Districting in Escondido: How it works and How to participate
What is districting?

- In a district-based electoral system, representatives are elected from districts.
- Starting in 2014, Escondido’s City Council will be elected by the voters in four districts instead of all voters in the City.
- Districting is the process of drawing the boundaries that divide the City’s population into the four districts.
- An Independent Commission is charged with constructing the City Council boundaries.
Introduction to the Independent Commission:

- 7 members – selected by a panel of three retired judges
  - Chair: Dana Nuesca
  - Vice-Chair: John Valdez
  - Commissioner: Jack Anderson
  - Commissioner: Andrew Carey
  - Commissioner: Doris Cruz
  - Commissioner: Bill Flores
  - Commissioner: Roberto Ramirez
What does the Commission do and When?

- **Hold public hearings:**
  - 6 public input hearings throughout October 2013
  - Upon conclusion, 2 line drawing meetings in October

- **Collect data through Community Input:**
  - At hearings, through mailed and emailed submissions

- **Construct and approve a Preliminary Districting Plan**
  - After the line drawing meeting on October 29

- **Hold feedback hearings on Preliminary Plan:**
  - 3 hearings in November to collect comments

- **Approve a Recommended Districting Plan and submit to the City Council for approval**
Commission Meetings and Hearings:

- **Business meetings are scheduled for:**
  - The following dates

- **Public input hearings are on:**
  - Thursday, October 10 – 6pm Bear Valley Middle School
  - Saturday, October 12 – 9 am at Hidden Valley Middle School
  - Thursday, October 17 – 6pm at Church of the Resurrection
  - Saturday, October 19 – 9 am at Mission Middle School
  - Thursday, October 24 – 6pm at Felicita Elementary School
  - Sunday, October 27 – 3 pm at City Council Chambers

- **Line Drawing meetings are on:**
  - Sunday, October 27, 6 pm City Council Chambers
  - Tuesday, October 29, 6 pm City Council Chambers
Commission Meetings and Hearings:

- Feedback hearings on the Preliminary Plan are scheduled for
  - November 21 – 6 pm at Hidden Valley Middle School
  - November 23 – 9 am at Mission Middle School
  - November 24 – 3 pm at Center for the Arts, Escondido
- An additional hearing to make modifications to the Preliminary Plan will be held on
  - November 24 – 6 pm at City Council Chambers
- Other meetings may be scheduled. Please check the City’s website for dates (http://www.escondido.org )
How will the Commission decide where to draw district lines?

A consent decree between the City of Escondido and private plaintiffs contains the criteria that the Commission must use to draw district lines. Criteria appear in rank order.

1. Districts shall comply with the US Constitution, including reasonably equal population
2. Districts shall comply with the federal Voting Rights Act.
3. Districts shall be contiguous and drawn to encourage compactness
4. Districts shall respect the geographic integrity of neighborhoods and communities of interest.
5. Incumbents’ or candidates’ place of residence shall not be taken into account. And districts shall not be drawn to favor or discriminate against a political party, incumbent or candidate.
Criterion 1: US Constitution & Equal Population

- **14th Amendment (Equal Protection)**
  - Interpreted to require reasonably equal district populations, e.g., “one person, one vote”
  - prohibits intentional discrimination because it is a violation of equal protection (the jurisdiction is treating residents differently because of race, and thus not according them equal protection under the law).

- **15th Amendment**
  - Bans racial discrimination in voting
What is the Ideal Population per district?

- Ideal population for each type of district:
  - Total population ÷ # of districts = Ideal POP

- Escondido total Population from 2010 Census: 143,911

- Ideal population for Escondido City Council Districts?
  - Total Population ÷ four districts = Ideal POP
  - \( 143,911 \div 4 = \sim 35,977 \)
How equal is equal?

- Different standards for different jurisdictions
  - Congressional Districts must be equal
  - Local jurisdictions, like Escondido, have more flexibility

- Districts must be reasonably equal
  - Some deviation above and/or below the ideal population is allowed
  - Equal population generally subject to VRA compliance (Generally ±5%)
Criterion 2: Voting Rights Act: Section 2

- Prohibits the denial or abridgement of voting rights on the basis of *race or language minority status*. (42 USC § 1973)
  - VRA defines “language minority” as Asian, Native American, Alaskan Native or Spanish heritage. Does not apply to other language groups.
- Prohibits practices that have the purpose or effect of discriminating on the basis of race or language minority status.
- Applies nationwide, to ALL jurisdictions that conduct elections.
VRA and districting: Vote Dilution

• Electoral systems can limit the “ability to elect a candidate of choice” by a protected class of voters in various ways:
  ■ Example: at-large election systems can make it impossible for even a large minority group to elect a candidate of choice, when the majority votes against them.
  ■ Example: single-member districts can be drawn in ways that minimize voters’ ability to elect.

• Systems that limit ability to elect in this way are said to “dilute” minority voting strength.
Sec. 2 and the “Gingles test”

What is a Section 2 or Majority-Minority District?
-> Minority group must be large and compact enough to constitute a majority in the district (50%+ CVAP*)
-> There must be evidence of racially polarized voting:
   - minority group tends to vote cohesively
   - majority group tends to vote against minority voting preferences

*CVAP = Citizen Voting Age Population
Criterion 3: Contiguity

- Definition: A district in which all parts are connected to each other
  in other words:
- A district in which one may travel from any location to any other location without crossing the district boundary
- If the jurisdiction is not contiguous (has non-connected areas) then the non-connected areas are commonly assigned to the closest district
Escondido’s non-contiguous area
Criterion 3: Compactness

- Addresses the geography of the district
- Districts should be “drawn to encourage geographical compactness”
- Many different measures developed
- “eyeball approach” “appearances do matter”
  - (Shaw v Reno)
- Assumed to “guard against all types of gerrymandering” “drastic departures from compactness are a signal that something may be amiss”
  - (Karcher v. Daggett)
Criterion 4: Neighborhoods and Communities of Interest (COIs)

- District lines should not divide neighborhoods or communities of interest
- What is a Community of Interest?
  It depends…
- A Group of people with a specific common interest…
  (“actual shared interests” Miller v Johnson, 1995)
  …That can be defined geographically
- What are they not:
  - Communities of interest shall not include relationships with political parties, incumbents or political candidates” (per Escondido Consent Decree)
COI: Defined by Those Familiar with the Community

- Law does not limit the kinds of interests that may bind a community.
- Consent Decree states that may include “racial, ethnic, or language minorities.”
- It is up to those who live in or work with communities to identify and establish the interests that unite it.
- Interests need not be limited to current situation, but can also include common goals.
How to document a Community of Interest or your Neighborhood – an example:

- Create a map of the boundaries (use Google maps, GIS system, paper, etc.)
  or
- Write down the boundaries
- Outline what defines the Community of Interest:
  What is your mission or your commonality?
  > Show that your members live within the boundaries
  > Explain what is different outside of the boundaries of your Community of Interest
Community of Interest definitions may include:

- Organizing around schools, school districts
- Transportation hubs
- Community Centers
- Dog parks

- Race and Ethnicity
  Additional factors:
  - Shared experiences or history
  - Access (or lack of) to education
  - Higher number of kids per household/younger overall population
  - Shared languages and cultures
Criterion 5: Ignore Politics

- Draw districts w/o regard for where candidates or incumbents live.
- “Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.”
  - Prohibits intentional benefit/harm
Why should YOU participate in districting?

- To give your community a voice and make sure it has equal access to the political process.
- To encourage citizens to register, vote, and remain politically engaged.
- To help shape a districting plan that provides communities a meaningful opportunity to elect candidates who represent their interests on issues that are important to their lives.
- To take advantage of opportunities to participate in all phases of the districting process.
To participate in the process: testify, submit written testimony, send supporting information to the Independent Districting Commission.

Please provide information about your Community of Interest, Neighborhood, or other topics as soon as possible. The deadline is October 31, 2013.

Submit information at a hearing, by mail or drop off to the City Clerk’s office, or by email to districting@escondido.org.

Please check the City’s website for news and upcoming meetings:  http://www.escondido.org

THANK YOU FOR PARTICIPATING!