
From: Charlie Stephens <charles@louisianaprogress.org>
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To: House & Governmental Affairs; Sen. & Gov Affairs Cmte
Subject: LA Progress Redistricting Report
Attachments: Every Vote Counts Progress 10.12 FINAL.pdf

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Please see the attached redistricting report put together by Louisiana Progress.

Best,
Charlie Stephens

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MAKE EVERY VOTE COUNT

What do you need to know about redistricting?

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ABOUT US

Louisiana Progress works with citizens, community leaders, activists, advocates, students, and policymakers to inform Louisianans on important issues, engage people in the political process, and help them mobilize to fight for people-centered, solutions-driven public policies. Learn more about Louisiana Progress and sign up for alerts at www.louisianaprogress.org.

Louisiana Progress's leadership is committed to making lasting change by developing engaged, energized stakeholders who come together to work on a strategic, thoughtful, shared vision. We want to thank our board, staff, and college advocacy fellows for their commitment to impactful progressive change.

The Coalition for Louisiana Progress was formed in 2005 as a 501(c)3 organization. Louisiana Progress Action was formed in 2011 as a 501(c)4 organization.

Melissa Flournoy, PhD
Louisiana Progress Board Chair

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**WHAT WE DO IN THE
NEXT YEAR WILL
DECIDE WHAT KIND
OF LOUISIANA WE
LEAVE TO FUTURE
GENERATIONS.**

REDISTRICTING 101

WHAT IS REDISTRICTING?

Redistricting is the process where political maps are redrawn for the U.S. Congress, state legislatures, municipal councils, and other political bodies. The goal of redistricting is to reshape political maps to account for demographic shifts that are reflected in the decennial Census and to ensure the principle of “one person, one vote.”

Learn more on the Louisiana legislature’s redistricting website: redist.legis.la.gov

WHY IS REDISTRICTING IMPORTANT?

Redistricting affects the outcome of elections for the next decade. It can largely determine who runs for office, who wins those races, and how elected officials vote after they are elected.

Redistricting is also a determining factor in whether or not people are civically engaged. Gerrymandering, which occurs when elected officials draw maps with the purpose of influencing, or even pre-determining, the outcomes of elections, can lead to people thinking their vote doesn’t matter, so they become less likely to vote and take part in other aspects of democracy and government.

WHEN DOES REDISTRICTING HAPPEN?

Redistricting is happening now in Louisiana!

Most, if not all, state and local political bodies will complete their redistricting work in early 2022. The Louisiana legislature’s redistricting special legislative session will take place in February 2022. But legislative briefings are already happening, and the legislative committees in charge of the process are holding 10 regional meetings around the state (known as the “roadshow”) from October 2021 through January 2022.

Contact your Parish Council Member to learn more about your local redistricting timeline.

ROADSHOW

SCHEDULE OF EVENTS

1020	UNIVERSITY OF LOUISIANA MONROE	1130	FUHRMAN AUDITORIUM
1021	LSU SHREVEPORT	1215	TBD (LAKE CHARLES)
1026	UNIVERSITY OF LOUISIANA LAFFYETTE	0105	UNIVERSITY OF NEW ORLEANS
1109	LSU ALEXANDRIA	0111	NICHOLLS STATE UNIVERSITY
1116	SOUTHERN UNIVERSITY A&M	0120	LOUISIANA STATE CAPITOL
		TBD	REDISTRICTING SESSION STARTS!

[CLICK HERE FOR MORE DETAILS](#)

WHO CONTROLS REDISTRICTING?

In Louisiana, the legislature controls redistricting for the state's six U.S. congressional districts, state legislative districts (House & Senate), Louisiana State Supreme Court, Board of Elementary and Secondary Education (BESE), and Public Service Commission (PSC). The Governor has the power to sign or veto a redistricting plan that passes out of the legislature.

Local redistricting in Louisiana mostly falls to Parish Councils or Police Juries. They redraw their own districts and their parish's school board districts.

HOW DOES THE REDISTRICTING PROCESS WORK?

STATE REDISTRICTING

The process for passing new maps is almost exactly the same as it is for any other piece of proposed legislation. Maps are introduced as bills, they are debated in a committee and, if it passes out of the committee, goes to a full debate and vote on the House or Senate floor.

If the map/bill is passed by one side of the legislature (House or Senate) it moves to the other side, where it goes through the same process (committee debate and floor debate). When a map/bill makes it through both chambers, it goes to the Governor's desk for his signature or veto. If the Governor approves the map, he can sign it into law. If he rejects it, he has to sign a veto, and then the State Supreme Court steps in and takes over the process.

LOCAL REDISTRICTING

The process is similar, though scaled down, at the local level. Parish Council or Police Jury members usually hire a redistricting specialist to help them develop proposed maps for council and school board districts. Those proposals are debated in public hearings, and then the Council/Police Jury votes on them.

HOW CAN YOU ADVOCATE ON REDISTRICTING

There are many ways you can play a role in shaping the outcome of redistricting in Louisiana. Louisiana Progress has a citizen's redistricting guide that you can find on the Redistricting page of our website at [Louisiana-progress.org/redistricting](https://louisianaprogress.org/redistricting)

Key steps include:

- Review redistricting materials from Louisiana Progress and other organizations that advocate on the issue (see list of organizations below)
- Learn more about current state and local district maps
- Identify specific issues with current maps that are concerning to you
- Learn to draw your own maps on Dave's Redistricting App (davesredistricting.org)
- Educate your family, friends, and neighbors about the importance of redistricting
- Organize your community to advocate on this issue
- Help shape the redistricting narrative: Write opinion pieces for your local newspaper, appear on a local radio show, speak to community and/or religious organizations in your community
- Set up meetings with your state and local elected officials to learn more about their perspectives on redistricting and gather information
- Learn the redistricting timeline in your Parish
- Attend public redistricting hearings
- Provide testimony at those hearings and/or help others in your community provide testimony. Testimony can include:
 - Personal stories about how the current maps adversely affect you and/or your community
 - Speaking about redistricting concepts and principles

LOUISIANA REDISTRICTING ADVOCACY ORGANIZATIONS

Louisiana Progress is one of many advocacy organizations that are advocating on redistricting in the state. We encourage residents who are interested in the issue to also explore our friends and partners in this arena, including:

- [Fair Districts Louisiana \(fairdistrictsla.org\)](https://fairdistrictsla.org)
- [Together Louisiana \(togetherla.org\)](https://togetherla.org)
- [Power Coalition for Equity and Justice \(powercoalition.org\)](https://powercoalition.org)
- [ACLU of Louisiana \(laaclu.org\)](https://laaclu.org)
- [Urban League of Louisiana \(urbanleaguela.org\)](https://urbanleaguela.org)
- [League of Women Voters of Louisiana \(lwvofla.org\)](https://lwvofla.org)
- [NAACP Legal Defense and Education Fund \(naacpldf.org\)](https://naacpldf.org)
- [Southern Poverty Law Center \(splcenter.org\)](https://splcenter.org)

REDISTRICTING GLOSSARY

KEY REDISTRICTING TERMS AND IDEAS

REAPPORTIONMENT & REDISTRICTING

These two terms are often used interchangeably, even though they have slightly different meanings.

Reapportionment is the redistribution of U.S. congressional seats based on changes in population. The number of congressional seats is set at 435, and each state's allocation of those seats can change based on population shifts in between decennial Censuses.

For example, Texas added two new congressional seats this year, while New York lost one. Louisiana's allocation remained the same, with the state continuing to have six seats.

Redistricting is the actual process of drawing districts for U.S. congress, and state and local government bodies, also using Census data.

DELAYED TIMELINE

Redistricting usually happens in years ending in '1' (e.g., 2011), following Census years, which end in '0' (e.g., 2010). However, the Covid pandemic delayed Census data collection and analysis, so redistricting in many states, including Louisiana, will take place in 2022.

MALAPPORTIONMENT & POPULATION DEVIATION

One key redistricting principle is ensuring that each district has as close to the same number of people as possible. There are laws and rules governing how much district populations can deviate from the "ideal" numbers that are set for those districts.

For example, U.S. congressional seats must be as close to the ideal population number (776,911 people in Louisiana) as possible. And state legislative districts cannot have a **population deviation** of more than 5 percent from the ideal number (44,360 people for a State House district and 119,430 people for a State Senate district), even if the deviation in question is for a legitimate constitutional purpose, like ensuring adequate racial representation.

Malapportionment is the “inequitable or unsuitable apportioning of representatives to a legislative body,” according to the Merriam-Webster dictionary. It occurs when a district or districts have total populations that are outside the range of acceptable population deviation and/or when districts are drawn in ways that disenfranchise certain voting blocks or communities.

GERRYMANDERING

Gerrymandering is sometimes described as politicians picking their voters, instead of voters picking their elected officials. It occurs when elected officials draw maps with the purpose of influencing, or even pre-determining, the outcomes of elections. It can be done to protect and expand, or attack and diminish, the power of political parties, racial groups, geographic regions, and/or specific elected officials.

Gerrymandering has far-reaching implications. Many voters don't get to choose between political parties or candidates with differing ideologies, and are instead left to choose between ideologically similar candidates. Often, they don't get to choose at all, because incumbents in safe seats regularly fail to draw viable challengers or even any challengers at all. It also creates an environment where the voices and votes of many communities are unfairly minimized or even silenced.

MAJORITY-MINORITY DISTRICTS

One of the most important considerations during the redistricting process is majority-minority districts, which is when a majority of the population in a district is non-white. In Louisiana, the focus of majority-minority districts is almost always based on Black and Brown communities, since the state has the second highest proportion of Black and Brown residents in the U.S., and a relatively small non-Black-and-Brown minority population.

Redistricting bodies have to strongly consider how new maps impact minority communities because federal law bars them from diluting the voting power of minority groups by decreasing the number of majority-minority districts, unless Census data shows enough of a decline in minority population to warrant a decrease (which isn't the case in Louisiana).

PACKING & CRACKING

One way that gerrymandering is used to unfairly minimize or silence the power of communities of color is through what's known as packing and cracking. This is how minority votes are essentially wasted because they either make up an inordinate percentage of a district's population (packing), or they are split up across multiple districts so that they don't make up a large enough voting bloc in any one of those districts to have political influence (cracking).

Creating and holding majority-minority districts is essential, but those minority voters don't need to account for 70 or 80 percent of the district's residents in order to ensure that those districts are majority-minority. At Louisiana Progress, we consider almost any majority-minority district that is more than two-thirds minority voters to be packed (the only exceptions would be in urban areas where populations are very segregated).

On the other side of the equation, cracking is apparent when you see several districts in one geographical region with 15-25 percent minority populations. In Louisiana, districts tend to need at least one-third of their population to be minority voters in order to be competitive between political parties. So when those minority communities are cracked out across multiple districts, staying below that one-third threshold in each case, it is likely a case of cracking.

INCUMBENCY

An incumbent is a current elected official who is running or will run to retain their seat. Unfortunately, incumbency often plays an outsized role in redistricting, with elected officials prioritizing their own job security over principles, demographics, and data.

Political districts are the people's districts, not elected officials' districts, and should be drawn as such. They should be drawn to fairly represent the citizens of Louisiana and not be gerrymandered to protect incumbents and/or political parties. Given that we have term limits in place for the legislature, as well as many local elected offices, new maps should be drawn with little concern given to protecting incumbent officials.

FAIR, EQUITABLE & REPRESENTATIVE MAPS

According to the American Civil Liberties Union (ACLU), representative maps are important because they are fundamental to ensure that every vote counts, and serve as the foundation of systemic equality for Black and Brown residents.

Our next set of electoral maps must represent everyone, upholding the Fourteenth Amendment's guarantee of equal protection, and complying with the requirements of the Voting Rights Act of 1965. When voters of color are equally empowered and fairly represented, their concerns are more likely to be heard and addressed."

NATIONAL COUNCIL OF STATE LEGISLATURES REDISTRICTING PRINCIPLES

There are numerous ideas and principles that can be considered in the redistricting process. The National Council of State Legislatures (NCSL) has [compiled a list](#) of them, which is laid out below:

In addition to the mandatory standards set out by the U.S Constitution and the Voting Rights Act, states are allowed to adopt their own [redistricting criteria](#), or principles, for drawing the plans. Principles, or criteria, may be found in state constitutions or statutes or be adopted by a legislature, chamber, or committee, or by a court that is called upon to draw a plan when the legislative process fails.

THESE TRADITIONAL DISTRICTING PRINCIPLES (OR CRITERIA) HAVE BEEN ADOPTED BY MANY STATES:

- **Compactness:** Having the minimum distance between all the parts of a constituency (a circle, square or a hexagon is the most compact district).
- **Contiguity:** All parts of a district being connected at some point with the rest of the district.
- **Preservation of counties and other political subdivisions:** This refers to not crossing county, city, or town, boundaries when drawing districts.
- **Preservation of communities of interest:** Geographical areas, such as neighborhoods of a city or regions of a state, where the residents have common political interests that do not necessarily coincide with the boundaries of a political subdivision, such as a city or county.
- **Preservation of cores of prior districts:** This refers to maintaining districts as previously drawn, to the extent possible. This leads to continuity of representation.
- **Avoiding pairing incumbents:** This refers to avoiding districts that would create contests between incumbents.

THESE EMERGING CRITERIA HAVE BEEN CONSIDERED AND ADOPTED IN A FEW STATES SINCE 2000:

- **Prohibition on favoring or disfavoring an incumbent, candidate or party:** The prohibition in a given state may be broader, covering any person or group, or it may be limited to intentionally or unduly favoring a person or group. Details on these prohibitions are included in the state descriptions below.
- **Prohibition on using partisan data:** Line drawers, whether they be commissioners (California and Montana), nonpartisan staff (Iowa), or legislators (Nebraska), are prohibited from using incumbent residences, election results, party registration, or other socio-economic data as an input when redrawing districts.
- **Competitiveness:** Districts having relatively even partisan balance, making competition between the two major parties more intense. This criterion typically seeks to avoid the creation of "safe" districts for a particular party. For instance, the Arizona constitution (cited below) states that "to the extent practicable, competitive districts should be favored where to do so would create no significant detriment to the other goals."

THIS FUTURE CRITERION HAS BEEN ADOPTED BY OHIO AND MISSOURI FOR LEGISLATIVE DISTRICTS BEGINNING IN 2021:

- **Proportionality:** The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters.

VOTING RIGHTS ACT (VRA)

The Voting Rights Act of 1965 created a new set of rules for redistricting that were largely aimed at addressing racial disparities. In its 2013 *Shelby v. Holder* decision, the U.S. Supreme Court stripped most of those protections away, but Section 2 of the VRA is still in place.

The [Brennan Center for Justice](#) provides a [deep dive](#) into the Voting Rights Act of 1965 and how it will impact this redistricting cycle:

SECTION 2 (OF THE VRA) REQUIRES STATES TO DRAW DISTRICTS WHERE MINORITIES HAVE THE OPPORTUNITY TO ELECT A CANDIDATE OF THEIR CHOICE IF THERE IS:

- Large, compact minority population
- Politically cohesive minority voting
- Politically cohesive majority voting defeating minority candidates + Totality of the circumstances showing diminished minority voting power

Section 2 provides some relief from such tactics. It gives voters the right to turn to the courts if, for example, a district could be drawn to give a minority community the opportunity to elect its candidate of choice, but the district lines instead split the community up into separate districts where its voting power is diluted (aka, “cracking”).

WHEN LITIGANTS CHALLENGE A REDISTRICTING PLAN OR PART OF A PLAN UNDER SECTION 2, ASSERTING THAT DISTRICTS COULD BE DRAWN TO PRESERVE MINORITY VOTING POWER THAT IS OTHERWISE DILUTED, THEY MUST FIRST SHOW THAT:

- a minority population is sufficiently geographically compact (that is, living close together) that it would make sense to draw a district containing it;¹³⁸
- the minority population (usually, the citizen voting-age minority population) is large enough to be more than half of a district-sized number of people;¹³⁹
- the minority population is “politically cohesive” – that is, it would usually vote as a bloc for the same favored candidate; and
- the majority population would usually vote as a bloc for a different candidate, so that it would usually be able to defeat the minority-preferred candidate, if the minority population were fragmented among several districts.

When minority voters and majority voters reliably vote for different candidates, voting is said to be “racially polarized.” This analysis is sophisticated, looking at trends over multiple elections at different levels of government. One election alone--for example, the Presidential election of Barack Obama--will not generally prove or refute whether elections in a region tend to be racially polarized.

If those attacking the plan can show that all of these conditions are satisfied, the court will then consider the "totality of circumstances": the total context in the area, including the extent of historical discrimination in voting and in other areas, and the extent to which minorities have been able to elect their chosen candidates anyway.

In the past, courts have paid particular attention to the proportion of districts controlled by minorities, compared to the minority percentage of the population--investigating, for example, whether a minority group with 10% of the population controls 10% of the districts in the area.

If the court finds that, given the total context, the power of the minority vote has been diminished, it may demand that a district be drawn to give the minority population the opportunity to elect a representative of its choice.

Such districts are often known as "minority opportunity districts," or "majority-minority districts," because minorities in such districts will usually constitute the majority of the voters. These districts do not guarantee that minority-preferred candidates will be elected, but they are drawn so that if the minority citizens all vote together, their candidate--who may or may not be a member of a racial or ethnic minority group--will usually win.

In majority-minority districts, the majority of the voters are from the same minority racial or ethnic group. Some also include minority coalition districts in which more than 50% of the voters are from two or more different minority groups, particularly if the different groups tend to vote in a similar pattern.

In minority opportunity districts, minorities have the opportunity to elect a representative of their choice. These are usually majority-minority districts, but in minority crossover districts, minority voters might comprise less than 50% of the district, and still elect their chosen representatives with support from some "crossover" white voters.

In minority influence districts, minorities constitute a sizable portion of the district, but cannot control the result of an election. There is substantial debate about the extent to which minority voters actually influence policy in such districts.

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