Balancing Conflicting Criteria

Salt Lake City, Utah, Thursday, July 15, 2021
Redistricting Criteria

• Can be Constitutional
• Can be Statutory
• Can be Policy
• Can be Mandatory
• Can be Permissive
• Can Work Together
• Can Conflict
• Should be Followed*
• *In Most Cases!
Federal Criteria

• Equal Population – one-person, one-vote
• Prohibition on Racial Discrimination (14th, 15th Amendments; Voting Rights Act)
Equal Population – one-person, one-vote

### Population Summary

<table>
<thead>
<tr>
<th>District</th>
<th>Population</th>
<th>Deviation</th>
<th>% Devn.</th>
<th>White</th>
<th>Black</th>
<th>Hispanic Origin</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>705,123</td>
<td>0</td>
<td>0.00%</td>
<td>693,715</td>
<td>15,447</td>
<td>22,744</td>
</tr>
<tr>
<td>02</td>
<td>705,123</td>
<td>0</td>
<td>0.00%</td>
<td>627,230</td>
<td>43,360</td>
<td>23,875</td>
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<tr>
<td>03</td>
<td>705,122</td>
<td>-1</td>
<td>0.00%</td>
<td>596,869</td>
<td>76,475</td>
<td>22,250</td>
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<tr>
<td>04</td>
<td>705,122</td>
<td>0</td>
<td>0.00%</td>
<td>600,438</td>
<td>57,014</td>
<td>28,146</td>
</tr>
<tr>
<td>05</td>
<td>705,123</td>
<td>0</td>
<td>0.00%</td>
<td>458,067</td>
<td>176,236</td>
<td>63,409</td>
</tr>
<tr>
<td>06</td>
<td>705,123</td>
<td>0</td>
<td>0.00%</td>
<td>645,866</td>
<td>28,500</td>
<td>23,425</td>
</tr>
<tr>
<td>07</td>
<td>705,123</td>
<td>0</td>
<td>0.00%</td>
<td>596,819</td>
<td>69,428</td>
<td>29,124</td>
</tr>
<tr>
<td>08</td>
<td>705,122</td>
<td>-1</td>
<td>0.00%</td>
<td>587,286</td>
<td>135,646</td>
<td>18,781</td>
</tr>
<tr>
<td>09</td>
<td>705,123</td>
<td>0</td>
<td>0.00%</td>
<td>196,661</td>
<td>455,201</td>
<td>46,355</td>
</tr>
</tbody>
</table>

**Total Population:** 6,345,105

**Ideal District Population:** 705,123

### Summary Statistics:

- **Population Range:** 705,122 to 705,123
- **Ratio Range:** 0.00
- **Absolute Range:** -1 to 1
- **Absolute Overall Range:** 1
- **Relative Range:** 0.00% to 0.00%
- **Relative Overall Range:** 0.00%
- **Absolute Mean Deviation:** 0.22
- **Relative Mean Deviation:** 0.00%
- **Standard Deviation:** 0.42
Prohibition on Racial Discrimination (14th, 15th Amendments; Voting Rights Act)

Public Chapter 536 (1994) – Plan A

Plan A

Public Chapter 536 (1994) - Plan B

Plan B
Traditional Redistricting Criteria

• Compactness
• Contiguity
• Preservation of Counties & Other Political Subdivisions
• Preservation of Communities of Interest
• Preservations of Cores of Prior Districts
• Avoiding Pairing Incumbents
Compactness (40 States)
Contiguity (50 States)
Preservation of Counties & Other Political Subdivisions
(45 States)

Single District - Robertson County

Multi District - Williamson County
Preservation of Communities of Interest (25 States)

TN House District 51 (2012)
Germantown & Salemtown
Neighborhoods in North Nashville
Preservation of Cores of Prior Districts (10 States)

TN House Districts 38 & 41 (2002)
Avoiding Pairing Incumbents (11 States)
TN House Historic Criteria – TCA § 3-1-103(b)

“It is the intent of the general assembly that:”

• Each district must be represented by a single member;
• Districts must be substantially equal in population in accordance with constitutional requirements for “one (1) person one (1) vote” as judicially interpreted to apply to state legislative districts;
• Geographic areas, boundaries and population counts used for redistricting shall be based on the 2010 federal decennial census;
• Districts must be contiguous and contiguity by water is sufficient . . . ;
• No more than thirty (30) counties may be split to attach to other counties or parts of counties to form multi-county districts; and
• The redistricting plan will comply with the Voting Rights Act and the fourteenth and fifteenth amendments to the US Constitution.
Emerging Criteria

• Prohibition on Favoring or Disfavoring an Incumbent, Candidate, or Party
• Prohibition on Use of Partisan Data
• Competitiveness
• Proportionality
Prohibition on Favoring or Disfavoring an Incumbent, Candidate, or Party (17 States)
Prohibition on Use of Partisan Data (5 States)
Competitiveness (5 States)

- 2012  R = 46.41%  D = 48.36%
- 2014  R = 50.69%  D = 49.31%
- 2016  R = 50.35%  D = 49.65%
- 2018  R = 43.21%  D = 54.92%
- 2020  R = 47.11%  D = 52.89%
Proportionality (2 States)

- 2020 TN Trump 61% v Biden 37%
- Montgomery County
- 2010 Total Pop. = 172,331
- 2.69 House Districts
- Dist. 68 & 74 R = 105,850
- Dist. 67 D = 66,481
- Rs = 61% & Ds = 39%
Redistricting Law 2020

- Chapter 4 – Redistricting Principles and Criteria
- Appendix D – Redistricting Principles and Criteria by State
THANK YOU

doug.himes@capitol.tn.gov
(615) 741-1195