

REDISTRICTING IN LOUISIANA

January 5, 2022

Joint Governmental Affairs Committee Meeting
New Orleans, Louisiana

Overview

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- 2020 Census Population and Population Trends
- Redistricting terms, concepts, and law
- Redistricting Criteria
- Malapportionment Statistics & Illustrative Maps
- Timeline

**LOUISIANA
APPORTIONMENT DATA
AND
P.L. 94-171 DATA**

Louisiana's 2020 Census Apportionment Data

- **Apportionment Population**
 - Released on **April 26, 2021**
 - **4,661,468**
 - Includes **3,711** overseas military and civilian personnel and family

- **Louisiana's Resident Population**
 - **4,657,757**
 - Used to determine the “ideal” district population of each district in a statewide redistricting plan

State Growth Rate: Census 2020

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- **Louisiana Growth Rate:** **2.74%**
- **United States Growth Rate:** **7.35%**
- **Southern Region Growth Rate:** **10.22%**
 - Southern Region:
 - *AL, AR, DE, DC, GA, KY, LA, MD, MS, OK, SC, TN, VA*

Louisiana's 2020 Census Redistricting Data

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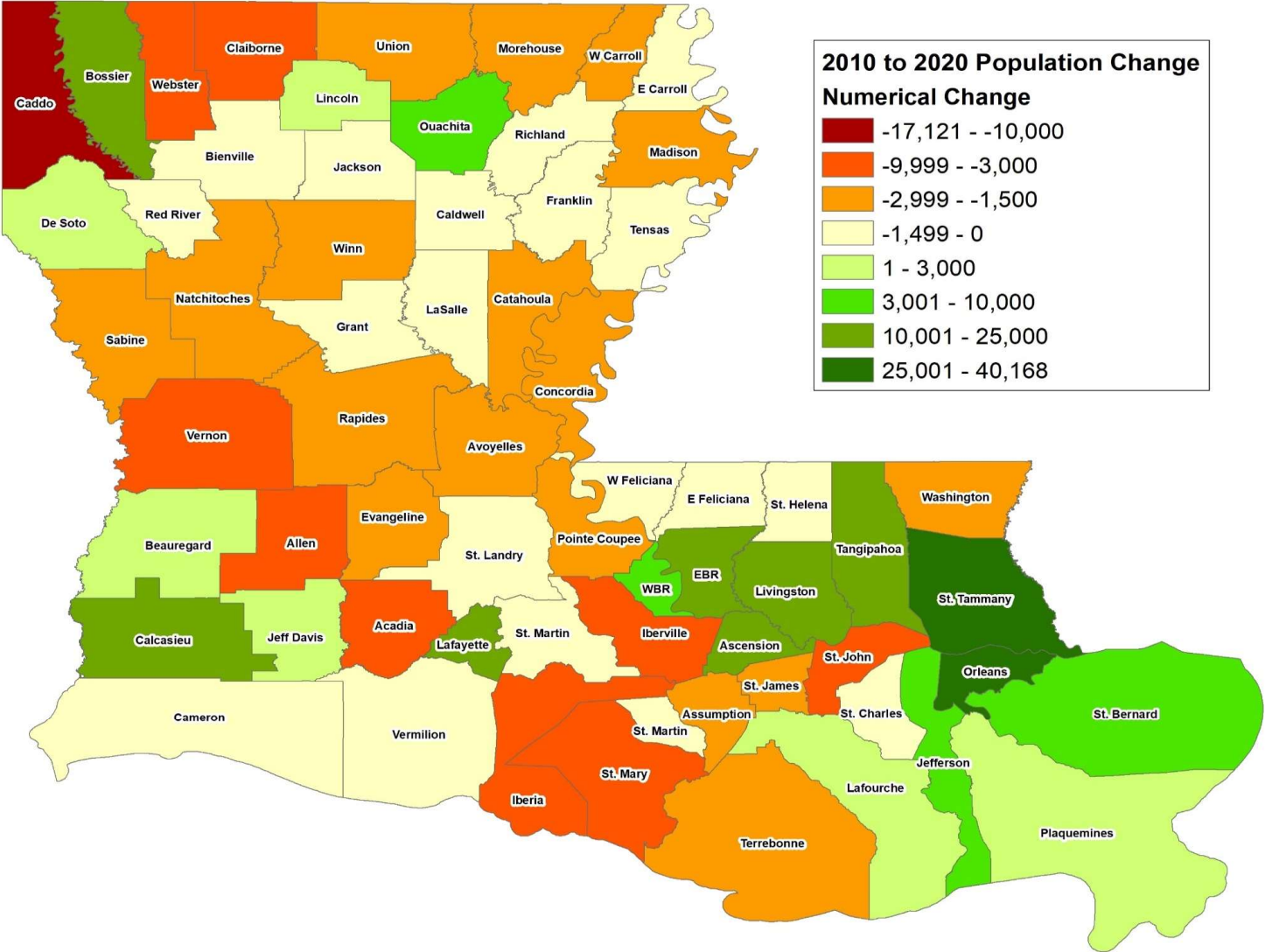
□ Data Release:

- ▣ P.L. 94-171 Redistricting Data
- ▣ State and Local Data
- ▣ Released on **August 12** in a legacy format
- ▣ Released on **September 16** in easier-to-use format
- ▣ Available through the Census Bureau's primary data dissemination tool at data.census.gov

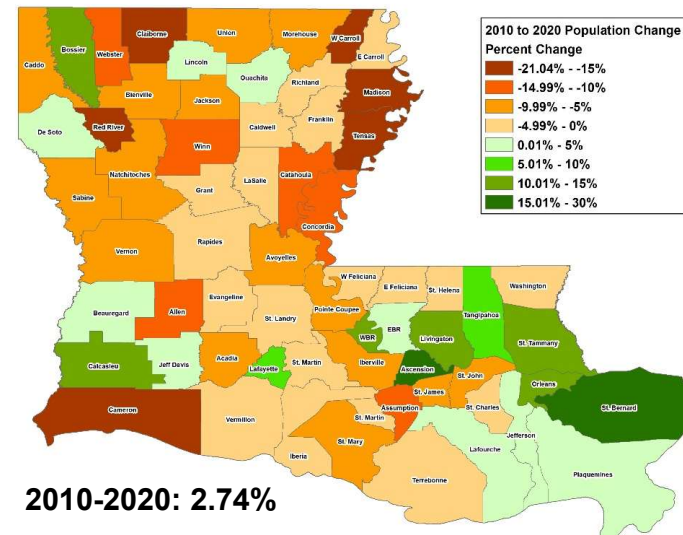
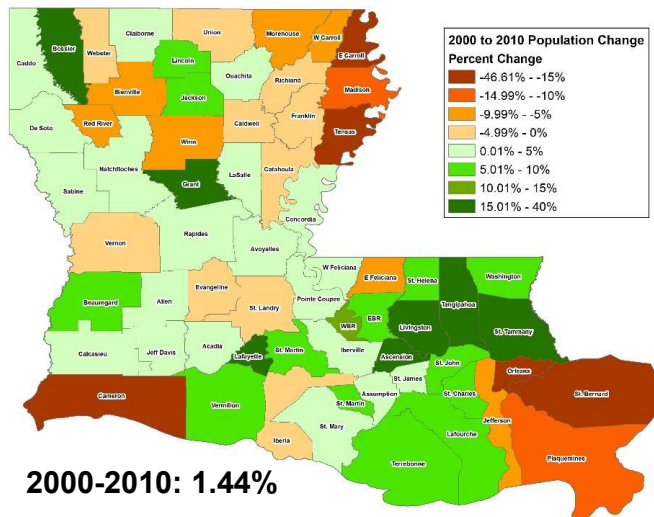
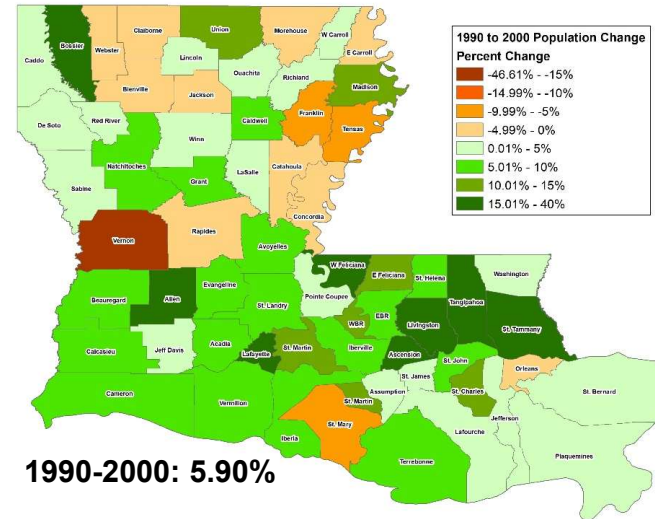
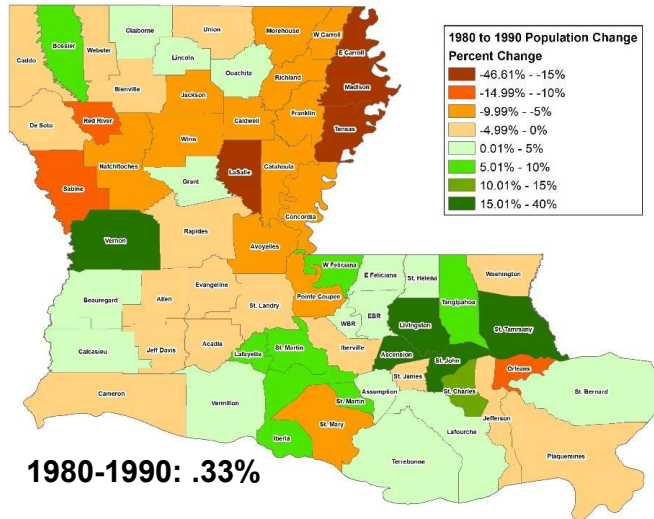
POPULATION AND DEMOGRAPHIC TRENDS

**INTRA-STATE POPULATION SHIFTS
POPULATION COMPOSITION CHANGE**

2010 to 2020 Census Population Change



1980 to 2020 Census Population Changes



Census 2010 to 2020 Parish Population Numerical Decline

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Parish	Total Population	Change	% Change
Caddo	237,848	(17,121)	-6.71%
St. Mary	49,406	(5,244)	-9.60%
Webster	36,967	(4,240)	-10.29%
Acadia	57,576	(4,197)	-6.79%
Vernon	48,750	(3,584)	-6.85%
St. John	42,477	(3,447)	-7.51%
Iberia	69,929	(3,311)	-4.52%
Iberville	30,241	(3,146)	-9.42%
Claiborne	14,170	(3,025)	-17.59%
Allen	22,750	(3,014)	-11.70%
Assumption	21,039	(2,382)	-10.17%
Avoyelles	39,693	(2,380)	-5.66%

Census 2010 to 2020 Parish Population Numerical Gain

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Parish	Total Population	Change	% Change
Orleans	383,997	40,168	11.68%
St. Tammany	264,570	30,830	13.19%
Calcasieu	216,785	24,017	12.46%
Lafayette	241,753	20,175	9.11%
Ascension	126,500	19,285	17.99%
EBR	456,781	16,610	3.77%
Livingston	142,282	14,256	11.14%
Tangipahoa	133,157	12,060	9.96%
Bossier	128,746	11,767	10.06%
Jefferson	440,781	8,229	1.90%
St. Bernard	43,764	7,867	21.92%
Ouachita	160,368	6,648	4.32%

Census 2020

Largest Census Place Population Changes

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Census Place	2010	2020	# Change	% Change
New Orleans	343,829	383,997	40,168	11.68%
Baton Rouge	229,493	227,470	(2,023)	-0.88%
Shreveport	199,311	187,593	(11,718)	-5.88%
Metairie	138,481	143,507	5,026	3.63%
Lafayette	120,623	121,374	751	0.62%
Lake Charles	71,993	84,872	12,879	17.89%
Kenner	66,702	66,448	(254)	-0.38%
Bossier City	61,315	62,701	1,386	2.26%
Monroe	48,815	47,702	(1,113)	-2.28%
Alexandria	47,723	45,275	(2,448)	-5.13%
Houma	33,727	33,406	(321)	-0.95%
Prairieville	26,895	33,197	6,302	23.43%

Census 2010 to 2020 Demographic Change

2010 Census Population						
Total Population	White	Black	Asian	Am Indian	Other	Hispanic
4,533,372	2,836,192	1,486,884	81,551	46,553	82,191	192,559
	62.56%	32.80%	1.80%	1.03%	1.81%	4.25%
2020 Census Population						
Total Population	White	Black	Asian	Am Indian	Other	Hispanic
4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549
	57.06%	33.13%	2.30%	1.87%	5.64%	6.92%
2010 to 2020 Census Population Change						
Total Population	White	Black	Asian	Am Indian	Other	Hispanic
124,385	-178,540	56,235	25,737	40,507	180,447	129,990
2.74%	-6.30%	3.78%	31.56%	87.01%	219.55%	67.51%

REDISTRICTING TERMS, CONCEPTS, AND LAW

Introduction: Terms

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- What is redistricting?
 - ▣ Apportionment: process of allocating seats in a legislature
 - ▣ Districting: process of drawing the lines of each district
- Districts - Geographical territories from which officials are elected

Introduction: Requirements

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- Why redistrict?
 - ▣ Specific Legal Requirements Involving Redistricting
 - Article III, Section 6 of the Constitution of Louisiana includes the duties and deadlines for legislative redistricting
 - Various statutes involving local districting bodies contain redistricting duties and deadlines
 - ▣ General Legal Requirements
 - Equal Protection
 - Voting Rights Act of 1965

Introduction: Entities Subject to Redistricting

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- Who is redistricted?
 - ▣ By the state legislature:
 - House and Senate
 - Congress
 - Public Service Commission
 - State Board of Elementary and Secondary Education
 - Courts
 - ▣ How?
 - Enacted by the state legislature as laws

Legal Issues: State Law

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- ▣ Louisiana Legislature (La. Constitutional Provisions)
 - Article III, §1
 - Requires single member districts
 - Article III, §3
 - Provides a maximum number of members: 39 senators and 105 representatives
 - Article III, §6
 - Legislature must be redistricted by Dec. 31, 2022
 - Must use census population data

Legal Issues: Federal Law

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- Equal Population
 - ▣ One Person, One Vote
 - ▣ Population Equality—how is it measured?
 - Ideal Population—total population of the jurisdiction divided by the number of districts
 - Deviation—amount by which a single district's population differs from the ideal

Legal Issues: Federal Law

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□ Equal Population

- Standards—Different standards for congress and state legislative districts
 - Based on different legal provisions
 - **Congress:** as nearly equal in population as practicable (*Wesberry v. Sanders*, 376 U.S. 1 (1964))
 - Based on Article I, Section 2 and 14th Amendment
 - “Representatives ... shall be apportioned among the ... states ... according to their respective numbers”
 - Deviation and overall range: as close to zero as possible

Legal Issues: Federal Law

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□ Equal Population

▣ Standards—Different standards for congress and state legislative districts

■ **State Legislatures:** "substantial equality of population among the various districts" (*Reynolds v. Sims*, 377 U.S. 533, 579 (1964))

- Based on the Equal Protection Clause of the 14th Amendment

- 10-Percent Standard: Generally, a legislative plan with an **overall range** of less than 10% is not enough to make a prima facie case of invidious discrimination under the 14th Amendment (*Brown v. Thompson*, 462 U.S. 835 (1983))

- Not a safe-harbor (*Larios v. Cox*, 300 F.Supp.2d 1320 (N.D. Ga.), *aff'd* 542 U.S. 947 (2004))

Legal Issues: Federal Law

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□ Equal Population

- Equality of population must be the “overriding objective” of districting, and deviations from this principal are permissible only if incident to the effectuation of a rational state policy (*Reynolds v. Sims*, 377 U.S. 533, 579 (1964))

- State policies that have been referenced:

- Allowing representation to political subdivisions

- Compactness

- Preserving cores of prior districts

- Avoiding contests between incumbents

Legal Issues: Federal Law

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- Equal Population
 - ▣ The one person, one vote standard does not apply to judicial districts (*Wells v. Edwards*, 347 F.Supp. 453 (M.D. La. 1972), *aff'd*, 409 U.S. 1095 (1973))

Legal Issues: Federal Law

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- Discrimination Against Minorities

- The Voting Rights Act of 1965

- Section 2

- Prohibits any state or political subdivision from imposing a voting qualification, standard, practice, or procedure that results in the denial or abridgment of any U.S. citizen's right to vote on account of race, color, or status as a member of a language minority group

Legal Issues: Federal Law

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□ Discrimination Against Minorities

▣ The Voting Rights Act of 1965

■ Section 2

- *Gingles* preconditions (*Thornburg v. Gingles*, 478 U.S. 30 (1986))
 - Size and geographical compactness
 - Political cohesion
 - Majority votes as a bloc to defeat minority's preferred candidate
- Totality of the circumstances

Legal Issues: Federal Law

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- Racial Gerrymandering
 - ▣ Equal Protection Clause of the Fourteenth Amendment
 - ▣ If race is found to be the predominant overriding factor, strict scrutiny will apply
 - ▣ What must a state prove for the plan to survive strict scrutiny?
 - A law narrowly tailored to serve a compelling state interest

REDISTRICTING CRITERIA

Joint Rule No. 21 of the Joint Rules of the
Senate and House of Representatives

Redistricting Criteria

Joint Rule No. 21

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- **All Redistricting Plans Shall**
 - Comply with all applicable federal and state law
 - Be composed of contiguous geography
 - Contain whole precincts to the extent practicable
 - Respect established boundaries of political subdivisions and natural geography of this state to the extent practicable and maintain communities of interest within the same district to the extent practicable

Redistricting Criteria (continued)

Joint Rule No. 21

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- **All Redistricting Plans Shall**
 - Utilize the most recent federal decennial census data as validated through the data verification program of the House and Senate
 - If submitted by the public, shall be submitted electronically in a comma-delimited block equivalency file

Redistricting Criteria (continued)

Joint Rule No. 21

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- **Each Redistricting Plan for the House, Senate, PSC, BESE, Congress, and the Supreme Court Shall:**
 - Be a whole plan which assigns all of the geography of the state
- **Each Redistricting Plan for the House, Senate, PSC, and BESE Shall:**
 - Contain single-member districts
 - Contain districts that are substantially equal in population (at least within plus or minus 5% of the ideal district population)
 - Give due consideration to traditional district alignments to the extent practicable

Redistricting Criteria (continued)

Joint Rule No. 21

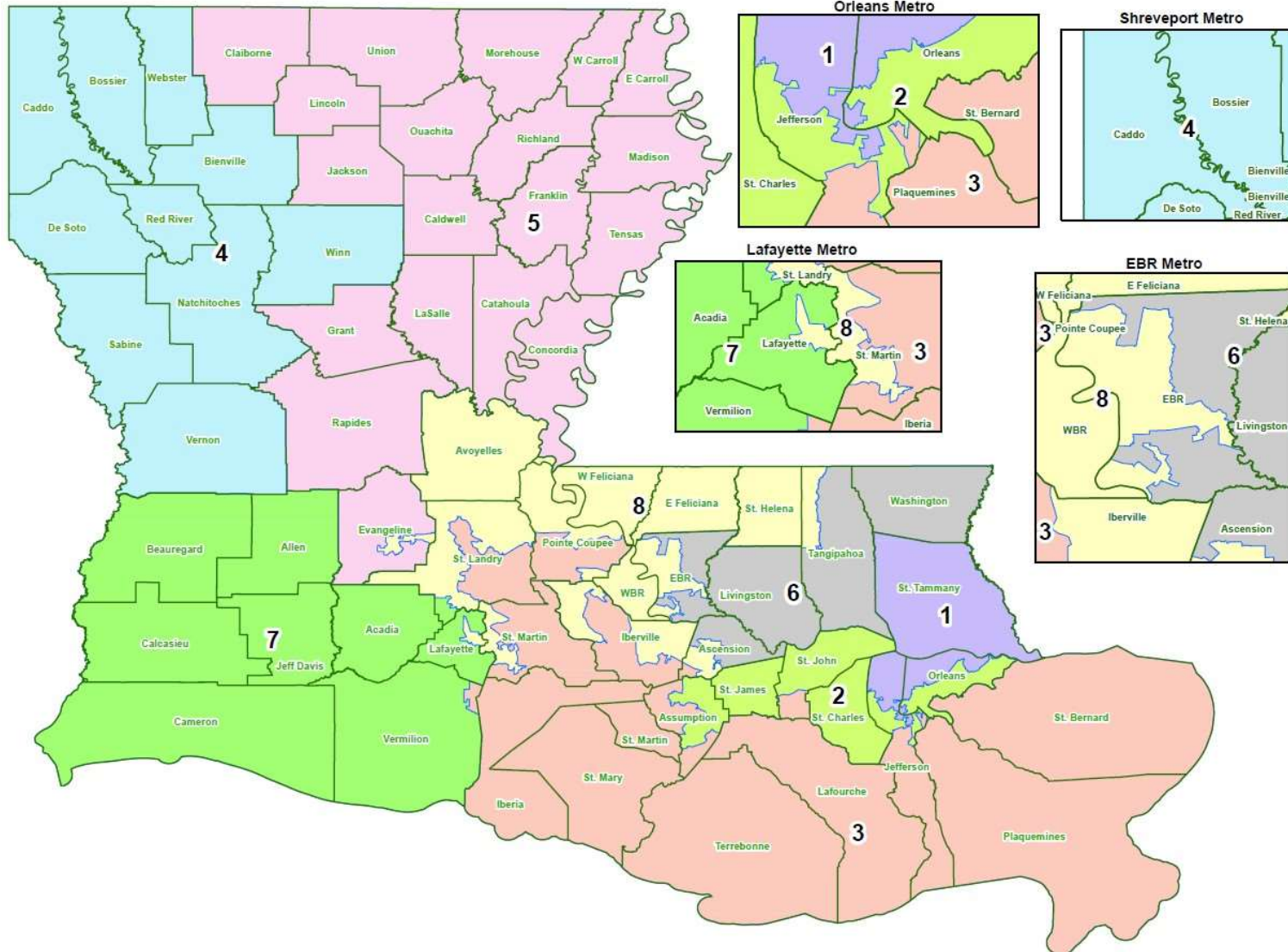
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- **Each redistricting plan for Congress shall:**
 - Contain single-member districts
 - Contain districts with as nearly equal to the ideal district population as practicable

MALAPPORTIONMENT DATA

MALAPPORTIONMENT: STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

State Board of Elementary and Secondary Education



BESE Ideal Population Change

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- **2010 BESE Ideal Population:**
 - 566,671

- **2020 BESE Ideal Population:**
 - 582,219

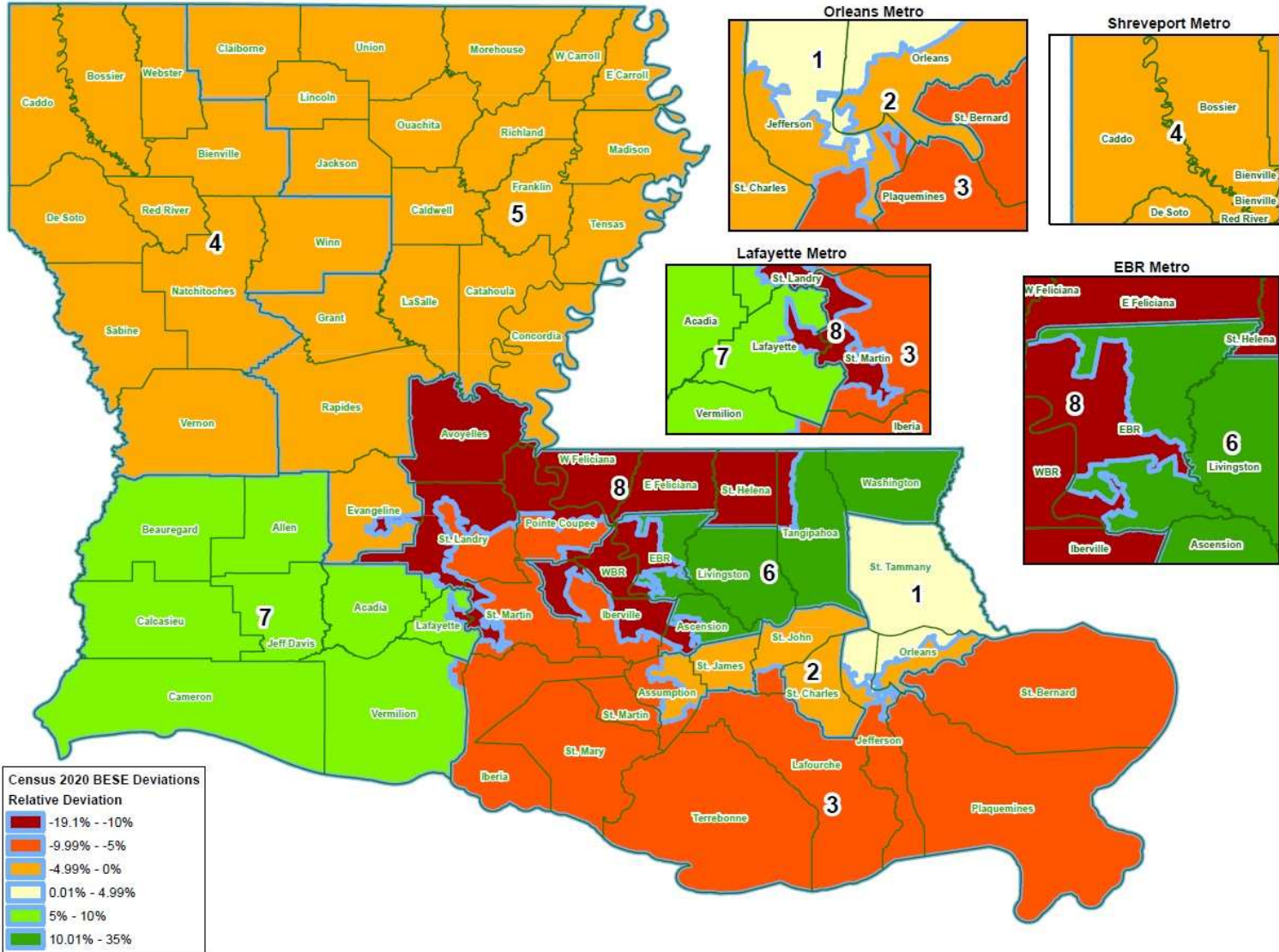
- **2010 to 2020 Change:**
 - 15,548

BESE Malapportionment

36

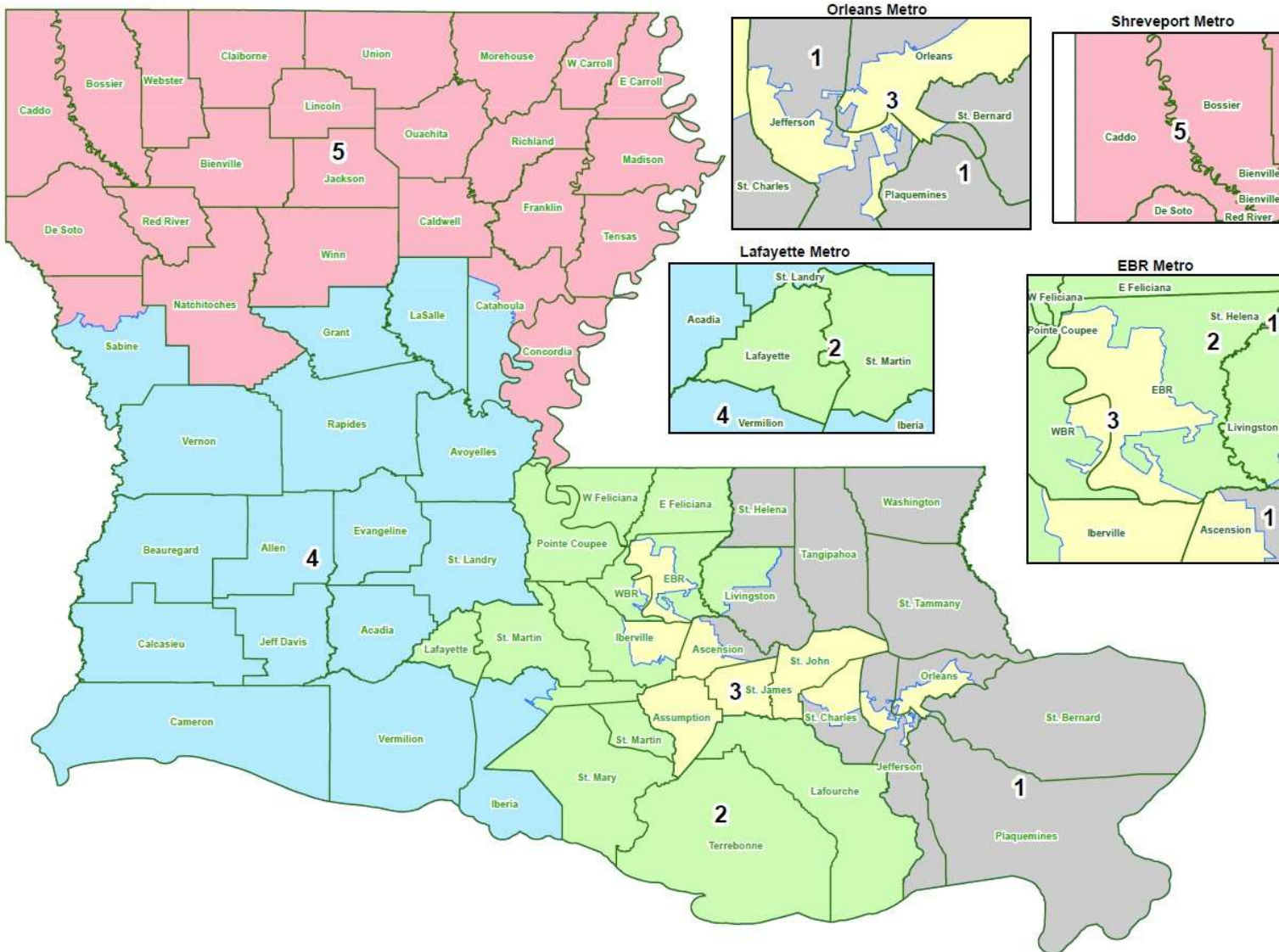
Districts	Total Pop	Ideal	Difference	Percent
1	582,428	582,219	209	0.04%
2	566,858	582,219	-15,361	-2.64%
3	540,723	582,219	-41,496	-7.13%
4	573,149	582,219	-9,070	-1.56%
5	581,559	582,219	-660	-0.11%
6	658,313	582,219	76,094	13.07%
7	630,876	582,219	48,657	8.36%
8	523,851	582,219	-58,368	-10.03%

State Board of Elementary and Secondary Education



MALAPPORTIONMENT: PUBLIC SERVICE COMMISSION

Public Service Commission



PSC Ideal Population Change

40

- **2010 PSC Ideal Population:**
 - 906,674

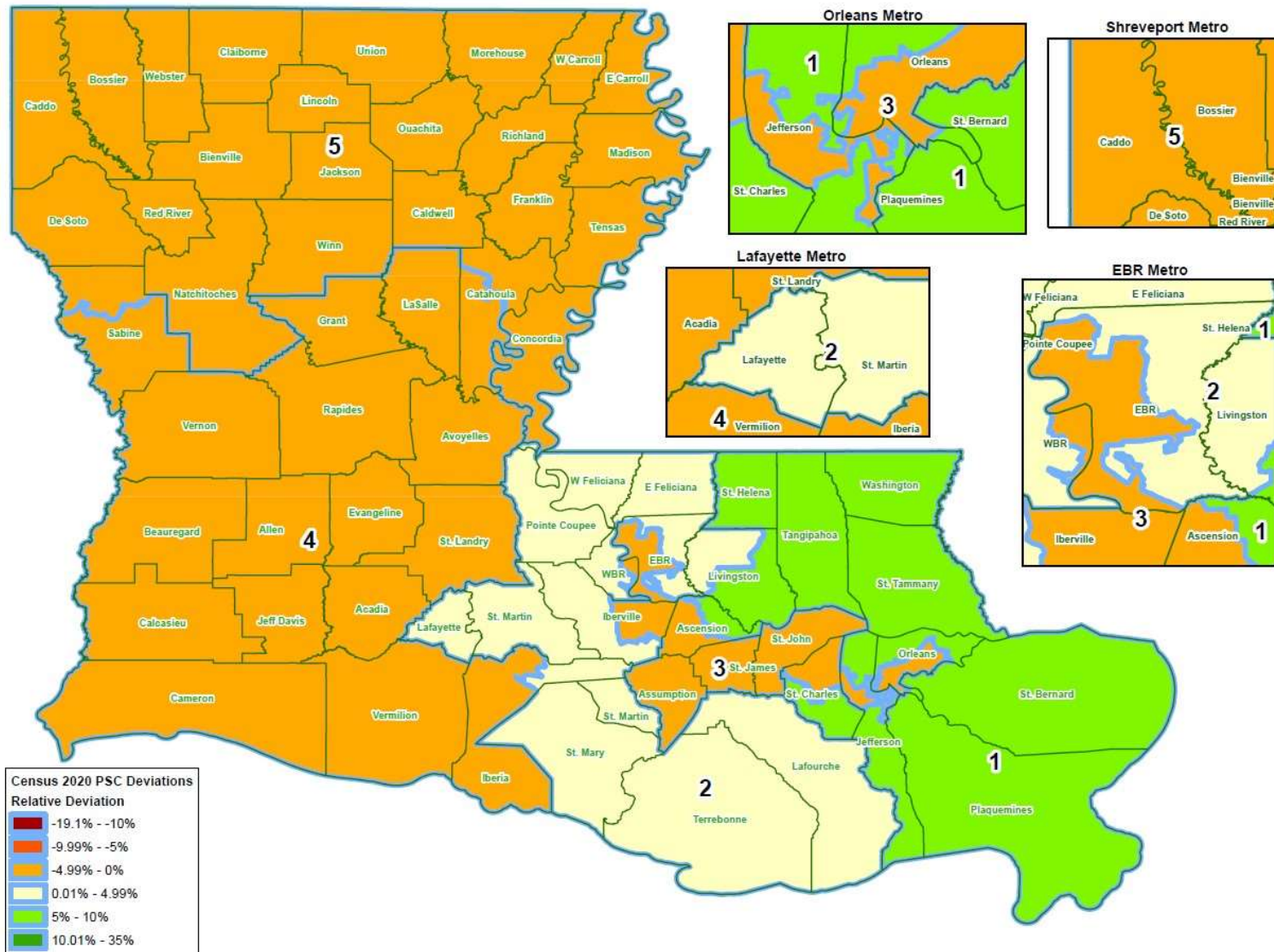
- **2020 PSC Ideal Population:**
 - 931,551

- **2010 to 2020 Change:**
 - 24,877

PSC Malapportionment

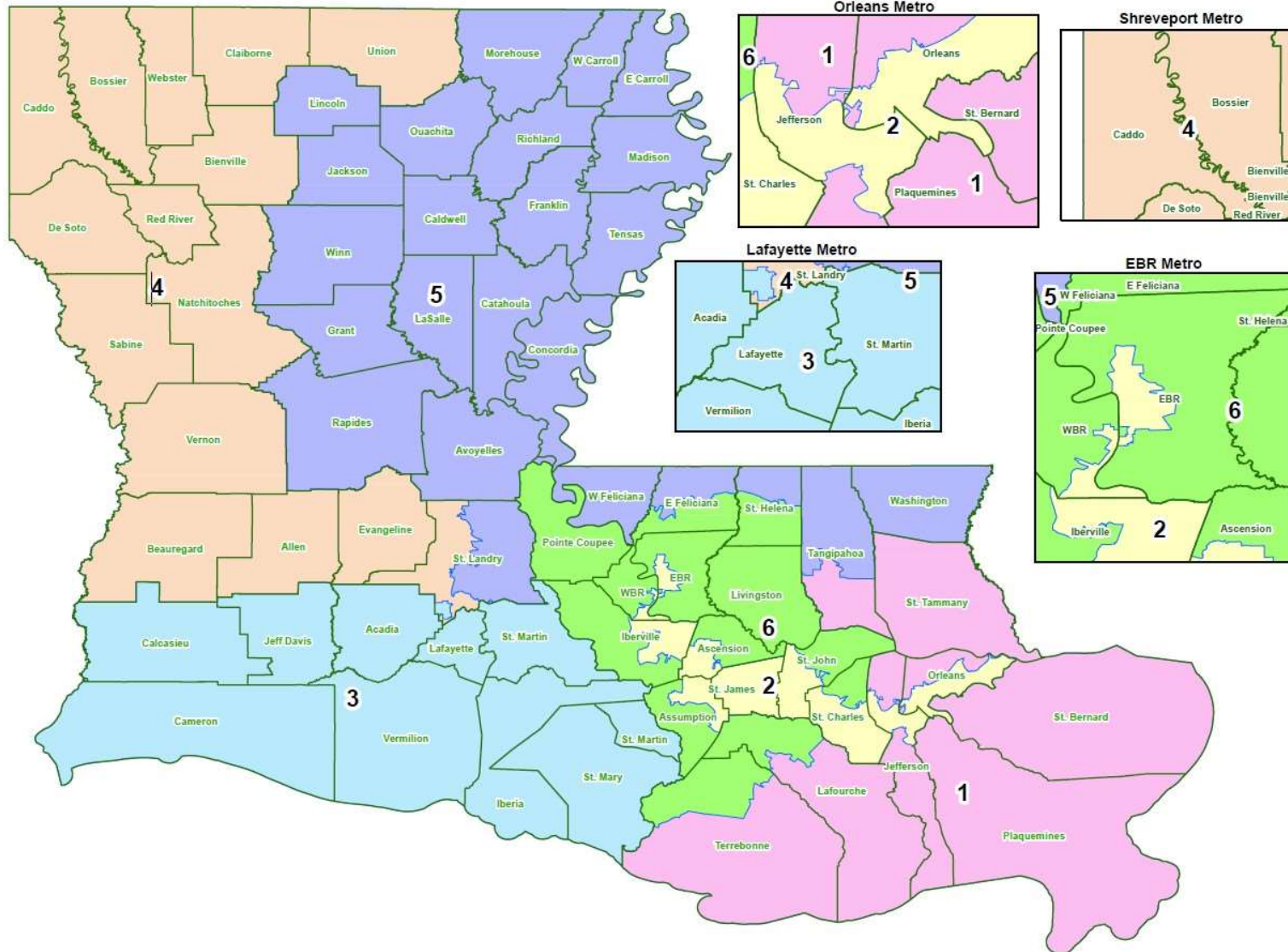
Districts	Total Pop	Ideal	Difference	Percent
1	1,008,478	931,551	76,927	8.26%
2	967,517	931,551	35,966	3.86%
3	896,082	931,551	-35,469	-3.81%
4	888,916	931,551	-42,635	-4.58%
5	896,764	931,551	-34,787	-3.73%

Public Service Commission



MALAPPORTIONMENT: CONGRESS

Congress



Congress Ideal Population Change

45

- **2010 Congress Ideal Population:**
 - 755,562

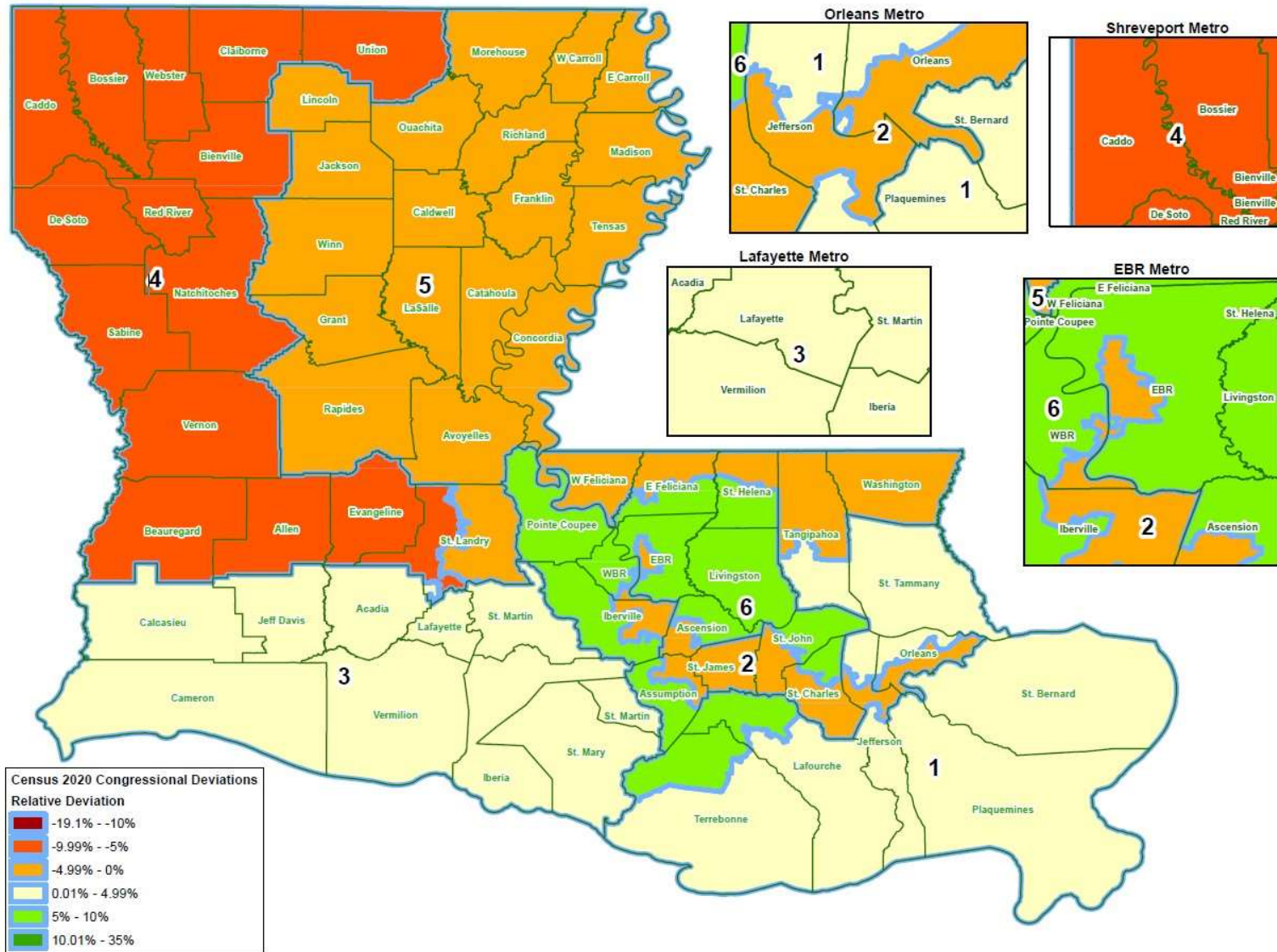
- **2020 Congress Ideal Population:**
 - 776,292

- **2010 to 2020 Change:**
 - 20,730

Congress Malapportionment

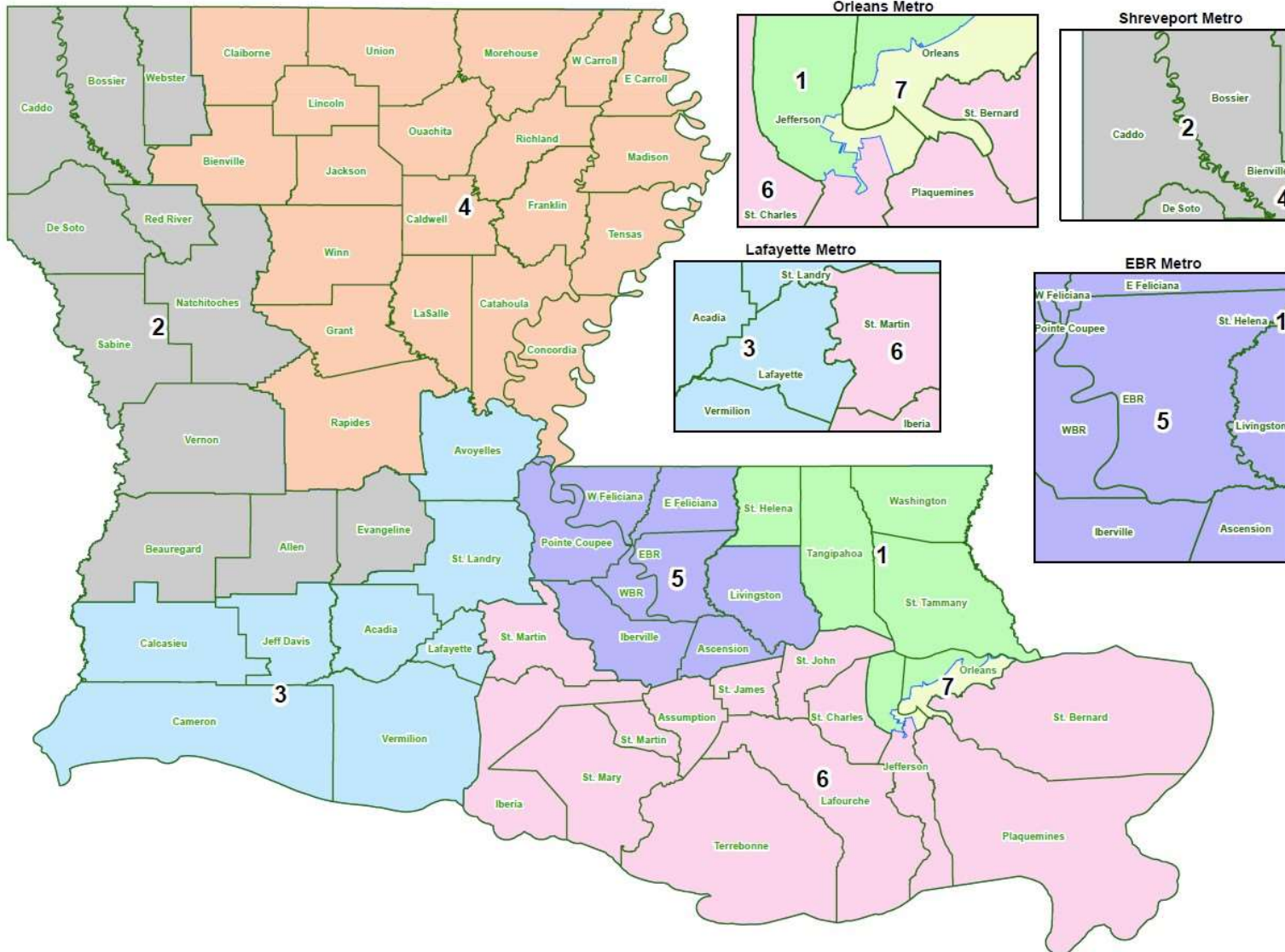
Districts	Total Pop	Ideal	Difference	Percent
1	812,585	776,292	36,293	4.68%
2	775,292	776,292	-1,000	-0.13%
3	785,824	776,292	9,532	1.23%
4	728,346	776,292	-47,946	-6.18%
5	739,244	776,292	-37,048	-4.77%
6	816,466	776,292	40,174	5.18%

Congress



MALAPPORTIONMENT: SUPREME COURT

Supreme Court



Supreme Court Ideal Population Change

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- **2010 Supreme Court Ideal Population:**
 - 647,624

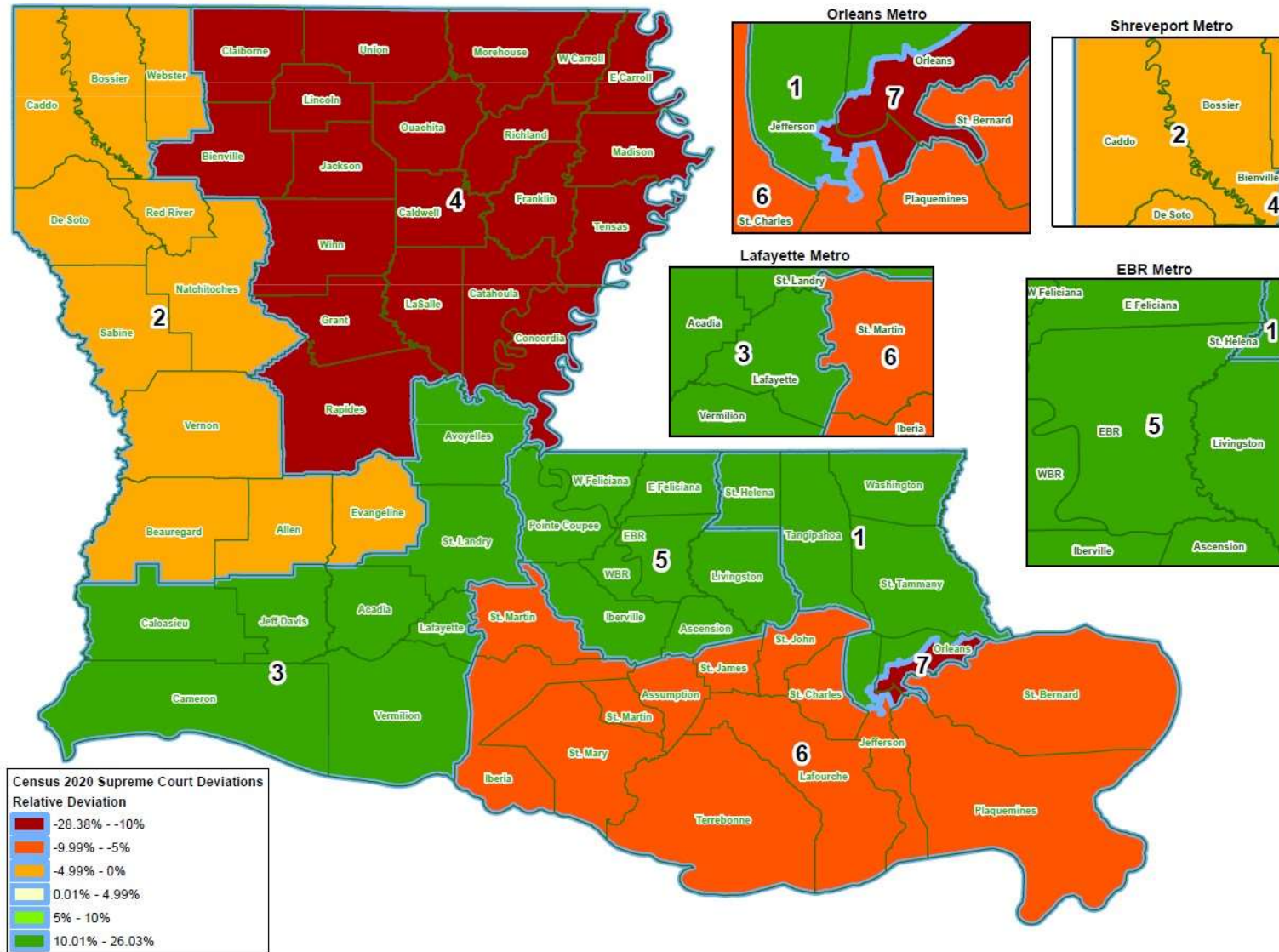
- **2020 Supreme Court Ideal Population:**
 - 665,393

Supreme Court Malapportionment

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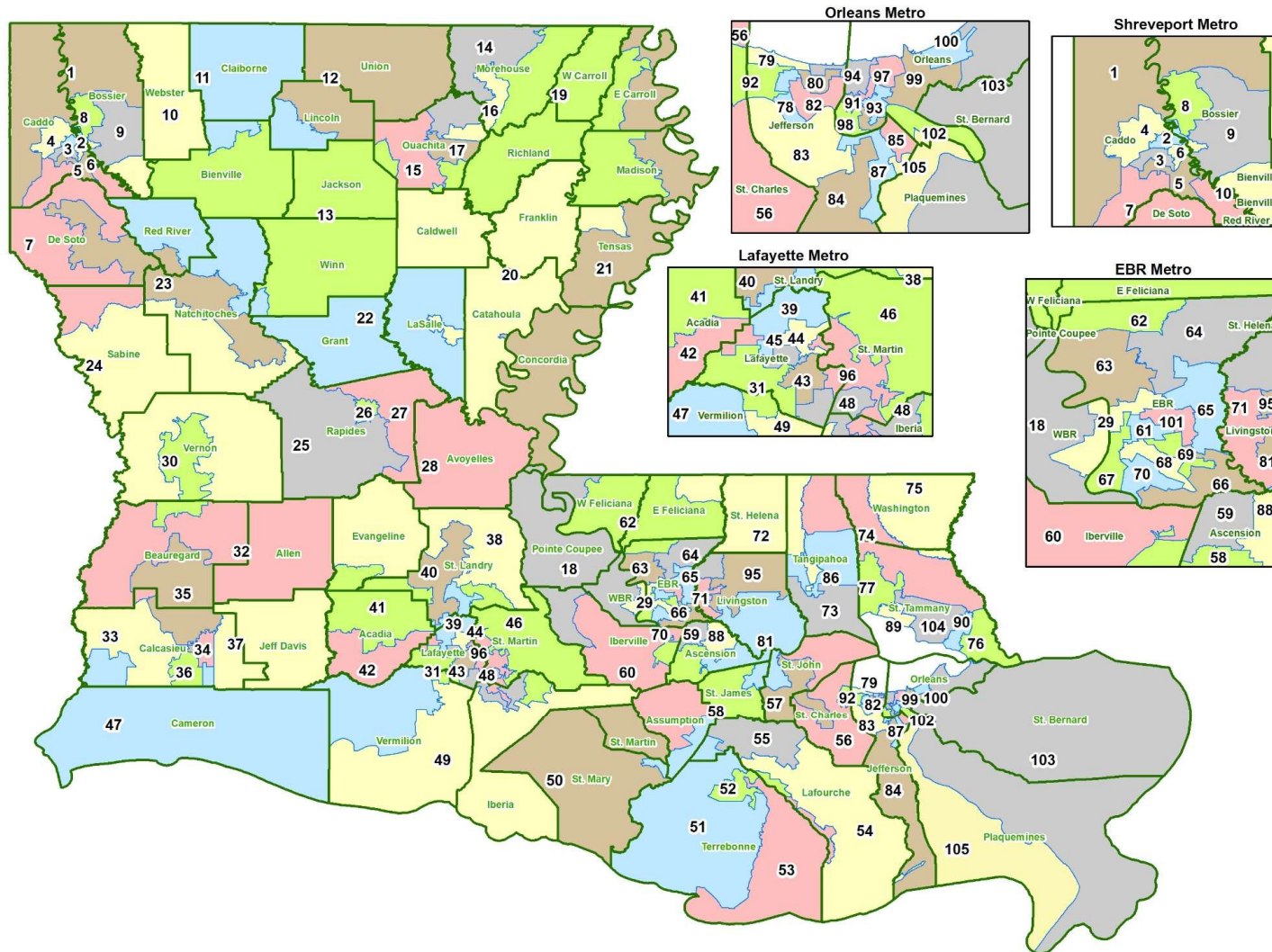
Districts	Total Pop	Ideal	Difference	Percent
1	752,775	665,393	87,382	13.13%
2	638,062	665,393	-27,331	-4.11%
3	733,573	665,393	68,180	10.25%
4	586,849	665,393	-78,544	-11.80%
5	838,610	665,393	173,217	26.03%
6	631,334	665,393	-34,059	-5.12%
7	476,554	665,393	-188,839	-28.38%

Supreme Court



MALAPPORTIONMENT: HOUSE OF REPRESENTATIVES

House of Representatives



House Ideal Population Change

55

- **2010 House Ideal Population:**
 - 43,174

- **2020 House Ideal Population:**
 - 44,359

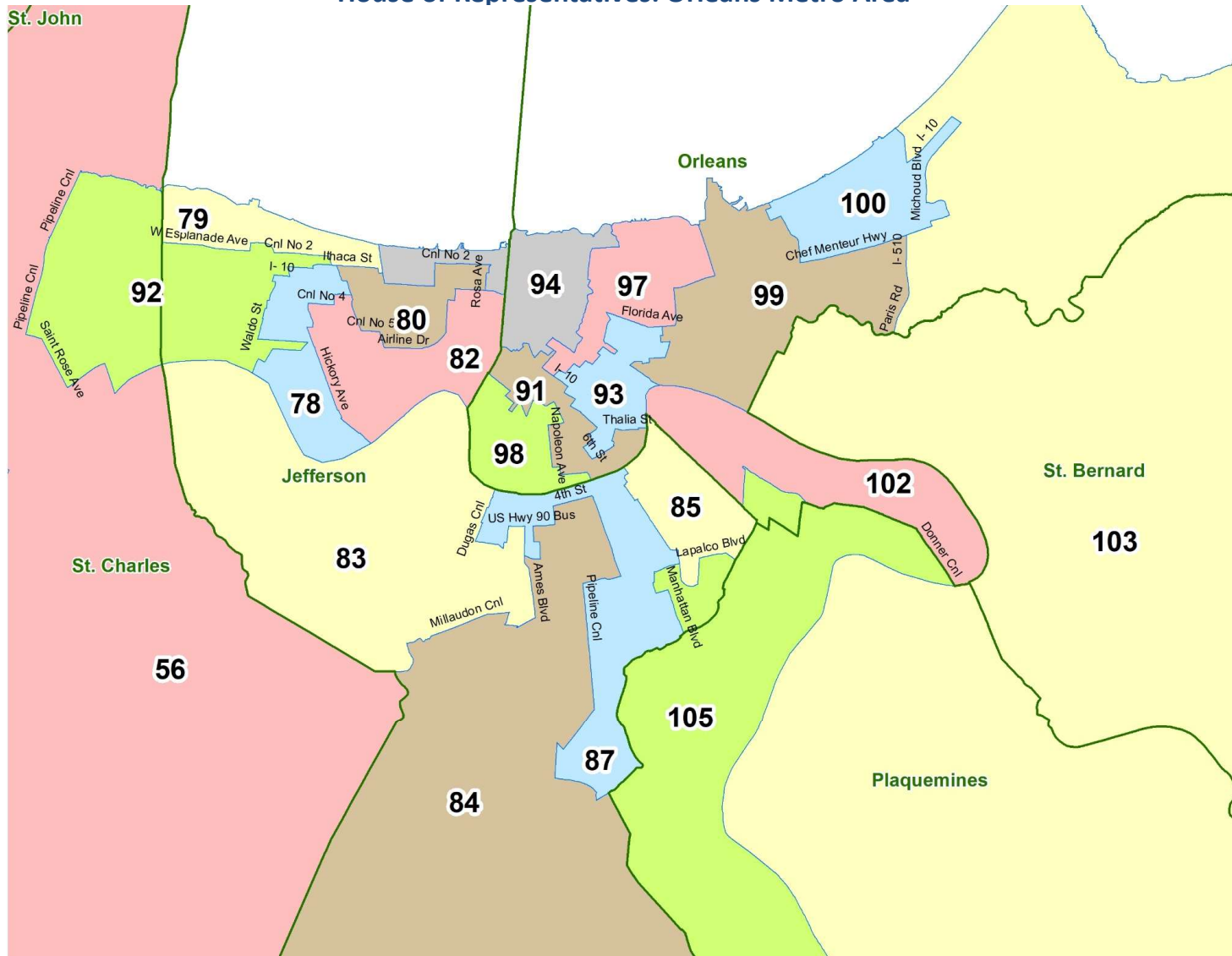
- **2010 to 2020 Change:**
 - 1,185

House Malapportionment

Above Deviation	29
Within Deviation	39
Below Deviation	37

ORLEANS METRO AREA HOUSE

House of Representatives: Orleans Metro Area



House Malapportionment Orleans Metro Area

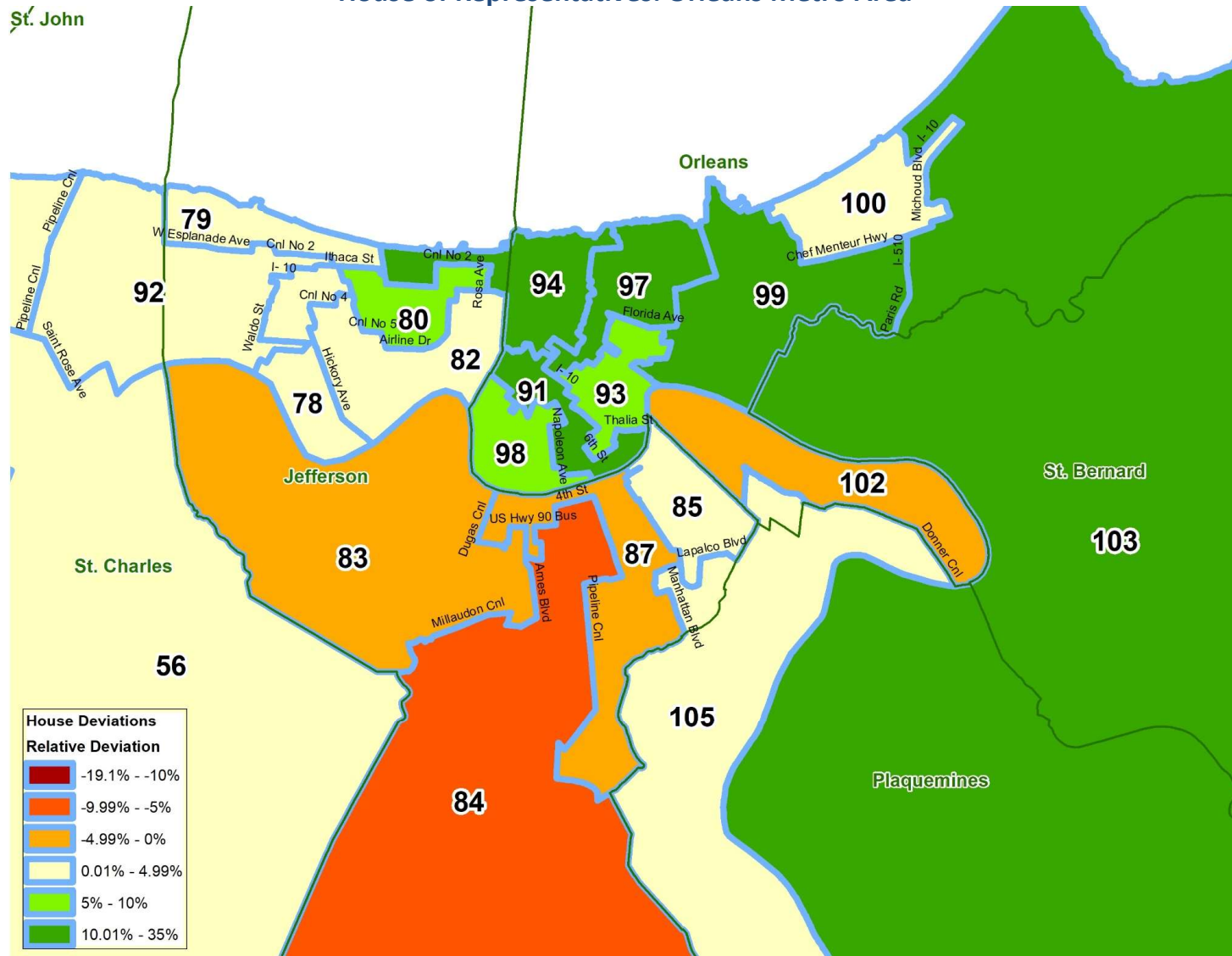
District	Total Pop	Ideal	Difference	Percent
56	44,460	44,359	101	0.23%
78	44,548	44,359	189	0.43%
79	45,579	44,359	1,220	2.75%
80	47,648	44,359	3,289	7.42%
82	46,392	44,359	2,033	4.58%
83	43,853	44,359	-506	-1.14%
84	41,952	44,359	-2,407	-5.43%
85	46,567	44,359	2,208	4.98%
87	42,694	44,359	-1,665	-3.75%
91	49,815	44,359	5,456	12.30%

House Malapportionment Orleans Metro Area

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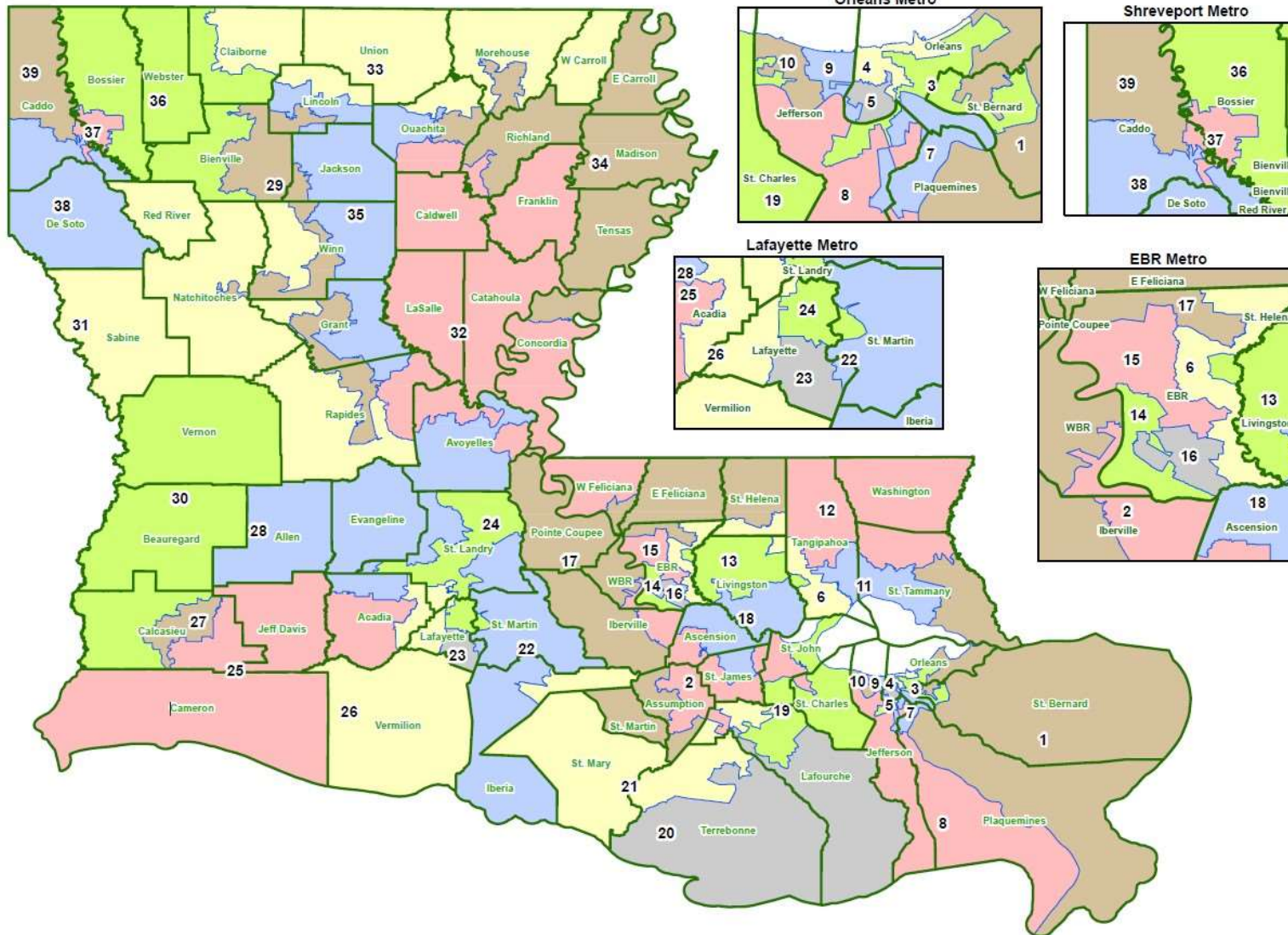
District	Total Pop	Ideal	Difference	Percent
92	44,398	44,359	39	0.09%
93	48,621	44,359	4,262	9.61%
94	52,522	44,359	8,163	18.40%
97	53,810	44,359	9,451	21.31%
98	46,610	44,359	2,251	5.08%
99	50,831	44,359	6,472	14.59%
100	46,572	44,359	2,213	4.99%
102	43,158	44,359	-1,201	-2.71%
103	52,643	44,359	8,284	18.68%
105	44,833	44,359	474	1.07%

House of Representatives: Orleans Metro Area



MALAPPORTIONMENT: SENATE

Senate



Senate Ideal Population Change

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- **2010 Senate Ideal Population:**
 - 116,240

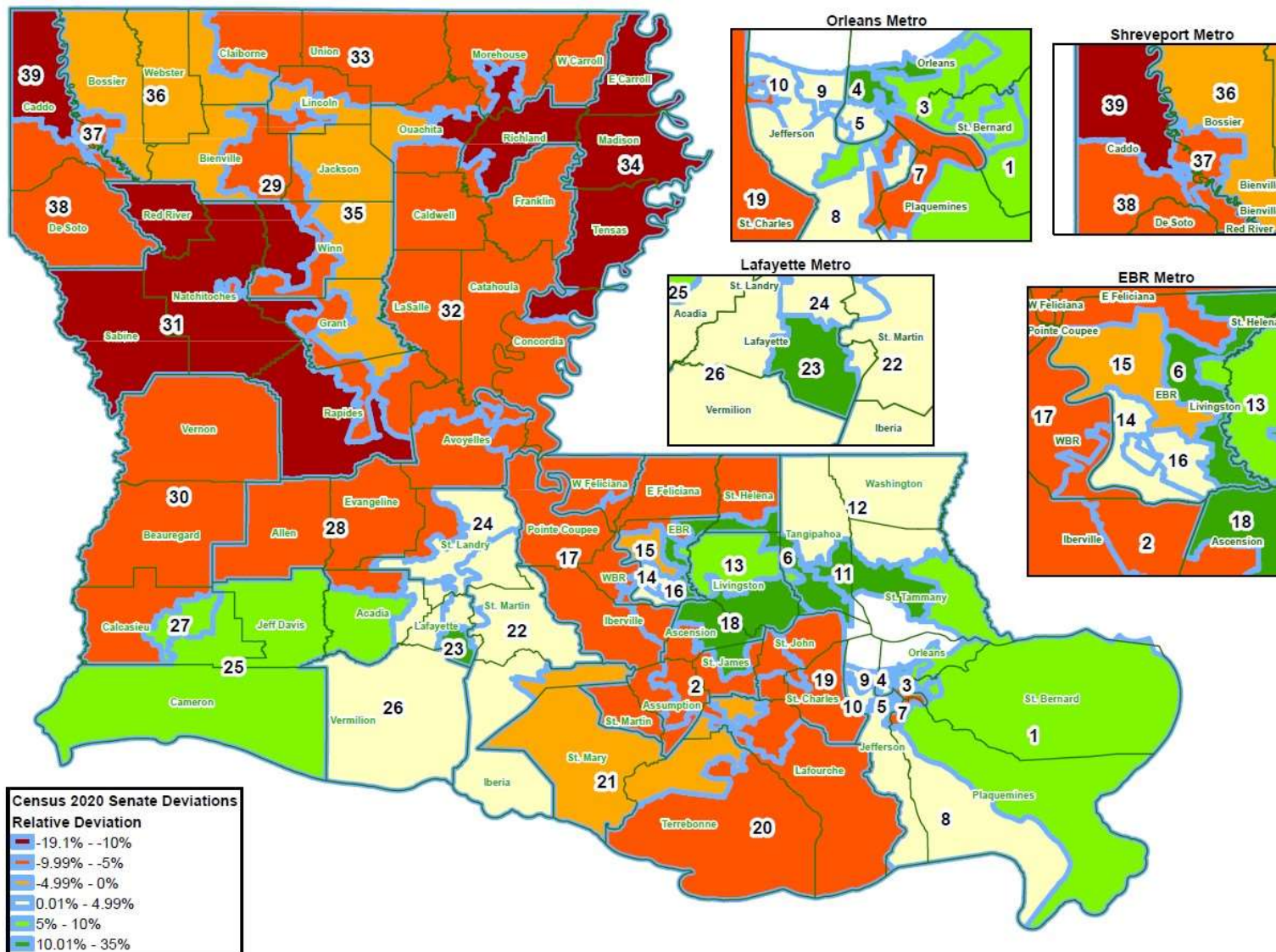
- **2020 Senate Ideal Population:**
 - 119,429

- **2010 to 2020 Change:**
 - 3,189

Senate Malapportionment

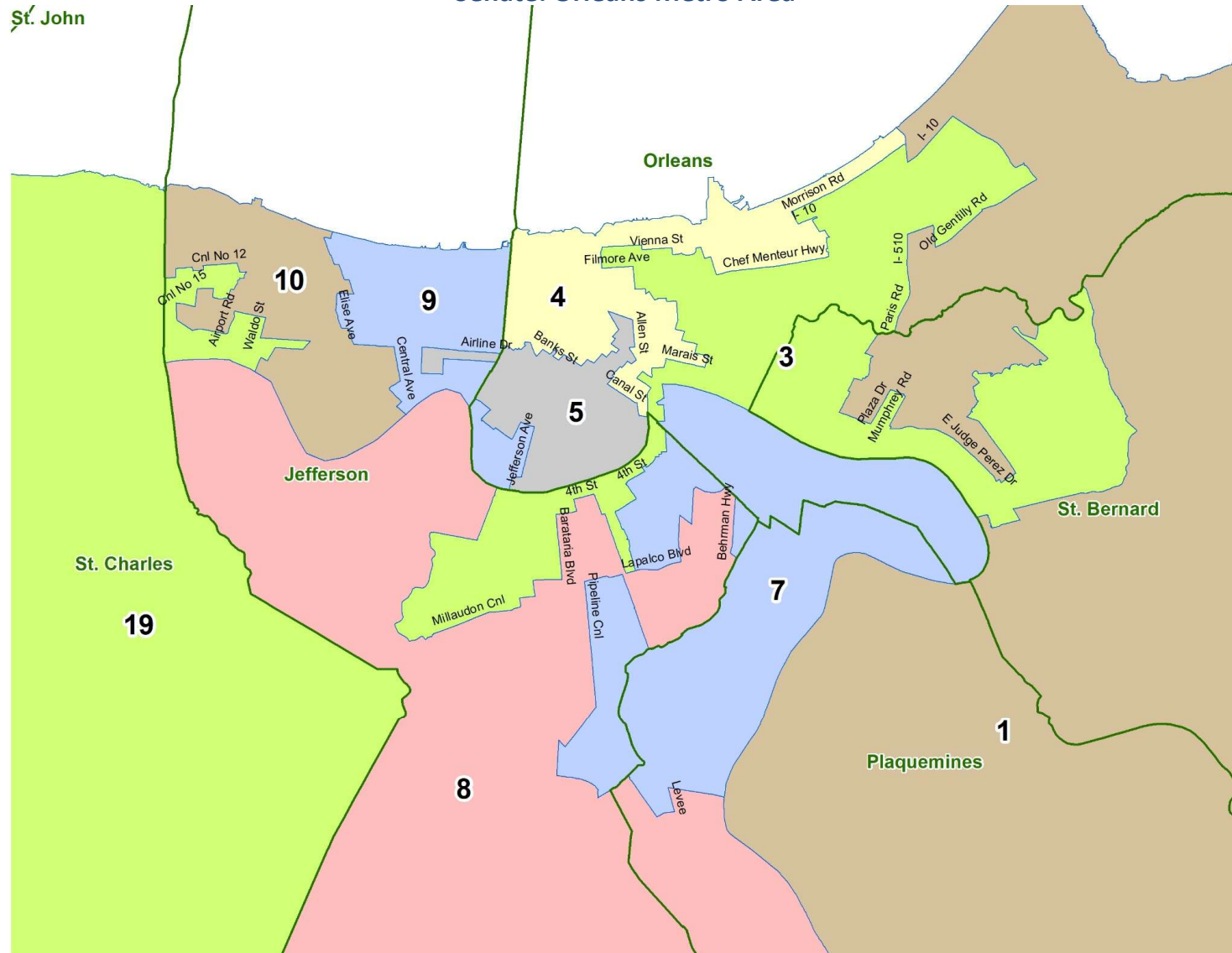
Above Deviation	10
Within Deviation	14
Below Deviation	15

Senate



ORLEANS METRO AREA SENATE

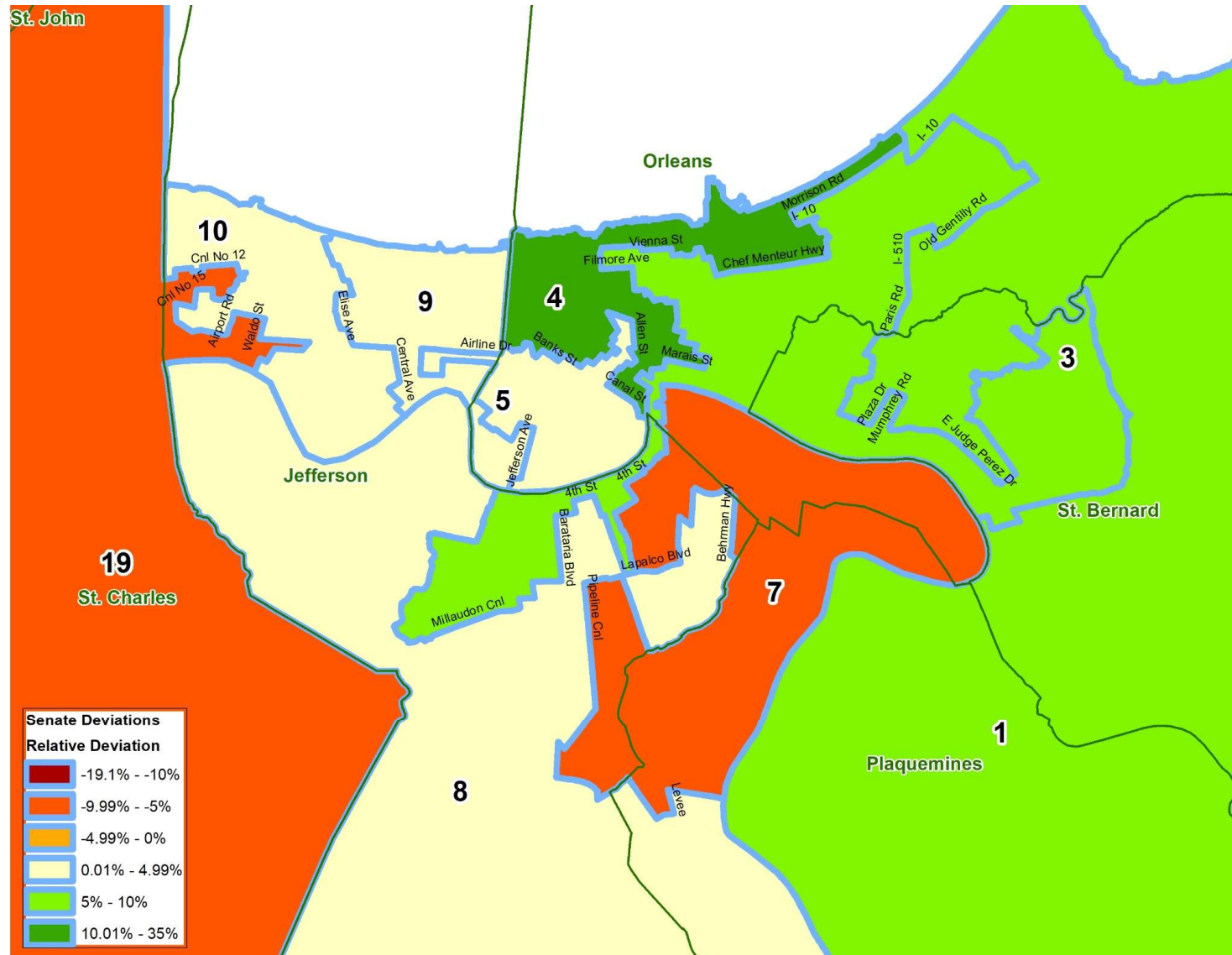
Senate: Orleans Metro Area



Senate Malapportionment Orleans Metro Area

District	Total Pop	Ideal	Difference	Percent
1	128,651	119,429	9,222	7.722%
3	126,214	119,429	6,785	5.681%
4	132,156	119,429	12,727	10.657%
5	120,152	119,429	723	0.605%
7	111,694	119,429	-7,735	-6.477%
8	121,189	119,429	1,760	1.474%
9	122,806	119,429	3,377	2.828%
10	120,330	119,429	901	0.754%
19	109,521	119,429	-9,908	-8.296%

Senate: Orleans Metro Area



Timeline and Roadshow Hearings

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Date	Time	Area/City	Venue
Wednesday, January 5, 2022	5:30pm – 8:30pm	Orleans Metro/New Orleans	University of New Orleans
Tuesday, January 11, 2022	5:30pm – 8:30pm	Bayou Region/Thibodaux	Nicholls State University
Thursday, January 20, 2022	11:00 am	Baton Rouge	State Capitol
February 1-20, 2022	Convenes at 5:00 pm on Feb. 1 st	Baton Rouge (Extraordinary Session for Redistricting)	State Capitol

Legislative Redistricting Information

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For information regarding redistricting, including key contact information, please visit the Louisiana Legislature's redistricting page:

<https://redist.legis.la.gov/>