

Introduction to 2021 Redistricting Process & Criteria

A Presentation to the
Marin County Board of Supervisors

May 25, 2021

Key Dates – Availability of the Data

- April 1, 2021, is the deadline in federal law for the Census Bureau to release redistricting data (total population, voting age population by race/ethnicity)
 - The Bureau has already announced that in 2021 it will not meet the statutory deadline due to the need to correct data anomalies
 - Certain “legacy” data will be released August 16
- Once the Census data are released, the California Statewide Database is required to adjust those data to reassign inmates incarcerated in state correctional facilities back to their last known place of residence
 - Could be six weeks, though hopefully sooner
 - Estimated release by early October
- Under state law, the County and its consultants cannot publish draft district maps until three weeks after the SWDB releases the adjusted data

Key Dates – Deadline for Completion

- State law deadline to adopt final, readjusted map: Dec. 15, 2021
 - Failure to meet this deadline permits an interested party to petition the Marin County Superior Court to adopt a new map

Public Hearings

- **Elections Code § 21507.1:**
 - At least **four** public hearings required:
 - at least one before draft maps are drawn (and can be conducted by staff or consultant);
 - at least two after draft maps are drawn;
 - at least one on a Saturday, Sunday or after 6:00 P.M. Monday through Friday
 - Date, time, and location must be posted online **at least five days** before the hearing or workshop
 - Hearings must be conducted at a time certain
 - The Board may complete discussion on an item already under consideration, but then is required to advance the hearing on the agenda if necessary

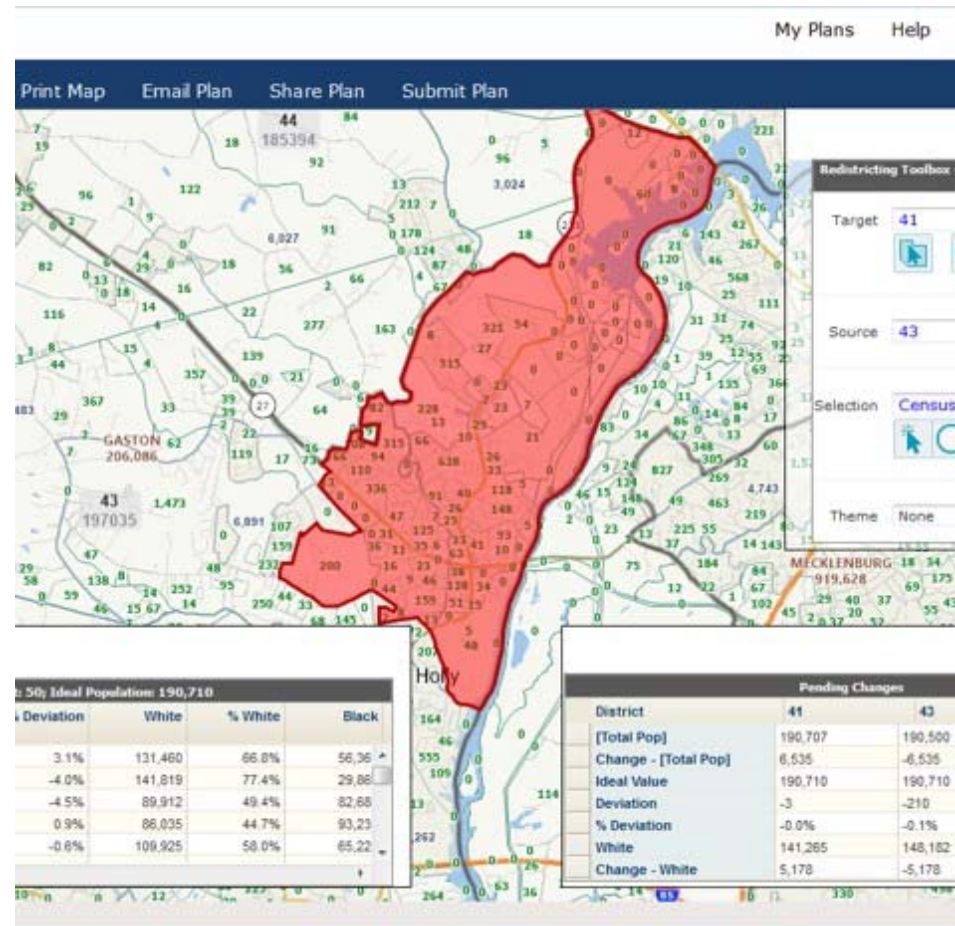
Public Outreach

- **Elections Code § 21508:**
 - The County must encourage public participation by:
 - Media outreach
 - Outreach to good government, civil rights, civic engagement & community groups, including those in underrepresented communities and non-English speaking communities
 - Live translation in “applicable languages,” if requested 72 hours in advance of meeting
 - Publication of notices on the internet
 - Publication of a draft map at least seven days before adoption
 - Publication of relevant demographic data

Public Outreach

Elections Code § 21508:

- The County must permit receipt of maps or testimony from the public in writing or electronically
- Online tools



Public Outreach

- **Elections Code § 21508(f):** A record of every public comment and governing body meeting—either written or recorded—must be made available to the public online within two weeks
- **Elections Code § 21508(g):** The Board shall establish, and maintain for at least 10 years after the adoption of new district boundaries, an internet web page dedicated to redistricting, containing the following:
 - An explanation of the redistricting process
 - Procedures for testifying or submitting written testimony
 - Calendar of all hearings and workshops
 - Notice and agenda for each hearing and workshop
 - Recording or written summary of each hearing and workshop
 - All draft maps & adopted map
 - SOS Website Template: <https://www.sos.ca.gov/elections/helpful-resources/redistricting>

Who Redraws the Lines?

- Board of Supervisors (Elec. Code § 21500(a))
- New Statutory Options for Commissions:
 - Advisory
 - Independent
 - Hybrid
- The Board can seek input in less formal ways
 - Ad hoc working group to consult with staff and consultants

Preliminary Review

- Marin historically a slow-growth county with relatively small population changes. Preliminary review indicates current boundaries likely to meet all requirements that protect minority voting rights
 - A majority-minority district likely not possible in Marin County
- Requirements for state to adjust Census data for San Quentin State Prison population may require some minor adjustments
 - We can likely expect some level of minor population rebalance between districts, particularly what may be a slightly underrepresented D4 and slightly overrepresented D5

Sample Step-by-Step Timeline

May 25 Board Meeting	Board receives presentation from special counsel and staff regarding estimated demographics, proposed timeline, proposed outreach plan, retention of demographic consultant, and budget. Adopts tentative timeline and process.
By June 1	County's redistricting website to go public with tentative calendar and SOS templates containing a general explanation of the redistricting process and procedures for public to testify during public hearing or submit written testimony and—when available—presentations, criteria, meeting notices, agendas and minutes, demographic data, and draft plans. Provide for online submission of comments from the public.
June 15 Board Meeting	Presentation re (1) legal and policy criteria governing redistricting, and (2) demographics of existing supervisorial districts based on most recent official estimates.
June – August	Consultants/staff to conduct at least one public hearing/virtual “town hall”/informational meeting to solicit testimony regarding criteria to be used for redistricting, esp. communities of interest, and to educate the public regarding online mapping tools.
August 16	Estimated date for federal government to release PL 94-171 demographic/redistricting data to states.

Sample Step-by-Step Timeline

October 12 Board Meeting	Board public hearing to solicit testimony regarding criteria to be used for redistricting, esp. communities of interest
Early- to mid-October	Release of final, state-adjusted Census data for redistricting purposes
October 26 Board Meeting	Updated demographic presentation regarding current districts based on final Census numbers; Board conducts second public hearing and adopts criteria
November 9 Board Meeting	Demographic consultant to present three initial draft district plans (or more, if the Board so instructs). BOS holds public hearing on draft plans. BOS may order modifications to any of the plans.
December 7 Board Meeting	Demographer presents one or more additional draft plans and modified plans, incorporating public testimony as appropriate; BOS holds public hearing on draft plans, votes to choose one plan, adopts resolution setting actual boundaries. If the BOS instead orders modifications to any of the plans, another public hearing will be required.
December 15	Legal deadline for adoption of final redistricting plan for use beginning in 2022

Federal Criteria:

- Equal Population
- Voting Right Act
- No Racial Gerrymandering

Statutory Criteria:

1. Geographically contiguous
2. Minimize division of neighborhoods and “communities of interest” to the extent practicable
3. Easily identifiable boundaries (major streets, etc.)
4. Compactness of population

Traditional Criteria:

- Keep incumbents in their current districts/respect voters’ choices/avoid head-to-head elections
- Minimize election year changes
- Future population growth

Impact on Current Supervisors

- Each current supervisor serves out the term to which he or she is already elected and then runs for re-election in the newly-adopted map
 - Elec. Code § 21506

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