



CVRA Overview
March 8, 2021

About Us

Redistricting Partners is a firm that focuses on redistricting, demographics and voting rights act analysis.

- **Conducted dozens of redistrictings** and conversions to districted systems under the California Voting Rights Act.
- Most recent CVRA conversions: Cities of Napa, Davis and Santa Ana.

About Us

Redistricting Partners is a firm that focuses on redistricting, demographics and voting rights act analysis.

- Works under a master agreement with the **Foundation for California Community Colleges** to provide services directly to districts. We have done more of this work with community colleges than any other firm.
- Similar partnership with the California School Boards Association for 2021.

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- **Paul Mitchell** – Owner, has conducted dozens of redistrictings and conversions to districts under the CVRA.
- **Sophia Garcia** – GIS/Outreach director, has been involved in GIS and equity work, previously with the Dolores Huerta Foundation

Overview

This presentation will cover a range of topics to facilitate a process of public education and involvement in a transparent and fair districting process.

- The California Voting Rights Act
- Districting vs. Redistricting vs. Gerrymandering
- Traditional Districting/Redistricting Principles
- District Population and Composition

What is the CVRA?

The California Voting Rights Act is a state law that prohibits the use of At Large Election Systems in local government if there is Racially Polarized Voting.

“At Large” is defined as anything other than a system in which an elected official lives in a district, and is only elected by members of that district.

“Racially Polarized Voting” is defined as differences in voting patterns which can be shown to be correlated to race, religion, national origin, or membership in any other protected class.

What is the CVRA?

The California Voting Rights Act takes the principles of the Federal Voting Rights Act and expands it regarding districted elections in two key ways:

While Federal law uses “majority minority” districts as a standard for vulnerability, the CVRA only requires “ability to influence.”

The CVRA requires that plaintiffs get full reimbursement for legal fees associated with any successful challenge.

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While Federal law uses “majority minority” districts as a standard for vulnerability, the CVRA only requires “ability to influence.”

The CVRA requires that plaintiffs get full reimbursement for legal fees associated with any successful challenge. ***These can be lessened or eliminated if the district follows a strict and prompt process for districting.***

What is Districting

definition

Districting is the initial process of creating election district boundaries.

These boundaries determine:

- Eligibility to run for office – must live within boundaries to qualify for election.
- Who votes in the election – only voters within the district vote for their board member.

What is Districting

definition

Districting is the initial process of creating election district boundaries.

These boundaries do not determine:

- How the CCD decides to govern. The board can still work to achieve goals that benefit the district as a whole rather than the interests of any single district.
- How campuses are managed or relationships between the district and the public are managed.

What is Redistricting

Definition

Redistricting is the process of adjusting district lines every 10 years after the release of the U.S. Census. The well known examples are Congress and the legislature.

Within the U.S., redistricting has become an extremely politicized process and been the subject of more high-profile Supreme Court decisions than any other part of our elections system.

What is Gerrymandering

The Gerrymander

The term Gerrymander came from a cartoon depicting a rather serpentine looking district created by Governor Elbridge Gerry in Massachusetts.

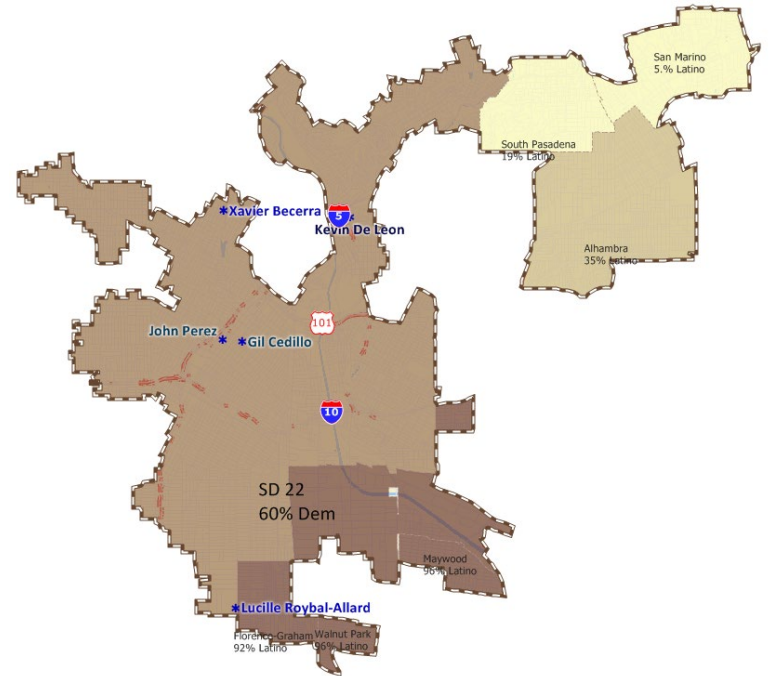


What is Gerrymandering

the Gerrymander

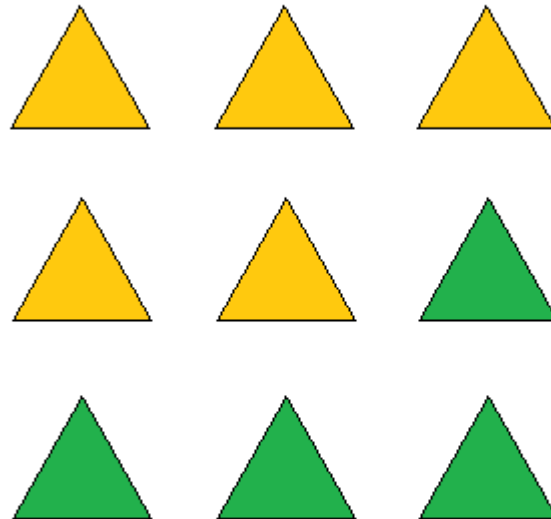
There are more recent examples of gerrymandering, even in California.

This 2001 Senate District is a great example.



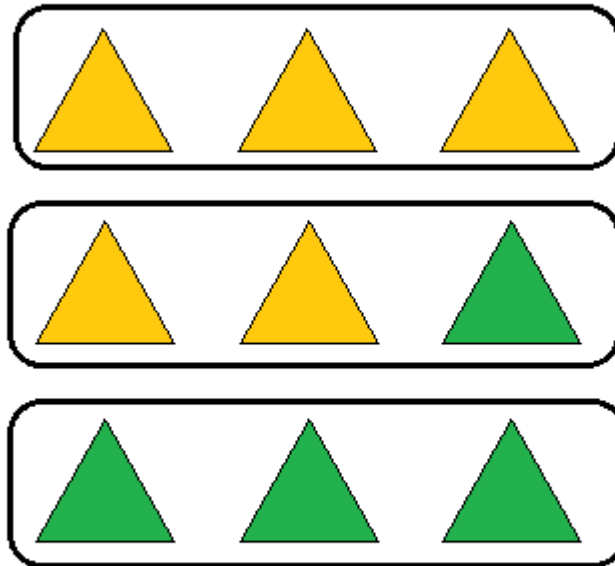
What is Gerrymandering

How does gerrymandering work?



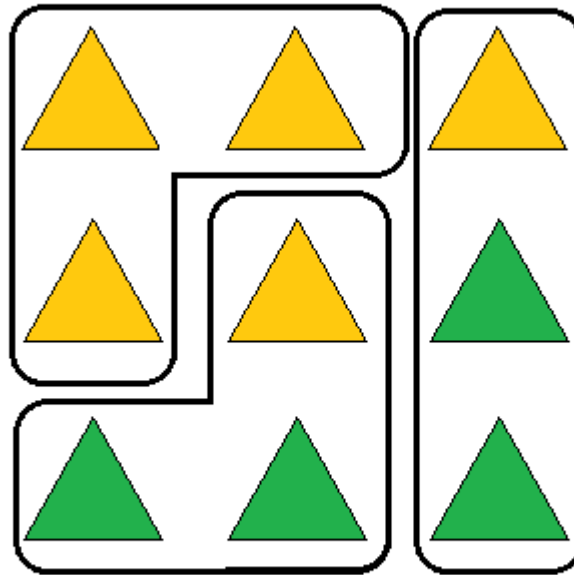
What is Gerrymandering

How does gerrymandering work?



What is Gerrymandering

How does gerrymandering work?



Traditional Redistricting Principles

Preventing a Districting from becoming a Gerrymander

There are a number of criteria that have been used nationally and upheld by courts.

- Relatively equal size - people, not citizens
- Contiguous – districts should not hop/jump
- Maintain “*communities of interest*”
- Follow city/county/local government lines
- Keep districts compact – appearance/function

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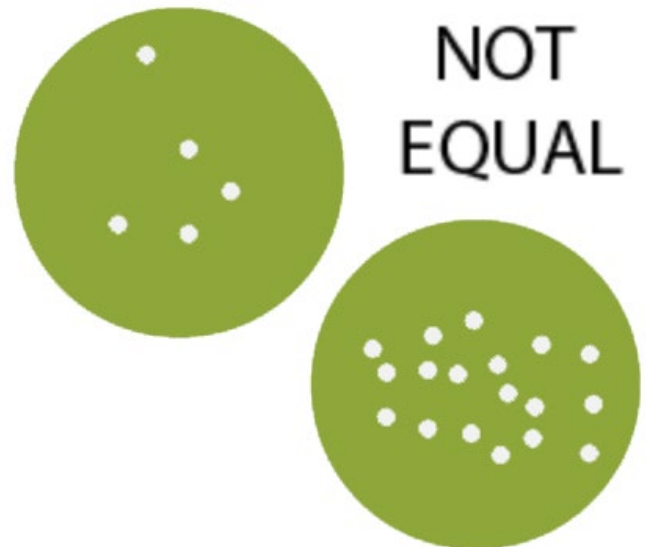
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Equal Population

Utilizing the U.S. Census Decennial File

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.
- 10% or smaller deviation.
- Smaller deviations are not necessarily better.



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Contiguity

Two definitions for what is contiguous

Contiguity should be thought of as “literal” and “functional.”

- An area that is one whole piece is “literally contiguous.”
- An area that represents how the population functions or how people are connected is “functionally contiguous.”



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Communities of Interest

Bringing like people together for representation

What is a community of interest includes ethnic and language minorities and other groups.

- Communities covered by the Voting Rights Act
 - Latinos
 - Asians
 - African Americans

While race is a community of interest, it cannot be the *predominant factor* in drawing districts.

Communities of Interest

Bringing like people together for representation

What is a community of interest includes ethnic and language minorities and other groups.

Other Communities, example are:

- People living near an industry (farming, higher education, manufacturing)
- Senior Citizens or Students
- Downtown / Urban
- Rural or Agricultural
- Homeowners or Renters

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- **Keep districts compact – appearance/function**

Compactness

Determining what is “compact”

The measure of compactness can get complicated.

- Ratio of the circumference of a district and the area of a district.
- Measuring the number of distinct shapes and the number of kinks and bends.
- Simply outlawing funny shapes.

NOT
COMPACT

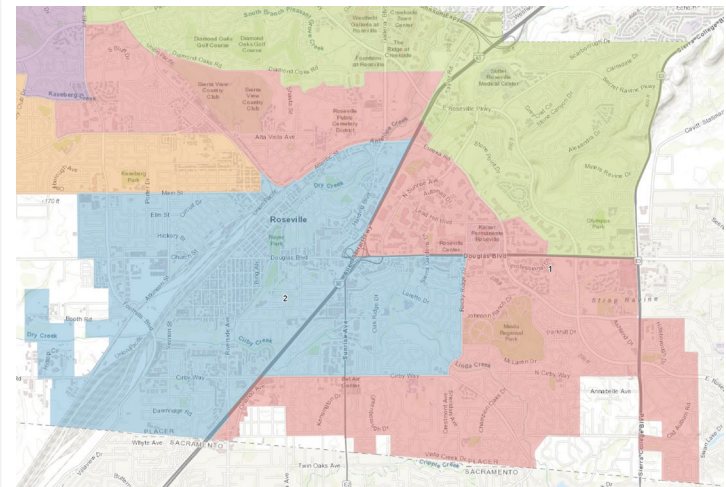
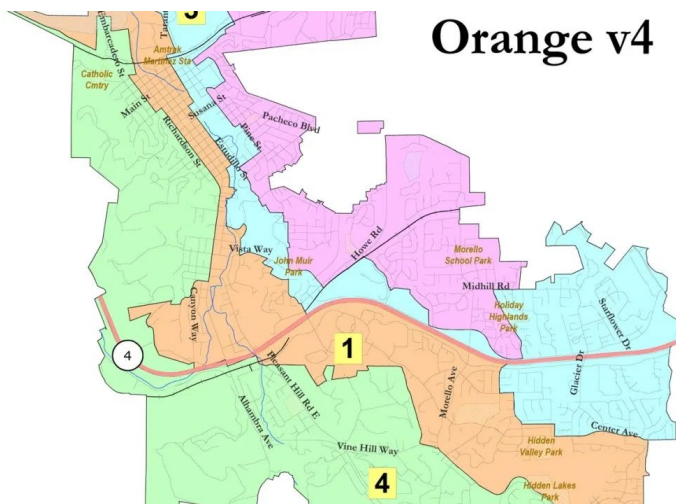


Compactness

Determining what is “compact”

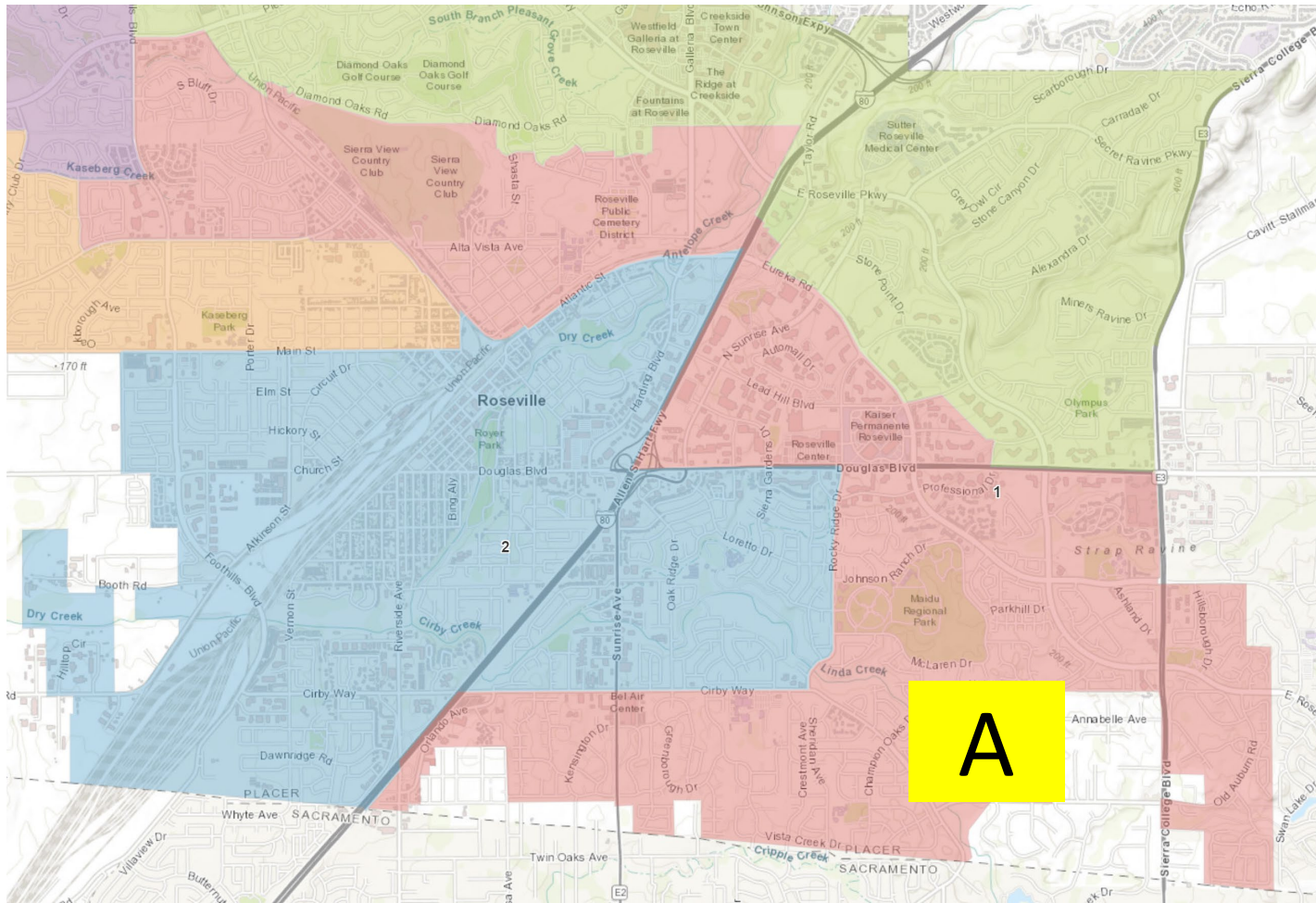
California has a rather elegant/simple definition.

- Not bypassing nearby populated areas in favor of more distant populated areas



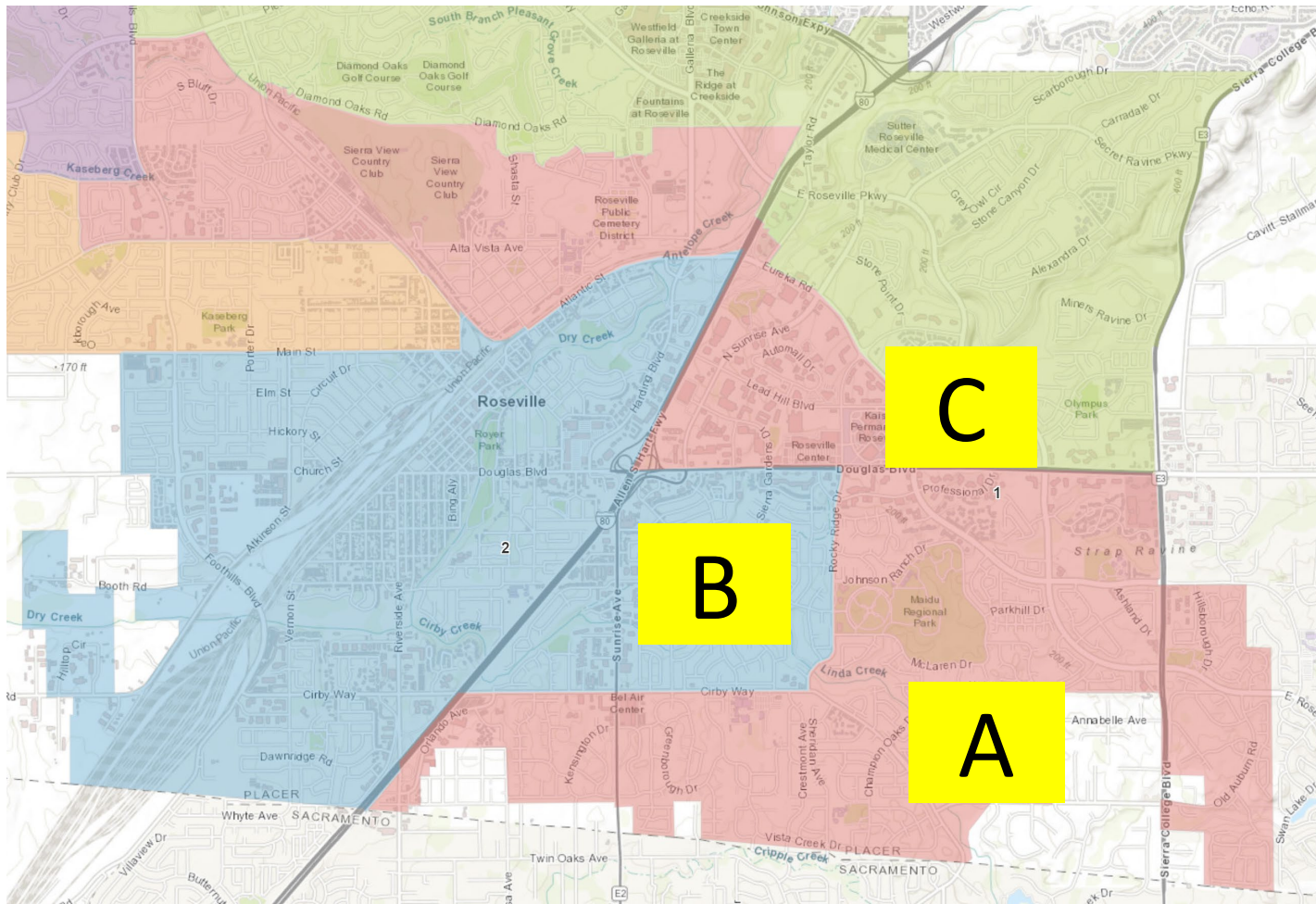
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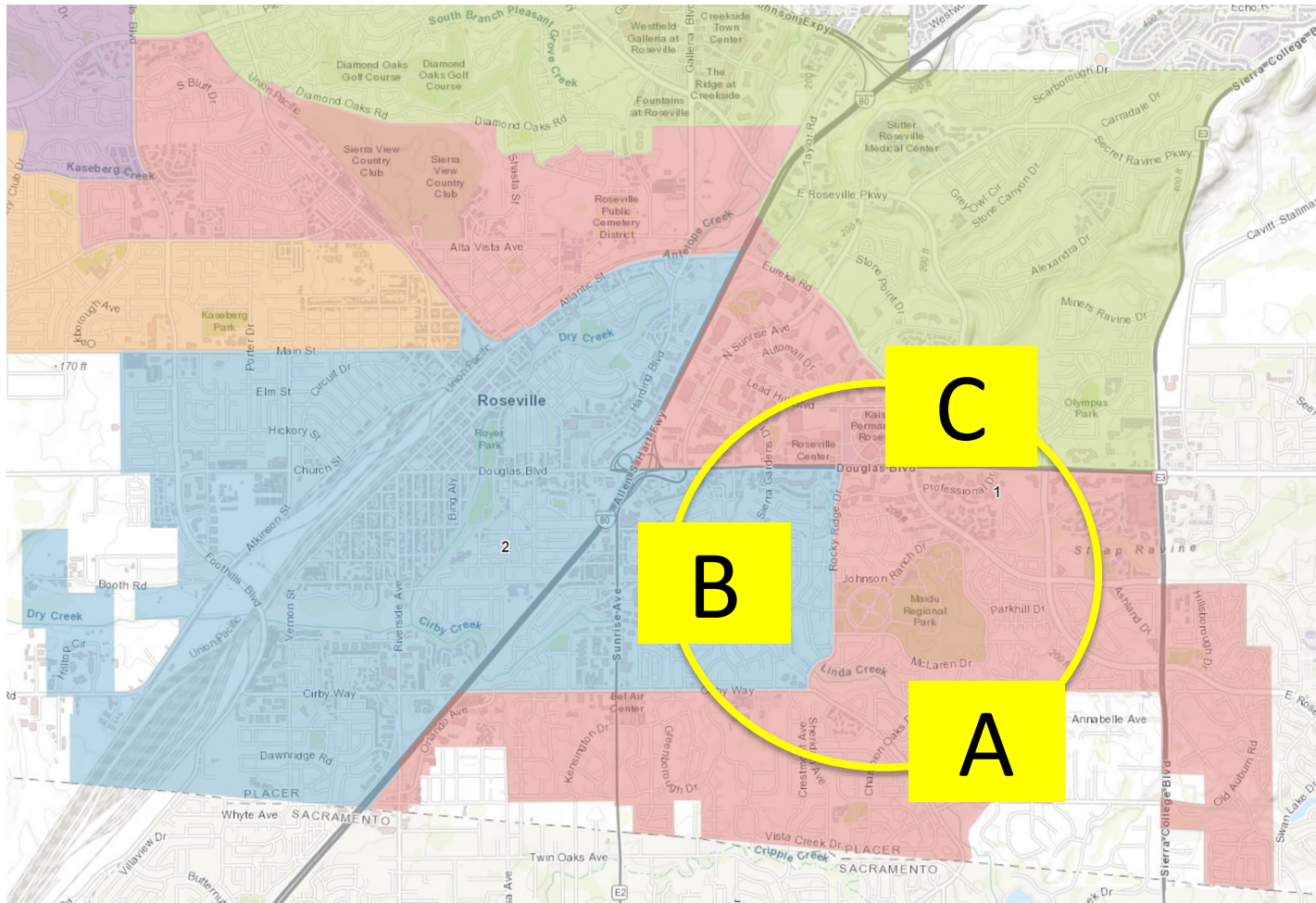
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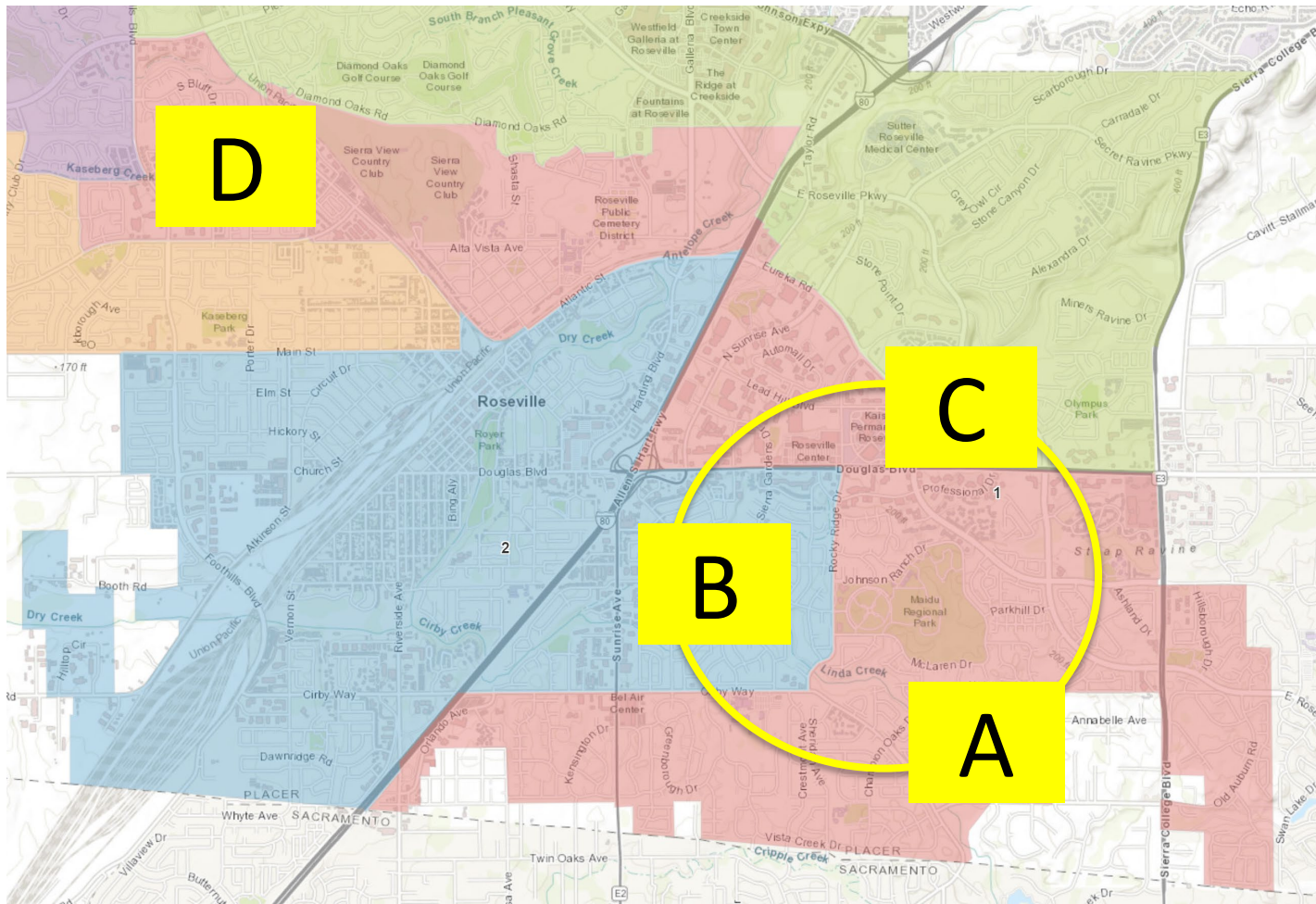
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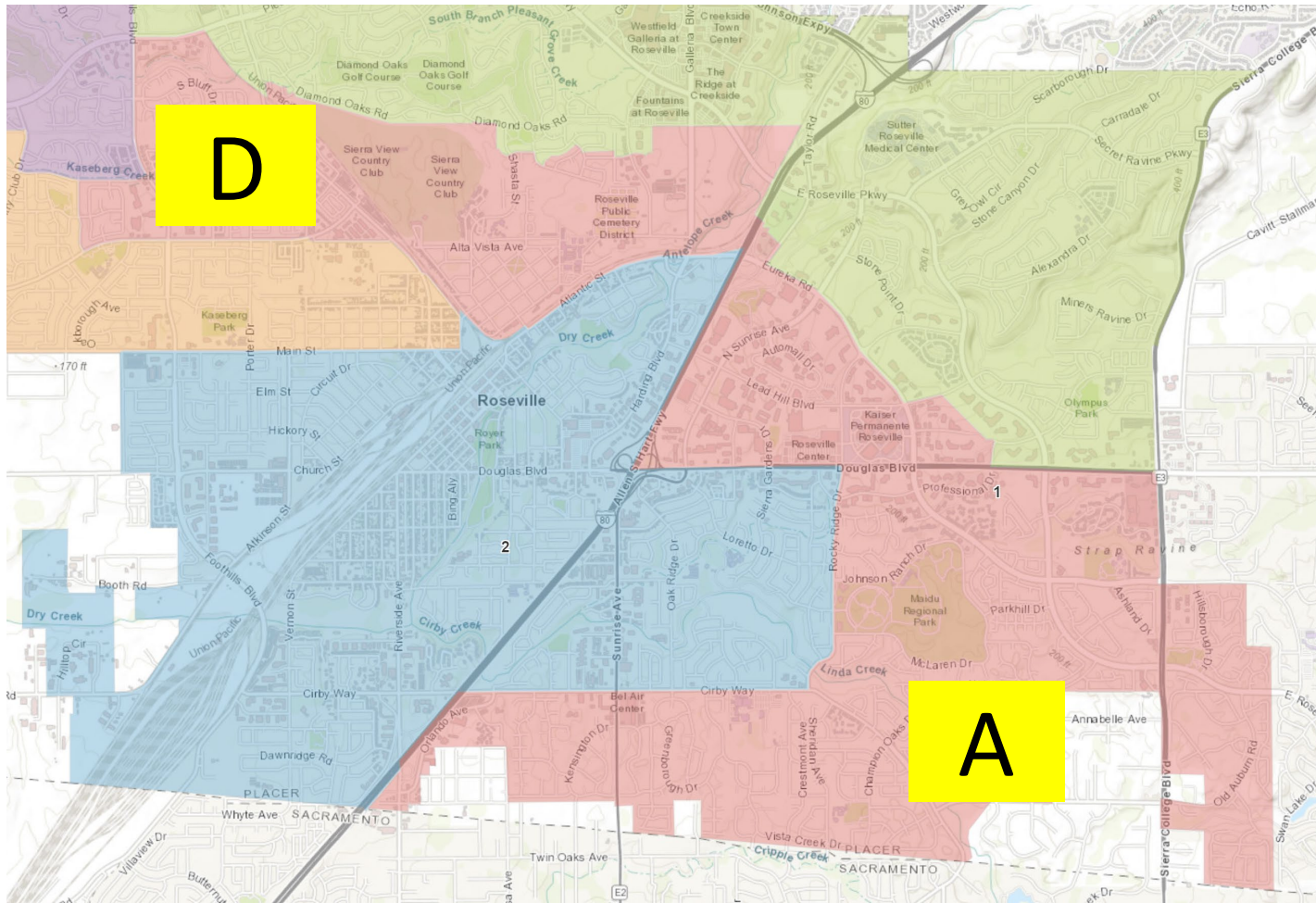
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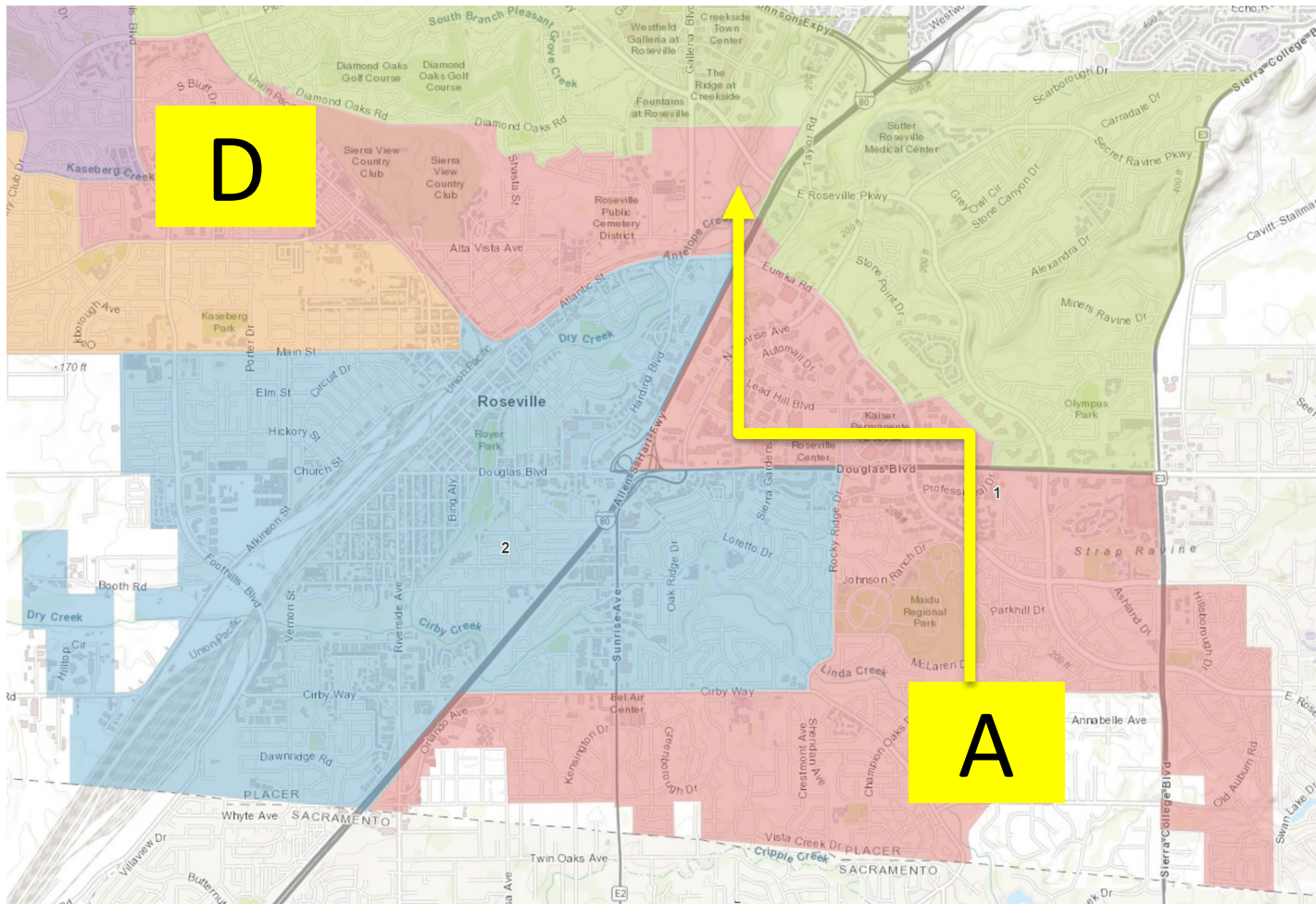
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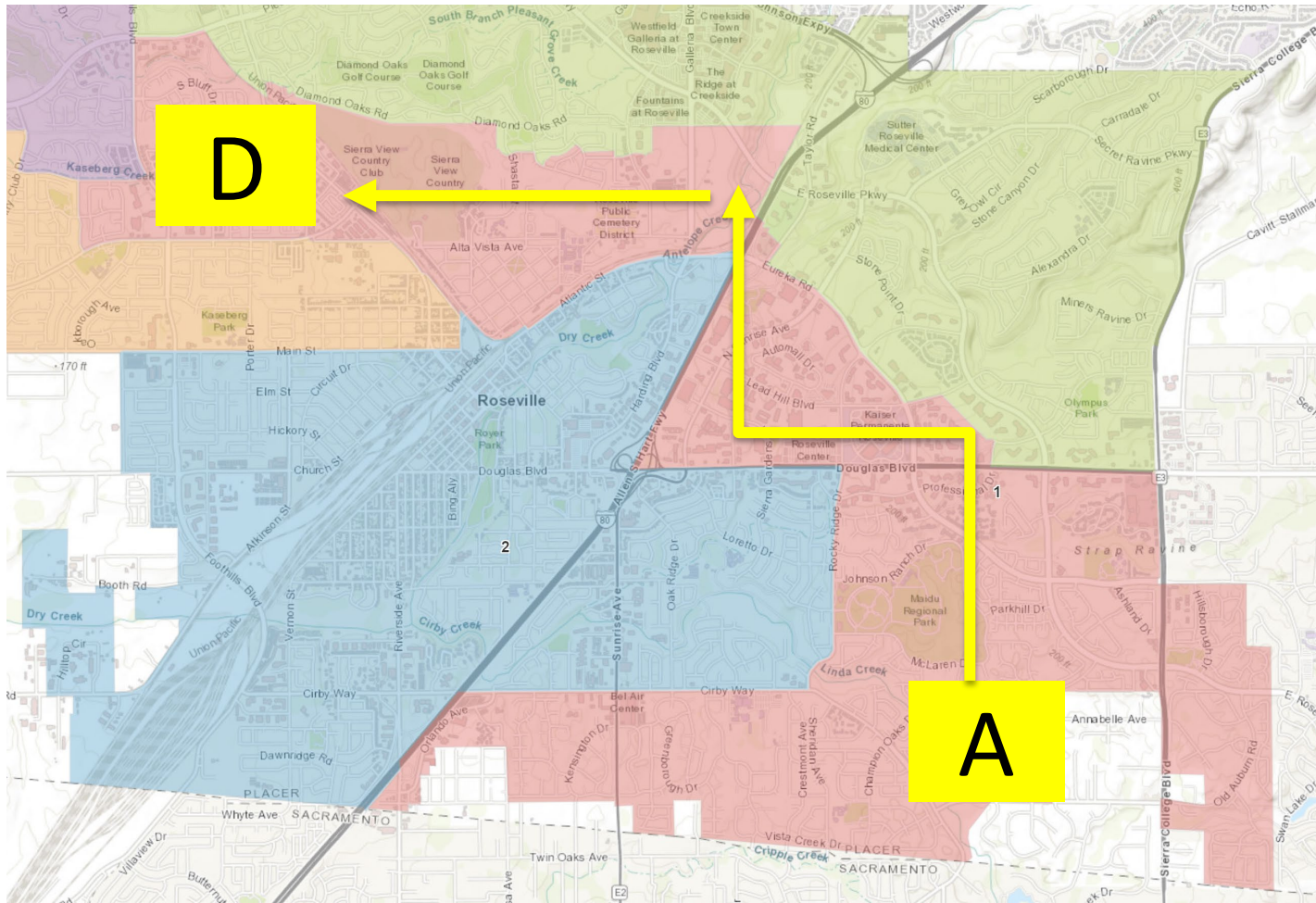
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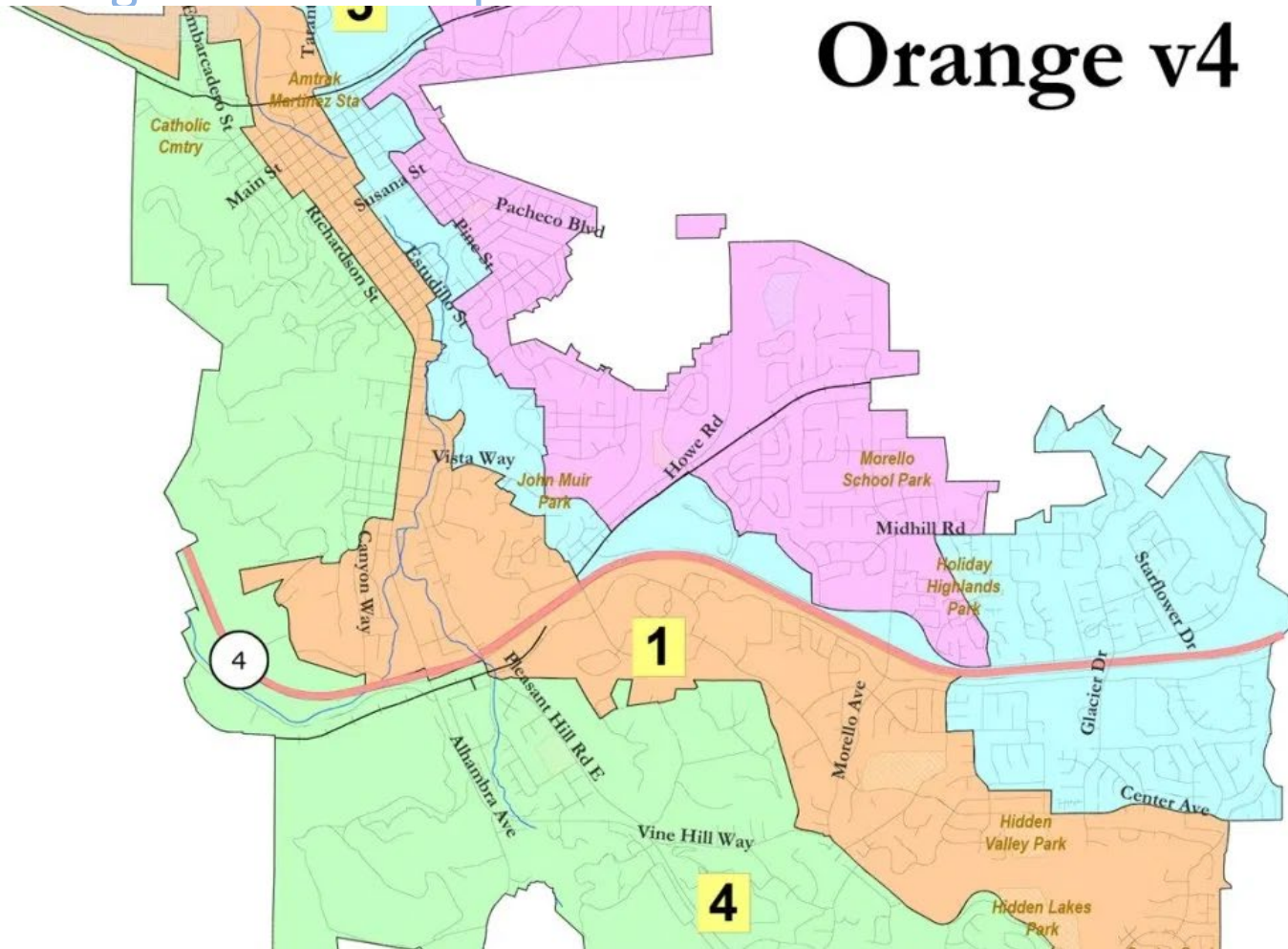
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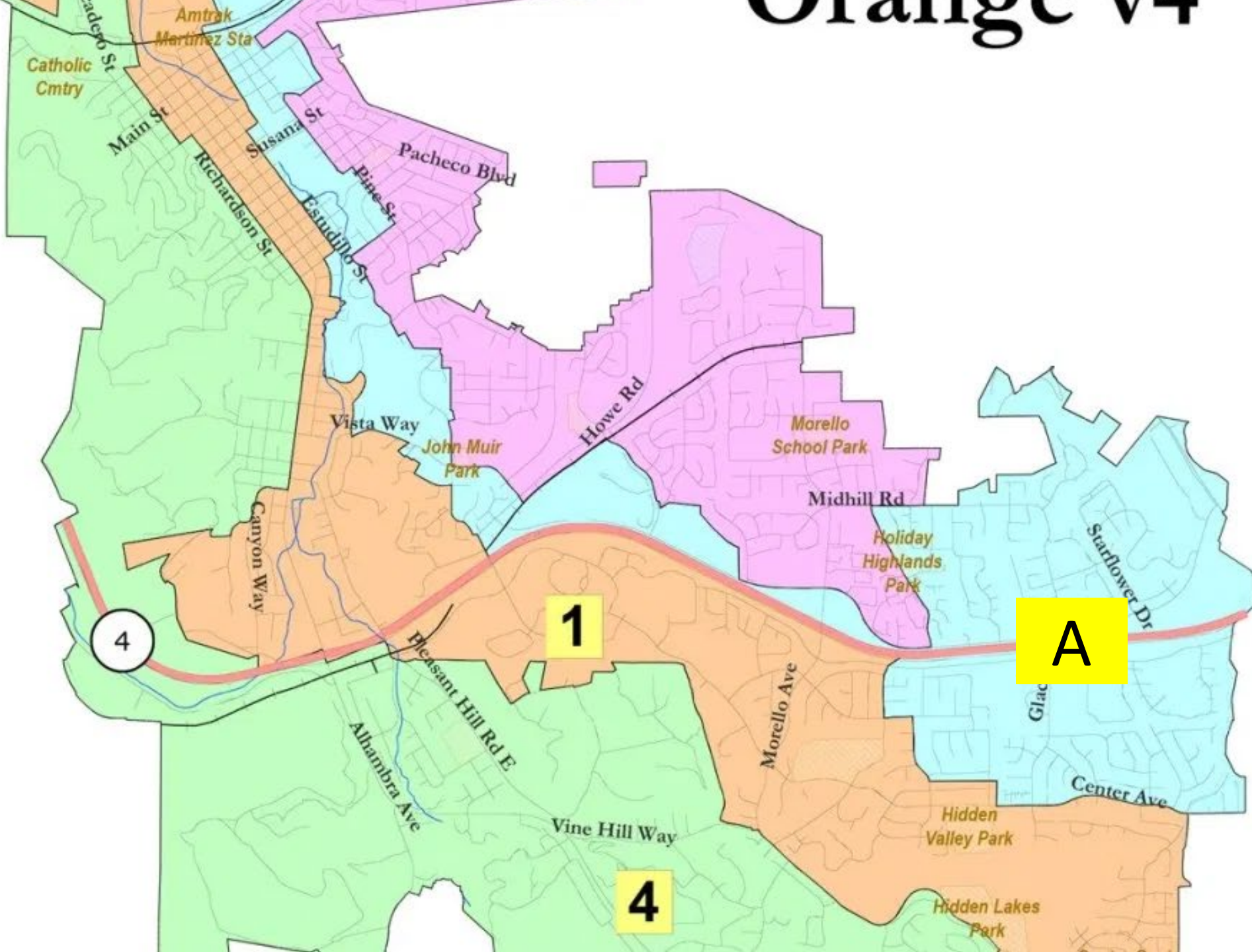
Compactness

Determining what is “compact”

Orange v4



Orange v4



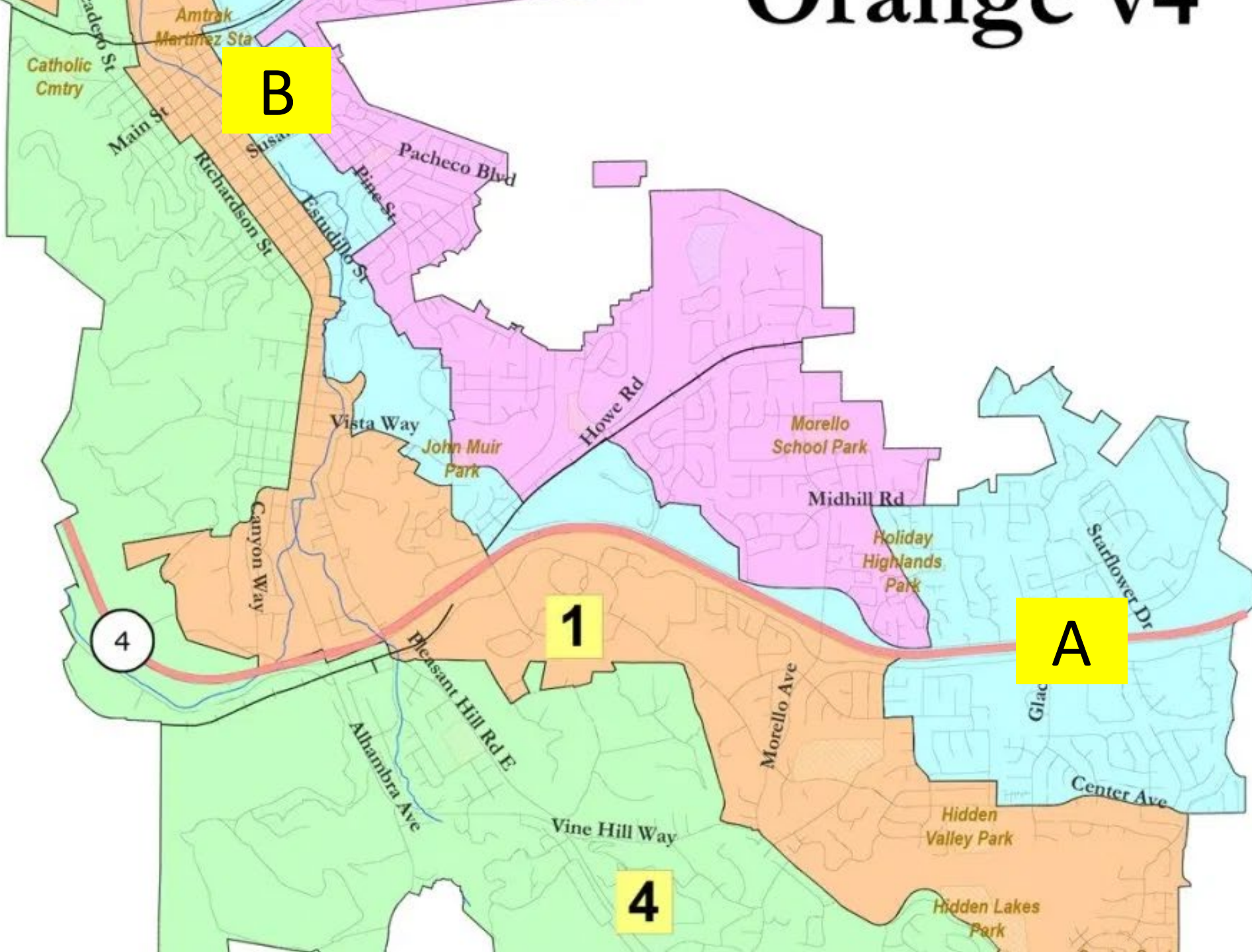
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Orange v4



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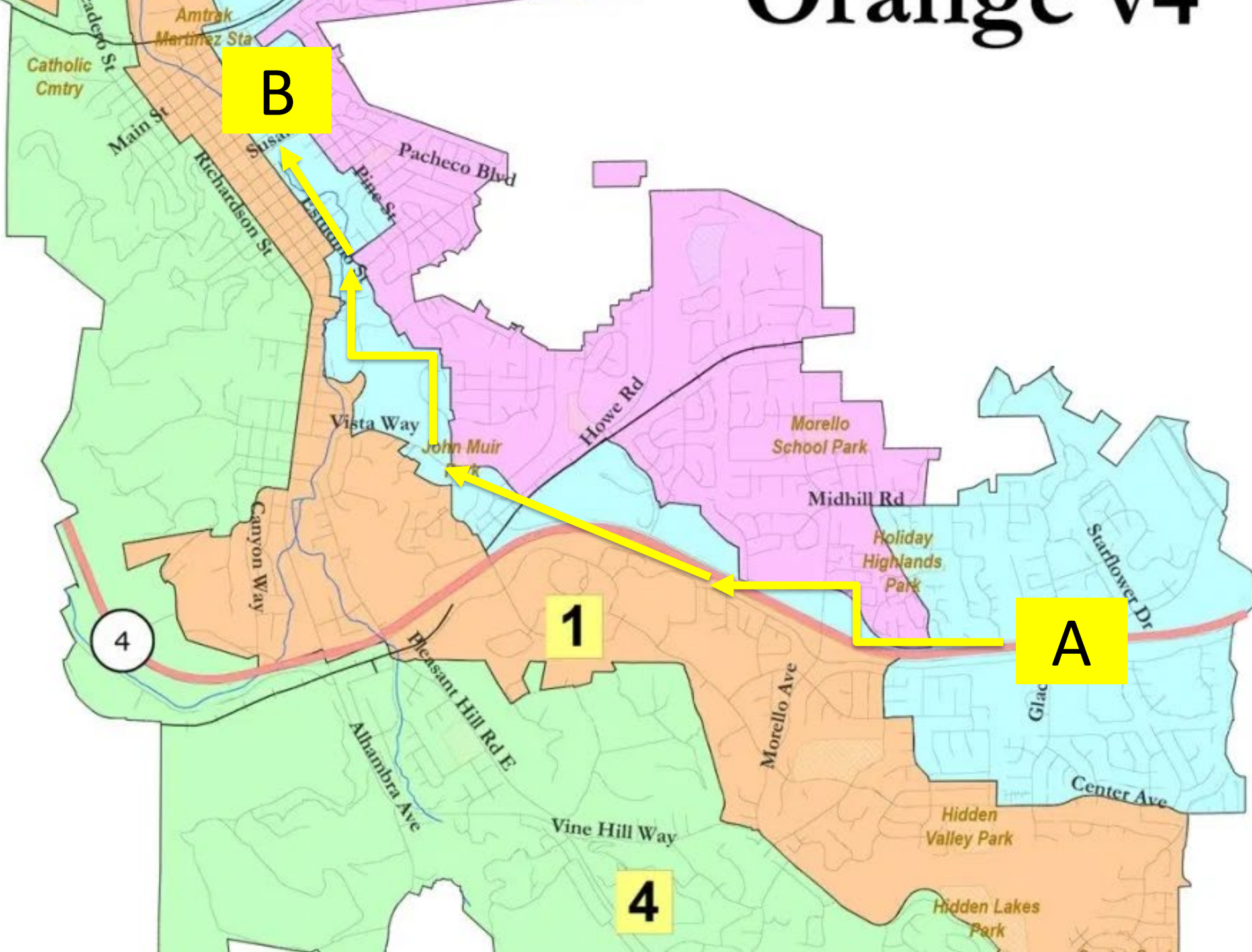
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Orange v4



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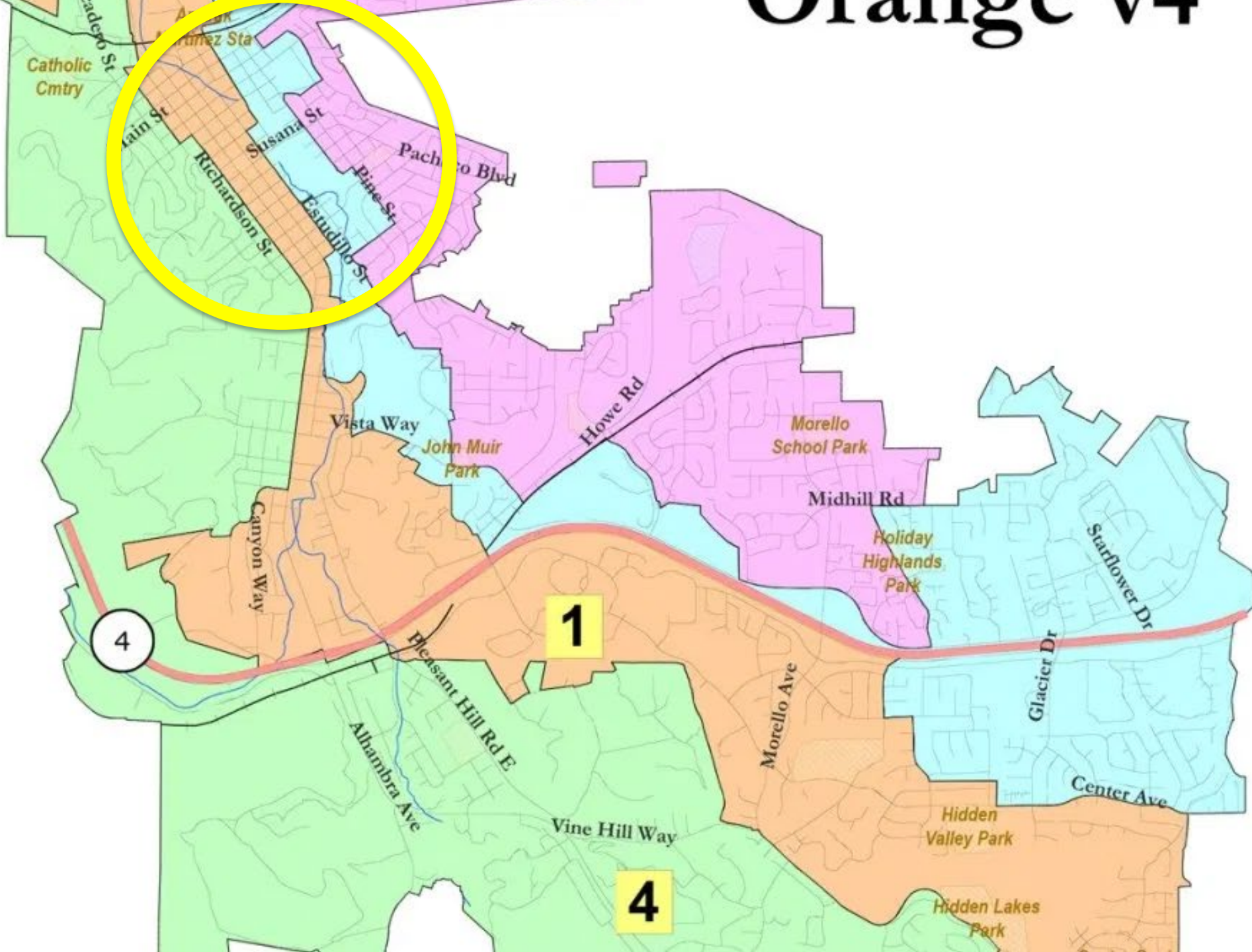
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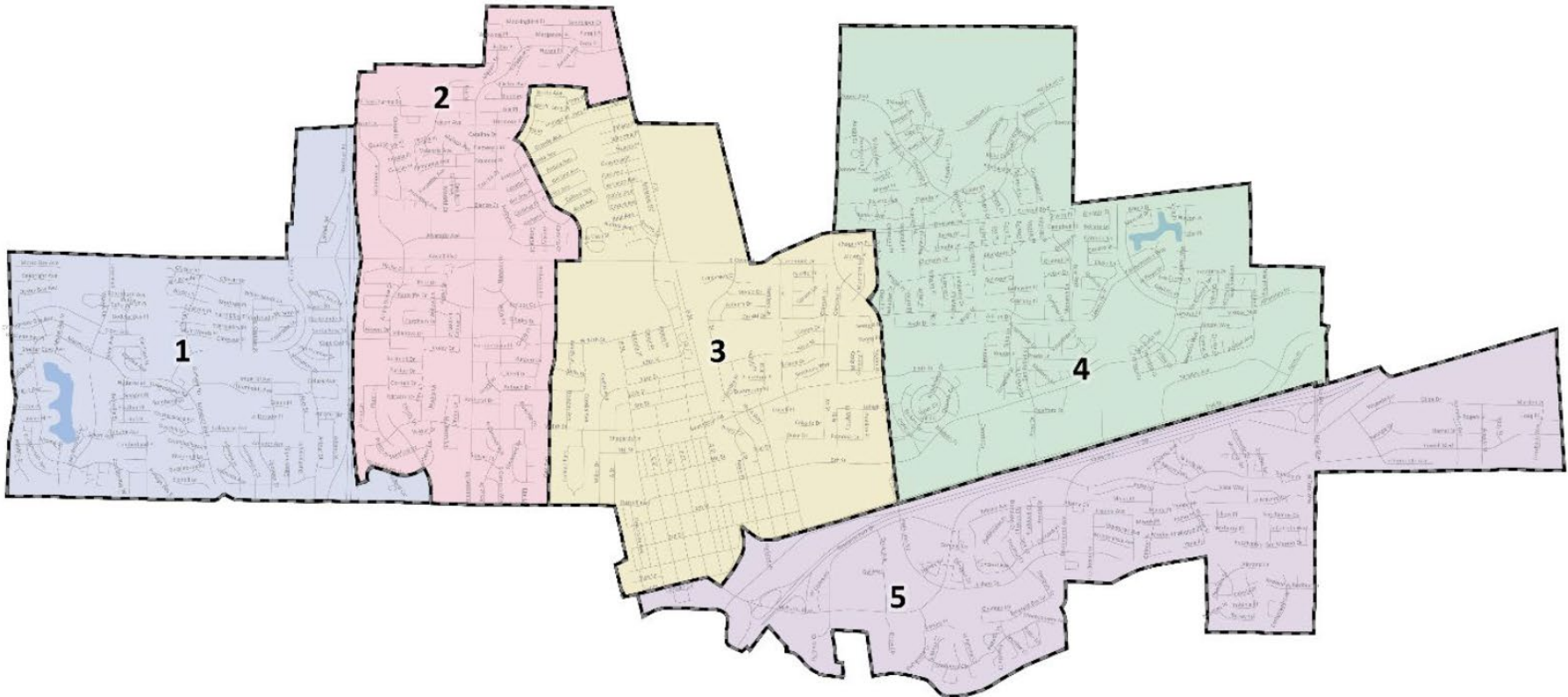
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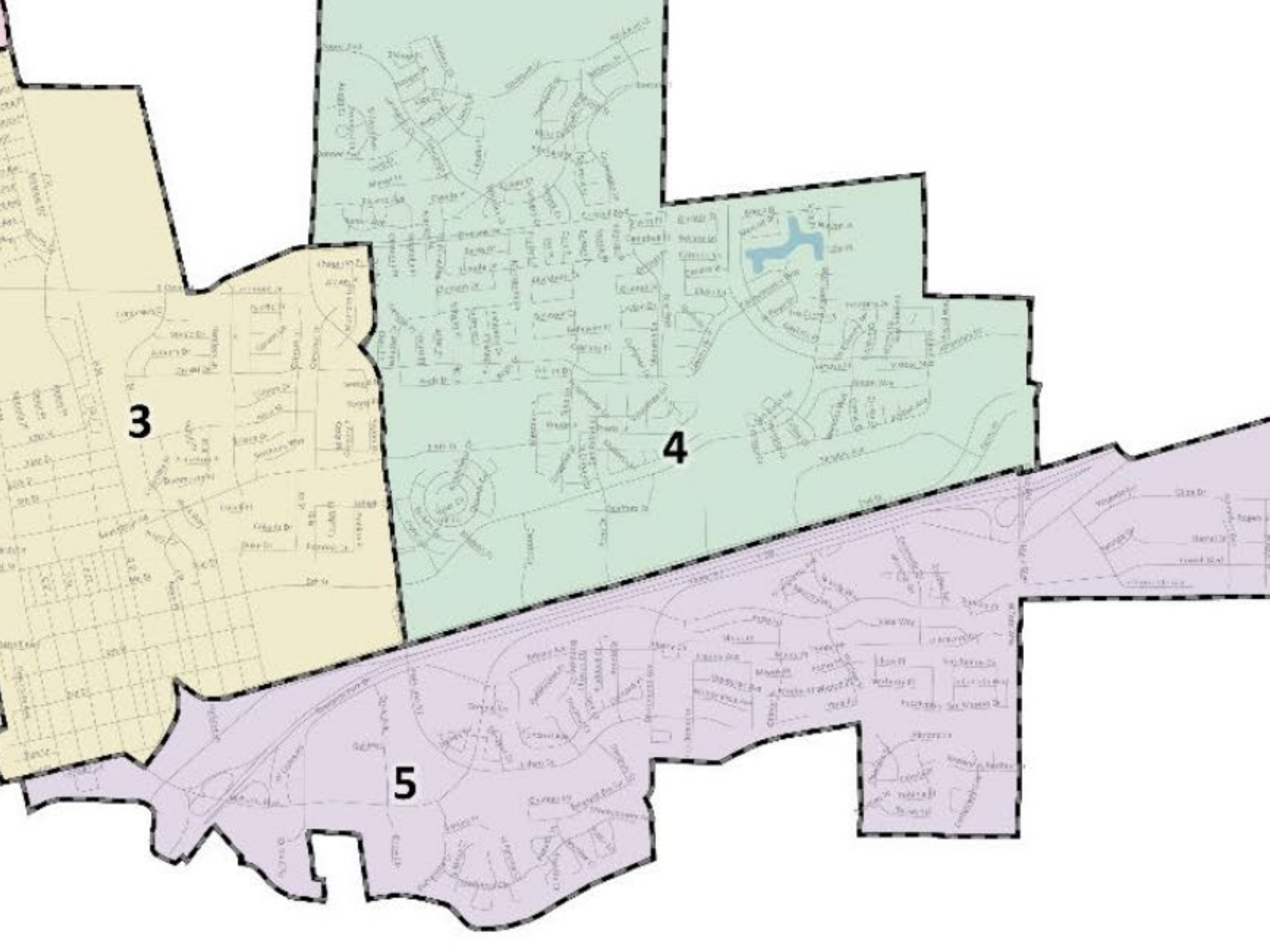
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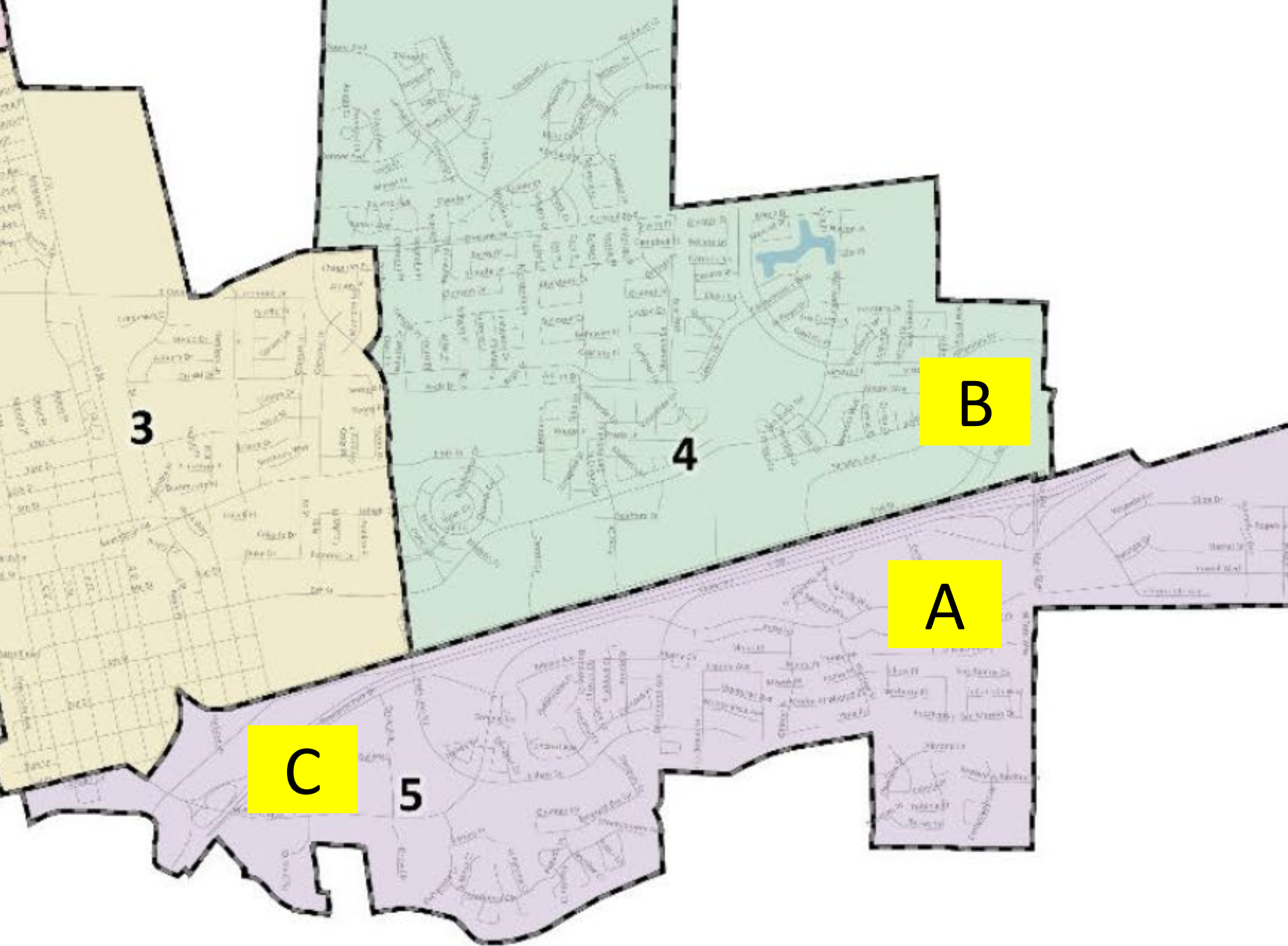




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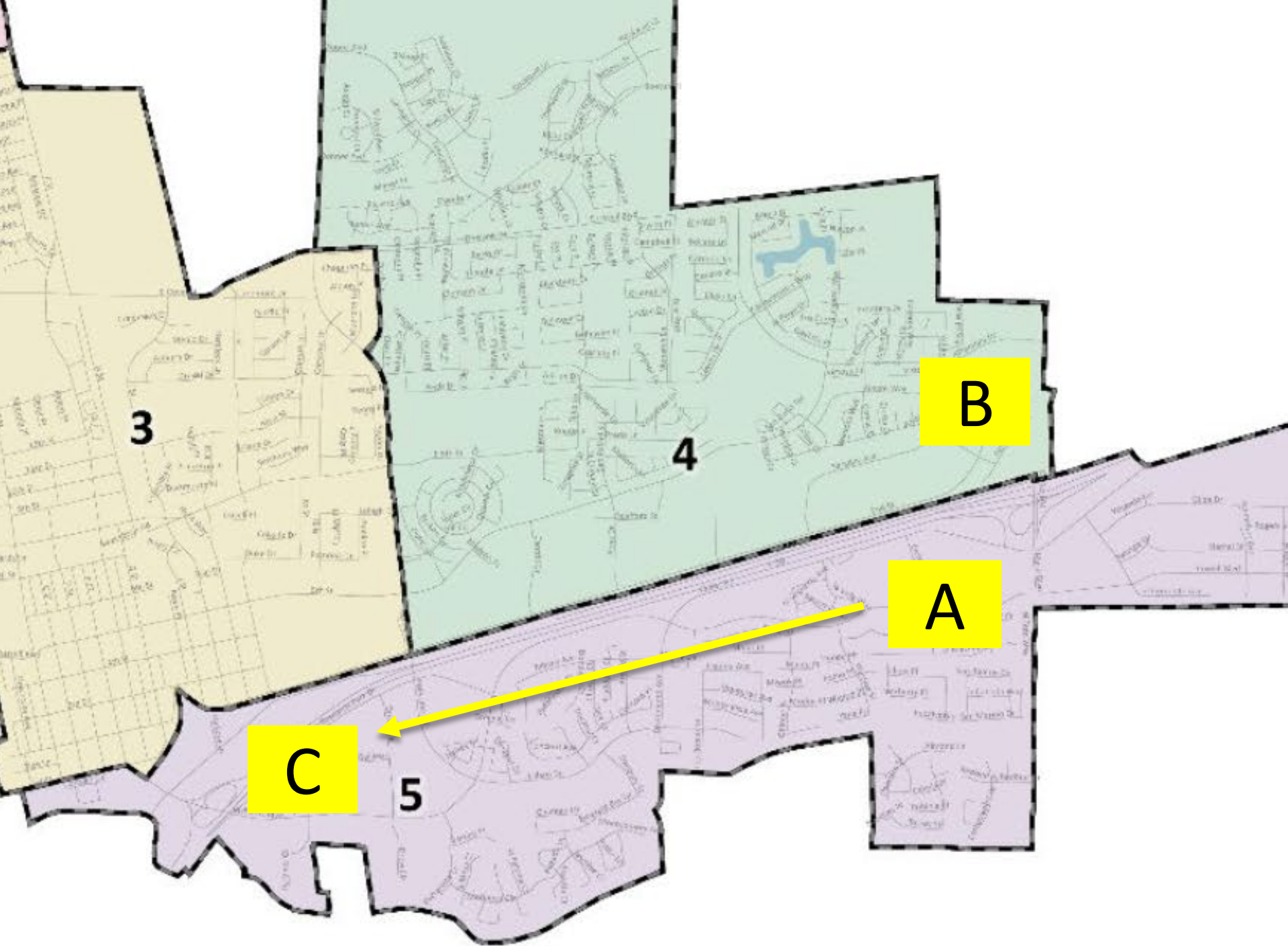
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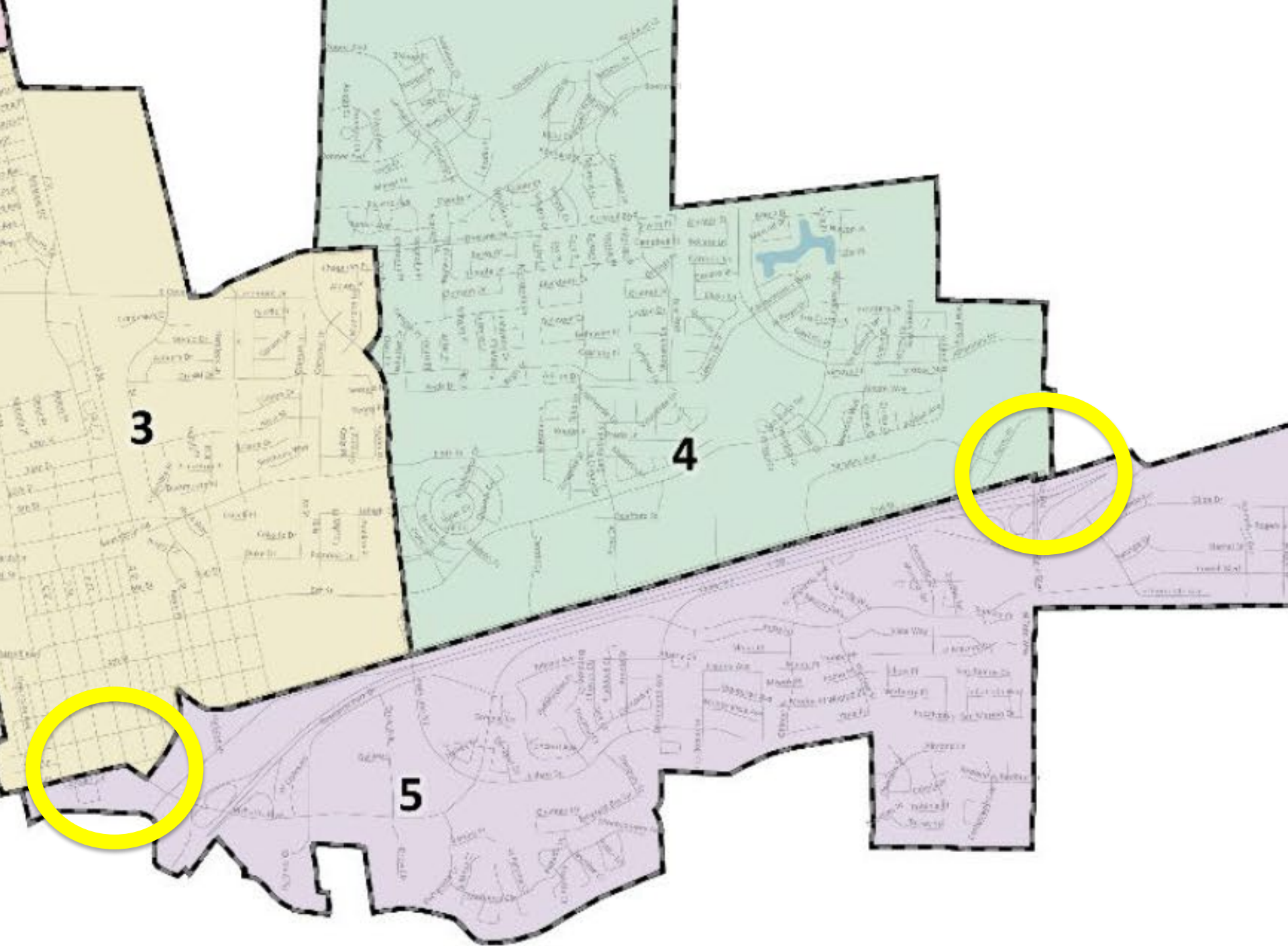
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Traditional Redistricting Principles

Preventing a Districting from becoming a Gerrymander

Utilizing the Safe Harbor Provisions of the California Voting Rights Act, Community College Districts can switch election systems and reduce potential legal fees.

- Requires 5 hearings
 - 2 Pre-mapping to build community of interest testimony
 - 2 Post-mapping hearings
 - 1 final up/down vote on final map
- Maps posted 7 days in advance of hearing in order for them to be discussed or final adoption.

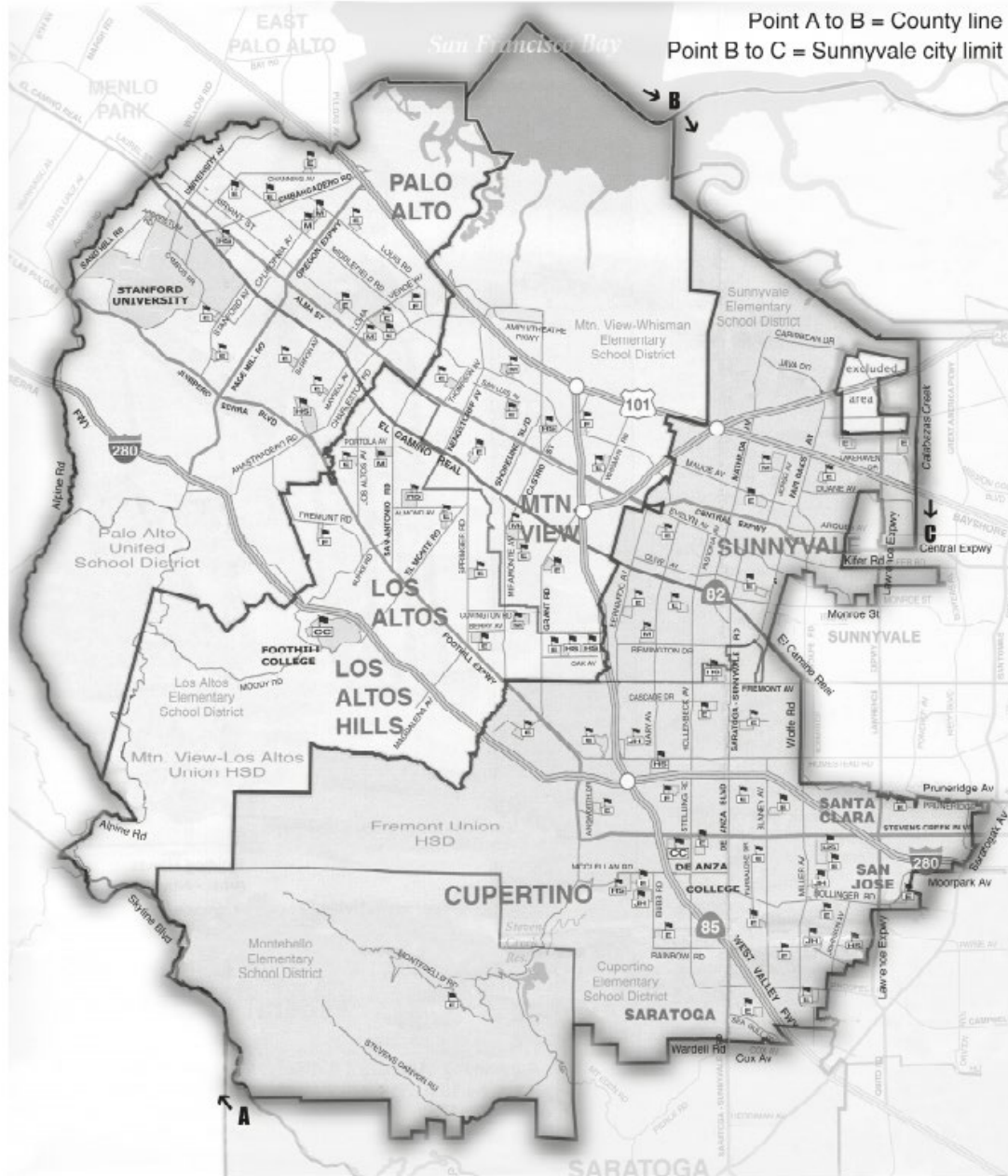
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Starting in 2020, cities and counties doing redistricting have additional criteria they must follow under the California Fair Maps Act. This becomes a “best practice” for all agencies.

- Process/transparency when conducting redistricting
- Not using incumbent or candidate residence as a Community of Interest
- Not drawing districts to advantage a political party

Foothill-De Anza Community College District Boundary



Foothill-De Anza CCD

Preliminary Findings

Estimated population is **433,940** based on the ACS.

- This population is an estimate from the American Community Survey, not the 2020 Census data that we'll have to use to balance the district's five seats.
- As an exercise we can use this estimated population to determine the target size of a district, and the "equal population" calculations that cannot exceed 10% from the largest to smallest District.
- Based on estimated population the ideal district size would be **86,788** residents.

Foothill-De Anza CCD

Preliminary Findings

Estimated population is **433,940** based on the ACS.

- The ACS survey also provides a demographic breakdown of the overall district, which we will use to ensure compliance with the Federal Voting Rights Act and other redistricting laws.

- Demographic Breakdown of the district:

Latino CVAP	8.3%
Asian CVAP	35.1%
Black CVAP	1.6%

Foothill-De Anza CCD

Preliminary Findings

The Community College District will need to complete the process in 2021 or 2022.

- Under the Board's resolution the redistricting process must be complete by April 29, 2022.
- Traditional CVRA conversion is done in a 90-day process, but for 2022 agencies can take longer.
- Late census, and possibility for more delays, will cause major crunch in late 2021.



REDISTRICTING PARTNERS