



Loyola Law School
Loyola Marymount University
Los Angeles

Redistricting criteria

Long Beach Independent Redistricting Commission

Prof. Justin Levitt
February 3, 2021

This is not your lawyer



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Where to draw the lines?

Federal law, Cal. Election Code § 21621, Long Beach Charter § 2506

- Race and ethnicity
- Equal population
- Contiguity
- Neighborhoods and communities
- Topography and geography
- Compactness
- Partisan favor and personal residence



Equal population

District population must be “substantially equal” (< 10% difference)

Charter: “as nearly equal as practicable”

	Population	
District 1	1,010	
District 2	1,035	
District 3	980	
District 4	940	
District 5	1,005	
District 6	990	
District 7	965	
District 8	1,025	
District 9	1,050	
<i>Total population</i>		<i>9,000</i>
<i>Average</i>		<i>1,000</i>



Equal population

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Charter: “as nearly equal as practicable”

	Population	Deviation
District 1	1,010	+ 1.0 %
District 2	1,035	+ 3.5 %
District 3	980	- 2.0 %
District 4	940	- 6.0 %
District 5	1,005	+ 0.5 %
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Total population 9,000

Average 1,000



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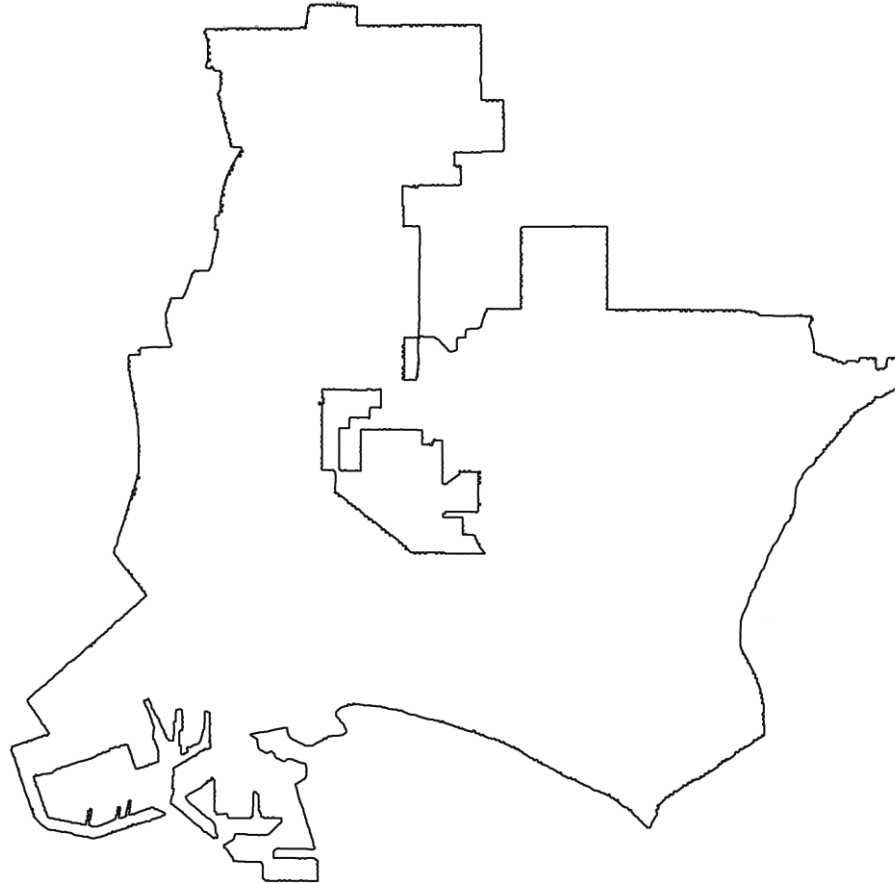
Average 1,000

***Total deviation* 11.0%**



Contiguity

All parts of a district must be connected to each other



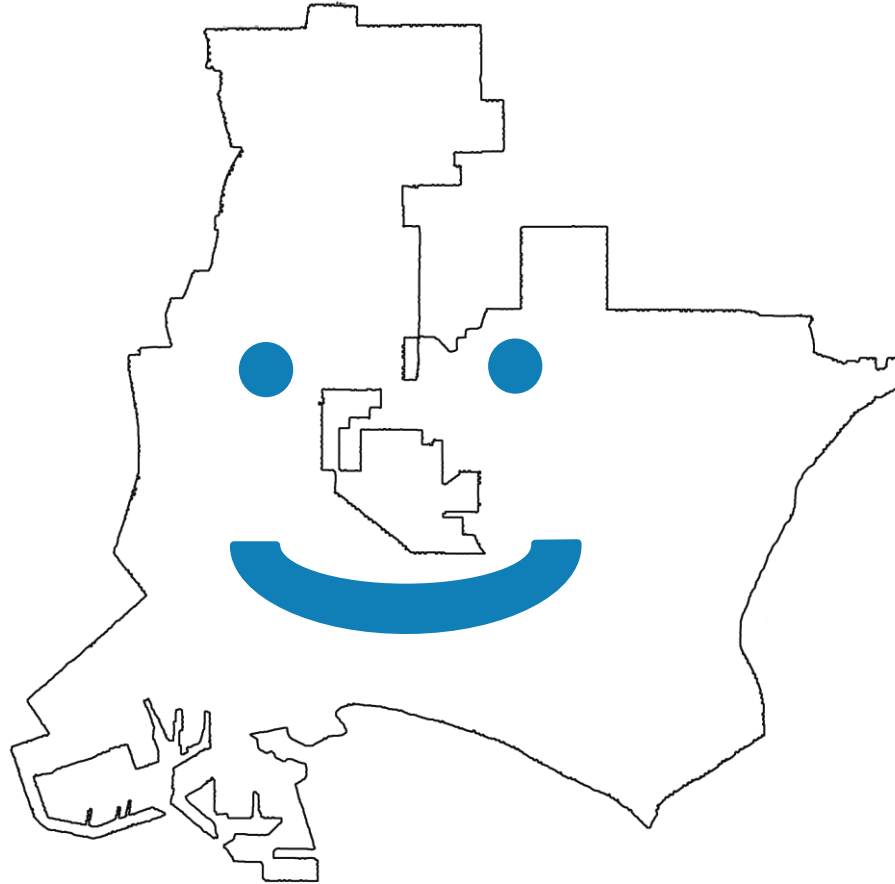
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Contiguity

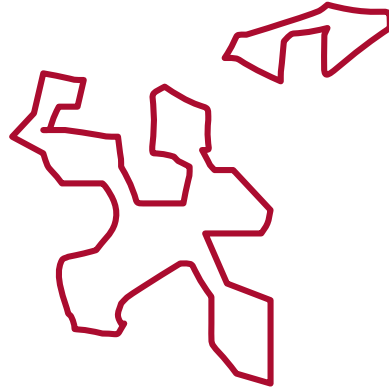
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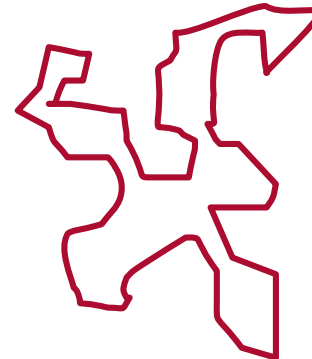
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Contiguity

All parts of a district must be connected to each other



No



Yes



Contiguity

Islands should be connected by bridges/tunnels/ferries



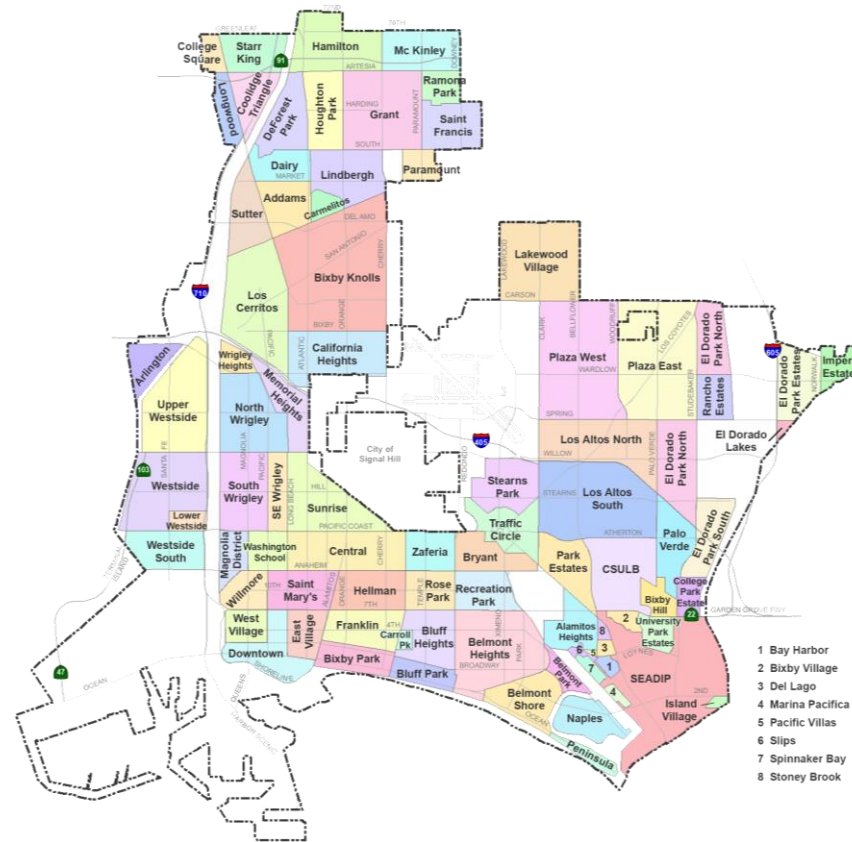
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Neighborhoods

Minimize division of a neighborhood,
particularly when sharing a common language, history, culture, and identity



Communities of interest

Minimize division of communities of interest, too

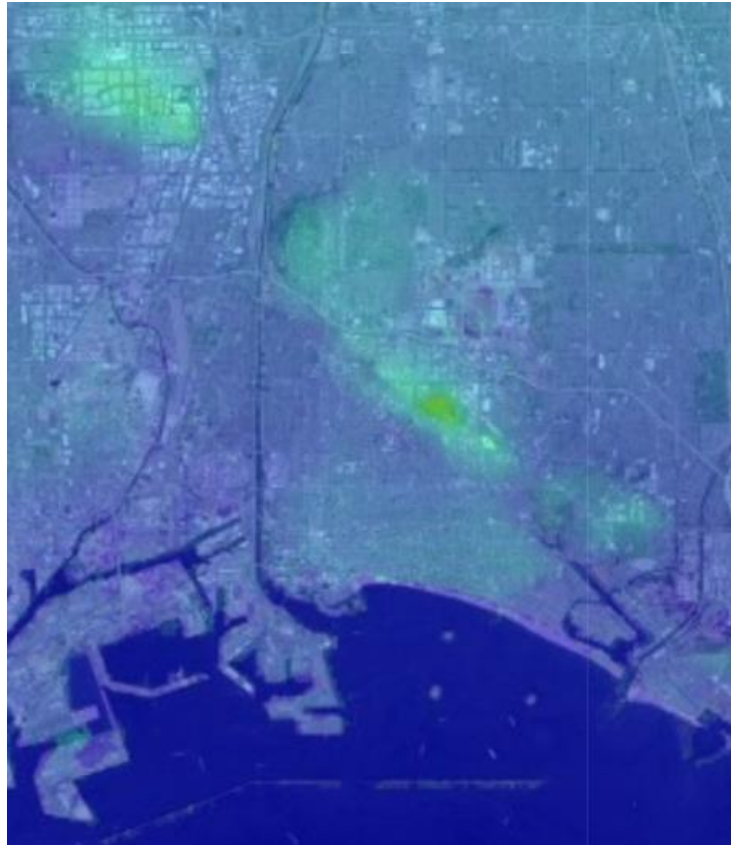
“A community of interest is a contiguous population that shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.”

“Neighborhoods and communities sharing a common language, history, culture and identity should not be divided so as to dilute their voting power.”



Topography and geography

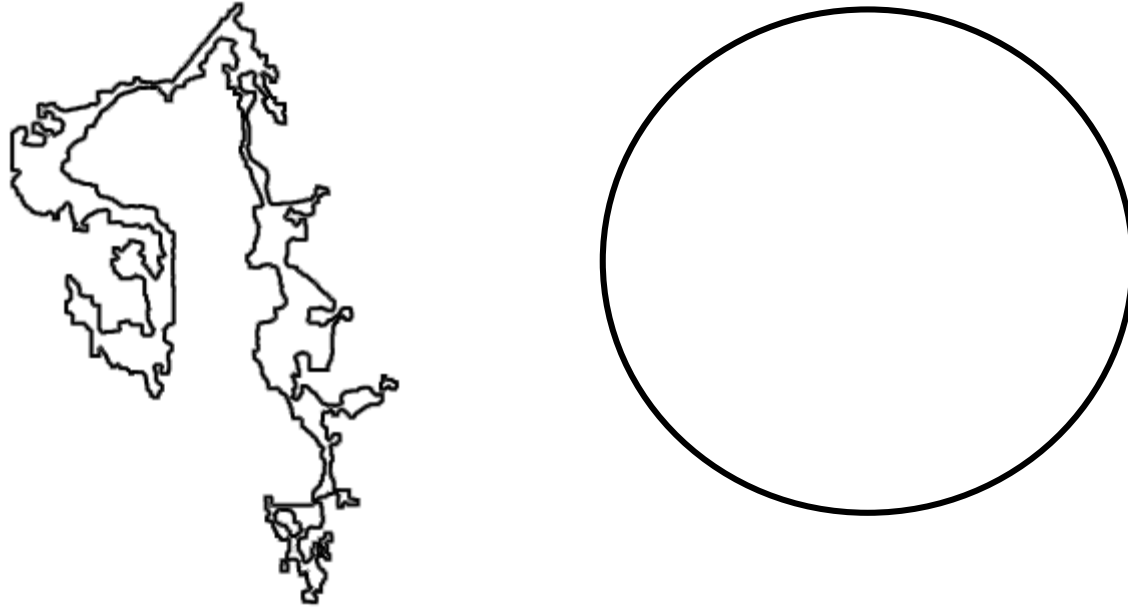
“Respect major topographic and geographic features”



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Compactness

Many think of “compactness” in terms of abstract shapes



But that doesn't fit California law



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Compactness

Some think of “compactness” in terms of geometric formulas

- Total perimeter length
- Area v. area of circle with same perimeter (Cox/Polsby-Popper)
- Area v. area of circumscribing circle (Reock)
- Area v. area of circumscribing convex hull (Niemi)
- Diameter of circumscribing circle (Frolov)
- Moment of inertia / distance to center of gravity (Boyce-Clark)
- Significant corners (Kaufman-King)
- Inward-bending v. outward-bending angles (Taylor)
- Shortest path remaining in district (Chambers-Miller)

But that doesn't fit California law



Compactness

California standard: Don't bypass nearby population



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Candidates and parties

- Shall not consider individual residence (e.g., incumbent or candidate)
- Shall not draw districts for the purpose of favoring or discriminating against a political party



Considering criteria

- Need to be able to distill and assess testimony
- Need to reconcile potential conflicts in testimony, even when there is no “right” or “wrong”
- Need to be comfortable determining borders that are not pre-defined
- May need to be comfortable with “strange” shapes
- Watch out for binding your own hands with absolutes



Further information

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allaboutredistricting.org



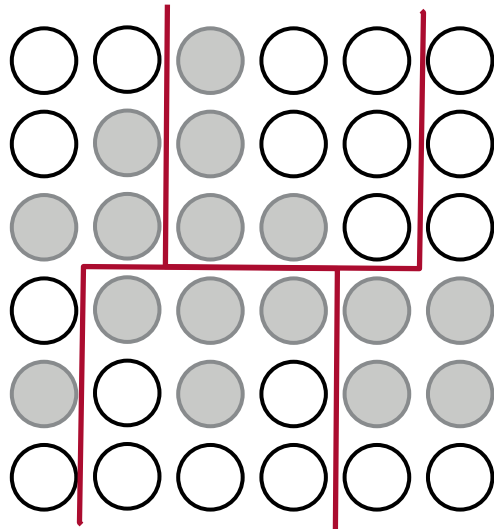
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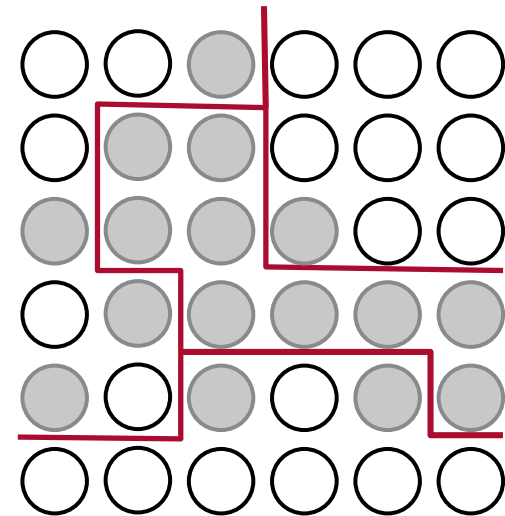
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Rule One

Don't set out to hurt voters based on their race or ethnicity



“Cracking”



“Packing”

- No matter if lines are “pretty”
- No matter the ultimate motive



Rule Two

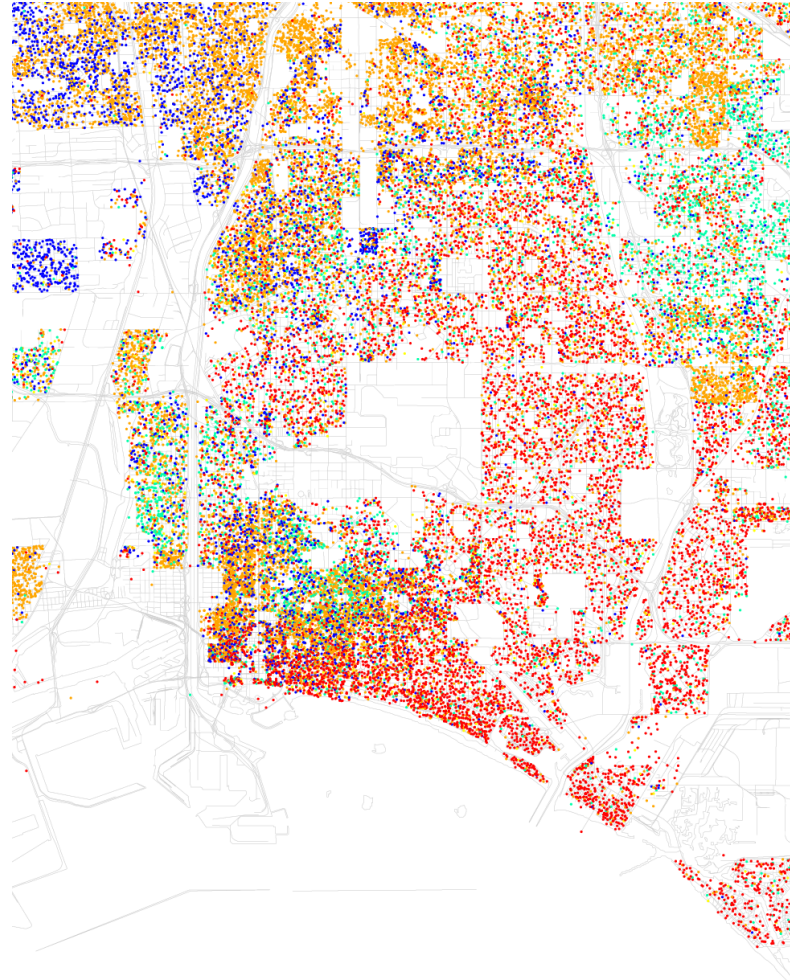
Comply with the Voting Rights Act

- Are there sizable, relatively concentrated minority communities?
- Do the minority communities have distinct electoral preferences?
- Did (or do) underrepresented minorities face discrimination?
- Can we design districts to give minorities a fair shot?



Voting Rights Act

Are there sizable, relatively concentrated communities?



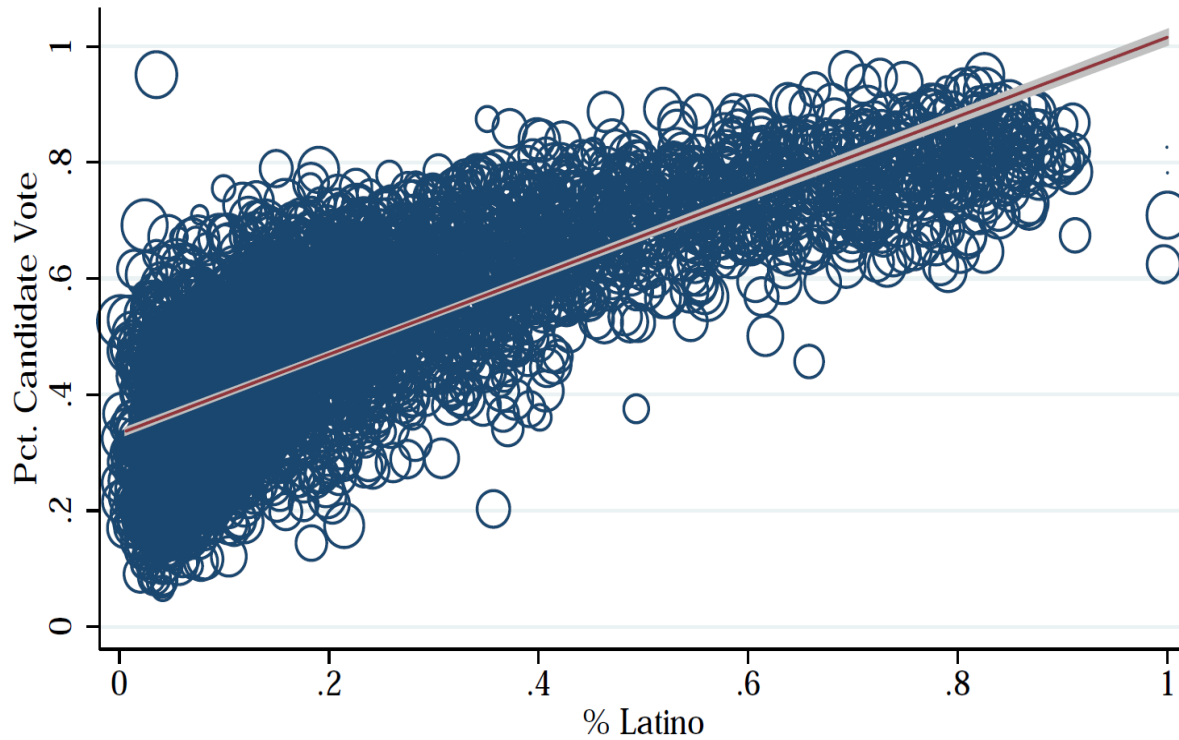
NH White
Black
Latinx
Asian



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Voting Rights Act

Do the minority communities have distinct electoral preferences?



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Rule Three

Consider other factors at the same time

Race can only “predominate” if there’s a really good reason



California Voting Rights Act

Only applies to jurisdictions with at-large elections, not where all candidates are elected from single-member districts

