

Franklin County
Board of Commissioners
& Board of Education
2011 Proposed Redistricting Plans

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November 7, 2011*

Presentation

- Legal requirement of redistricting
- Criteria established for redistricting plans
- Plans requested by commissioners
 - Alternative Plan 1A
 - Alternative Plan 1B
 - Alternative Plan 2
 - Alternative Plan 3
 - Alternative Plan 4
- Legal analysis of plans
 - Alternative Plan 1A
 - Alternative Plan 1B
 - Alternative Plan 2
 - Alternative Plan 3
 - Alternative Plan 4

Legal Requirements for Redistricting

Constitutional Case Law Guidelines

- Equal Population by District
 - – Required by US Constitution
 - - One person, one vote
 - - Based on total population by US Census
- No Erosion of Minority Voting Strength
 - - Required by US Voting Rights Act
 - - Upheld by US Supreme Court
 - - Mandated by US Justice Department
 - - Based on voting-age minority population
 - - Must prevent “retrogression” of minority voting strength where minority candidates can be elected
- Must be Compact, Contiguous, and Continual
 - - No ugly gerrymanders, as far as possible
 - - Must connect
 - - Bug splatters and ink blots may not pass judicial review

2010 Census Results

District	Current Population	Ideal Population	Total Deviation	Percentage Deviation
1	9825	12,124	-2,299	- 18.96%
2	10385	12,124	- 1,739	- 14.34%
3	11541	12,124	- 583	- 4.81%
4	12100	12,124	- 24	- 0.20%
5	16768	12,124	+ 4644	+ 38.3%
TOTAL	60,619		County-wide Deviation	57.26%

What that means...

- One districts (5) is too large and must shrink by over a third.
- Four districts (1, 2, 3, & 4) are too small and two of them (1 & 2) must grow significantly.
- Changes in districts must meet new population goals but must also avoid violating the Voting Rights Act.



Minority Voting Strength

Current Plan

District	Caucasian VAP %	African American VAP %	Minority Seats on Commission	Minority Seats on Board of Ed.
1	45.40%	47.64%	1 Elected	1 Elected
2	51.41%	41.17%	0	1 Elected
3	66.56%	27.97%	0	1 Appointed
4	78.65%	13.96%	0	1 Appointed
5	77.07%	14.84%	0	0
COUNTY	65.49%	27.36%	0 At-Large	1 At-Large

Redistricting Criteria

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Redistricting Criteria

- Equal Population
- No Dilution or Overconcentration of Racial Minority Voting Strength
- Reasonably Contiguous and Reasonably Compact.
- No Retrogression of Minority Voting Strength

Redistricting Criteria

- Based on US Census Geographic Boundaries and 2010 Census Data
- A School in Each School Board District
- Avoid Splitting Precincts When Possible
- Avoid Widespread Reassignment of Voters When Possible
- Preserve Representation by Incumbents



Explaining the Redistricting Criteria

- 1) Districts should be as nearly equal in population as is practicable. The total deviation (range) in population between the smallest and largest district may not be greater than 10%. Some plans have been defeated with a deviation between 8% and 10%.
- 2) The plan shall not dilute the voting strength of racial minority citizens. Specifically, the plan should not fragment minority citizens among different districts or over-concentrate minority citizens in one district. (Section 2 of the Voting Rights Act)
- 3) Each district should be composed of territory that is contiguous and reasonably compact.
- 4) No retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise under Section 5 of the Voting Rights Act of 1965.



Explaining the Redistricting Criteria

- 5) The plan must be drawn based on U.S. Census blocks and 2010 Census data.
- 6) Each school board district, to the greatest extent possible, shall be designed to try to include at least one public school, so long as such a district does not violate other redistricting criteria or state and federal laws.
- 7) To the extent possible, the plan should avoid further splitting of voting precincts, acknowledging that current precincts must be split in order to achieve balanced district populations.
- 8) To the extent possible, the plan should relocate as few voters into new districts as possible in order to prevent voter confusion and to prevent expensive and burdensome administrative tasks for the county Board of Elections.
- 9) Preserve representation by incumbents where possible to allow continuity of constituent relationships and to minimize contests among incumbents, though protecting incumbents may not supersede constitutional or statutory requirements.

What is “Retrogression?”

- Electoral changes must not create new obstacles for racial minorities with respect to their effective exercise of the electoral franchise, such as:
 - Losses in minority voting strength in a district are not off-set by gains in minority voting strength in another district
 - Inability of minorities in the district to elect their candidate of choice
 - Inability of the minority group to effectively participate in the political process
 - Loss of opportunities to elect minority candidates in one or more districts by over-concentrating minority voters in another district

Combating Retrogression of Voting Strength

A jurisdiction may:

- Create either a certain number of "safe" majority-minority districts in which it is highly likely that a minority voters will be able to elect the candidate of their choice,

OR

- Create a greater number of districts in which it is likely, although perhaps not quite as likely as under the benchmark plan, that minority voters will be able to elect their candidates.
- Section 5 does not dictate that a jurisdiction must pick one of these redistricting methods over the other.



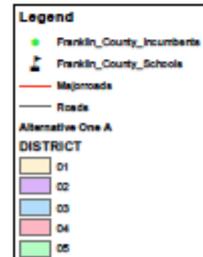
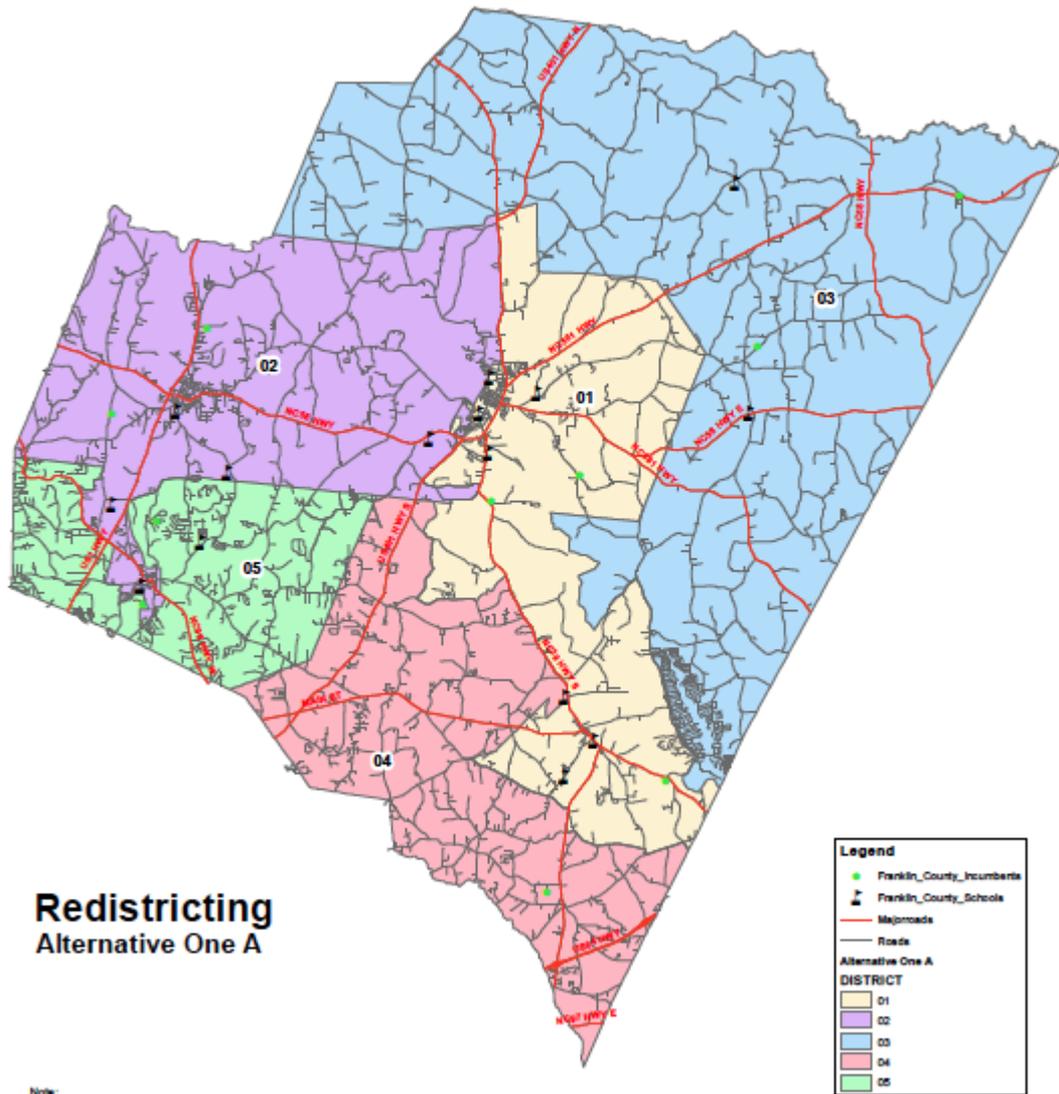
Which Remedy?

- Majority-minority districts
 - When racial block voting denies opportunities to minority candidates,
 - When there is a history of racial discrimination, and
 - When minorities cannot be regularly elected without holding a majority of the voting age population in the district
- Multiple minority influence districts:
 - Minorities candidates, who are the choice of the minority population, can be regularly elected in districts with less than a 50% minority population
 - Districts are drawn with a minority population high enough, though not a majority, to regularly elect a minority candidate that is the choice of the minority community

Alternative Plans

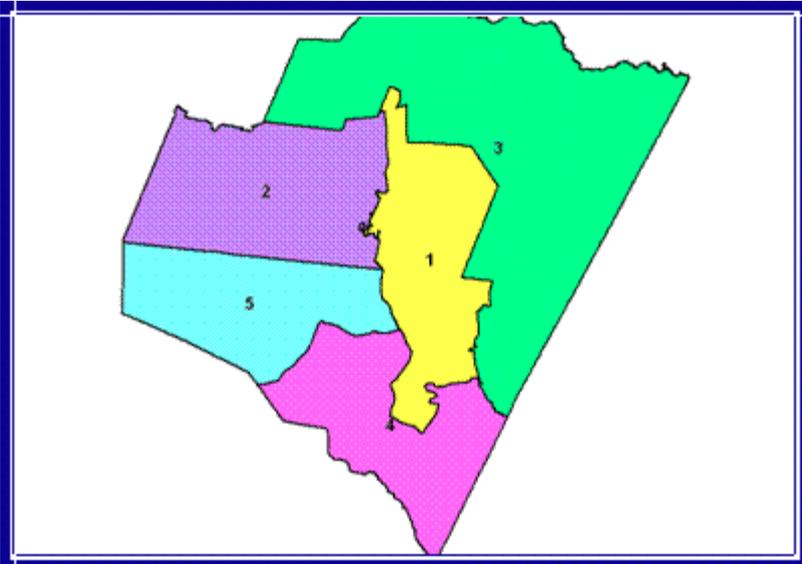
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Board of Education and County Commissioner Districts



Redistricting Alternative One A

Note:
Alternative One A splits 5 precincts, one fewer than existing districts.
It also makes the least dramatic change to the existing district plan,
but puts district 4 school board incumbent in district 1.



New Population Alternative 1A

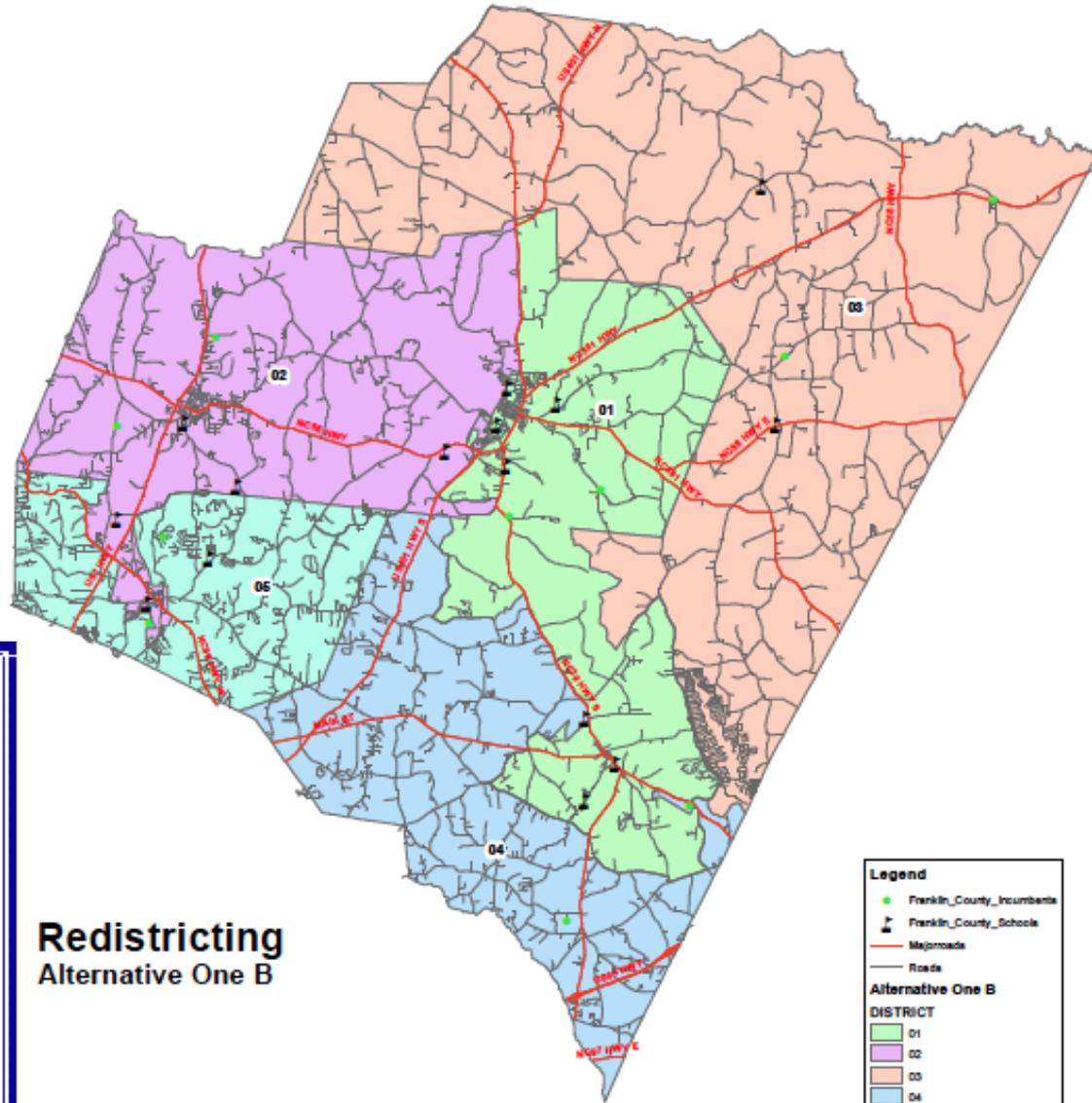
District	New Population	Ideal Population	Total Deviation	Percentage Deviation
1	11,842	12,124	- 282	- 2.33%
2	11,645	12,124	- 479	- 3.95%
3	12,086	12,124	- 38	- 0.31%
4	12,535	12,124	411	3.39%
5	12,511	12,124	387	3.19%
TOTAL	60,619		Range of Deviation	7.34%

New Minority Voting Strength

Alternative 1A

District	New Caucasian VAP	Old Caucasian VAP %	New African American VAP	Old African American VAP %
1	47.91%	45.40%	44.09%	47.64%
2	54.58%	51.41%	38.42%	41.17%
3	65.53%	66.56%	29.14%	27.97%
4	79.80%	78.65%	12.25%	13.96%
5	79.69%	77.07%	12.90%	14.84%

Board of Education and County Commissioner Districts



Legend

- Franklin_County_Incumbents
- ▲ Franklin_County_Schools
- Majorroads
- Roads

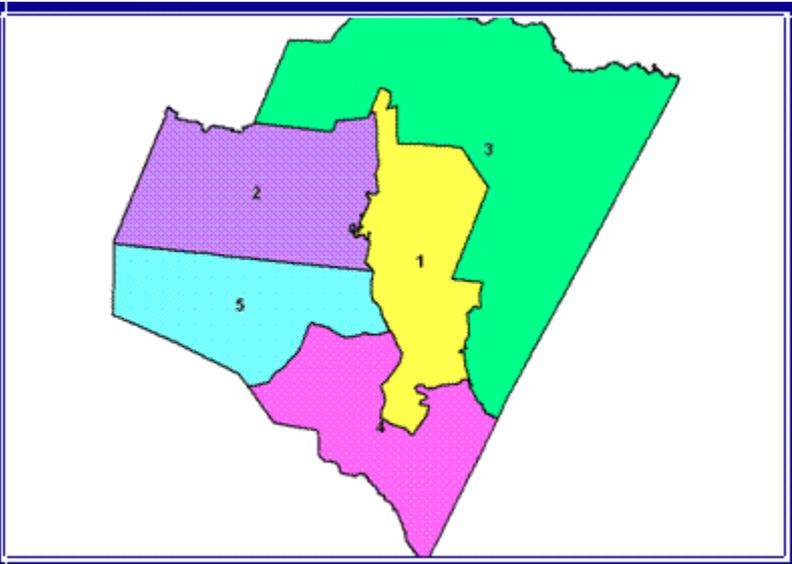
Alternative One B

DISTRICT

- 01
- 02
- 03
- 04
- 05

Redistricting Alternative One B

Note:
Alternative One B splits 6 precincts, and makes minimal change to Alternative One A in that the district 4 school board incumbent is in district 4.



New Population Alternative 1B

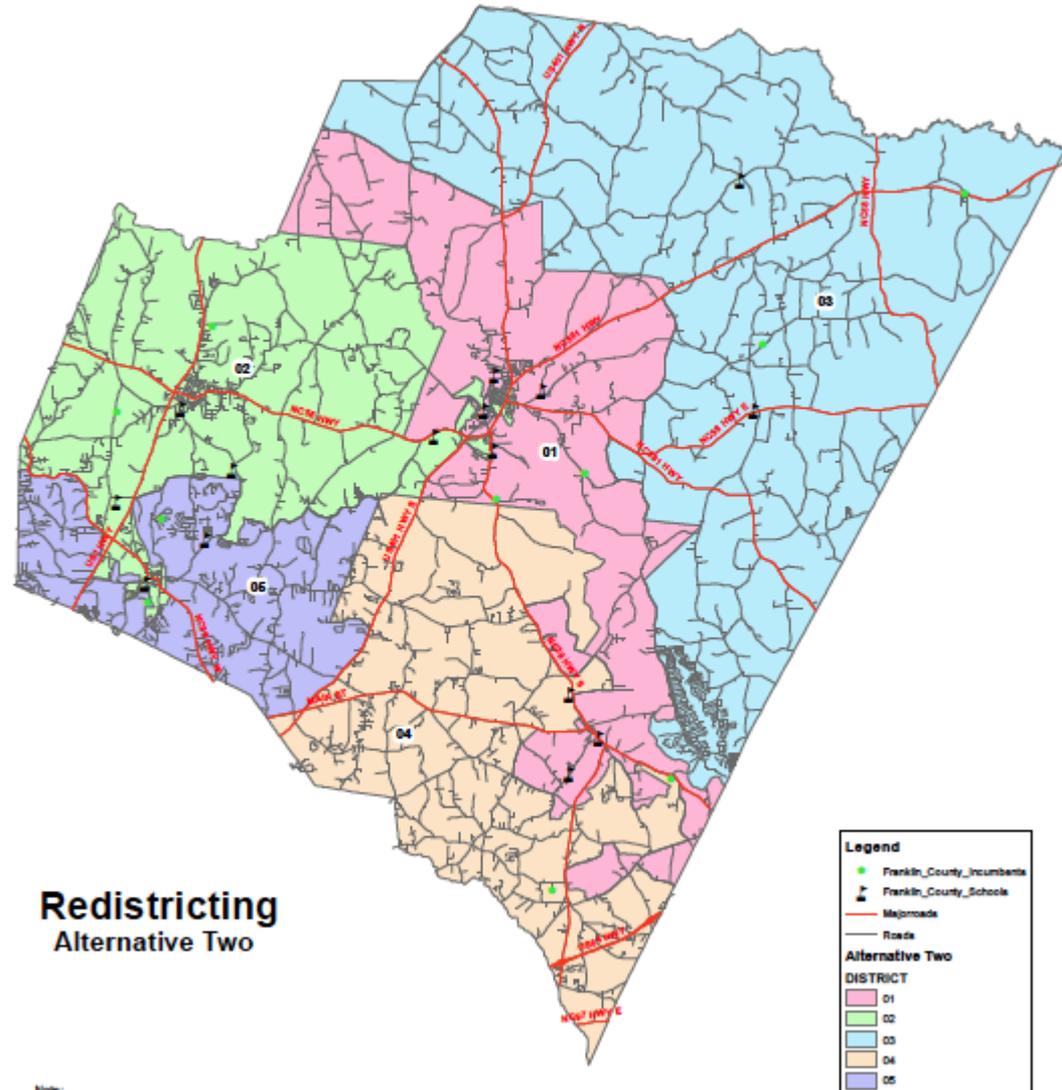
District	New Population	Ideal Population	Total Deviation	Percentage Deviation
1	11,789	12,124	- 335	- 2.76%
2	11,645	12,124	- 479	- 3.95%
3	12,086	12,124	- 38	- 0.31%
4	12,588	12,124	464	3.83%
5	12,511	12,124	387	3.19%
TOTAL	60,619		Range of Deviation	7.78%

New Minority Voting Strength

Alternative 1B

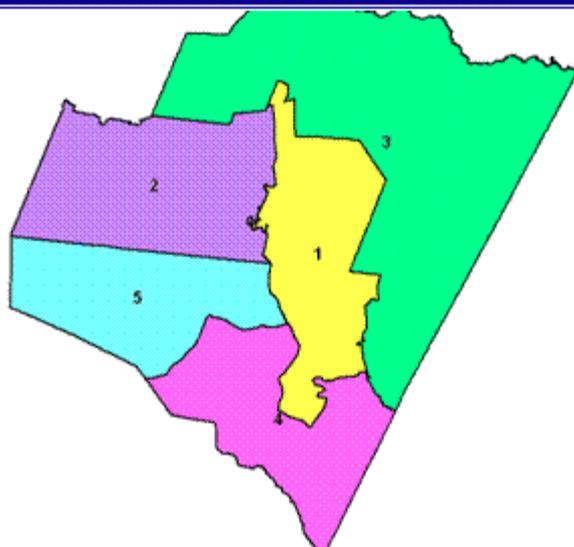
District	New Caucasian VAP	Old Caucasian VAP %	New African American VAP	Old African American VAP %
1	48.44%	45.40%	43.59%	47.64%
2	54.58%	51.41%	38.42%	41.17%
3	65.53%	66.56%	29.14%	27.97%
4	79.15%	78.65%	12.88%	13.96%
5	79.69%	77.07%	12.90%	14.84%

Board of Education and County Commissioner Districts



Redistricting Alternative Two

Note:
Alternative Two draws district 1 at greater than 50 percent of the voting age population any part Black. The plan splits 13 precincts.



New Population Alternative 2

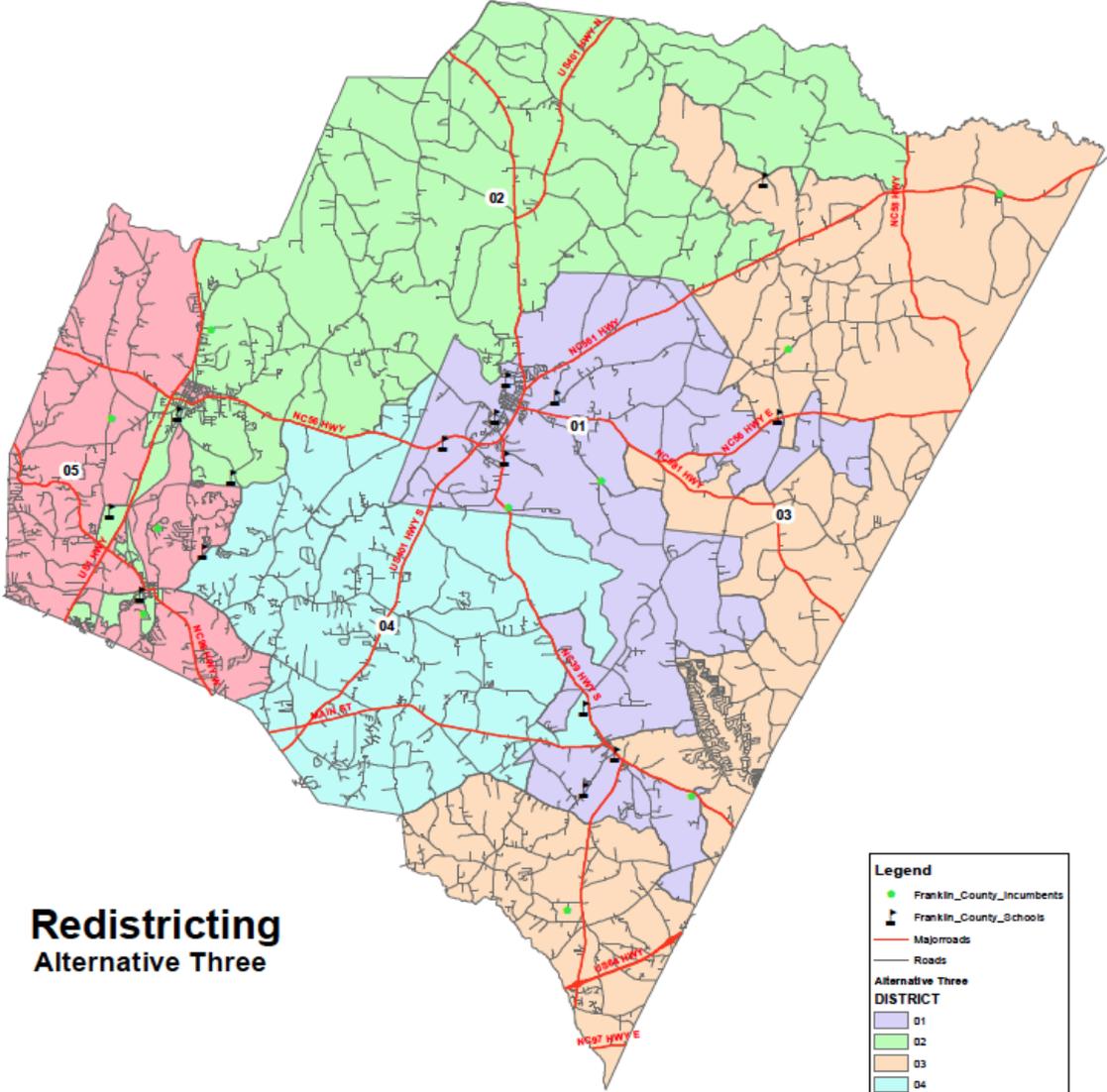
District	New Population	Ideal Population	Total Deviation	Percentage Deviation
1	11,689	12,124	- 435	- 3.59%
2	12,265	12,124	141	1.16%
3	11,718	12,124	- 406	- 3.35%
4	12,618	12,124	494	4.07%
5	12,329	12,124	205	1.69%
TOTAL	60,619		Range of Deviation	7.66%

New Minority Voting Strength

Alternative 2

District	New Caucasian VAP	Old Caucasian VAP %	New African American VAP	Old African American VAP %
1	43.38%	45.40%	50.07%	47.64%
2	56.90%	51.41%	34.91%	41.17%
3	67.39%	66.56%	27.09%	27.97%
4	80.26%	78.65%	12.30%	13.96%
5	79.83%	77.07%	12.19%	14.84%

Board of Education and County Commissioner Districts



Legend

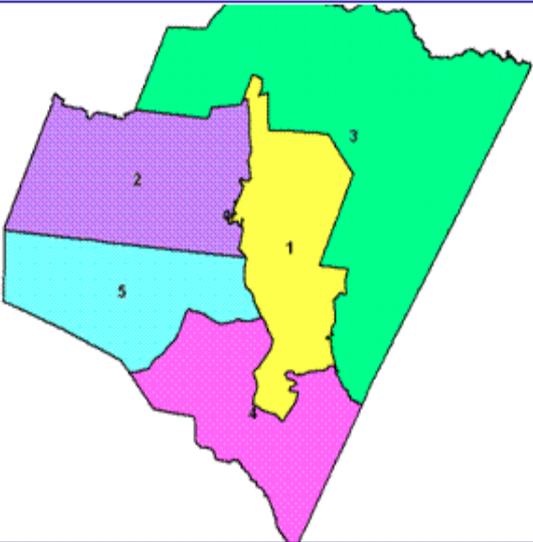
- Franklin_County_Incumbents
- Franklin_County_Schools
- Majorroads
- Roads

Alternative Three DISTRICT

- 01
- 02
- 03
- 04
- 05

Redistricting Alternative Three

Note:
 Alternative Three attempts to draw districts 1 and 2 at maximum voting age population any part Black. The plan splits 14 precincts and makes radical changes to the district plan, double bunking several incumbents among the districts.



New Population Alternative 3

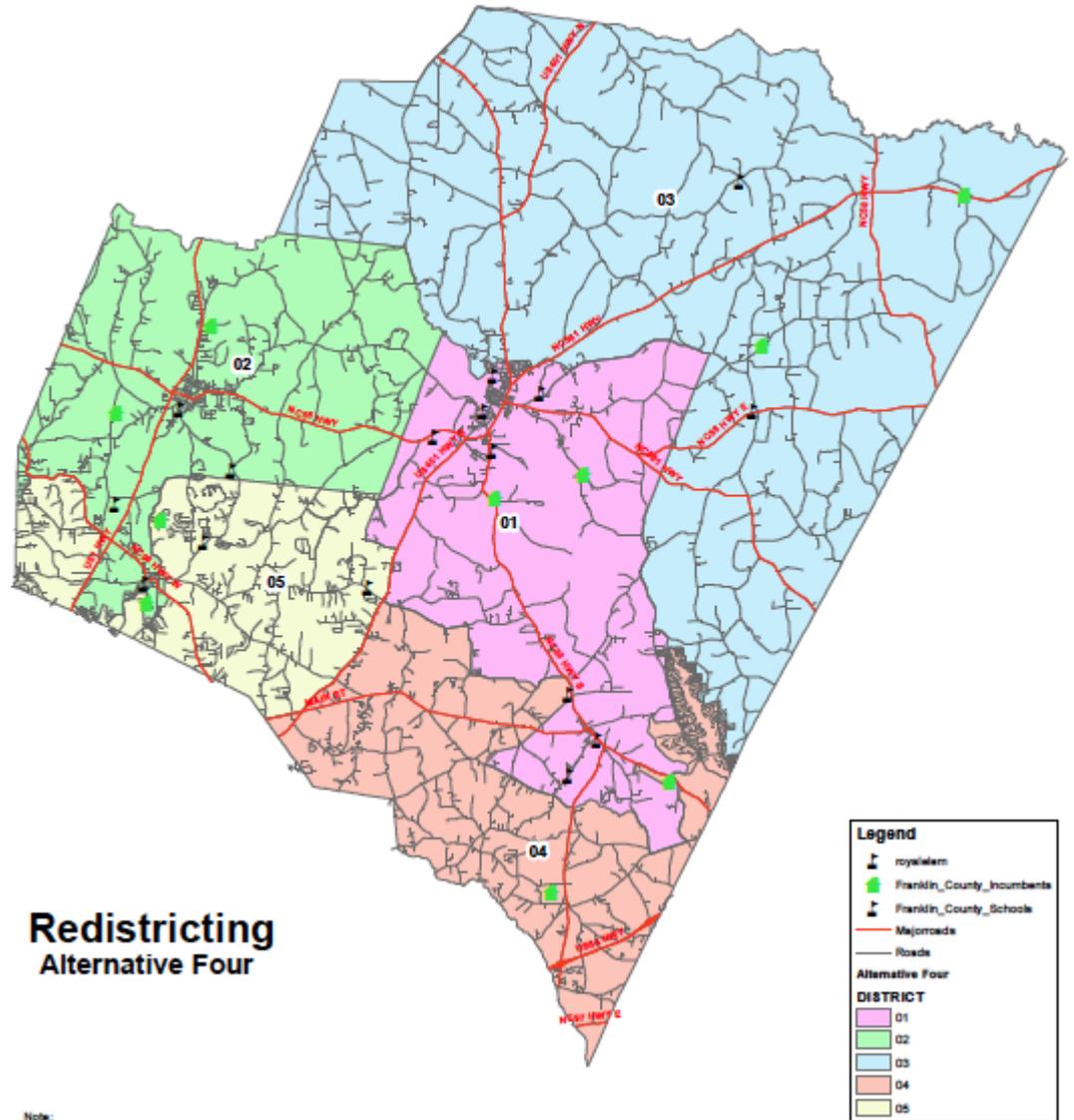
District	New Population	Ideal Population	Total Deviation	Percentage Deviation
1	11,766	12,124	- 358	- 2.95%
2	12,124	12,124	0	0.00%
3	12,600	12,124	476	- 3.93%
4	12,005	12,124	- 119	0.98%
5	12, 124	12,124	0	0.00%
TOTAL	60,619		Range of Deviation	6.94%

New Minority Voting Strength

Alternative 3

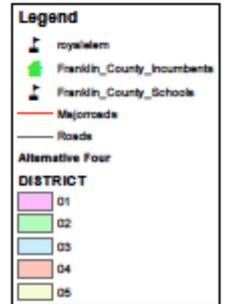
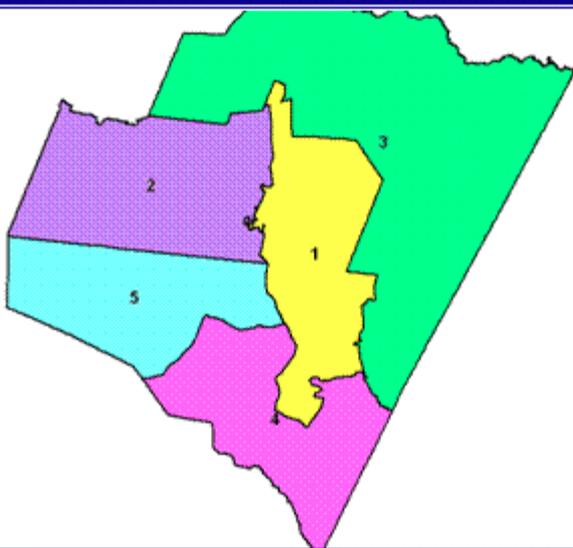
District	New Caucasian VAP	Old Caucasian VAP %	New African American VAP	Old African American VAP %
1	43.50%	45.40%	49.10%	47.64%
2	47.07%	51.41%	46.88%	41.17%
3	78.41%	66.56%	14.03%	27.97%
4	79.31%	78.65%	13.32%	13.96%
5	80.05%	77.07%	12.66%	14.84%

Board of Education and County Commissioner Districts



Redistricting Alternative Four

Note:
Alternative Four splits 8 precincts.



New Population Alternative 4

District	New Population	Ideal Population	Total Deviation	Percentage Deviation
1	11,655	12,124	- 469	- 3.87%
2	11,717	12,124	- 407	- 3.36%
3	12,036	12,124	- 88	- 0.73%
4	12,607	12,124	483	3.98%
5	12,604	12,124	480	3.96%
TOTAL	60,619		Range of Deviation	7.85%

New Minority Voting Strength

Alternative 4

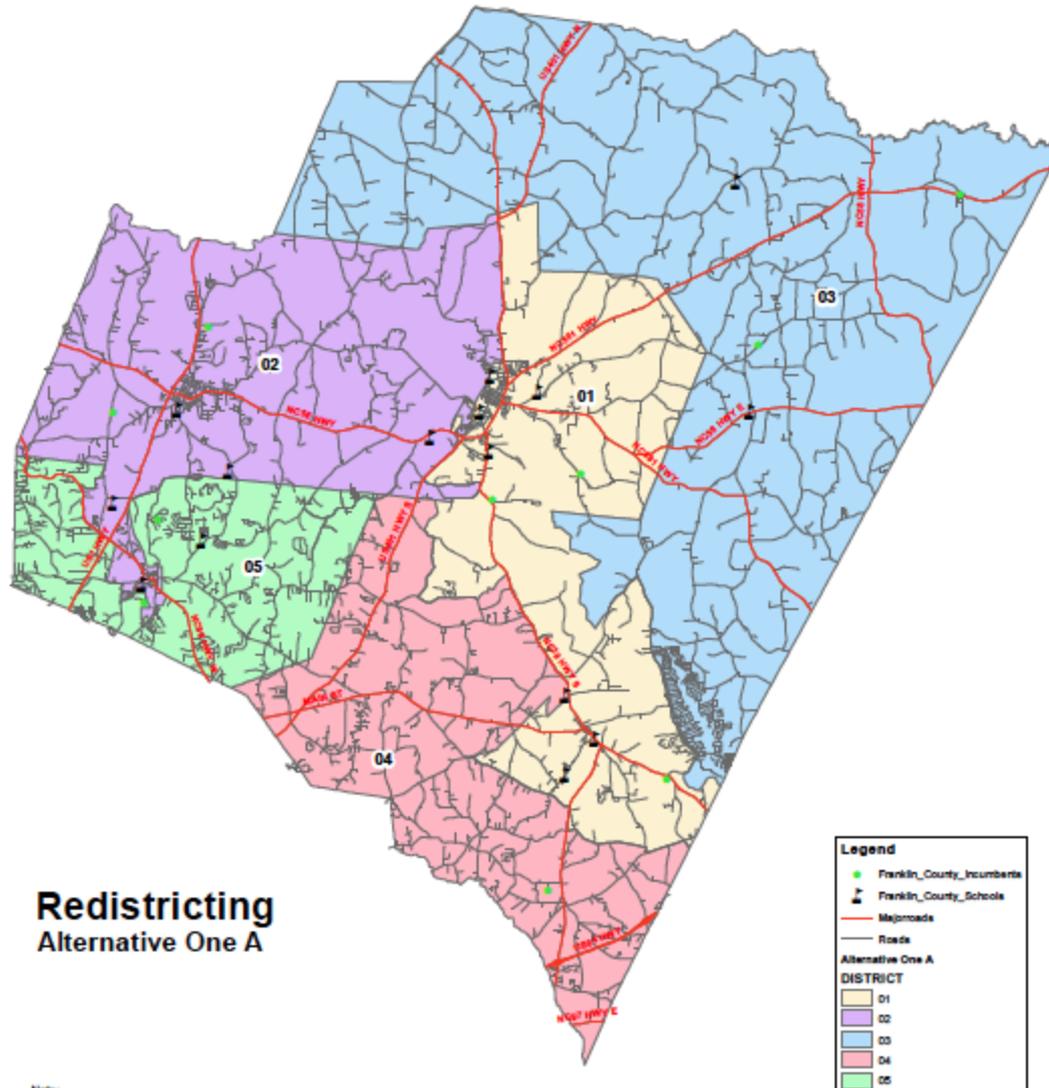
District	New Caucasian VAP	Old Caucasian VAP %	New African American VAP	Old African American VAP %
1	48.12%	45.40%	44.26%	47.64%
2	56.78%	51.41%	35.21%	41.17%
3	60.88%	66.56%	33.43%	27.97%
4	80.52%	78.65%	12.62%	13.96%
5	80.46%	77.07%	11.96%	14.84%

Analysis of District Plans



Alternative 1A – Alternative 4

Board of Education and County Commissioner Districts



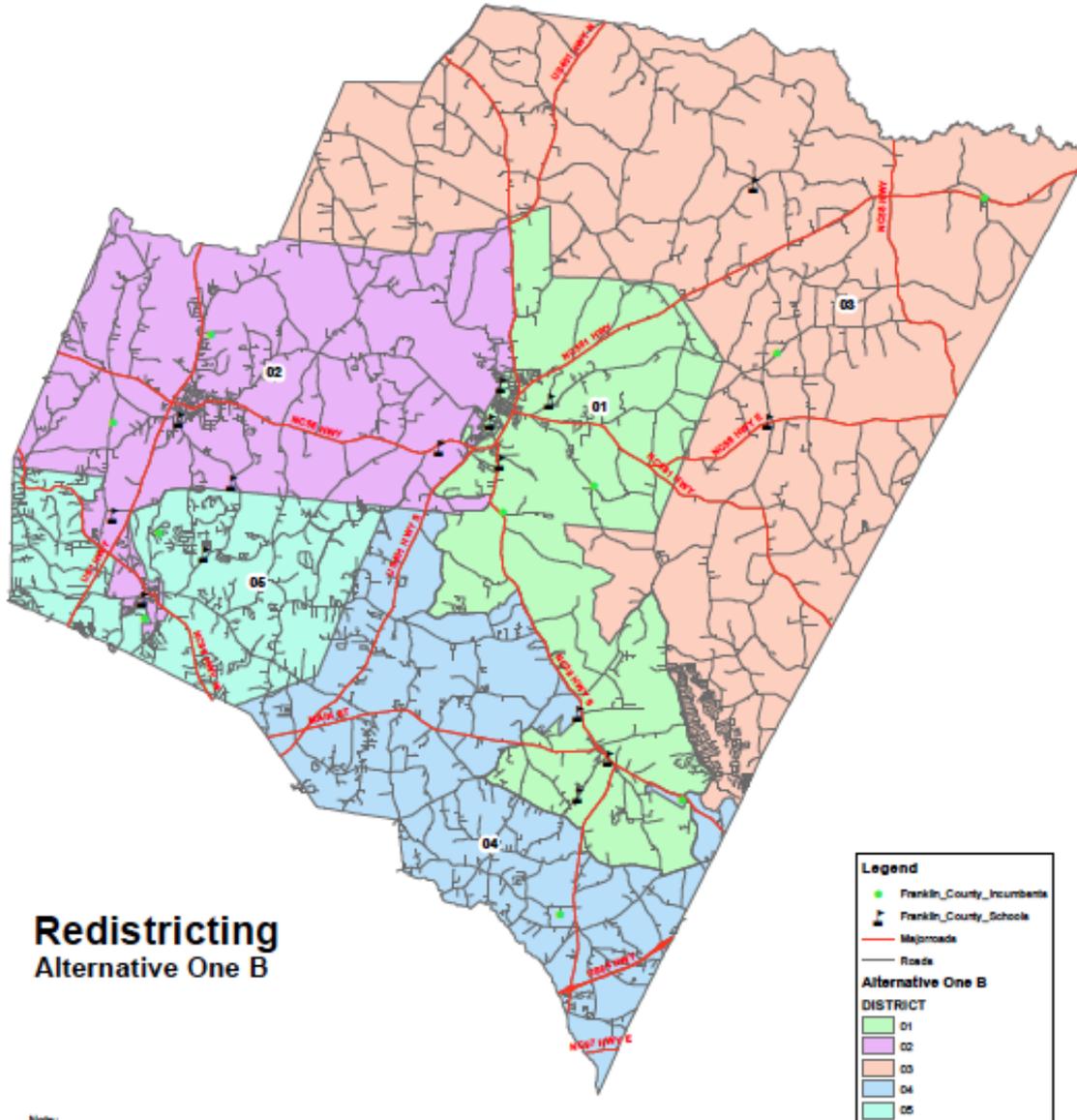
Redistricting Alternative One A

Note:
Alternative One A splits 5 precincts, one fewer than existing districts.
It also makes the least dramatic change to the existing district plan,
but puts district 4 school board incumbent in district 1.

Alternative 1A

Redistricting Criteria	Result	Legality	Evaluation
Equal Population	7.34% pop. deviation	Under 10%	Pass
African American Voting Strength	No majority-minority; Three winnable seats	Yes, with evidence that AA can win	Pass, with Scrutiny
Compact / Contiguous	Yes	Yes	Pass
Non-Retrogression	Two seats decrease, one increases, all three over “electable” threshold	Yes, with evidence that AA can win	Pass, with scrutiny
Uses Census Blocks & Data	Yes	Yes	Pass
School in Each District	Yes	Not relevant	Pass
Avoid Splitting Precincts	Splits 5, 1 fewer than current plan	Yes	Pass
Avoid Widespread Reassignment	11.57% of people change districts	Yes	Pass
No “double-bunking”	District 4 School Board placed in District 1	Yes	9 of 10 are in same district

Board of Education and County Commissioner Districts



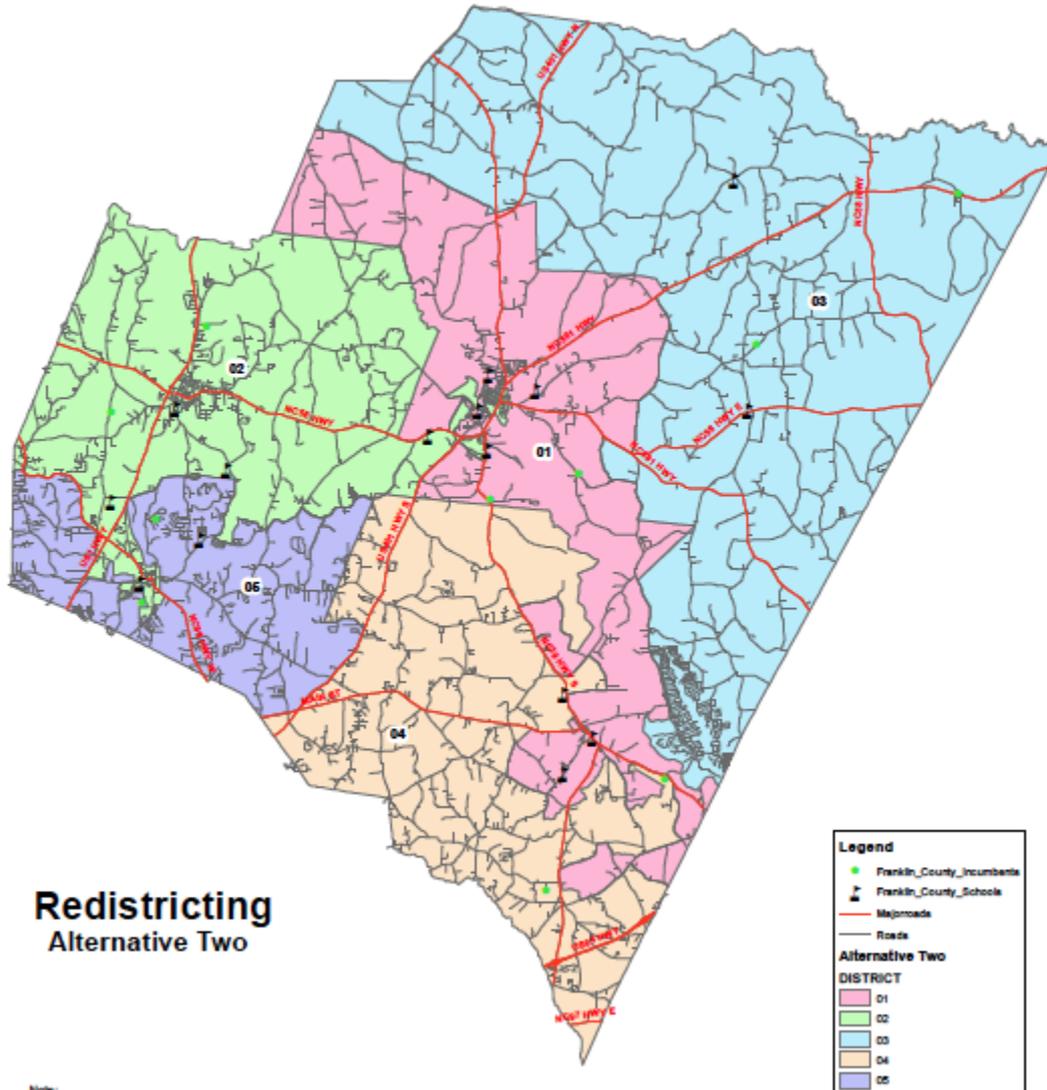
Redistricting Alternative One B

Note:
Alternative One B splits 6 precincts, and makes minimal change to Alternative One A in that the district 4 school board incumbent is in district 4.

Alternative 1B

Redistricting Criteria	Result	Legality	Evaluation
Equal Population	7.78% pop. deviation	Under 10%	Pass
African American Voting Strength	No majority-minority; Three winnable seats	Yes, with evidence that AA can win	Pass, with Scrutiny
Compact / Contiguous	Yes	Yes	Pass
Non-Retrogression	Two seats decrease, one increases, all three over “electable” threshold	Yes, with evidence that AA can win	Pass, with scrutiny
Uses Census Blocks & Data	Yes	Yes	Pass
School in Each District	Yes	Not relevant	Pass
Avoid Splitting Precincts	Splits 6, equal to current plan	Yes	Pass
Avoid Widespread Reassignment	11.69 of % people change districts	Yes	Pass
No “double-bunking”	All incumbents remain in current districts	Yes	Pass

Board of Education and County Commissioner Districts



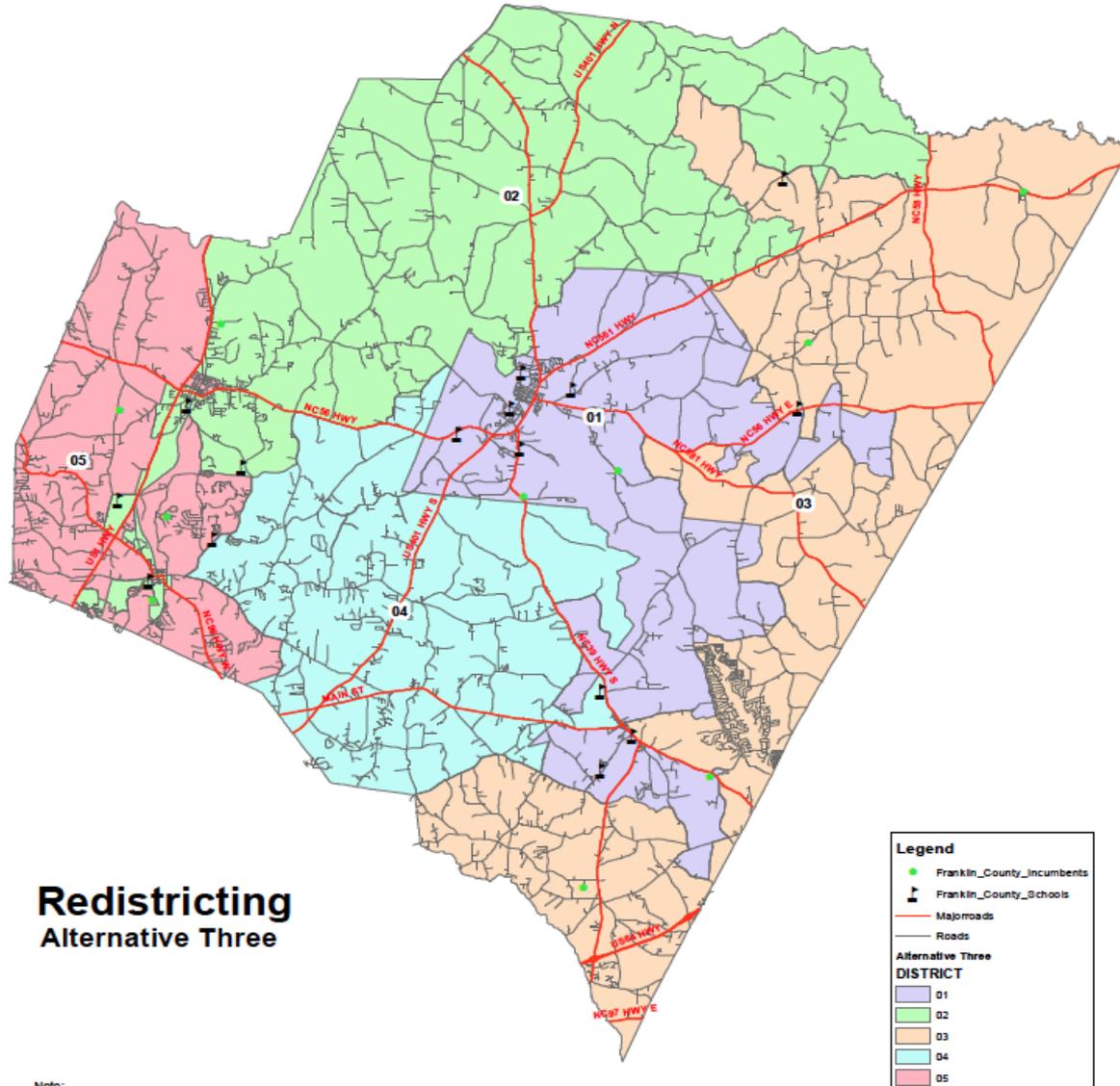
Redistricting Alternative Two

Note:
Alternative Two draws district 1 at greater than 50 percent of the voting age population any part Black. The plan splits 13 precincts.

Alternative 2

Redistricting Criteria	Result	Legality	Evaluation
Equal Population	7.66% pop. deviation	Under 10%	Pass
African American Voting Strength	One majority-minority; One non-majority winnable seat	Yes	Pass
Compact / Contiguous	Odd shape necessary to create majority-minority	Justifiable	Probable to Pass
Non-Retrogression	One seat increases, two decrease. District 3 falls below "electable" threshold	Possible retrogression in District 3	Subject to Retrogression Challenge
Uses Census Blocks & Data	Yes	Yes	Pass
School in Each District	Yes	Not relevant	Pass
Avoid Splitting Precincts	12 precincts split	Permitted	Fails (Excusable?)
Avoid Widespread Reassignment	15.49 % of people change districts	Yes	Pass
No "double-bunking"	All incumbents remain in current districts	Yes	Pass

Board of Education and County Commissioner Districts



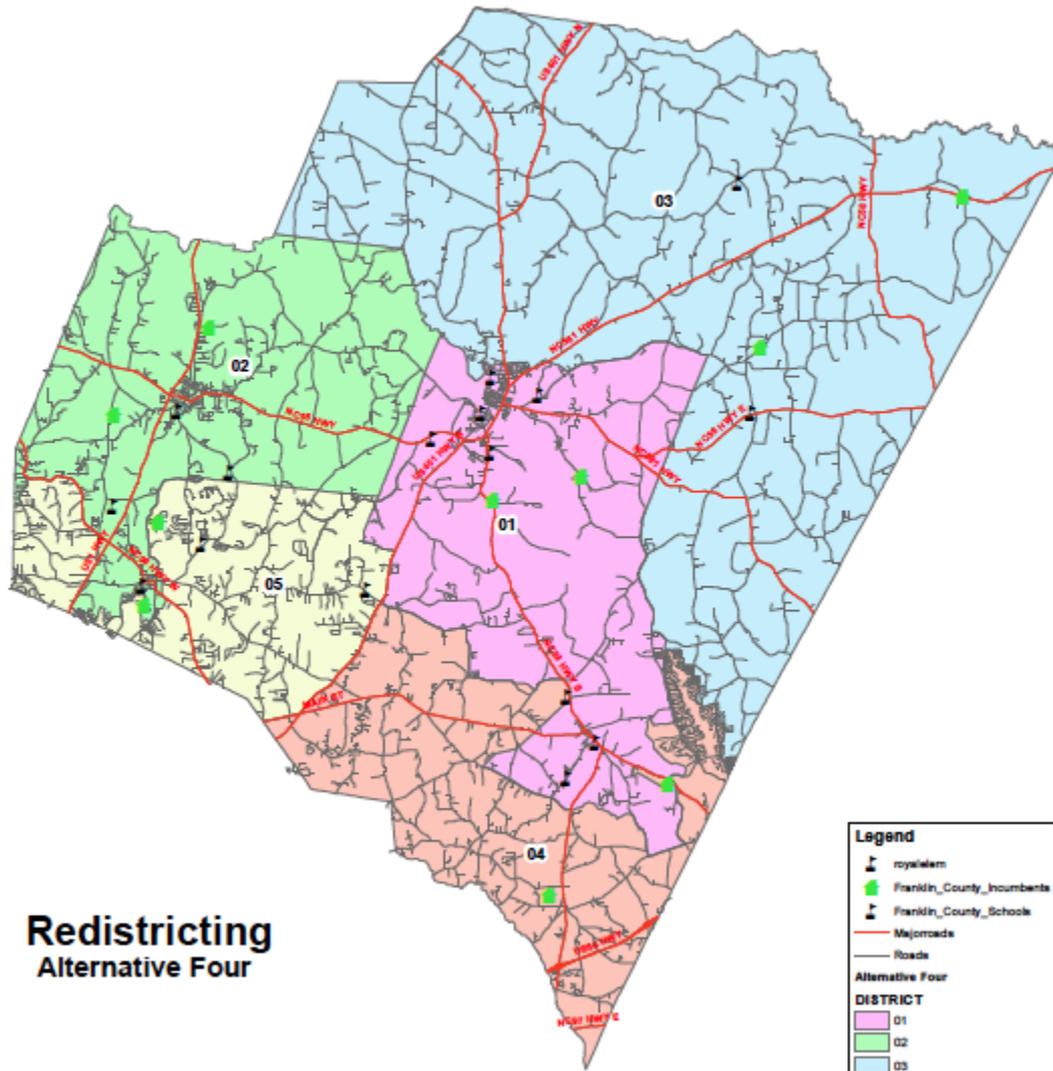
Redistricting Alternative Three

Note:
Alternative Three attempts to draw districts 1 and 2 at maximum voting age population any part Black. The plan splits 14 precincts and makes radical changes to the district plan, double bunking several incumbents among the districts.

Alternative 3

Redistricting Criteria	Result	Legality	Evaluation
Equal Population	6.94% pop. deviation	Under 10%	Pass
African American Voting Strength	No majority-minority districts; Two winnable seats	Yes, with evidence that AA can win	Pass, with Scrutiny
Compact / Contiguous	No, several questionable connections	Questionable	Subject to Challenge
Non-Retrogression	Two seats increase, but major retrogression in District 3.	Questionable	Subject to Retrogression Challenge
Uses Census Blocks & Data	Yes	Yes	Pass
School in Each District	Yes	Not relevant	Pass
Avoid Splitting Precincts	Splits 13	Yes	Fails
Avoid Widespread Reassignment	42.00% of people change districts	Yes	Fails
No "double-bunking"	Multiple incumbents moved out of districts	Yes	Fails

Board of Education and County Commissioner Districts



Redistricting Alternative Four

Note:
Alternative Four splits 8 precincts.

Legend

- royalelem
- Franklin_County_Incumbents
- Franklin_County_Schools
- Majorroads
- Roads

Alternative Four

DISTRICT

- 01
- 02
- 03
- 04
- 05

Alternative 4

Redistricting Criteria	Result	Legality	Evaluation
Equal Population	7.85% pop. deviation	Under 10%	Pass
African American Voting Strength	No majority-minority; Three winnable seats	Yes, with evidence that AA can win	Pass, with Scrutiny
Compact / Contiguous	Yes	Yes	Pass
Non-Retrogression	Two seats decrease, one increases, all three over "electable" threshold	Likely	Pass, with scrutiny of District 2
Uses Census Blocks & Data	Yes	Yes	Pass
School in Each District	Yes	Not relevant	Pass
Avoid Splitting Precincts	Splits 8	Yes	Close
Avoid Widespread Reassignment	18.89% people change Districts	Yes	Pass
No "double-bunking"	All incumbents remain in current districts	Yes	Pass

Evaluation & Summary

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What that means...

- Did the plan meet the redistricting criteria?
- Is the plan likely to be “pre-cleared” by the U.S. Department of Justice?
- Is the plan likely to withstand a legal challenge?

Ranking the Plans

Plan	Meet Redistricting Criteria?	Get USDOJ Approval?	Survive Legal Challenge?
Alt. 1A	8 of 9	Yes	Yes
Alt. 1B	9 of 9	Yes	Yes
Alt. 2	7 of 9	Maybe	Likely
Alt. 3	4 of 9	Unlikely	Unlikely
Alt. 4	8 of 9 / 9 of 9	Yes	Yes

Next Steps

- Consider public input
- Adopt a plan
- Submit plan to U.S. Department of Justice
- Request expedited consideration of submission