


***What I've Learned about
Redistricting – The Hard Way!***



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Basic Laws of Redistricting



- **Whether done with colored maps on the floor,**
- **or high-speed computers,**
- **it ALWAYS brings out the worst in everyone!**

- **And it's never done on time!**

On Politics & Coalition Building



- **Just like 19th Century British foreign policy**
 - **No permanent allies**
 - **No permanent enemies**
 - **Only permanent interests**
- **Self interest binds, honor doesn't.**

On the Nature of the Process



- **Nothing is ever exactly the way you expect.**
- **So expect the unexpected.**

Getting Ready



You don't want to find
yourselves like this!

Polish Air Force in WWII



Getting Ready



- **Knowledge is power.**
- **Know your state!**
- **You can learn many lessons from last decade's process.**

*Special Information you need
before line-drawing begins:*

- **Try to find out what each legislator's objectives are.**
- **Where's Waldo?**
- **Identify special interest groups that are important stakeholders.**

Getting to Know the State



- **Print out detailed maps in advance and STUDY**
- **Create a district outline maps and study the deviations**
- **Identify the shifts of territory & population for a “least-changes” plan.**
- **Study regional population shifts.**

Another Basic Law of Redistricting



**Blessed are they
whose districts are
in the corners !**

Getting to Know the State

- **Identify the instances of fracturing & packing contained in the present plan.**
- **Draw a “Good Government” plan.**
- **Draw more practice plans.**

Getting to Know the State



- **Identify areas of future residential development**
- **Find out what objectives are possible.**
- **Decide what types of plans you, or others, may wish to put out in public to make specific points.**

Check Out Your Computer



- **Practice importing and exporting files.**
- **Print out ALL the reports & check them.**
- **Print out all types of maps.**
- **Devise standard types of maps you will be giving people.**
- **Practice producing bills.**
- **Practice “saving” and “restoring” plans.**

Computer Perils

- **You can never back up too often.**
- **Make sure your security is real**
- **Make sure of the security of your printouts and plots.**
- **Remember recent email disasters !!!**

Computer Perils



- **Make sure your computer is in a PRIVATE location.**
- **Don't walk away from it and leave your work exposed.**
- **Save and log off if you're going to be away for long.**

Computer Perils



- **Pay your technical people well.**
- **Don't "can" the staff until you're sure redistricting is really over.**
- **Keep the system, documents, and other material intact.**

Legal Perils



- **NEVER** travel without counsel.
- “Loose Lips, Sink Ships.”
- Remember ---- A journey to legal HELL starts with but a single misstatement **OR** a stupid email!

Redistricting Miranda Warning



- **You have the right to an attorney.**
- **If you cannot afford one....you are in deep trouble!**
- **Anything you say may be used against you in a court of law.**

Legal Perils



- **Remember, the court record is already open.**
- **Treat every statement and document as if it was going to appear on the FRONT PAGE of your local newspaper.**
- **“Emails are the tool of the devil.” Use personal contact or a safe phone!**

Legal Perils

The Washington Post

**YOU MIGHT WANT TO PUT
THIS ON TOP OF YOUR
MONITOR SCREEN**

Legal Perils

- **Don't get caught in “criteria hell”.**
- **Make sure you know what is actually required by your constitution and statutes.**
- **Make sure you can live by your own criteria BEFORE you state them publically.**
- **Draw sample plans with them before finalizing the rules.**

Legal Perils

- **Party control of the Justice Department and its Civil Rights Division is an important factor -- it's changed.**
- **You must keep up on Voting Rights Law.**
 - North Austin and §5
 - Strickland and §2
- **How you seek §5 preclearance is important!**
 - Three-judge panel in DC vs. DOJ

When Actually Drawing Plans

- **Don't start until you have a general idea of your objectives and how the plan will be put together.**
- **Remember that deviations ARE important, even when “roughing” out a plan, don't paint yourself into a corner.**
- **Establish deviation checkpoints.**
- **Save your work often. You don't have time to do it over again!**

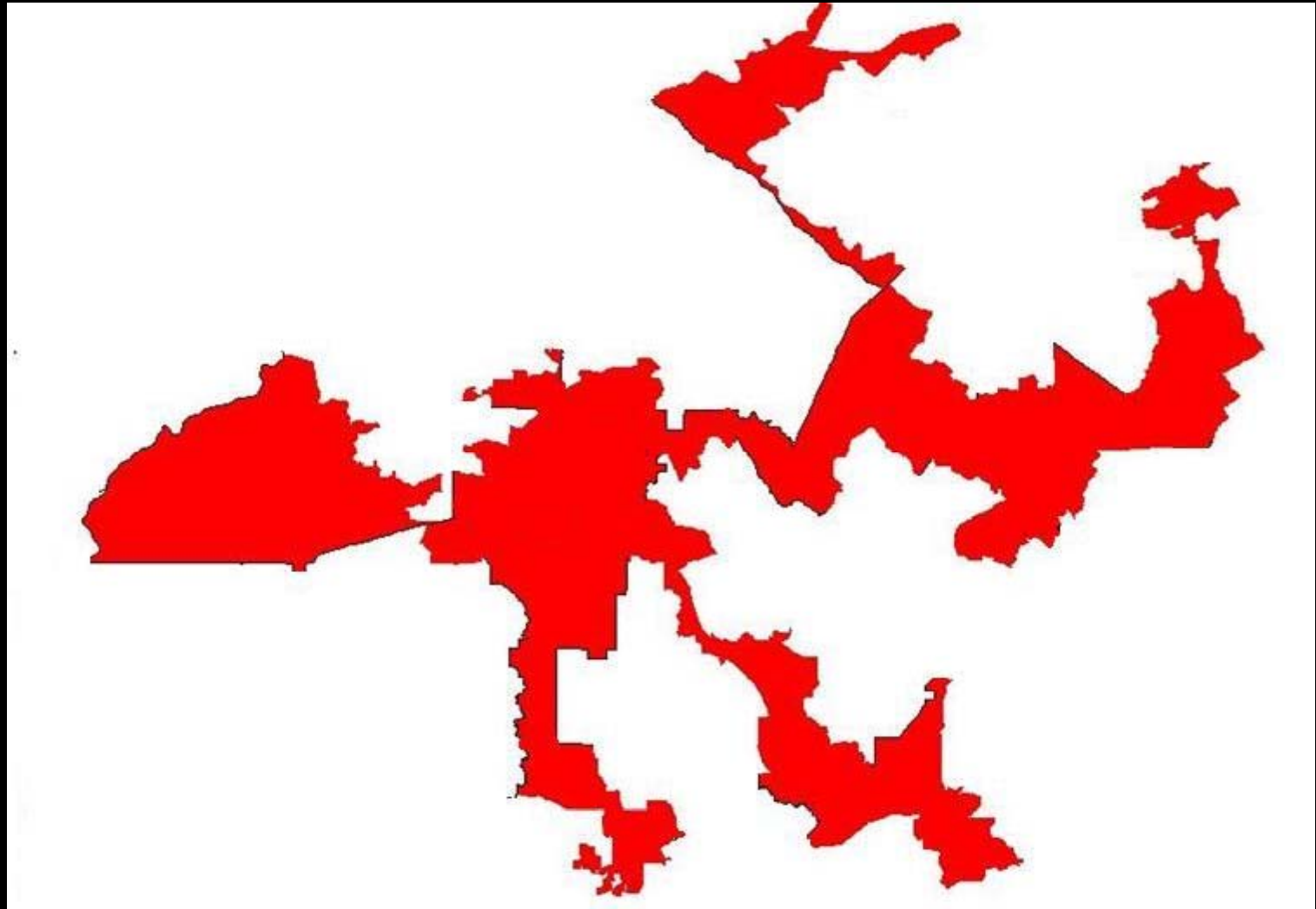
When Actually Drawing Plans

- **Aim for absolute equality on congressional districts.**
 - The rule is “as equal as practicable”.
- **The plus or minus 5% rule for legislative districts is **NOT** a safe haven!**
 - Read the latest case law.
 - **Larios vs. Cox**

When Actually Drawing Plans

- **Don't get "cute".**
- **Don't let your own personal and political feelings interfere**
- **Don't create stupid irregularities in boundaries.**

Who Drew This District !



Political Admonitions

- **Legislators and members of Congress get REALLY nervous during the process**
- **Most members assume the plan should originate from their own district.**
- **Expect some irrational choices.**
- **Don't play on the freeway.**

Political Admonitions



- **Remember that “bad news, unlike fine wine, does not age well.”**
- **If bad news has to be given to a member, let the attorneys or outside experts deliver it – if possible.**

Political Admonitions



- **“Trust but verify”**
- **Remember that members are usually unable to distinguish between theoretical and real plans. Don't enlighten the innocent! Don't reveal more than necessary.**

Another Basic Law of Redistricting



- **Don't bring out the maps until the END of a meeting.**
- **Once they see maps, all other forms of communication WILL cease.**

*These are Some[#] of the Things I've
Learned about Redistricting – The
Hard Way!*

That I can tell about

Major Issues This Cycle

Major Issues This Cycle

- **Computer hardware and Software has “matured” – no exciting breakthroughs.**
- **People, legal and database issues remain as difficult as ever.**

Major Issues This Cycle

- 1. Uncertainty of jurisprudence**
- 2. §§ 2 and 5 of the VRA**
- 3. Just what is a minority district?**
- 4. How to deal with citizen VAP**
- 5. *Larios* (legislative deviations)**
- 6. Decline of polling-place voting**
- 7. Prison “census adjustment”**
- 8. Will the public really participate?**
- 9. Partisan ambivalence about reform**

Thank You