

REDISTRICTING 2024

January 2024

Committee on House and Governmental Affairs

Overview

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- Redistricting terms, concepts, and law
- Redistricting Criteria
- 2020 Census Population and Population Trends
- Malapportionment Statistics & Illustrative Maps
- 2022 1st ES Act
- Timeline

Louisiana

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- Louisiana's Resident Population is 4,657,757 (this is the state population number used to determine the "ideal" district population of each district in the various statewide redistricting plans)

Louisiana's 2020 Census Data

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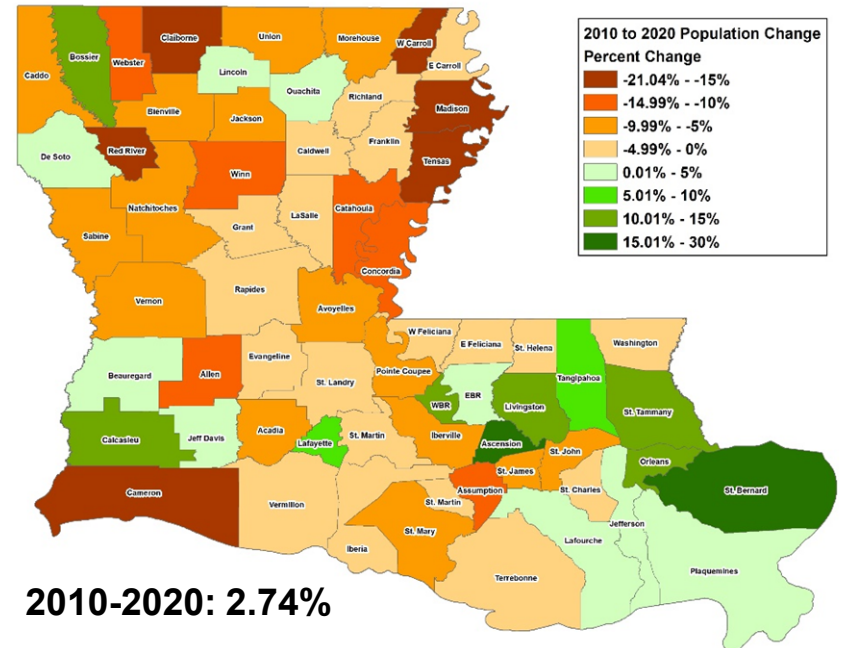
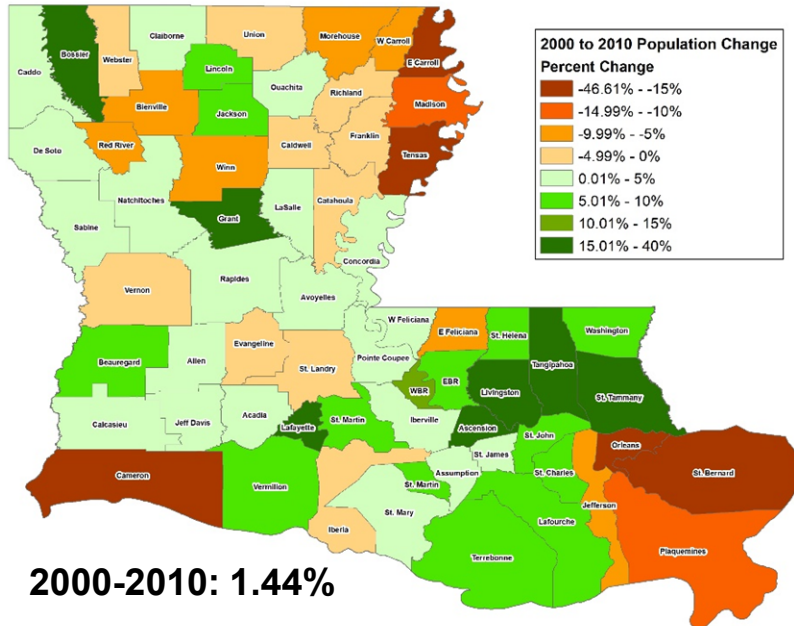
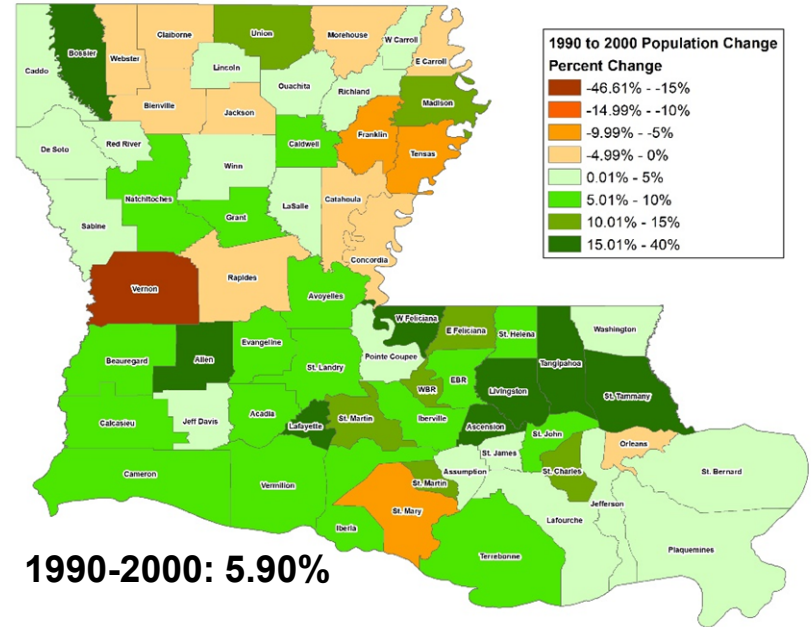
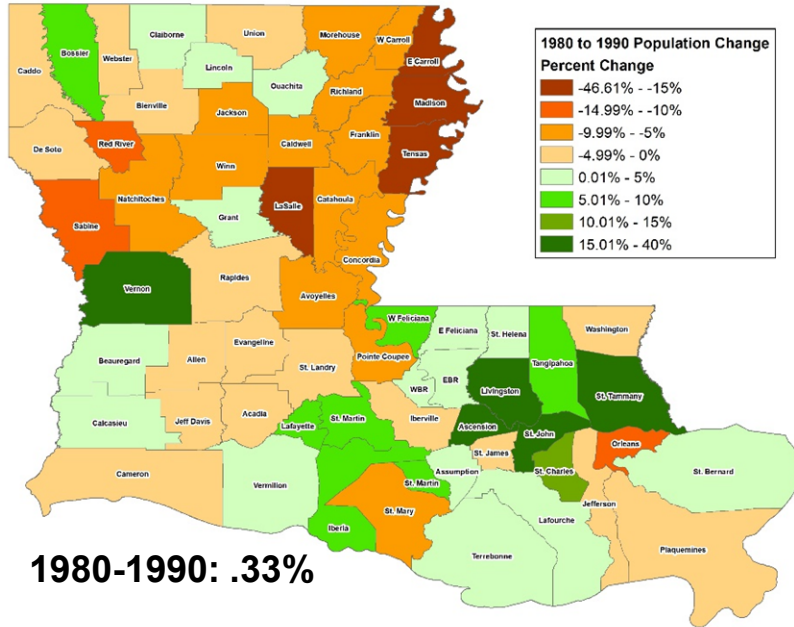
□ **Census 2020 Resident Data:**

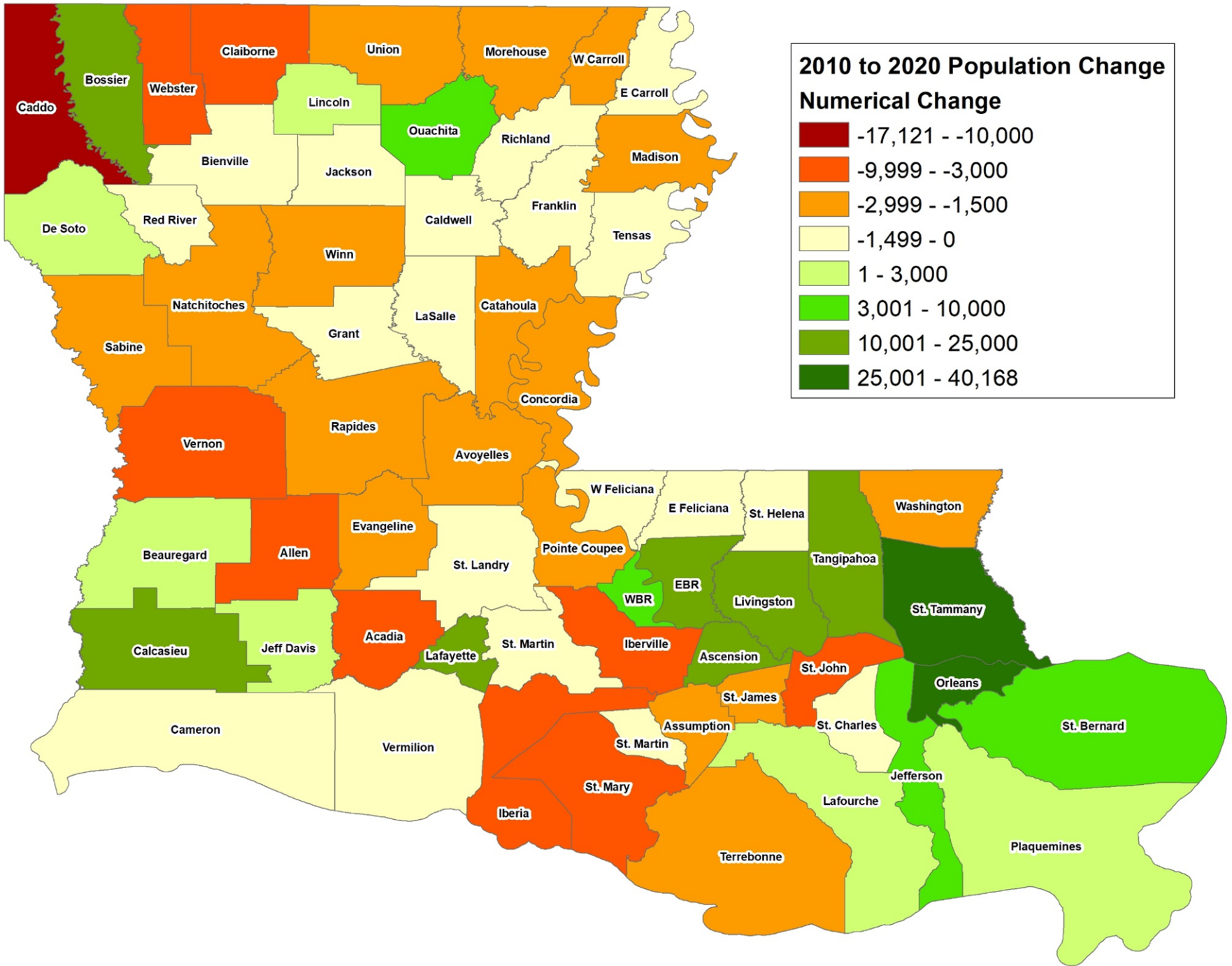
- Louisiana Growth Rate: **2.74%**

- United States Growth Rate: **7.35%**

- Southern Region Growth Rate: **10.22%**
 - *AL, AR, DE, DC, GA, KY, LA, MD, MS, OK, SC, TN, VA*
 - *FL (1), NC (1), and TX(2)*
 - *WV (1)*

1980 to 2020 Census Population Changes





Census 2010 to 2020 Demographic Change

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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%

Population

Aggregation and Allocation

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- The U.S. Census Bureau reports P.L. 94-171 population data in hundreds of fields
- These fields include the categories of:
 - Total Population
 - Voting Age Population: Those Age 18 and Over
- Each of these categories contains population data by each of the following 6 single race responses:
 - White
 - Black or African American
 - American Indian and Alaska Native
 - Asian
 - Native Hawaiian and Other Pacific Islander
 - Some other race
- Further a person may report being any combination of races up to all six and there are fields for each possible combination
- In addition, a person may respond being of Hispanic or Latino origin and there are fields to reflect each possible combination

REDISTRICTING TERMS, CONCEPTS, AND LAW

Introduction

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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

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- Why redistrict?
 - Specific Legal Requirements Involving Redistricting
 - Article III, Section 6 of the Constitution of Louisiana includes a 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

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

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

□ All Redistricting Plans Shall

- Comply with the Equal Protection Clause of the 14th Amendment and the 15th Amendment to the U.S. Constitution; Section 2 of the Voting Rights Act of 1965, as amended; and all other applicable federal and state law
- Be composed of contiguous geography
- Contain whole VTDs (election precincts) to the extent practicable. If a VTD must be divided, it shall be divided into as few districts as practicable using a visible census tabulation boundary or boundaries

Redistricting Criteria (continued)

□ All Redistricting Plans Shall

- Respect established boundaries of parishes, municipalities, and other political subdivisions and natural geography of this state to the extent practicable; however, this criterion is subordinate to and shall not be used to undermine the maintenance of communities of interest within the same district to the extent practicable
- Utilize the most recent P.L. 94-171 data released by the United States Bureau of the Census, 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)

- **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)

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

MALAPPORTIONMENT: CONGRESS

Congress Ideal Population Change

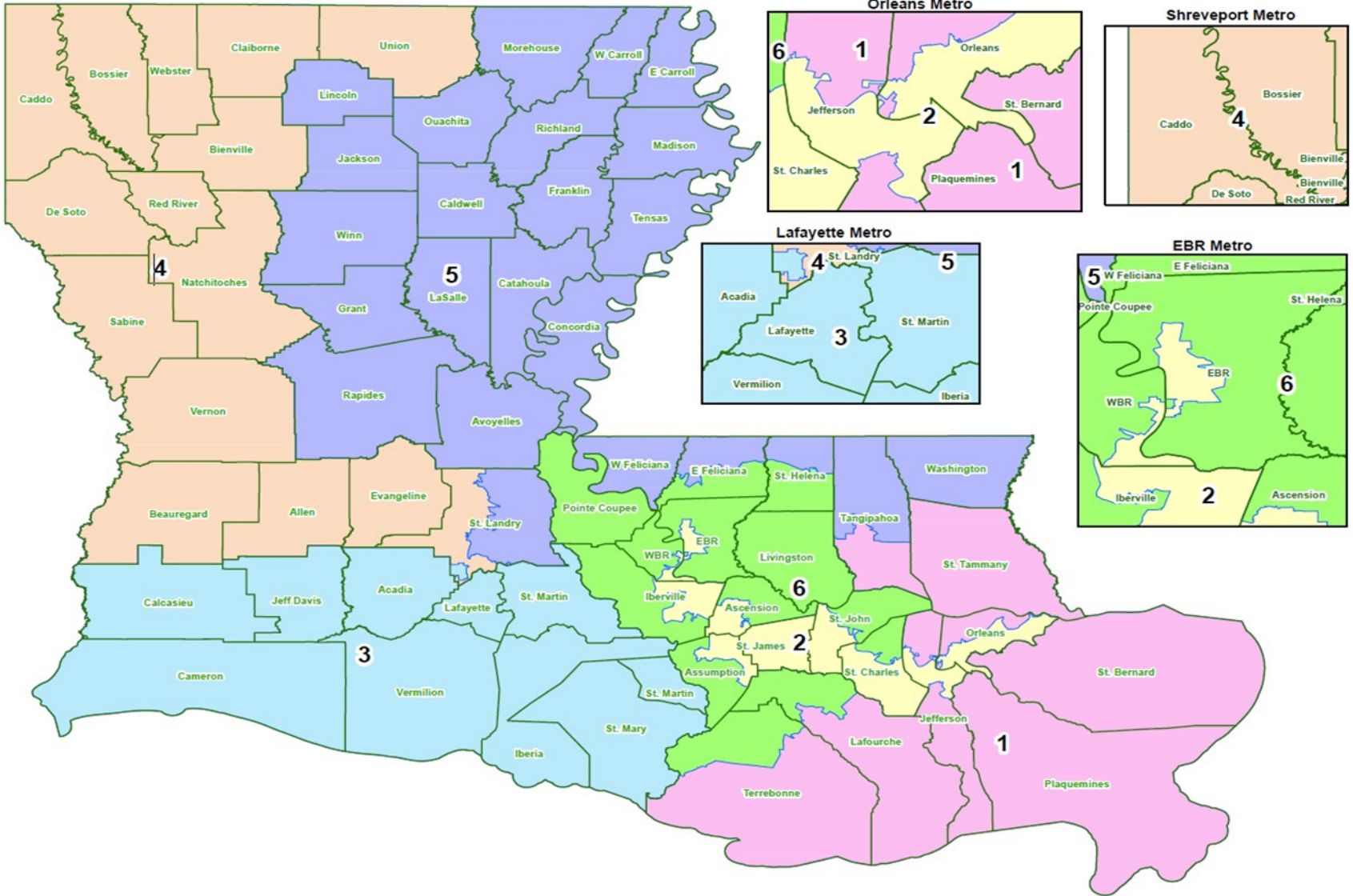
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- **2010 Congress Ideal Population:**
 - 755,562

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

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

Congress

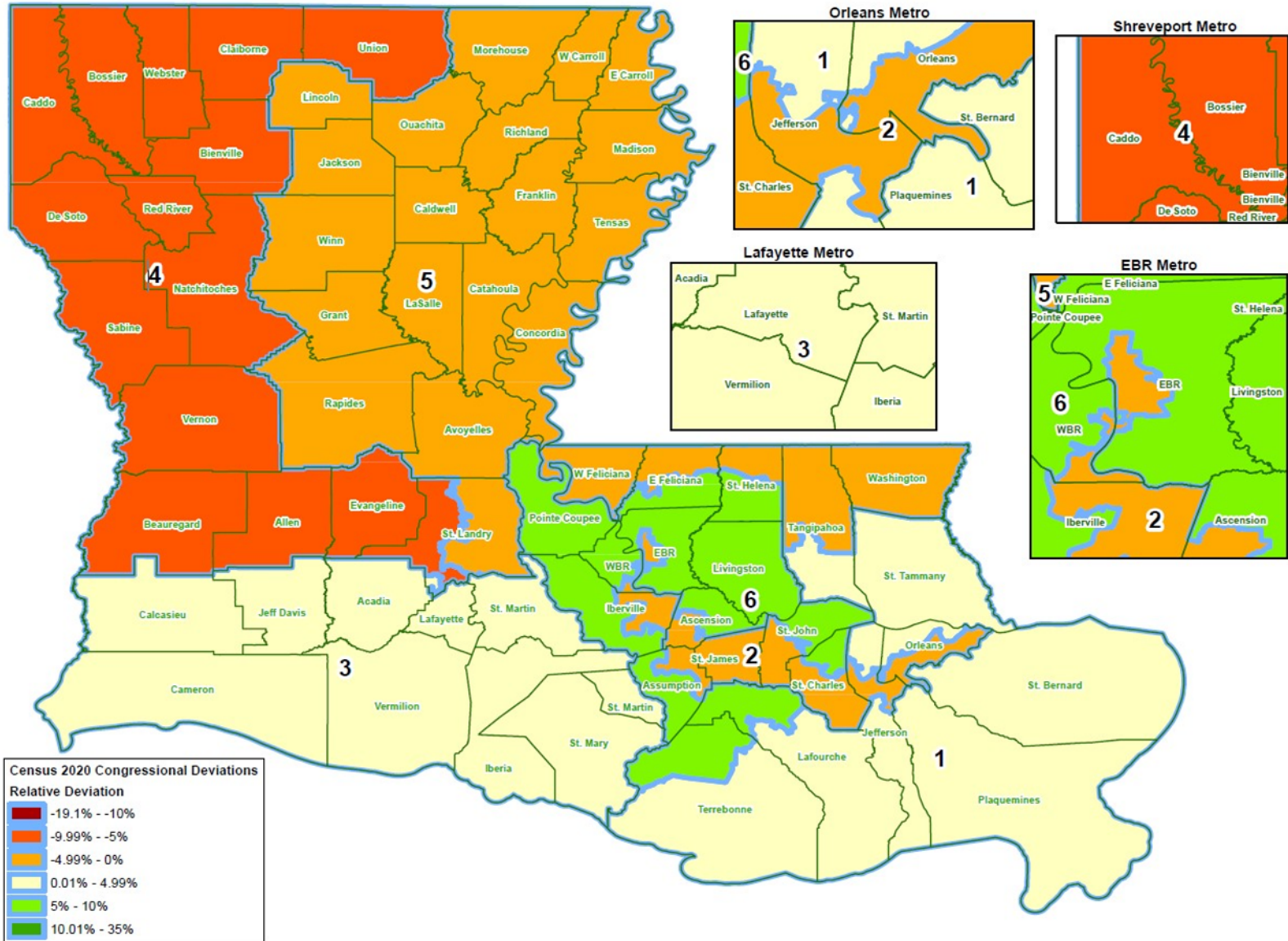


Congress Malapportionment

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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



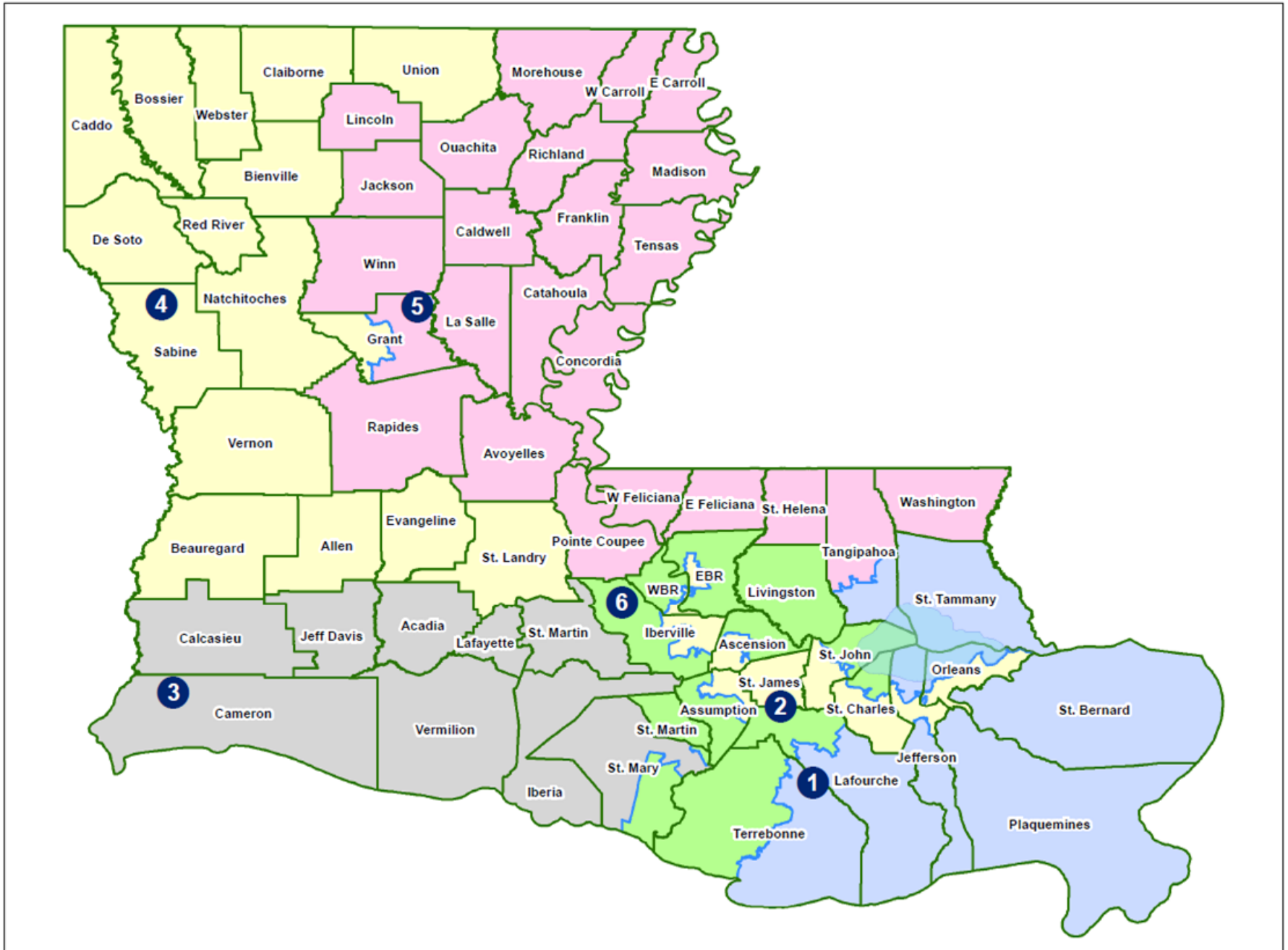
Brief Bill History

House Bill No. 1/Act No. 5

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- **Feb. 1, 2022: Introduced**
- **Feb. 4, 2022: Reported Favorably, H&GA**
- **Feb. 10, 2022: House Final passage-70 yeas, 33 nays**
- **Feb. 14, 2022: Received in Senate**
- **Feb. 15, 2022: Reported Favorably, S&GA**
- **Feb. 18, 2022: Senate Final passage-27 yeas, 10 nays**
- **Feb. 18, 2022: House Concurrence-62 yeas, 27 nays**
- **Feb. 21, 2022: Sent to Governor**
- **March 10, 2022: Vetoed by Governor**
- **March 30, 2022: House Overrides Veto-72 yeas, 31 nays**
- **March 30, 2022: Senate Overrides Veto-27 yeas, 11 nays**
- **March 31, 2022: Becomes Act No. 5 of the 2022 1st E.S.**

Act 5 (HB1) 1st ES (2022) - Congressional Districts



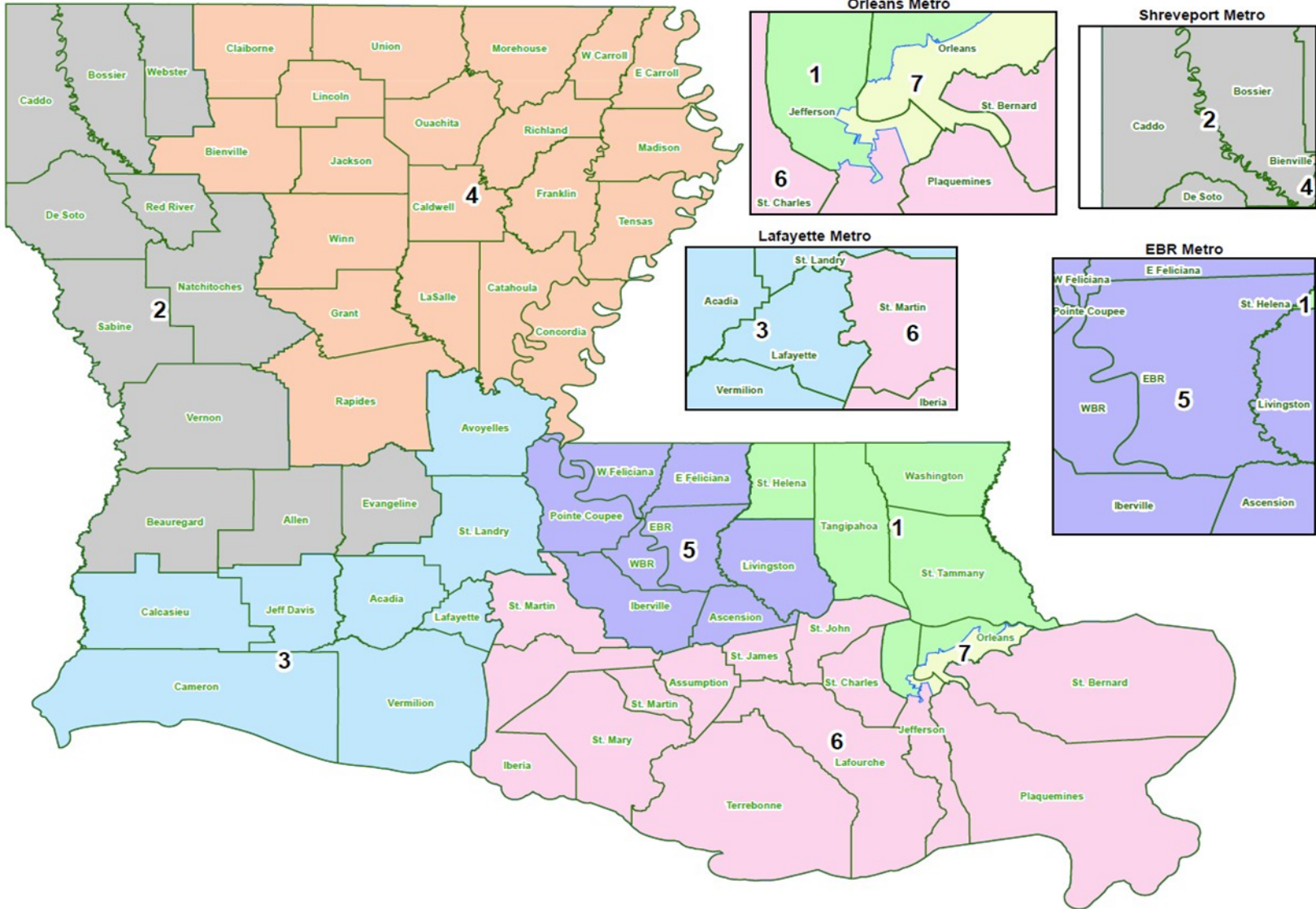
Act 5 (HB1) 1st ES (2022) - Congress

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Districts	Total Pop	Ideal	Difference	Percent
1	776,268	776,292	-24	-0.003%
2	776,317	776,292	25	-0.003%
3	776,275	776,292	-17	-0.002%
4	776,333	776,292	41	-0.005%
5	776,277	776,292	-15	-0.002%
6	776,287	776,292	-5	-0.001%

MALAPPORTIONMENT: SUPREME COURT

Supreme Court

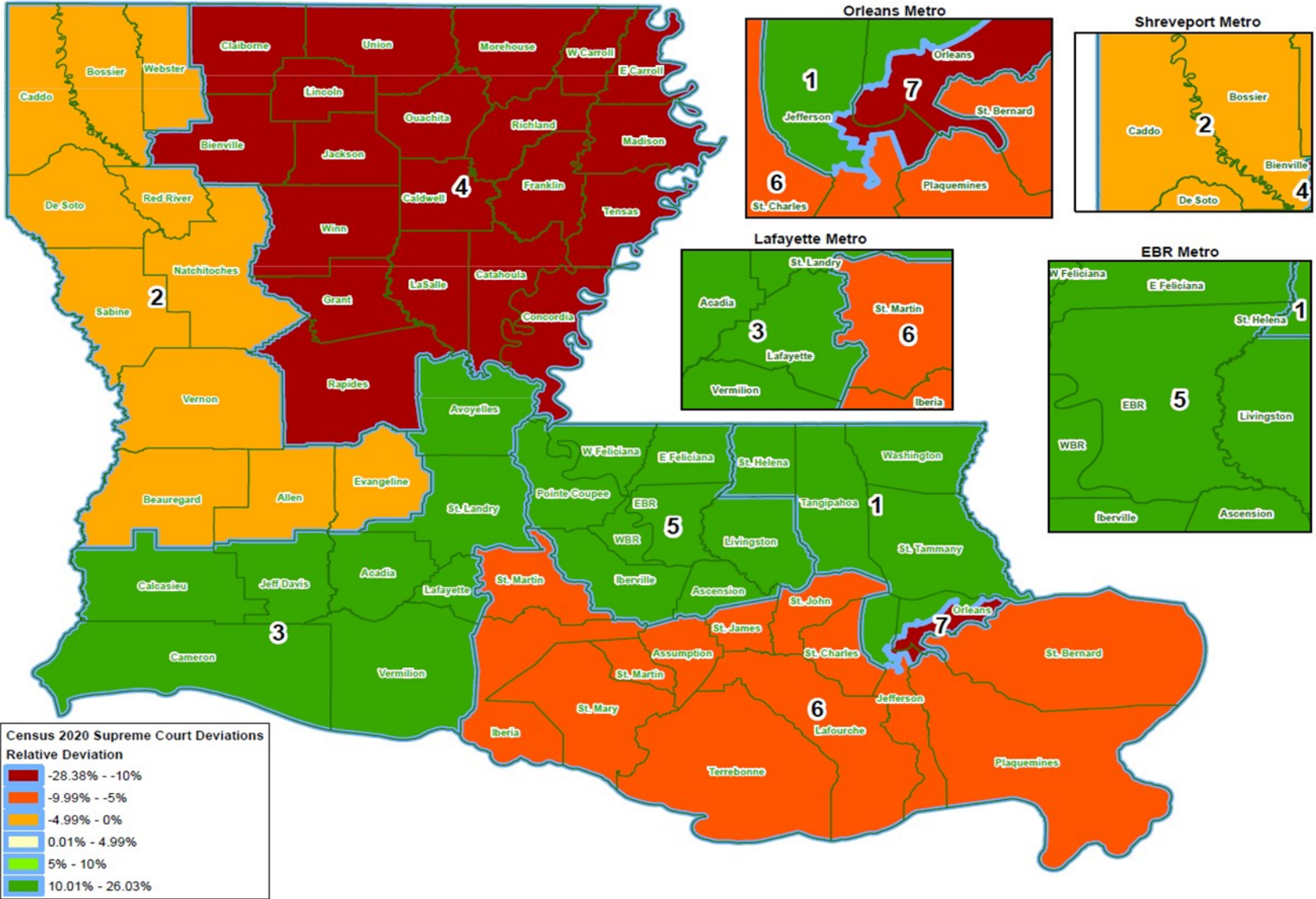


Supreme Court Malapportionment

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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



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/>