



City of Austin, Texas 2013 Independent Citizens Redistricting Commission – Introduction to Redistricting Law

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What is Redistricting?

- “One person - one vote” principle
- U.S. Constitution, 14th Amendment
- Applies to “legislative” bodies (city councils)
- Single-member districts must have approximately equal population

Applicable Law – Four Principles

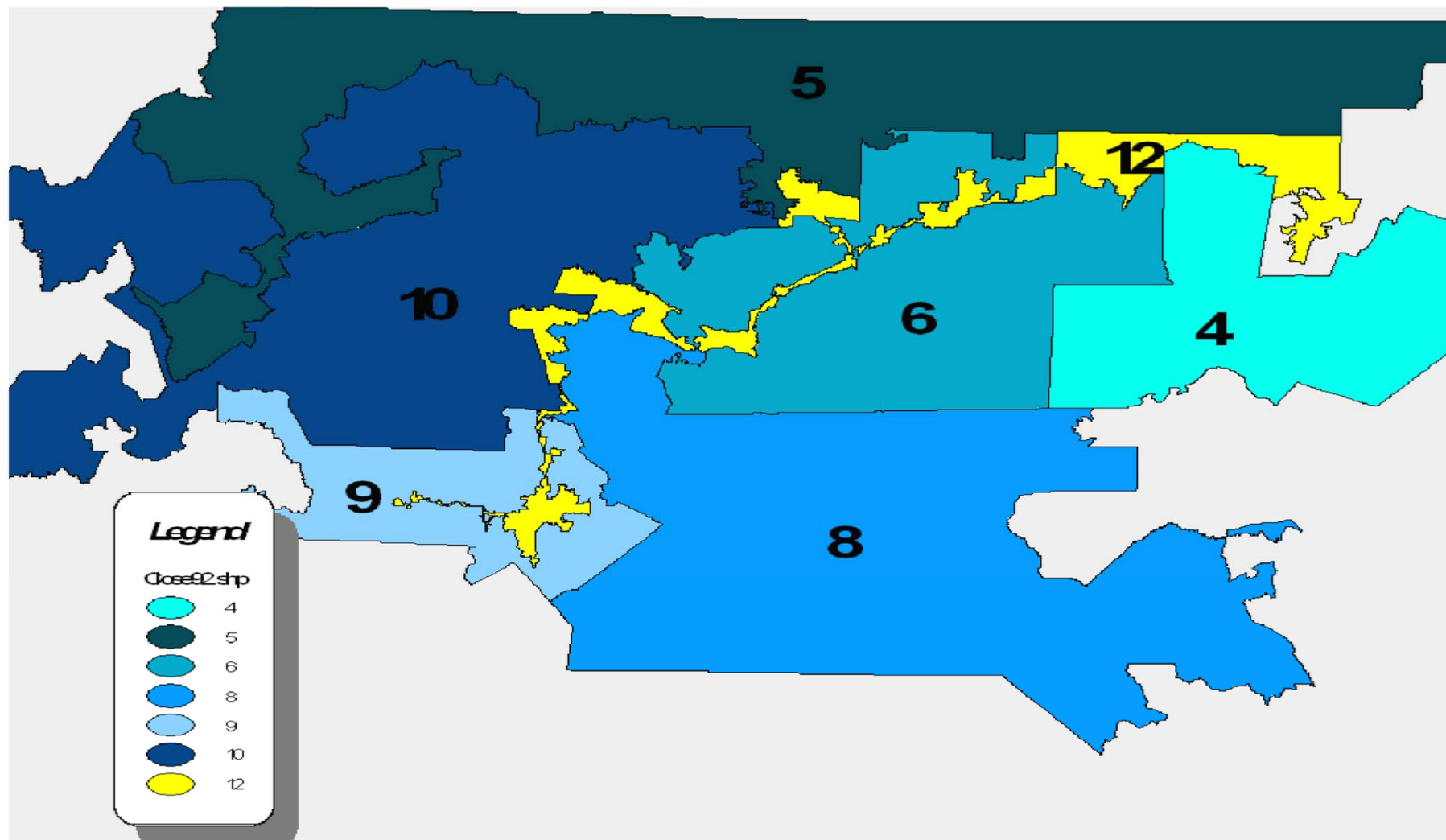
- “One person – one vote”
 - equal population - 10% rule
- Voting Rights Act § 5
 - preclearance / “retrogression”; discuss *Shelby County*
- Voting Rights Act § 2
 - nondiscrimination: no packing, no cracking
- *Shaw v. Reno*
 - limits extreme racial gerrymandering



Section 2 of the Voting Rights Act

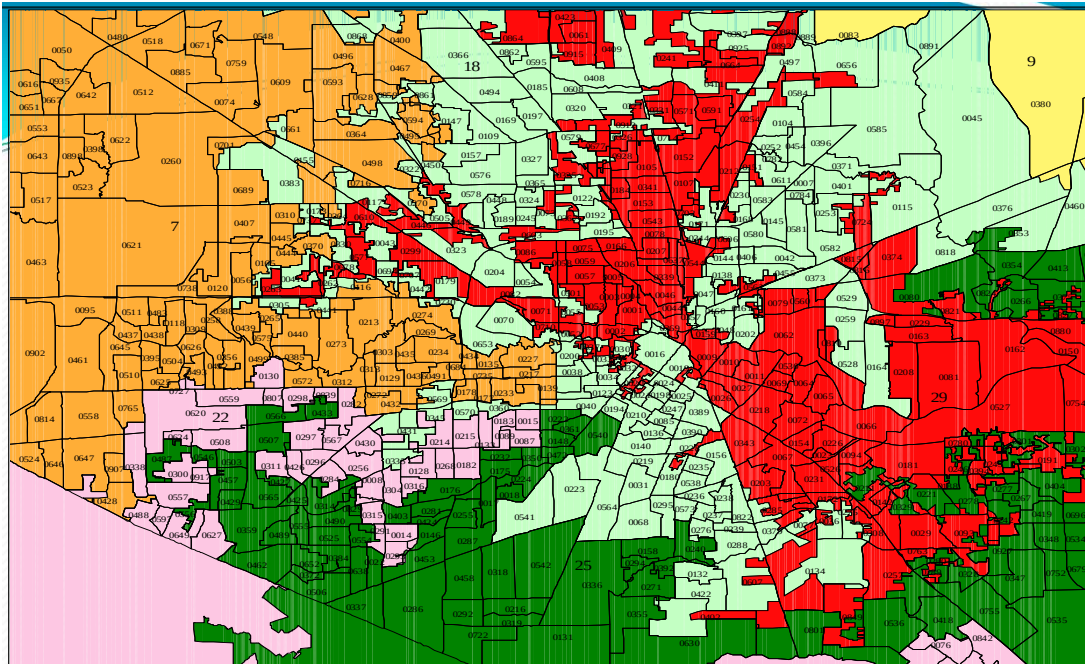
- Section 2 prohibits election practices that discriminate on the basis of race or language minority status.
- Generally, avoid **cracking** or **packing**.
- **Cracking (or fracturing)** is dividing a geographically compact group of minority voters to fragment their voting power.
- **Packing** is concentrating minority voters in a single district when dividing them would permit the group to elect their candidates of choice in more than one district

CLOSE UP OF NORTH CAROLINA 1992 PLAN A



Bush v. Vera

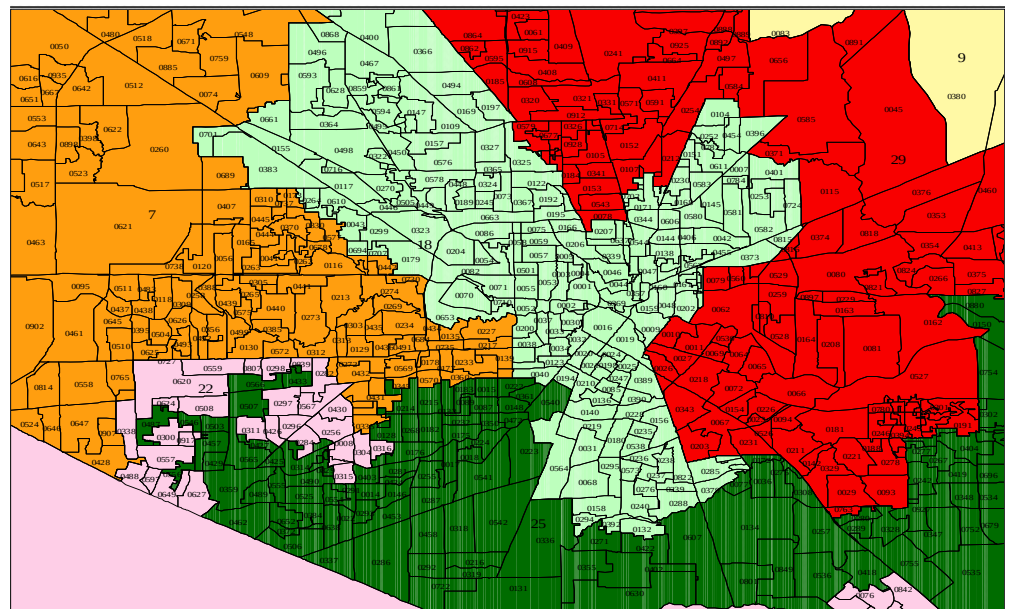
BEFORE



Central Harris County
PLANC657

Texas Legislative Council
11/13/98
w/081589
Source: T.L.C.

AFTER



Central Harris County
PLANC746

Texas Legislative Council
11/13/98
w/081589
Source: T.L.C.



SECTION 5

- Shelby County challenge to constitutionality of Section 5's "coverage" decided June 25, 2013
- Before *Shelby County*, Section 5 required all voting changes in "covered jurisdictions" to be "precleared"
- The Supreme Court left Section 5 in place, but invalidated Section 4, the "coverage" section
- Now, Section 5 does not apply to any jurisdictions
- Congress may replace Section 4, but what are the odds?



Charter Criteria (Art. II, Sec. 3(E))

Districts shall:

- Have reasonably equal population, except as required to comply with the VRA
- Comply with the VRA (e.g., section 2)
- Be geographically contiguous
- As possible, respect neighborhoods and communities of interest (excl. political parties, incumbents, candidates)
- As practicable, be geographically compact
- (As practicable, recognize existing district boundaries)
- As practicable, have geographically identifiable boundaries

Plan Development Specifics

Population Deviation

For a legislatively-drawn plan
(i.e., drawn by the governmental entity)

- **Most populous district compared to least populous**
- **10% rule**
- **Not absolute rule, but close**
- **(Congressional districting standards more strict)**

Calculating Deviation

District = 40,000 Total Population

Ideal Size	District 1 Total Population	District 2 Total Population	District 3 Total Population	District 4 Total Population	Deviation
10,000	9,000	10,000	10,700	10,300	17%
	1,000 Less	Exact	700 More	300 More	
	-10.00%	0.00%	+7.00%	+3.00%	
$+7.00\% - (-10.00\%) = 17.00\%$					

Highest Positive Percent - Highest Negative Percent = Maximum Deviation

$$[(\text{Total Population} - \text{Ideal Size}) / \text{Ideal Size}] * 100]$$

City of Austin 2010 Census Data



What Kinds of Census Data Are Available?

PL94-171 File

- Census Block level – “census geography”
 - Total population
 - VAP (voting age population)
 - Race
 - Hispanic origin

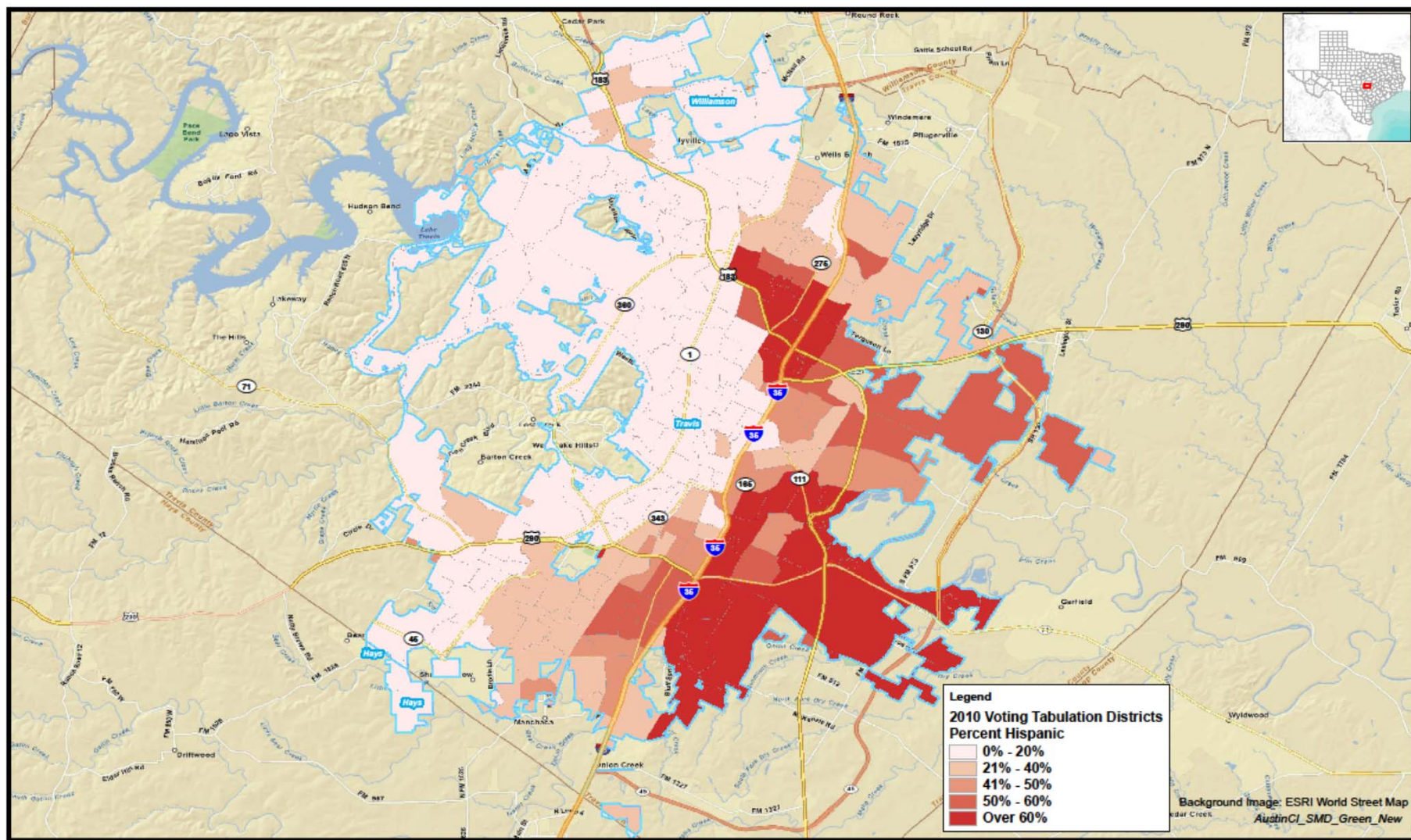
2010 Total and Voting Age Population By Race and Ethnicity

City of Austin

Summary 2010 Census Total and Voting Age Population

	Persons	Hispanic % of Total Population	Non- Hispanic Anglo % of Total Population	Non- Hispanic Black % of Total Population	Non- Hispanic Asian % of Total Population	Non- Hispanic Other % of Total Population
Austin	796,668	34.95%	48.92%	7.66%	6.24%	2.22%
	Total VAP*	Hispanic % of Total VAP	Non- Hispanic Anglo % of Total VAP	Non- Hispanic Black % of Total VAP	Non- Hispanic Asian % of Total VAP	Non- Hispanic Other % of Total VAP
Austin	619,939	30.47%	53.73%	7.50%	6.41%	1.90%
*Voting Age Population						

Some percentages may be subject to rounding error. Population based upon City's boundary files.

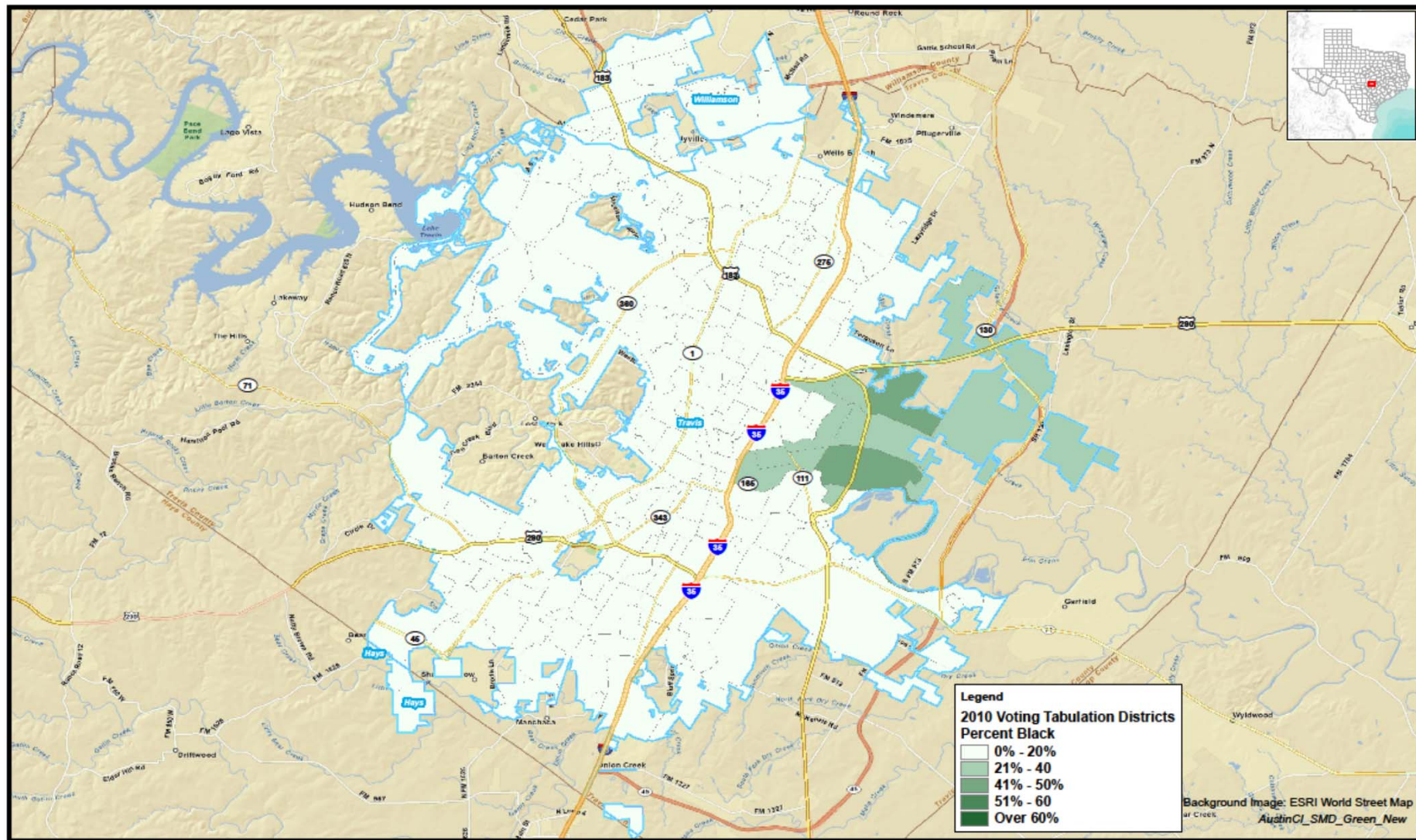


0 2 4 6 8 Miles
 Coordinate System: GCS North American 1983;
 Datum: North American 1983; Created: 5/10/11

City of Austin Percent Hispanic By 2010 Voting Tabulation District

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 Data Source: Roads, Water and other
 features obtained from the 2010
 Tiger/line files, U.S. Census Bureau



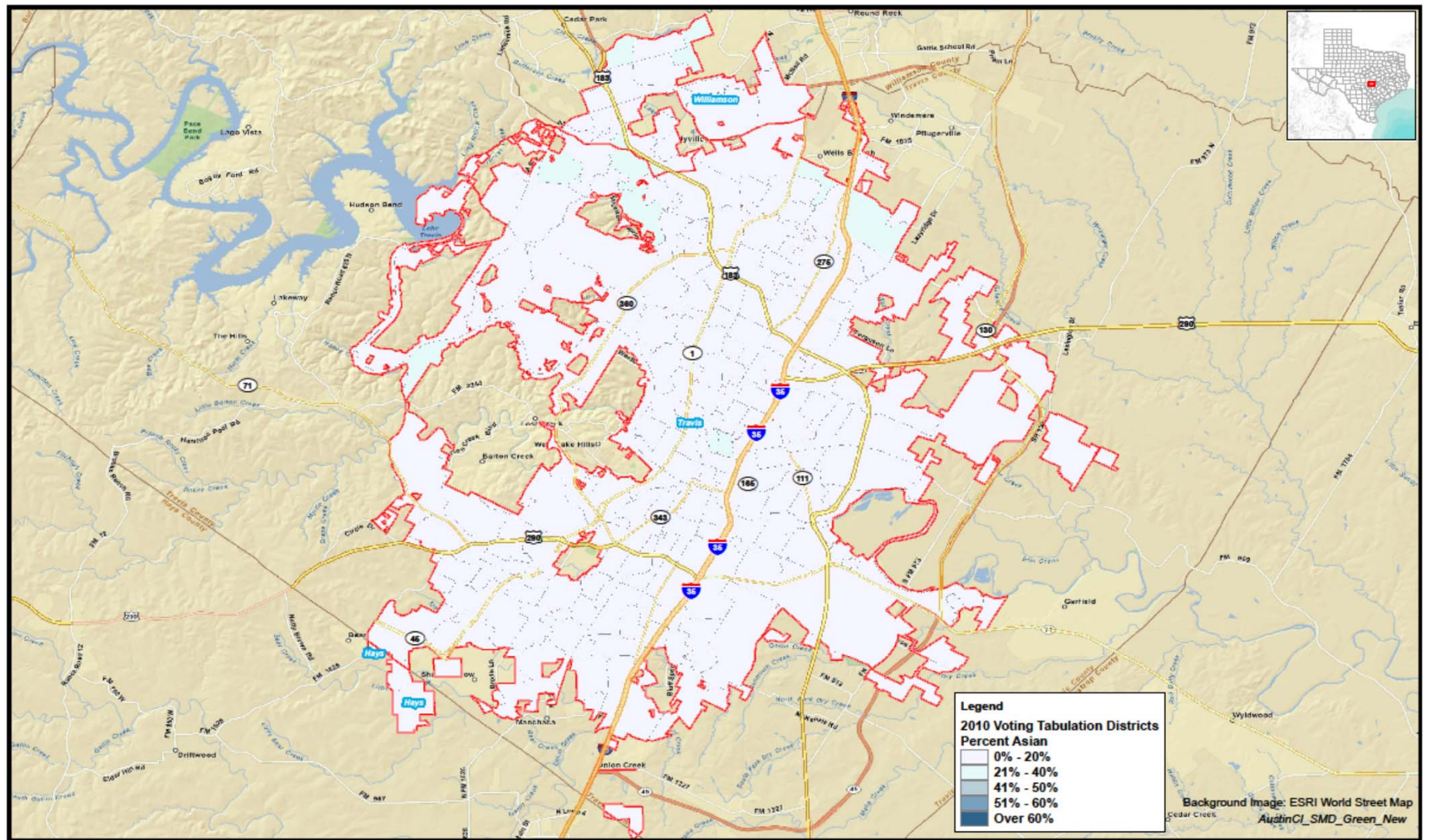


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City of Austin Percent Black By 2010 Voting Tabulation District

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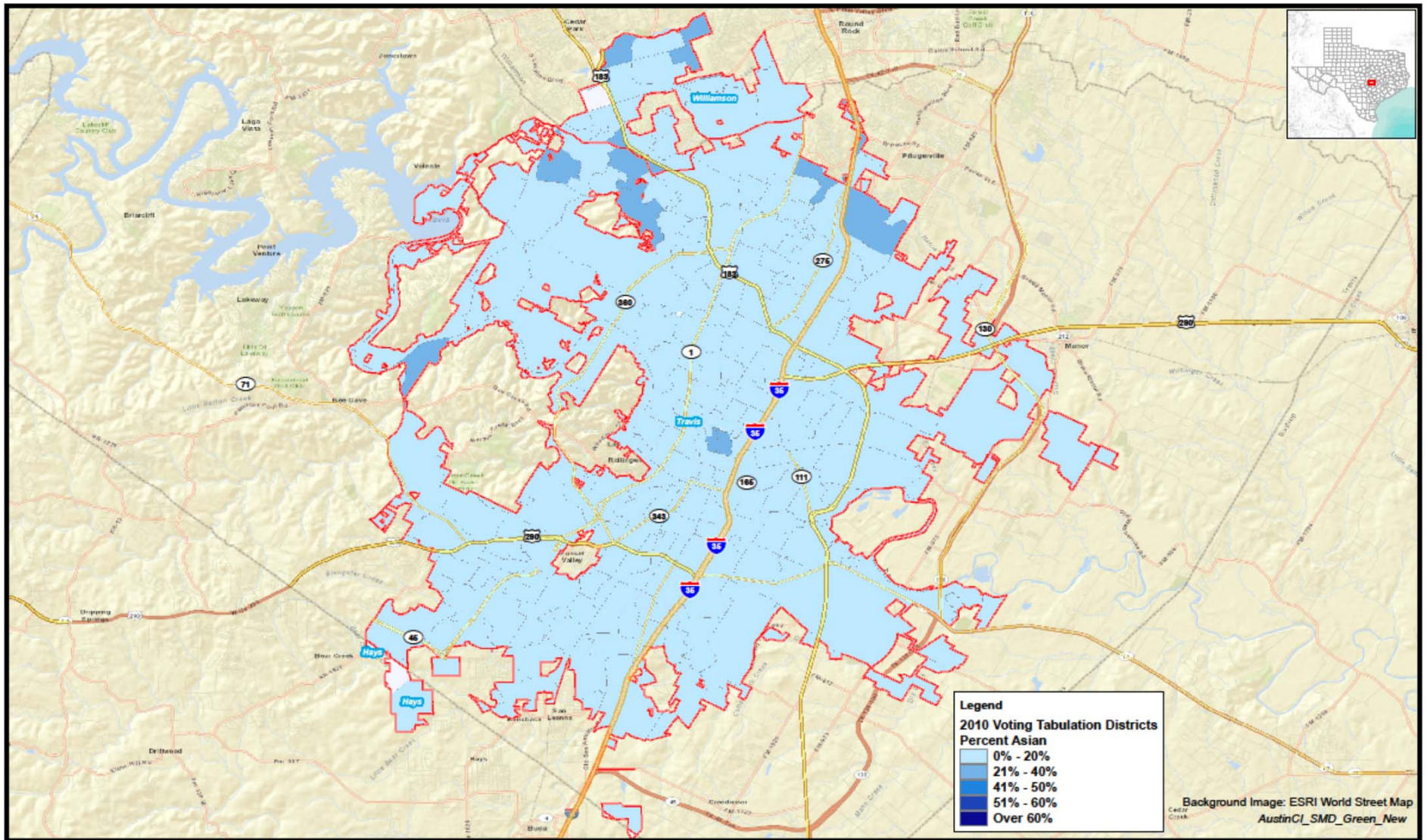


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City of Austin Percent Asian By 2010 Voting Tabulation District

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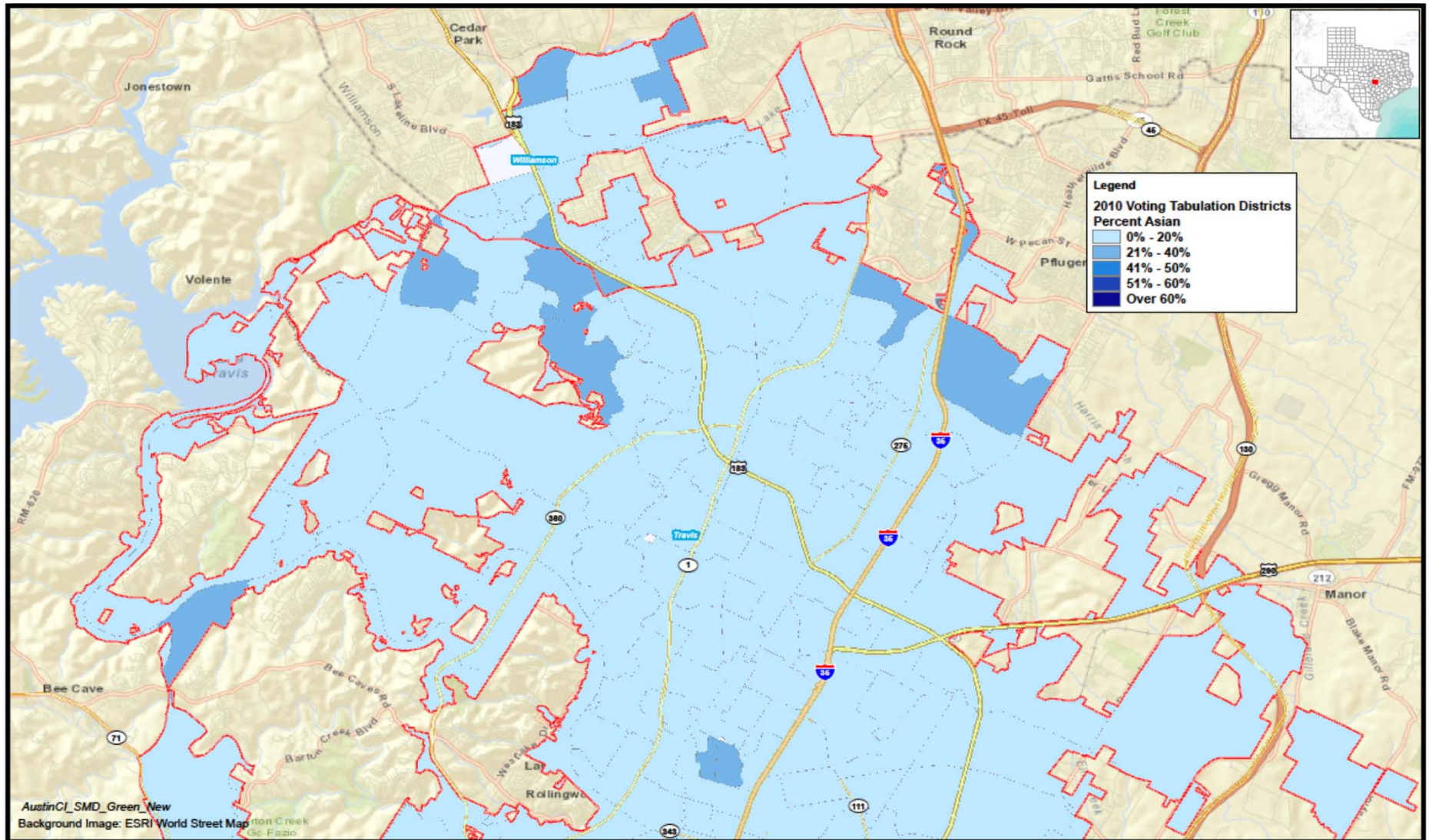


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City of Austin Percent Asian By 2010 Voting Tabulation District

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City of Austin - Close-up North Austin
Percent Asian By 2010 Voting Tabulation District

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