

Drawing the Map: “Compact” and “Contiguous”



REDISTRICTING COMMISSION OF THE CITY OF SAN DIEGO

Sharon Spivak, Deputy City Attorney
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Redistricting Review



- Redistricting Plan must comply with:
 - U.S. Constitution
 - Federal Voting Rights Act of 1965
 - San Diego City Charter §§ 5 and 5.1
 - Related statutes and case law interpreting redistricting plans and criteria

Redistricting Review



- Nine districts to be created
 - Composed of whole Census units, “to the extent it is practical to do so”
 - Each has one-ninth of City’s population as nearly as “practicable”
 - ✦ Strive for smallest possible population deviation between districts
 - ✦ “One person, one vote” – most important

Drawing the Lines: Charter Requirements



- Charter section 5:
 - Districts shall be comprised of contiguous territory . . .
 - . . . and as geographically compact as possible

Drawing the Lines: Charter Requirements



Charter section 5.1: “To the extent it is practical to do so, districts shall:”

- Be geographically compact – populous contiguous territory shall not be bypassed to reach distant populous areas
- Be composed of contiguous territory with reasonable access between population centers in the district

What is Compactness?



- Refers to geographic shape of the district
 - ✦ Is the district a regular or bizarre shape?
 - ✦ Is the population greatly dispersed?
 - ✦ Are boundary lines jagged or smooth?
 - ✦ Is land arranged neatly into a small space?
 - ✦ Does the geography make sense?
(dividing natural boundaries?)

City Not Required to Use a Formula



- Mathematical formulas – not required by Charter
- Measurements that have been used
 - ✦ Dispersion = how spread out is the district?
 - Look at the smallest circle that can be drawn around the district
 - ✦ Perimeter = length of a district's border, compared to other districts or proposed plans
 - ✦ Population = compares how district distributes population in and outside of its borders

“Compact” is Not Well-Defined



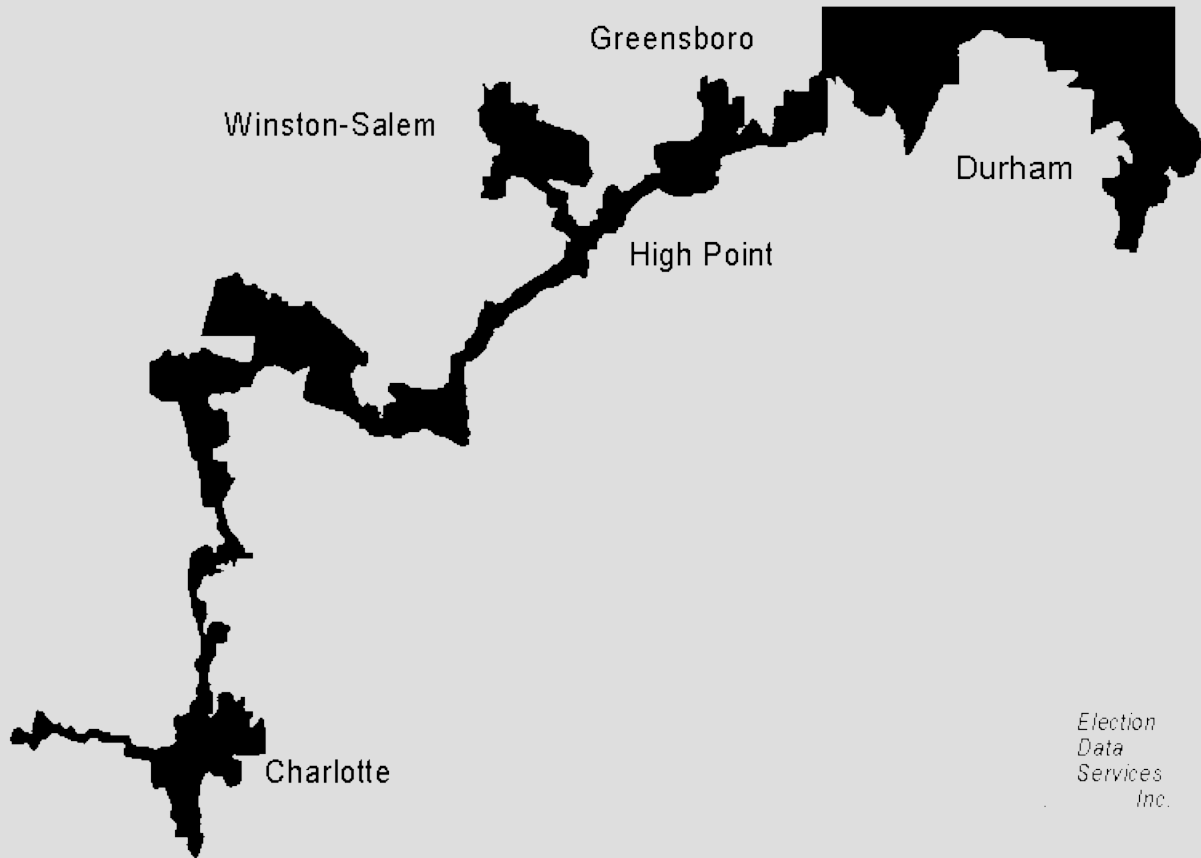
- No one rule governs this area
- No specific guideline for City boundaries
 - Not legally required to use specific mathematical measurements
 - Mapping consultant will assist Commission with these measurements
 - Compare compactness of districts between competing draft plans, between districts

“Compact” is Not Well-Defined



- How compact must they be?
 - “A §2 district that is reasonably compact and regular, taking into account traditional districting principles such as maintaining communities of interest and traditional boundaries, may pass strict scrutiny without having to defeat rival compact districts designed by plaintiffs’ experts . . .” *Bush v. Vera*, 517 U.S. 952 (1996)
- Becomes a matter of:
 - “*You know it when you see it*”

Compactness: Know it when you see it?



*Election
Data
Services
Inc.*

“Appearances Matter”



“Reapportionment is one area in which appearances do matter.”

- *Shaw v. Reno*, 509 U.S. 630, 647

By analogy . . .

Redistricting is one area in which appearances do matter.

Why Should Districts Be Compact?



Why is geographic compactness important?

- ❖ Theory: Officials can better serve constituents in more limited geographical area, rather than over great distances
- ❖ Geographical communities will share common interests, not be grouped with those with different needs

Is the Concept of Compactness Still Valid?



- ❖ Some academics focus on idea that it can be irrelevant to constitutional guarantees of equal protection and representation: “one person, one vote” must prevail
- ❖ Some believe compactness does not assist map-drawers in clustering certain groups or communities to enhance their voting power
- ❖ Others believe that a district with a bizarre shape is evidence of gerrymandering for unlawful purposes

What if the district is not compact?



- Boundary lines must be justified through traditional redistricting criteria and population measurements
- Bizarre lines can be subject of litigation and subject to strict scrutiny by court

Keep City's Geography in Mind



- Recognize that San Diego has far-reaching land and geographic difficulties
 - Canyons, preserves, mountains, rivers, bays
- Perfect compactness cannot be achieved!
- Draw upon expert help
 - Mapping consultant will help with criteria and measurements

Prior Plan Improved Compactness



- Previous Commission's plan enhanced compactness:
 - Removed “donkey's tail” at southern boundary of District 5, which had split District 6 almost in half
 - Removed “finger” of land from northern boundary of District 8, enhancing compactness of Districts 3 and 8
 - Unified South Bay into District 8 by removing a District 2 tract
 - Unified neighborhoods split in Districts 2 and 3
 - Smoothed jagged edges on northern boundary of District 2

Compactness in Perspective



- Compactness is only one of numerous criteria to be met: must balance with others
- Population equality is first priority
- Achieving best possible compactness may not work because plan may not meet other legal criteria
- Need to use census info, natural boundaries, preserve communities of interest

What is “Contiguous”



○ Contiguous

- A single, unbroken shape
- All parts of the district are attached and connected to each other
 - Can you travel from any part of the district to any other part without crossing its boundaries? (not divided into discrete parts)
- Two areas touching at corners typically not considered contiguous

“Contiguous” Is Not Always Possible



- But consider: San Diego’s boundaries are not completely contiguous
 - San Diego cannot make all of its districts contiguous unless there is sufficient population to do so
 - ✦ Example: District 8 – Gap between southernmost part of City and Barrio Logan
(Note: District connects through San Diego Bay, not land.)

Summary of Mapping Requirements



- Draw districts that are as compact and contiguous as is practical and possible, to comply with Charter
- Recognize that San Diego's boundaries are challenging
- Remember that all traditional redistricting principles must be balanced against each other
 - May be compelling legal reasons to draw a district that is not compact or contiguous
- Strict population equality is most important