Legislative Staff Play Key Role in Redistricting

BY WENDY UNDERHILL

State legislators and staff are sharpening their pencils and geographic skills as they gear up to draw maps outlining electoral districts after the 2020 Census. Redistricting involves dividing states into districts—with a goal of achieving one person, one vote—for legislative chambers and seats in the U.S. House of Representatives.

As with any legislative task, staff must be prepared to help. This could include preparing data, developing draft maps, providing options, managing public hearings and websites, archiving records and guiding inexperienced legislators through the process.

State Action

Generally, the task of redistricting falls on state legislatures, which typically redistrict early in every decade, after census data is released.

Timeline. The decennial census, which is conducted every 10 years since 1790, is a record of population that counts everyone only once, and in the right place. Redistricting starts the day the U.S. Census releases data to the states, no later than April 1, 2021.

Most states aim to complete their maps prior to the candidate filing deadline for the 2021 or 2022 elections (before the next election following the census). Earlier is usually better from a candidate’s point of view (what district are they eligible to run in?)—and from an election administrator’s point of view (what races are on which ballots?).

How long it takes to redistrict, however, depends on many things—including the preparation done before the census data is released. It can easily take over a year from receiving the census data to completion. A sample timeline from Minnesota is provided below.

<table>
<thead>
<tr>
<th>Minnesota Redistricting Timeline</th>
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<tr>
<td><strong>April 1, 2020</strong></td>
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<td>Official date of the U.S. Census</td>
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equality. Citizenship status could be among the
data collected this cycle, pending the outcome of
multiple court challenges to the question.

Most states use the total population numbers
exactly as provided by the census to create equal-
population districts. But redistricting is also about
how to put geography together in such a way to
make desirable districts, however “desirable” may
be defined. Most states add other data sources
such as the Census Bureau’s annual American
Community Survey and, except in a few states
where it is prohibited, political data such as voting
patterns.

Software. Until the 1980s, maps were drawn
with pencil marks and eraser smudges. Now soft-
ware does the job and staff must know how to use
it. While most states buy or lease a program from
one of a small handful of vendors, a few develop
their own software in-house. Texas’ redistricting
application, known as RedApp, was completed in
1990 and has been rewritten and enhanced over the
years.

Costs. In addition to possibly hiring new staff
to work on redistricting, legislative staff may need
to justify other budget requirements. These could
include dedicated computers with substantial pro-
cessing power and electronic storage; software li-
censes; printers that can produce large-scale maps;
staff training; and counsel to represent the state
should a lawsuit be filed. These costs will begin in
2019 or 2020, and end in 2022 in most states.

Public input. Many states will offer formal or in-
formal opportunities for public participation, typi-
cally holding public hearings both before and after
draft plans are released and before plans are finally
approved. They may seek input from “communities
of interest” such as racial or economic groups, hold
“listening tours,” offer public comment opportuni-
dies during redistricting hearings, and create online
feedback options. A big question is whether the
public will be able to submit plans, and if so, how.
In the 2010 cycle, Utah set up terminals around the
state for the public to draw and submit maps. Maps
that met Utah’s criteria were accepted for consid-
eration, and a publicly submitted map for the state
Board of Education was adopted by the Legislature.

Creating and publishing the map. After col-
collecting the data, along with input from legislators,
staff and the public, the map-drawing begins. It’s a
highly technical, painstaking job, with most states
using either “metes and bounds” (a physical geo-
graphic feature) or geographic information system
(GIS) data called shapefiles or block equivalency
files (which use two or more data sets, such as
graphy and population). Once complete, each
map is typically translated into a bill. After it is
enacted, the legislature passes the baton to local
jurisdictions so they can define precincts and pre-
pare voter lists, among other tasks.

Staff role. Each legislature must train some staff
in the basics of redistricting, depending on the role
the legislature plays. In Iowa, staff must know all
about redistricting, because it is Iowa’s legislative
staff that is responsible for drawing the maps.

In states where a commission is responsible, leg-
islative staff will at least need to answer questions
from members on how redistricting works in their
own state specifically, and in all states generally. In
most states, staff will work alongside consultants
to provide maps for legislators to consider and
vote on, requiring a high level of expertise in the
technical, legal and administrative arenas. For all
three, the key skill is communication.

The technical staff, who manage data, software and
maps, need to understand the legal landscape. It is
likely that one or two people will be trained to run
the software, and all requests will filter through
those few hands-on people.

The legal staff, which helps policymakers under-
stand federal and state requirements and guiding
principles, needs to understand the technical side
too, and be prepared to interface with members.

Administrators are responsible for keeping all the
balls in the air and tracking the action—knowing
a little of everything. They are likely to log the
editions of maps as they are made, manage public
input, keep a timeline of action and perform other
duties as required.

Redistricting looms large as 2019 legislative ses-
sions get underway. Legislative staff who want spe-
cialized training can look to NCSL’s Getting Ready
to Redistrict seminars. They offer a good overview
of redistricting, plus the nuts and bolts of how
the process works in many states. Pencil sharpening
included.