

Redistricting Commission

Redistricting Principles:
Review of Population Standards and
Introduction to Communities of Interest

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Redistricting Review

- Redistricting Plan must comply with:
 - U.S. Constitution
 - Equal Protection: “One Person, One Vote”
 - Federal Voting Rights Act of 1965 and subsequent amendments
 - San Diego City Charter §§ 5 and 5.1
 - Related statutes and case law interpreting redistricting plans and criteria

Charter Section 5.1 Requirements

- Composed of whole Census units, as developed by U.S. Bureau of the Census (blocks and tracts)
 - To the extent it is practical to do so.
- **Each district has one-ninth of City's population as nearly as "practicable."**
- **"In any redistricting, the districts shall be . . . made as equal in population as shown by the census reports . . . as possible."
(Section 5)**
- Fair and effective representation for all citizens of the City, including racial, ethnic, and language minorities . . ."

Review of Deviation Standard

- Deviation =
 - Difference between total population of most heavily and least populated districts after plan is drawn
 - Expressed as a percentage and by number of people
 - Population figures and deviation must be detailed in the plan
- **Goal is least deviation possible**

2020 Census Data Sets Population Goal

- Census numbers have been delayed due to the COVID-19 pandemic.
- For the purposes of illustration, we will use SANDAG's 2019 population estimates.
- Any estimates will be updated with Census data when available.



Population Equality: 2010 Commission

District	Total Population	Optimal	Total Deviation	Percent Deviation
1	147,375	144,624	2,751	1.90%
2	142,711	144,624	-1,913	-1.32%
3	147,117	144,624	2,493	1.72%
4	142,727	144,624	-1,897	-1.31%
5	143,961	144,624	-663	-0.46%
6	140,738	144,624	-3,886	-2.69%
7	147,113	144,624	2,489	1.72%
8	144,830	144,624	206	0.14%
9	145,045	144,624	421	0.29%
Total	1,301,617		6,637	4.59%



Population Change 2010 to 2019

Council District	2010 Population	2019 SANDAG Estimate	Population Growth/Loss
1	147,375	170,684	23,309
2	142,711	162,748	20,037
3	147,117	196,412	49,295
4	142,727	132,029	-10,698
5	143,961	159,205	15,244
6	140,738	149,622	8,884
7	147,113	164,535	17,422
8	144,830	138,922	-5,908
9	145,045	146,411	1,366

Estimated Population Goal based on 2019 Estimates

- San Diego's population = 1,420,568
- Divide by 9 =

157,841

- This is the Commission's estimated "magic number" for population equality of the districts
- Measure deviation from this number between the largest and smallest districts the Commission draws



Current Deviation Prior to Redistricting

Council District	2019 SANDAG Estimate	"Magic Number" Estimate	Current Deviation	Percent Deviation
1	170,684	157,841	12,843	8%
2	162,748	157,841	4,907	3%
3	196,412	157,841	38,571	20%
4	132,029	157,841	-25,812	-20%
5	159,205	157,841	1,364	1%
6	149,622	157,841	-8,219	-5%
7	164,535	157,841	6,694	4%
8	138,922	157,841	-18,919	-14%
9	146,411	157,841	-11,430	-8%
Total Population	1,420,568	Remember 10% Deviation Rule!		

Traditional Redistricting Principles: Review

- Districts are to have equal population, but also:
 - Be composed of contiguous territory
 - Be geographically compact
 - **Preserve “identifiable communities of interest”**
 - Have reasonable access between population centers
 - Be bounded by natural boundaries, street lines and/or City boundary lines

What Are Communities of Interest?

- Charter §5.1 –Single reference in Charter
- “To the extent it is practical to do so, districts shall: preserve identifiable communities of interest . . .”
- Term is not defined in the Charter
 - Lack of definition gives some flexibility to Commission to determine what is or is not a “community of interest”
 - Phrase “to the extent it is practical” also provides flexibility

U.S. Supreme Court – “Actual Shared Interests”

- Court recognizes importance of “communities of interest” but does not define exactly what they are
- Principle: “respect for . . . communities defined by actual shared interests.” *Miller v. Johnson*, 515 U.S. 900, 916 (1995)

What Are Communities of Interest?

- One definition: “groups of individuals who are likely to have similar legislative concerns, and who might therefore benefit from cohesive representation in the legislature.”
- Source: Power on the Line(s): Making Redistricting Work for Us (Sponsored by LDF, MALDEF & AAJC), citing Brennan Center for Justice, Communities of Interest (Nov. 2010)
- Examples:
 - Income levels
 - Educational backgrounds
 - Housing patterns, living conditions (urban, suburban, rural)
 - Historical neighborhoods, including historically segregated neighborhoods or neighborhoods that historically included residents from a common ancestry or ethnicity
 - Shared language
 - Shared festivals, neighborhood gatherings or traditions
 - Occupation and employment patterns
 - Shared use of public transportation infrastructure
 - Shared affiliation with common places of worship and schools
 - Use of particular shopping areas, parks, beaches, and recreation areas
 - Shared participation in civic organizations
 - Shared broadcast and print media markets

California – Prop. 20 Amends Cal. Constitution

“(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.”

Article XXI of the California Constitution, §2(d)(4)

California – Prop. 20 Amends Cal. Constitution

“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.”

Article XXI of the California Constitution, §2(d)(4)

California – Prop. 20 Amends Cal. Constitution

“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.”

Article XXI of the California Constitution, §2(d)(4)

U.S. Supreme Court -Considerations

- Common interests must extend beyond race alone.
- Show the common interest beyond race and also show that line-drawers were aware of the common interest at the time they drew the plan
- Ex: Justification for the community of interest was rejected in *Bush v. Vera*:
 - Evidence of commonality not “available to the Legislature in any organized fashion before [plan] was created.” 517 U.S. 952, 966 (1996)

Communities of Interest -Timing

Consider communities of interest at the time you draw the lines.

Cases confirm that line-drawers must consider identification of communities of interest at the time the lines are drawn, rather than reciting “communities of interest” as a pretext to justify a plan after it is drawn and challenged in court

Communities of Interest -Evidence

- Consider Communities of Interest through:
 - Census data
 - Testimony of the public at all hearings
 - City planning documents (neighborhood boundaries, planning group boundaries, geographical boundaries, shared geographical features)
 - Other data gathered from SANDAG, other sources, mapping consultant

Communities of Interest

- Remember:
 - Communities of Interest are subordinate to population equality and adherence to the Voting Rights Act (“one person, one vote”)
 - Must consider all traditional redistricting principles in considering where to draw the lines
 - Some communities of interest may request that they not be kept together, but split to affect more than one Council district
 - Charter provides the Commission with some flexibility by not defining the term

Questions?