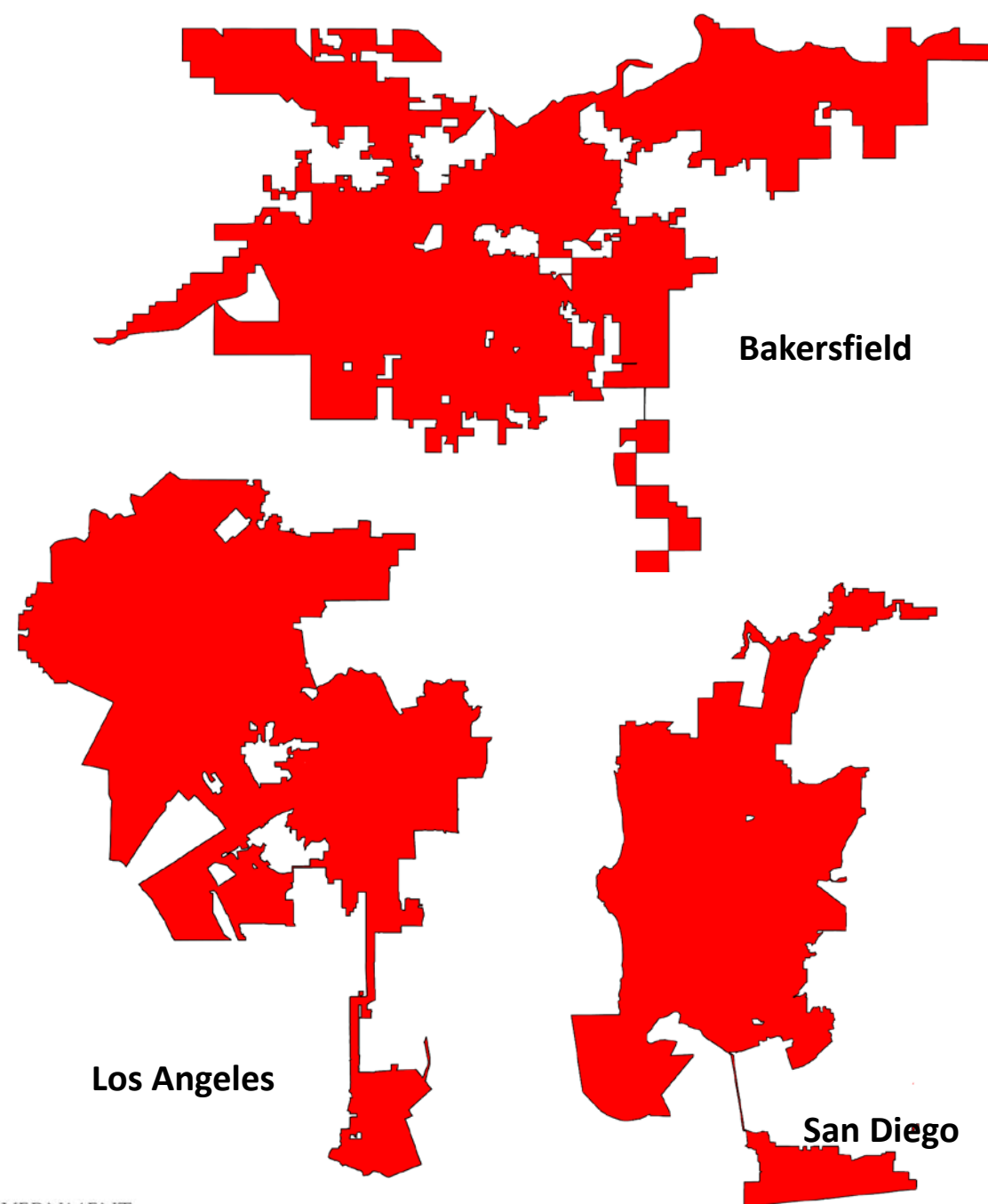


Part 3: Tough Decisions

Odd-Shaped Communities

Looks aren't everything:
Avoid temptation to prioritize
“pretty” maps over effective or
representative districts.

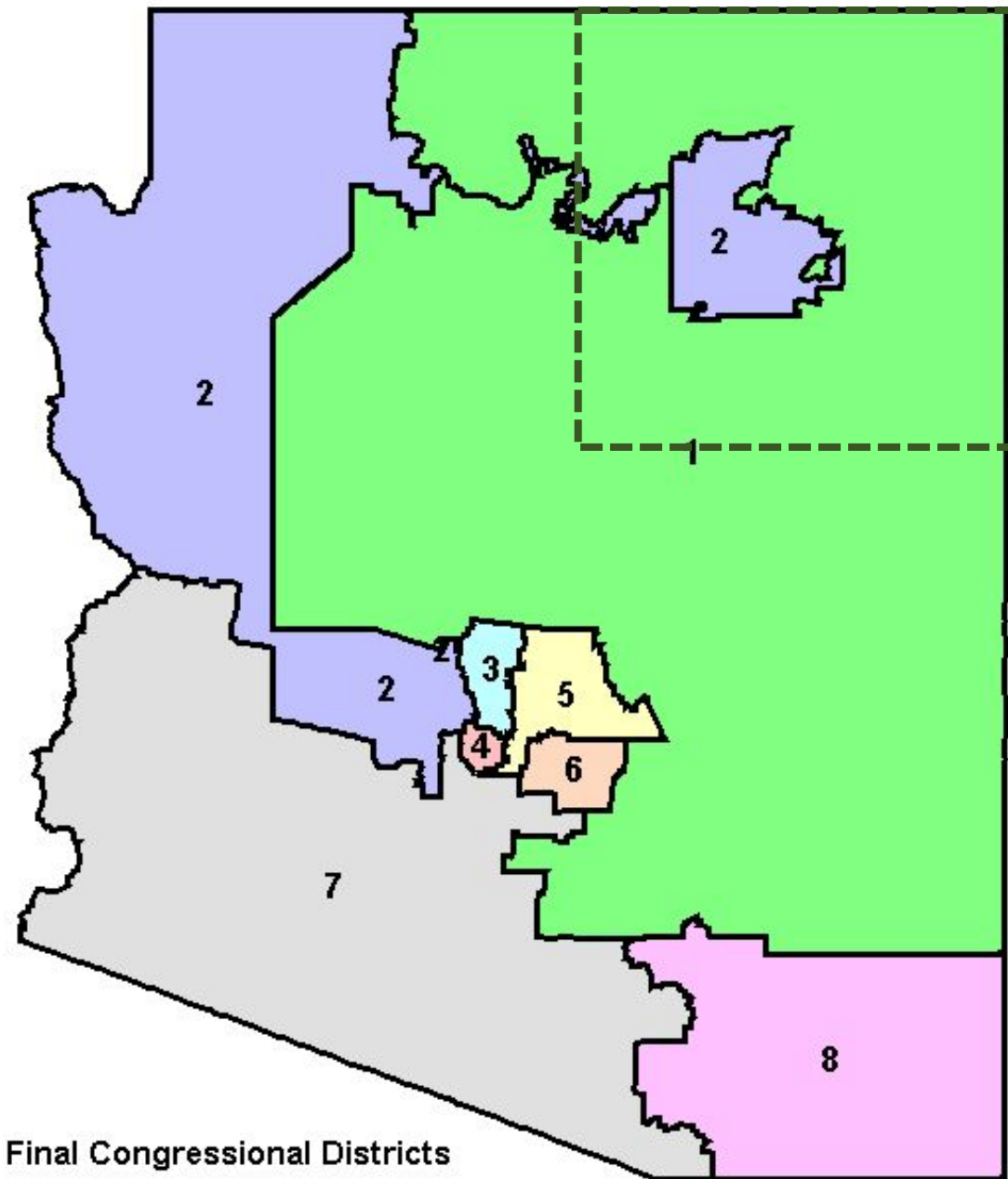
Legislators represent people, not
shapes.



Testimony Conflicts

2001: Navajo vs Hopi in Arizona

- Navajo wanted all tribal reservations in one district
- Hopi wanted a separate representative (CD 2)
- CD 2 'neck' follows the Colorado River through the Grand Canyon



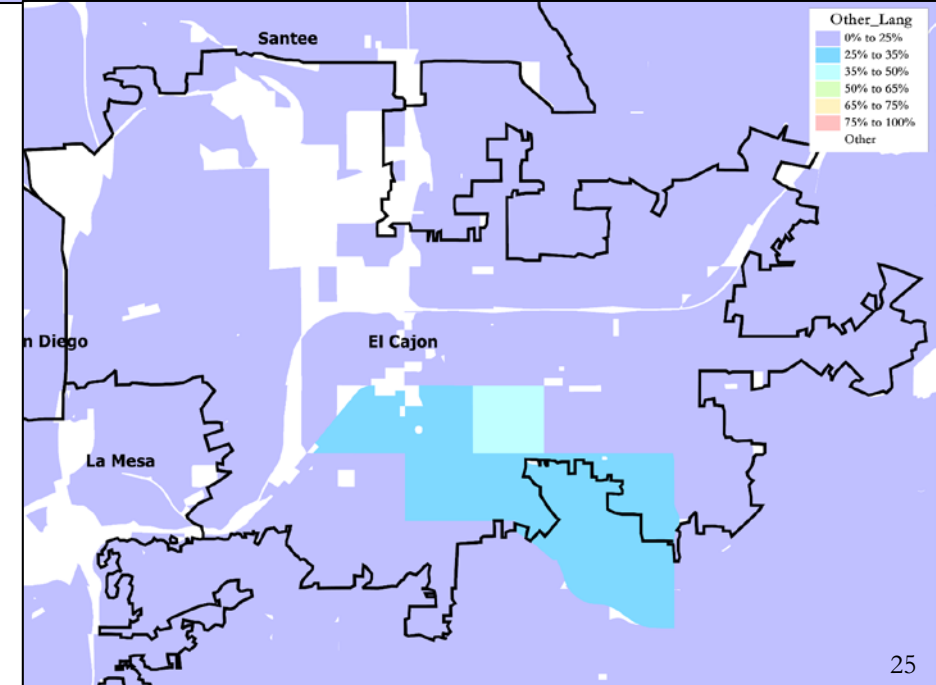
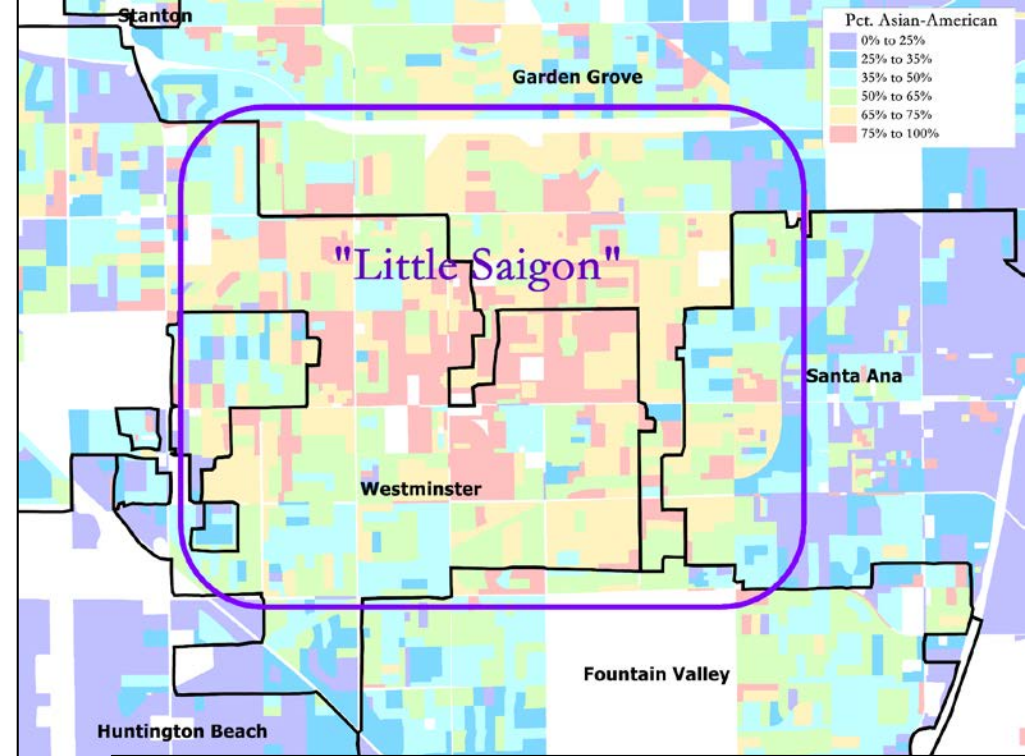
Final Congressional Districts



Conflicts Among Definitions of Communities

Residential communities may not correspond to city borders

- “Little Saigon” in Orange County (top map)
- Middle Eastern community around El Cajon (bottom map)

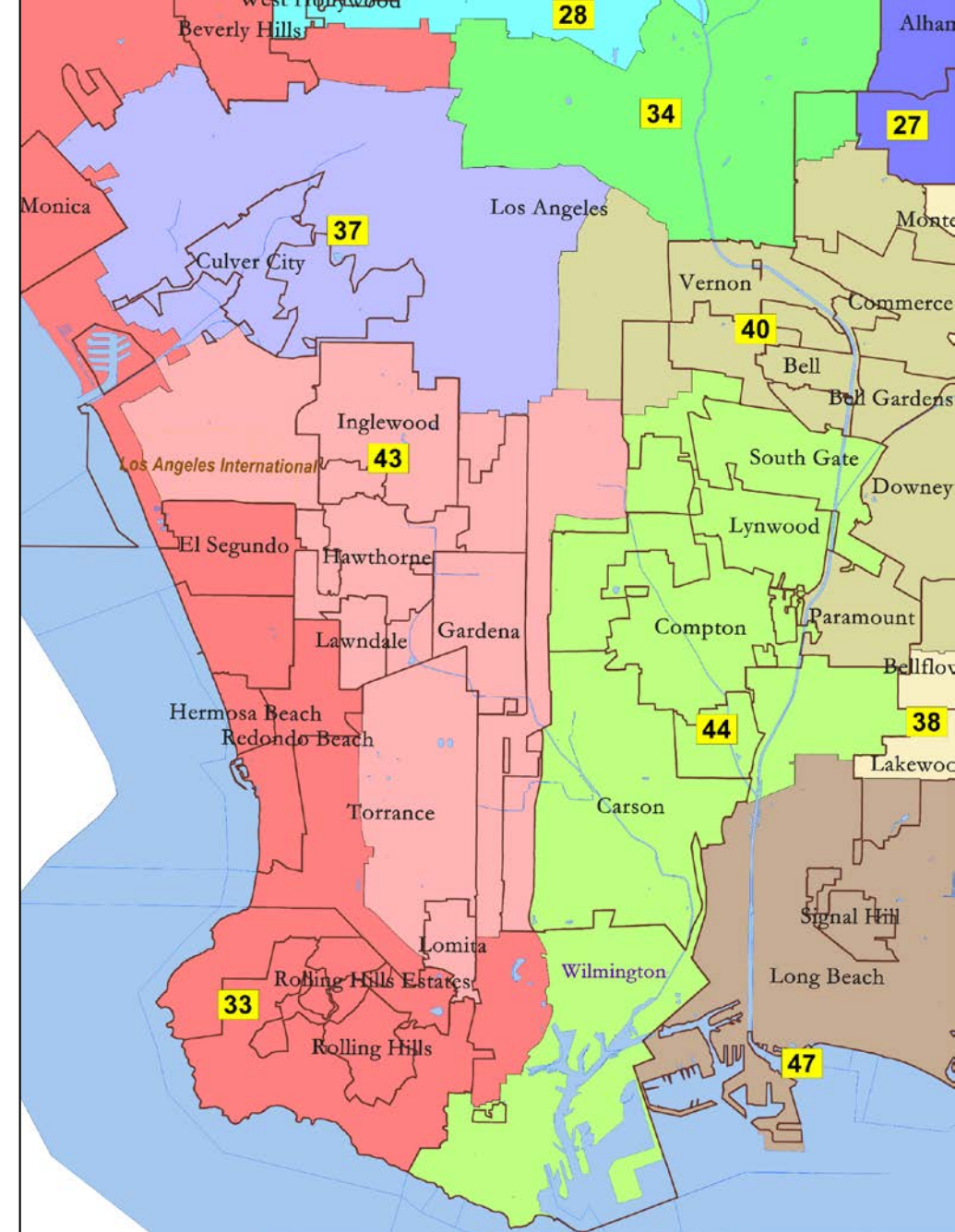


Tradition vs Recent Trends

Example:

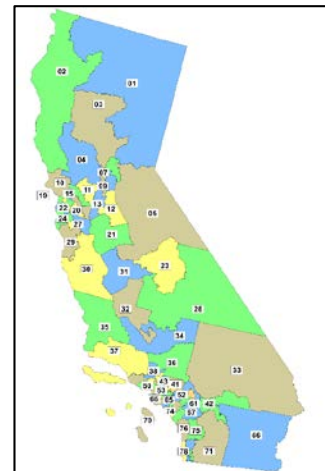
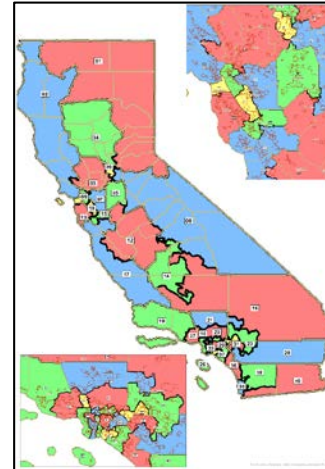
‘Historically Black’ Congressional Districts in Los Angeles County

- Historically ~30% districts elected African-Americans from Los Angeles (current CDs 37, 43 and 44)
- Over the decades, these districts moved west as central Los Angeles became more-Latino
- In 2016 Representative Barragan won CD 44



What to do with existing maps?

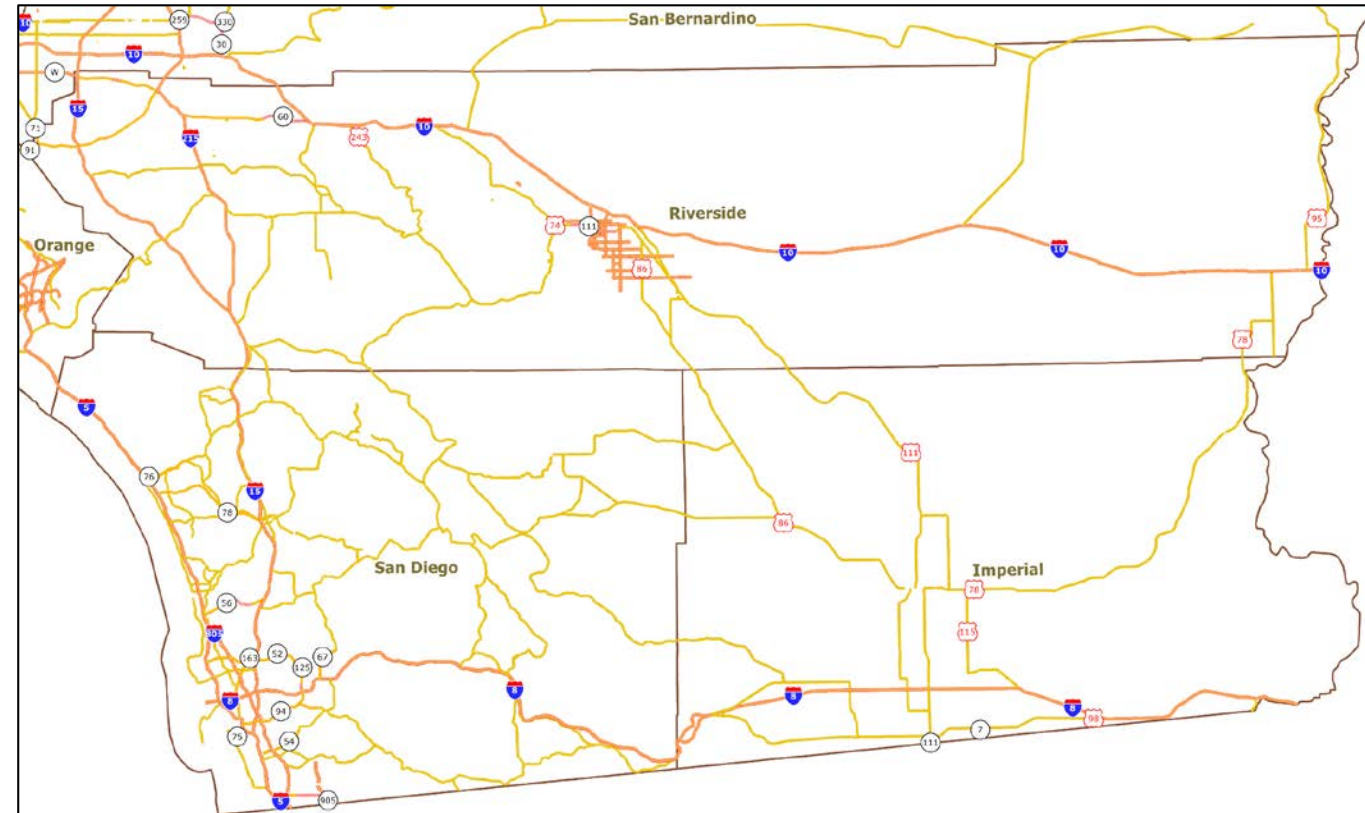
- Do current Assembly, Senate and Congressional districts count as “community of interest”?
- Incumbents always like the district they won, and considering “the core of existing districts” is traditional – but is also sure to arouse suspicions
- Yet there are legitimate “community” connections built among resident groups over a decade of working together in a given district
- Districts are the way they are because the 2011 Commission considered them groupings of “communities of interest”
- Expected change in number of Congressional Districts will force major changes in most, if not all, districts
- Population shifts will also dictate some changes in Assembly and Senate districts
- Will you start from scratch? From the existing map? Or work both paths?



“Extended” Communities

Imperial County as a “swing” county:

- Heavily Latino, like parts of San Diego and much of the Coachella Valley
- Uniquely agricultural
- Major transportation connections to both Riverside and San Diego counties
- 2011 CDs and SDs linked to San Diego, while ADs linked to Riverside



Questionable Testimony

Community testimony is invaluable, but beware of “AstroTurf” testimony

- Remember that elected officials and many candidates are able to turn people out by the busload
- Base your decisions on the quality of the claim, not the number of people making it

Prop. 11: “Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.”

- Arizona lesson: let the political parties “throw the flag” on ‘camouflaged’ public comments

Arizona example:

- 100+ people, multiple pastors and other legitimate community leaders cited “historic” connections between a heavily African-American neighborhood and a non-contiguous, heavily White neighborhood
- Obvious push to keep an incumbent in a preferred district
- Can Commissioners tell residents and community leaders “No”?

Nesting

- The idea of uniting communities of interest is to empower residents to organize around a shared concern and make their voice heard.
- As groups of residents gain experience and grow their organization, they move from school level, to city level, to county level, to state and congressional level, of activism
- Nesting empowers groups that are organized at the Assembly level to continue to work together at the State Senate level
- State Senators tended to oppose nesting, because it empowered Assembly members to run against them
 - New term limits rules reduce that concern
- Voting Rights Act related concerns with nesting can be addressed simply by alternating the order in which districts are finalized (Assembly first in some areas, State Senate first in others)

Part 4: Summary

Proposition 11 Details

“The geographic integrity of any city, county, city and county, local neighborhood, or *local community of interest* shall be respected in a manner that minimizes their division to the extent possible”

(emphasis added)

- Neighborhoods and other small communities of interest should be kept whole
- Commission must decide whether larger communities (regions, agricultural areas, etc.) benefit from being united or divided
- Keep in mind that every decision “ripples” through the map

Data Cannot Defend Itself

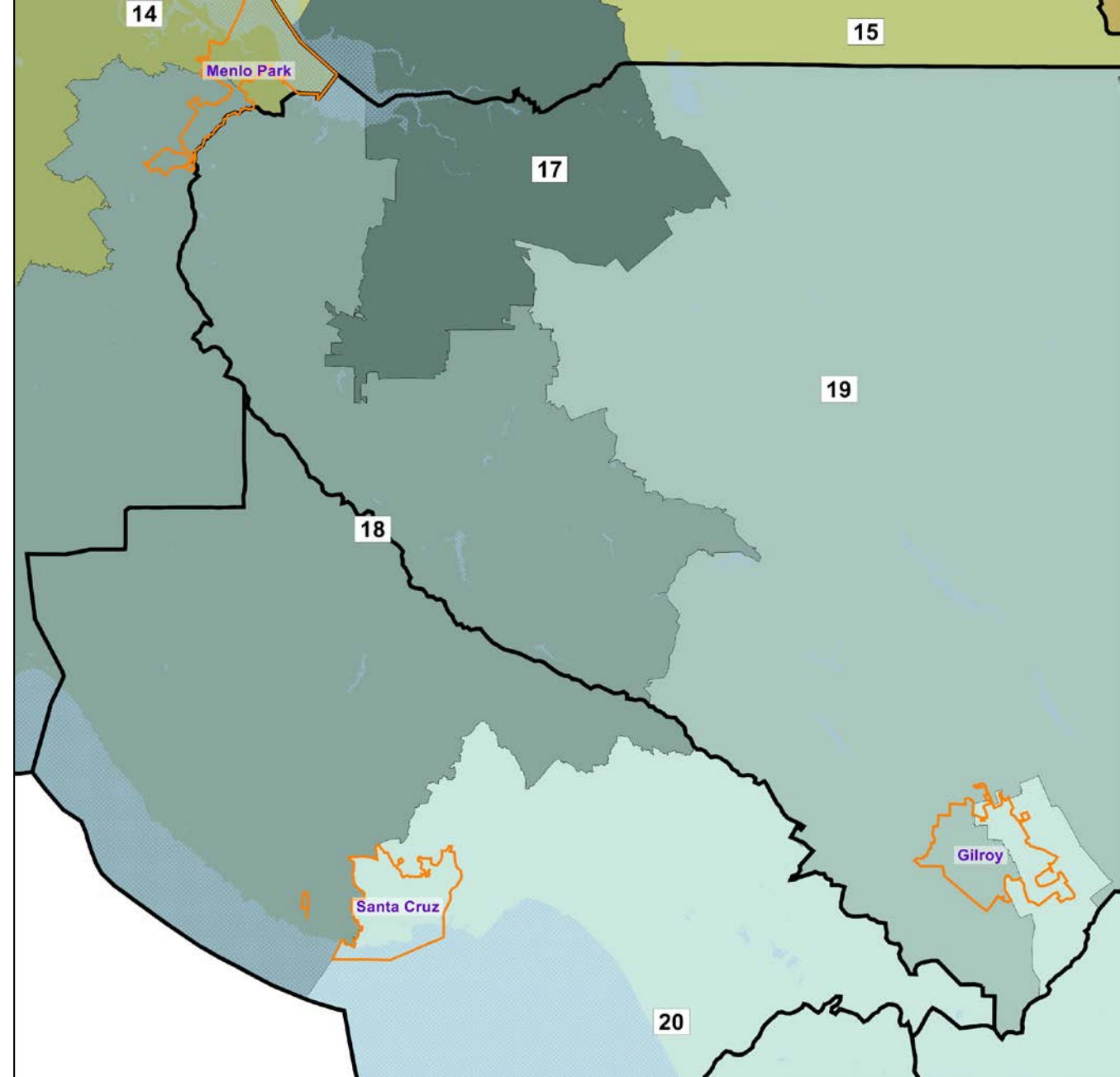
- Avoid ‘AstroTurf’: Use data to review and confirm public claims
- Empower and encourage public review and input
 - Requires providing multiple rounds of draft maps
- One option:
Focus on communities defined by city borders, county borders and data first, then revise based on testimony

- The Commission is designed to have offsetting opinions among members
- Traditionally, Republican and Democratic lawyers are hired to provide balance
- Demographers and data analysts have personal opinions and biases too



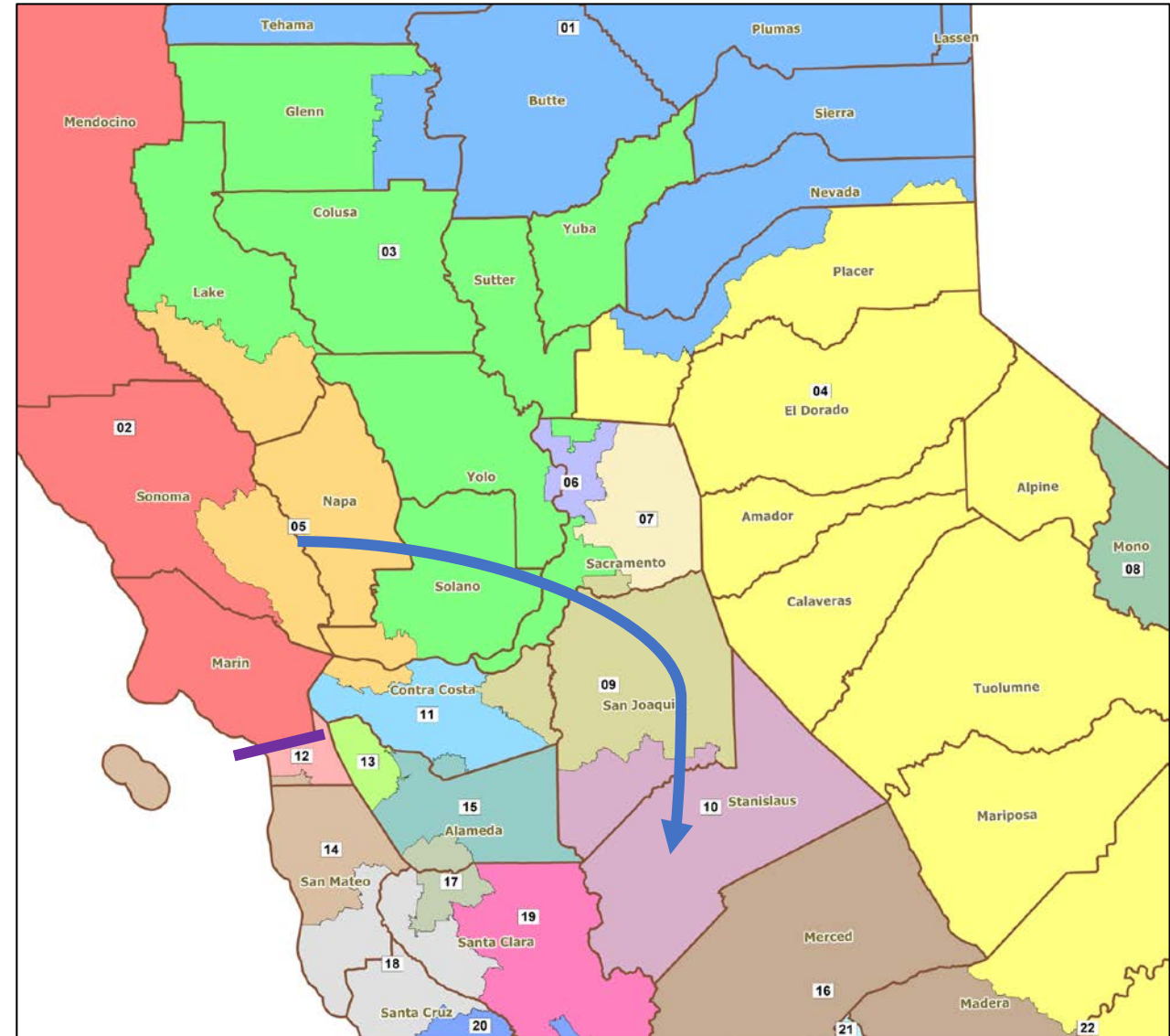
Avoid Groupthink

- Live meetings are good times to make decisions, not so good for mapping
 - Maps have too many ‘ripples’ for anyone (except maybe the demographer) to really understand live
- Avoid the Santa Cruz trap
 - Group in the room was happy to unite Santa Cruz, but didn’t notice that Menlo Park and Gilroy paid the price (nor give them any time to respond)
- Plan Ahead:
Give the public multiple drafts to analyze and provide time and tools for the public to work
- New for 2021: in the absence of IRC draft maps, the public will naturally orient their comments around the existing maps
 - So get to the initial draft maps quickly!



The Big Picture

- Counties, Cities, neighborhoods and communities of interest are “building blocks”
- The Commission’s job is to put those blocks together into a set of four maps
- Every block you move shakes the whole map
 - Once the 2011 IRC voted not to cross the Golden Gate Bridge (purple line), they essentially locked in the map for the entire Central Valley (blue arrow).



Final Thought

- Data is invaluable for defining communities, but legitimate resident testimony generally trumps data
- Remember that the goal of Proposition 11 was to empower the real residents and communities of California
 - Not just the ones who can afford to hire lobbyists to follow the Commission from meeting to meeting for months
 - The first comments you hear at the first hearing on communities of interest should be just as valuable as the last comments at the last hearing
 - Hearings are important, but so is time for the public to review your work and prepare for the next hearing