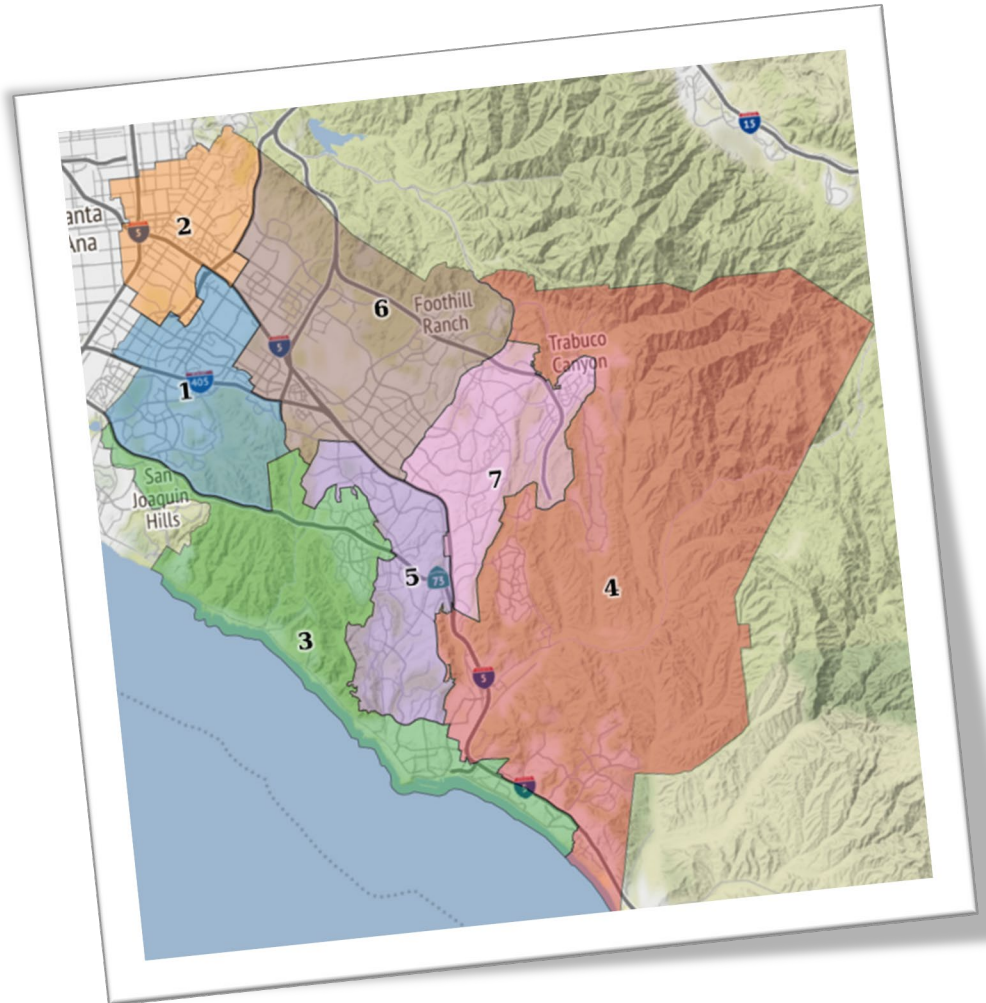


# South Orange Community College District

CVRA Overview  
January 23, 2021



# Overview

This presentation will cover a range of topics to facilitate a process of public education and involvement in a transparent and fair districting process.

- The California Voting Rights Act
- Districting vs. Redistricting vs. Gerrymandering
- Traditional Districting/Redistricting Principles
- Population and Composition
- Mapping of the City of Burlingame

# What is the CVRA?

The California Voting Rights Act is a state law that prohibits the use of At Large Election Systems in local government if there is Racially Polarized Voting.

“At Large” is defined as anything other than a system in which an elected official lives in a district, and is only elected by members of that district.

“Racially Polarized Voting” is defined as differences in voting patterns which can be shown to be correlated to race, religion, national origin, or membership in any other protected class.

# What is the CVRA?

The California Voting Rights Act takes the principles of the Federal Voting Rights Act and expands it regarding districted elections in two key ways:

While Federal law uses “majority minority” districts as a standard for vulnerability, the CVRA only requires “ability to influence.”

The CVRA requires that plaintiffs get full reimbursement for legal fees associated with any successful challenge.

# What is the CVRA?

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While Federal law uses “majority minority” districts as a standard for vulnerability, the CVRA only requires “ability to influence.”

The CVRA requires that plaintiffs get full reimbursement for legal fees associated with any successful challenge. ***These can be lessened or eliminated if the district follows a strict and prompt process for districting.***

# What is Districting

## definition

Districting is the initial process of creating election district boundaries.

These boundaries determine:

- Eligibility to run for office – must live within boundaries to qualify for election.
- Who votes in the election – only voters within the district vote for their board member.

# What is Redistricting

## Definition

Redistricting is the process of adjusting district lines every 10 years after the release of the U.S. Census. The well known examples are Congress and the legislature.

Within the U.S., redistricting has become an extremely politicized process and been the subject of more high-profile Supreme Court decisions than any other part of our elections system.

# What is Gerrymandering

## The Gerrymander

The term Gerrymander came from a cartoon depicting a rather serpentine looking district created by Governor Elbridge Gerry in Massachusetts.



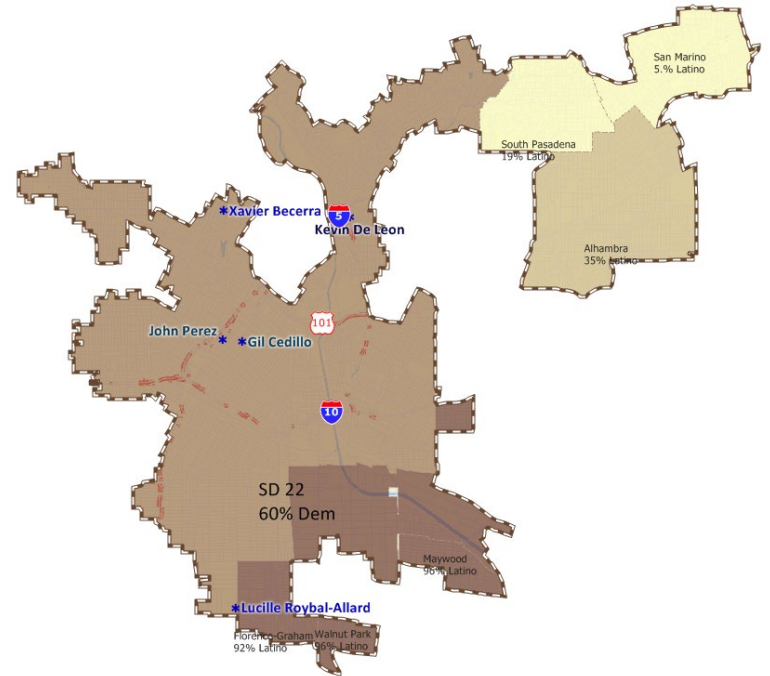


# What is Gerrymandering

## the Gerrymander

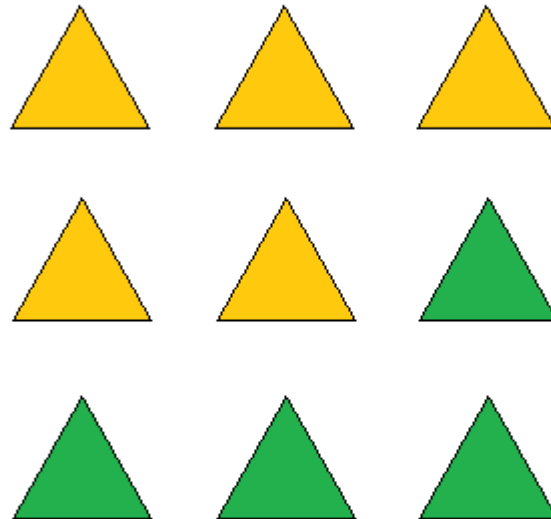
There are more recent examples of gerrymandering, even in California.

This 2001 Senate District is a great example.



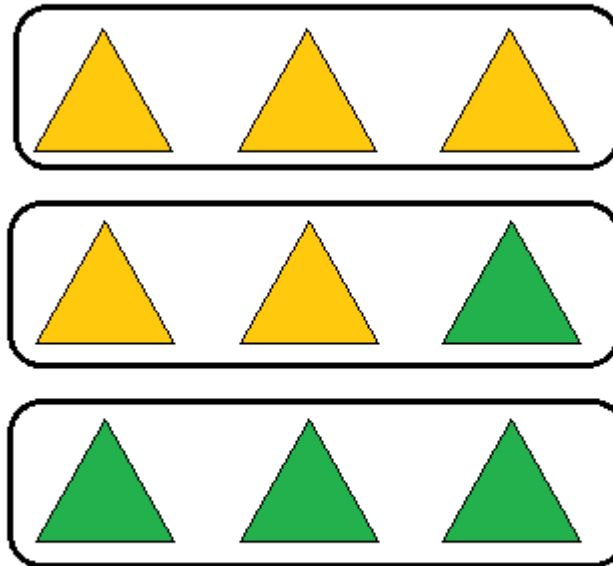
# What is Gerrymandering

How does gerrymandering work?



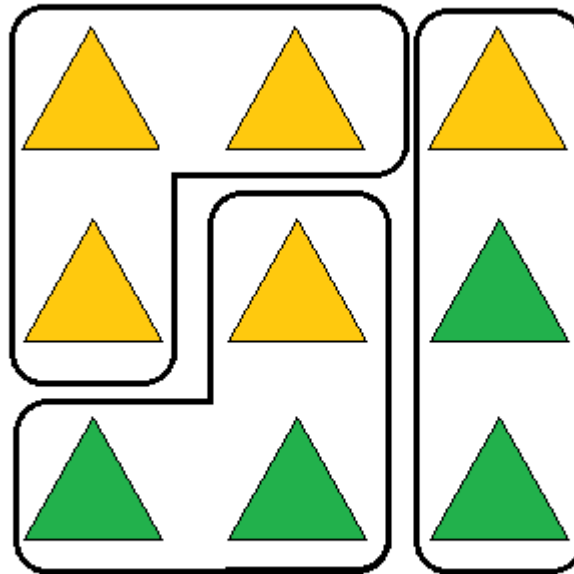
# What is Gerrymandering

How does gerrymandering work?



# What is Gerrymandering

How does gerrymandering work?



# Traditional Redistricting Principles

Preventing a Districting from becoming a Gerrymander

There are a number of criteria that have been used nationally and upheld by courts.

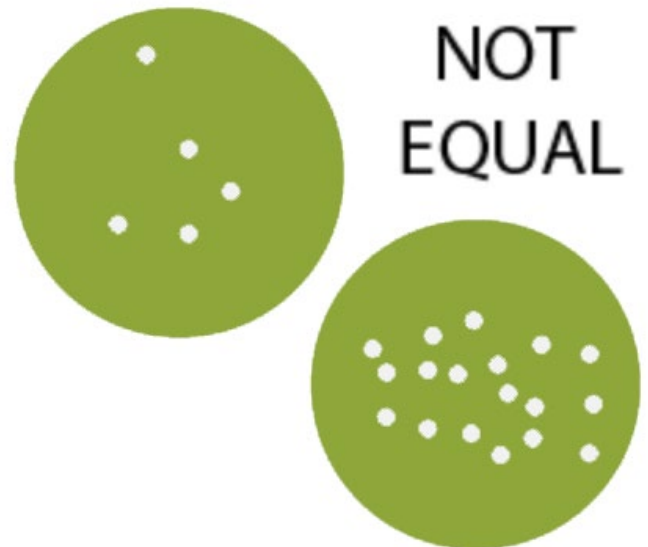
- Relatively equal size - people, not citizens
- Contiguous – districts should not hop/jump
- Maintain “*communities of interest*”
- Follow city/county/local government lines
- Keep districts compact – appearance/function

# Equal Population

## Utilizing the U.S. Census Decennial File

What is “equal” population has been a key subject in redistricting litigation.

- Population Equality is based on “People” not citizens or voters or other metrics.
- 10% or smaller deviation.



# Contiguity

Two definitions for what is contiguous

Contiguity should be thought of as “literal” and “functional.”

- An area that is one whole piece is “literally contiguous.”
- An area that represents how the population functions or how people are connected is “functionally contiguous.”



# Communities of Interest

Bringing like people together for representation

What is a community of interest includes ethnic and language minorities and other groups.

- Communities covered by the Voting Rights Act
  - Latinos
  - Asians
  - African Americans

While race is a community of interest, it cannot be the *predominant factor* in drawing districts.



# Communities of Interest

Bringing like people together for representation

What is a community of interest includes ethnic and language minorities and other groups.

- Other Communities, example are:
  - People living near an industry (farming, higher education, manufacturing)
  - Senior Citizens or Students
  - Downtown / Urban
  - Rural or Agricultural
  - Homeowners or Renters

# Compactness

Determining what is “compact”

The measure of compactness can get complicated.

- Ratio of the circumference of a district and the area of a district.
- Measuring the number of distinct shapes and the number of kinks and bends.
- Simply outlawing funny shapes.

NOT  
COMPACT

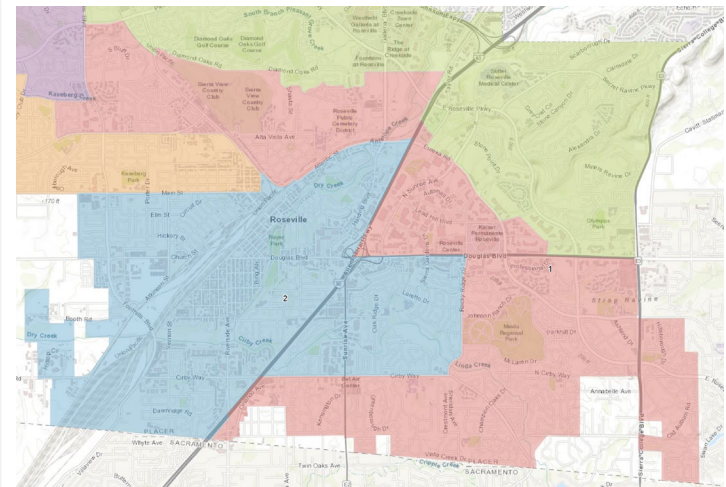
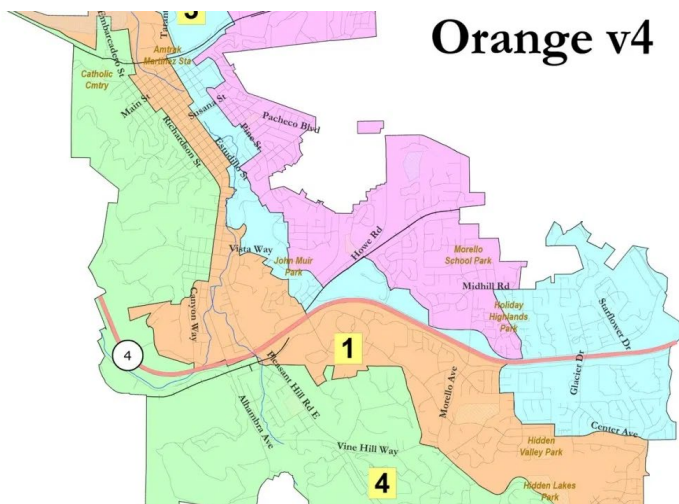


# Compactness

Determining what is “compact”

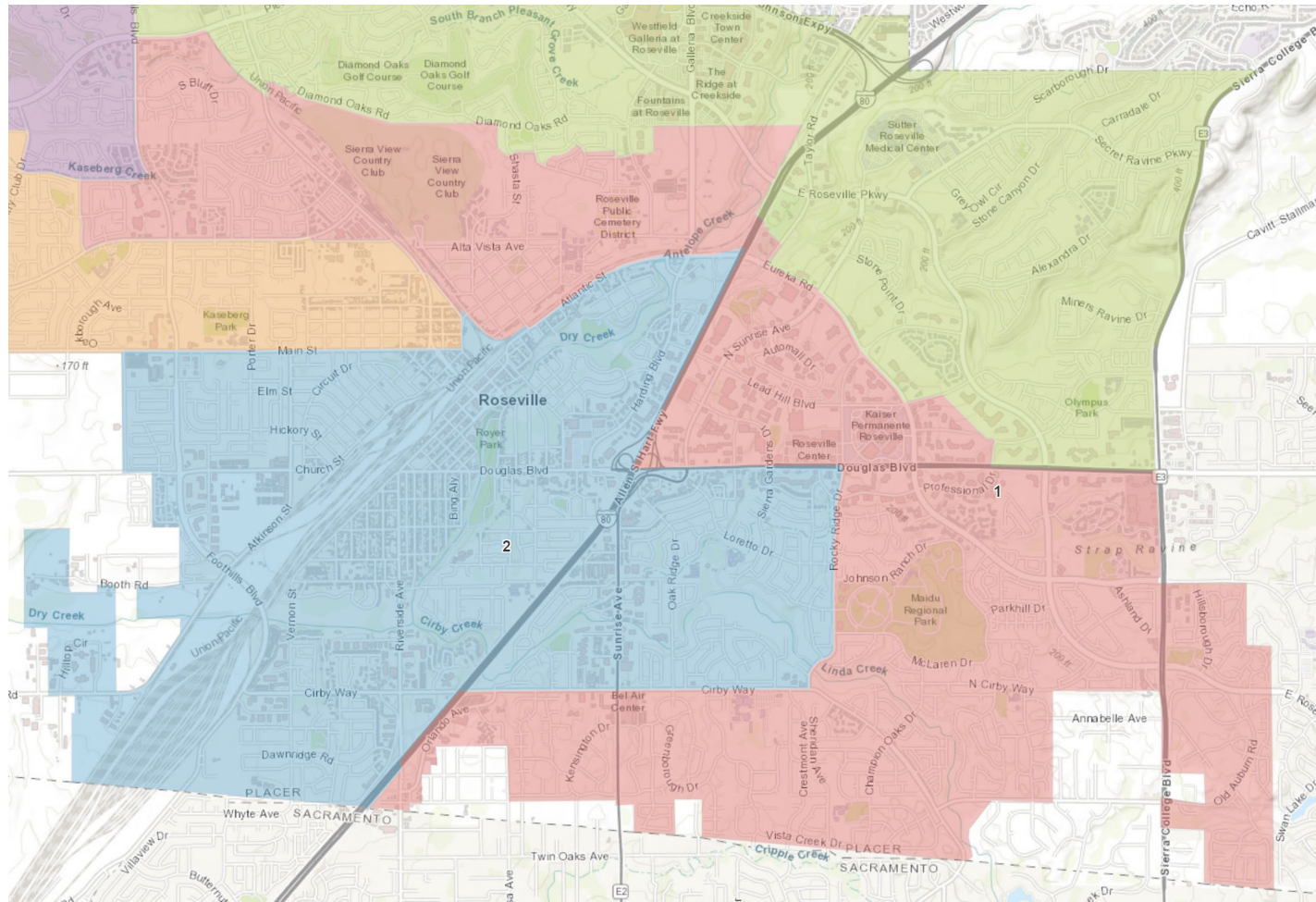
California has a rather elegant/simple definition.

- Not bypassing nearby populated areas in favor of more distant populated areas



# Compactness

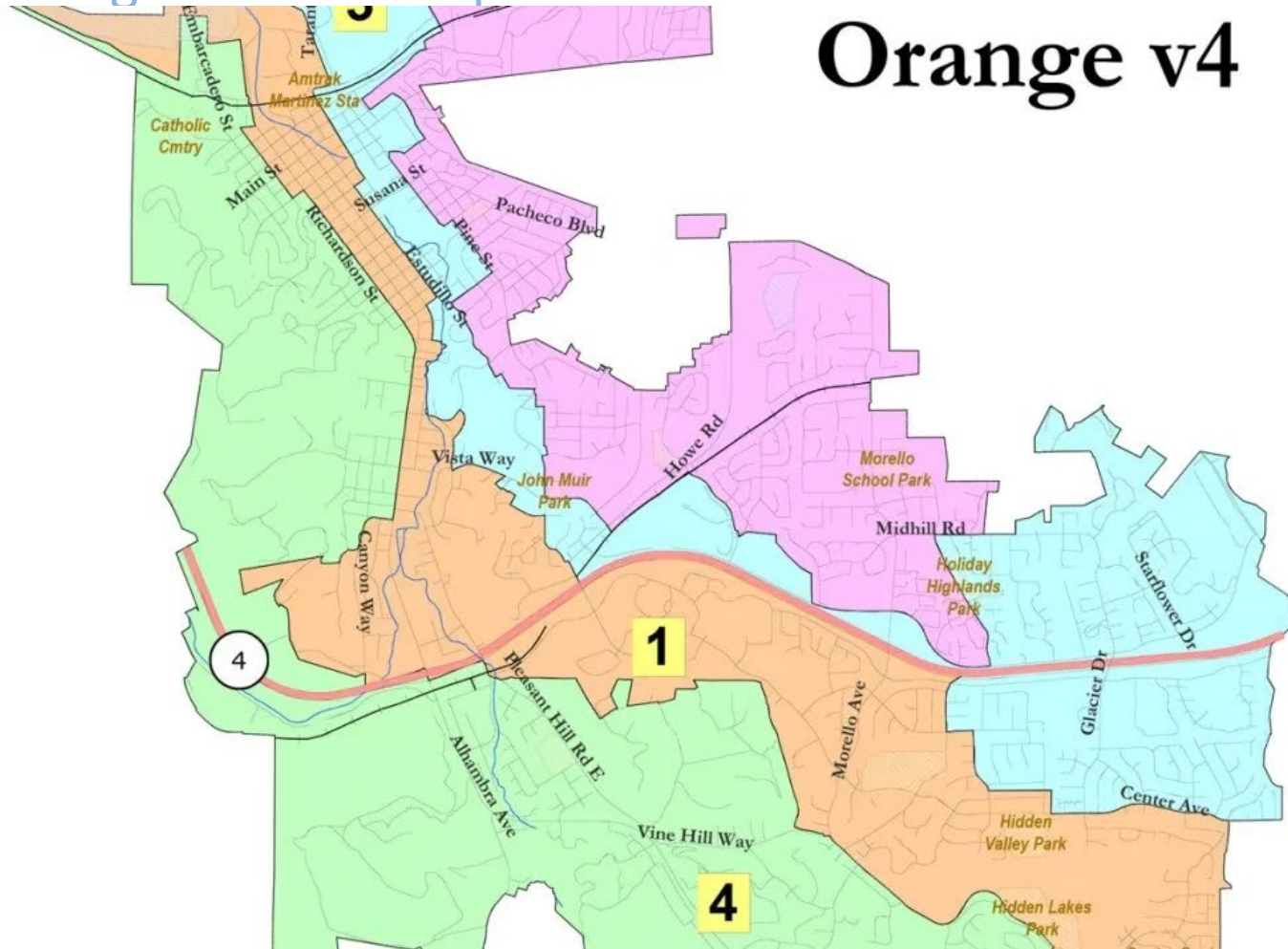
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# Compactness

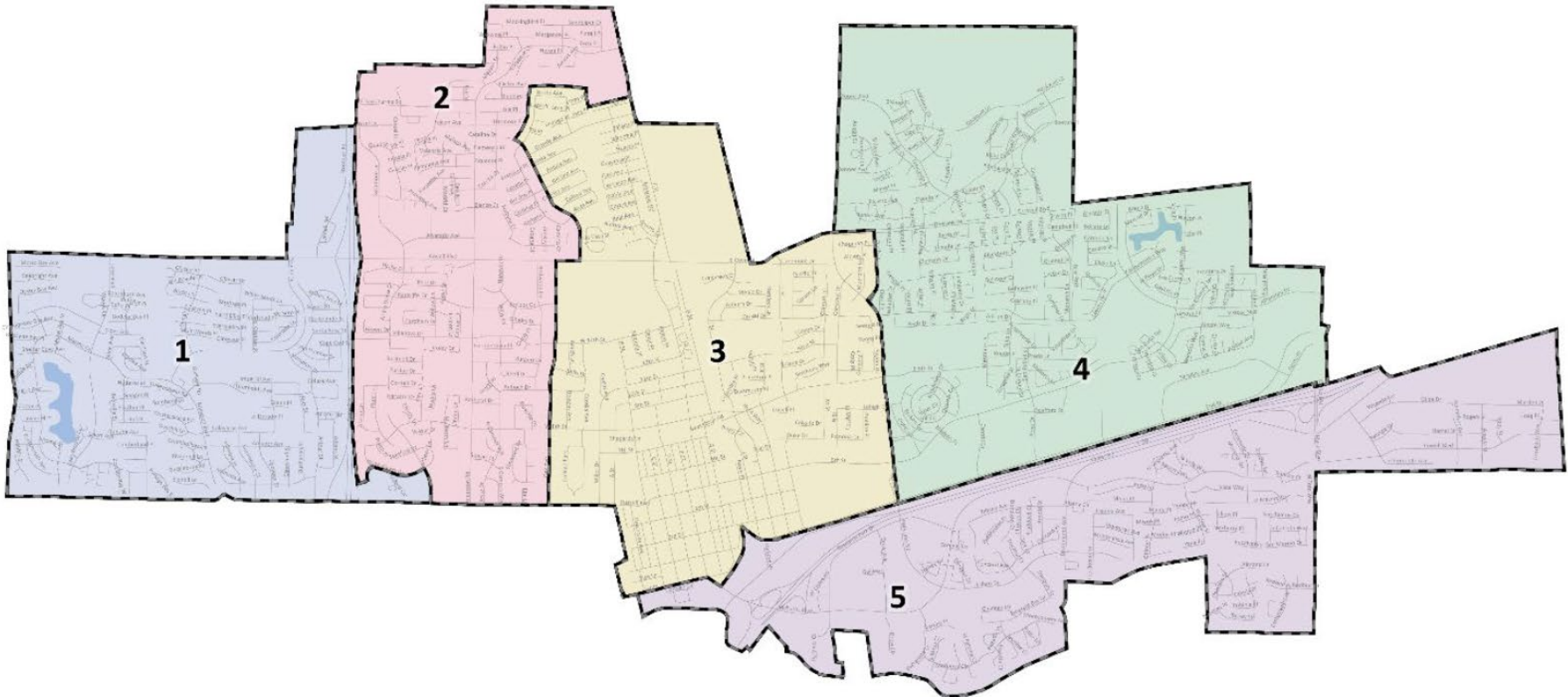
Determining what is “compact”

## Orange v4



# Compactness

Determining what is “compact”



# Traditional Redistricting Principles

Preventing a Districting from becoming a Gerrymander

Utilizing the Safe Harbor Provisions of the California Voting Rights Act, Community College Districts can switch election systems and reduce potential legal fees.

- Requires 5 hearings
  - 2 Pre-mapping to build community of interest testimony
  - 2 Post-mapping hearings
  - 1 final up/down vote on final map
- Maps posted 7 days in advance of hearing in order for them to be discussed or final adoption.

# Traditional Redistricting Principles

Preventing a Districting from becoming a Gerrymander

Starting in 2020, cities and counties doing redistricting have additional criteria they must follow under the California Fair Maps Act. This becomes a “best practice” for all agencies.

- Process/transparency when conducting redistricting
- Not using incumbent or candidate residence as a Community of Interest
- Not drawing districts to advantage a political party



# South Orange CCD

## Preliminary Findings

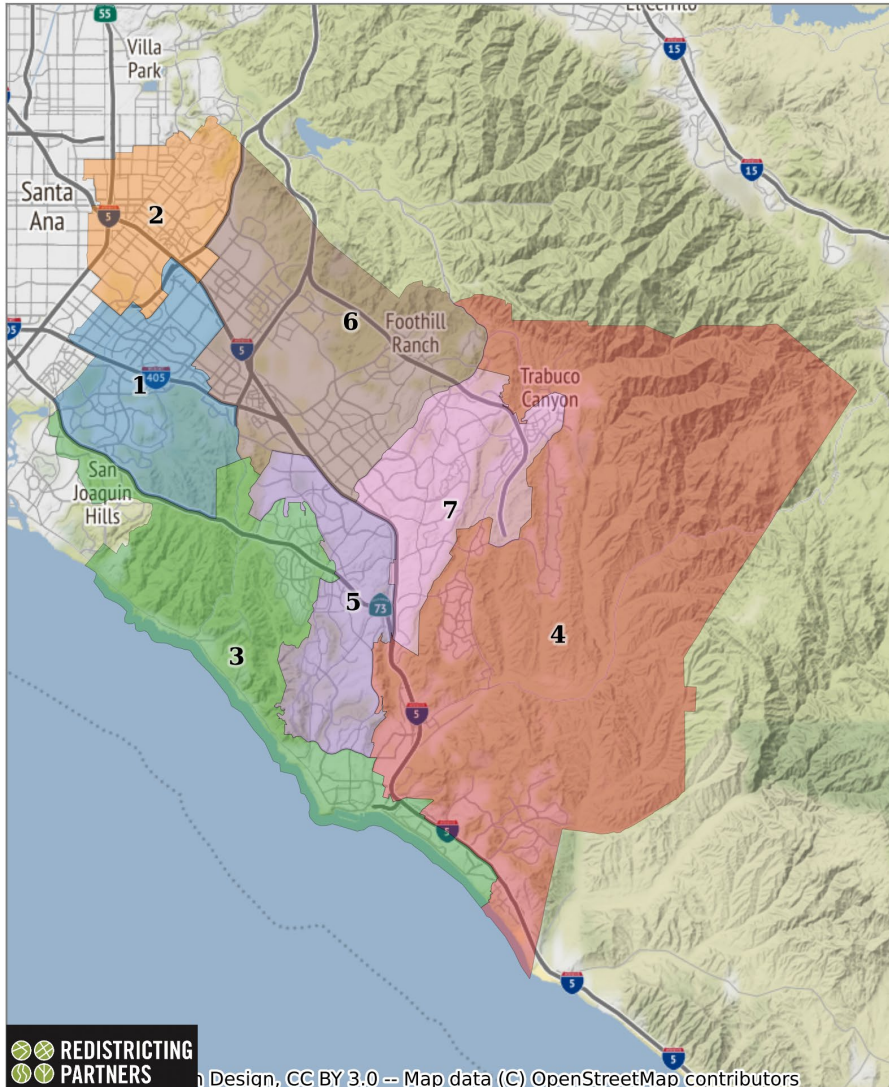
Total population was **905,996** based on the 2010 Census.

- This population is used for the determination of the target size of a district, and the “equal population” calculations that cannot exceed 10% from the largest to smallest District.
- Based on 2010 Census data the ideal district size would be 129,428 residents.
- Using the 2010 Census data the largest is **145,411 (+12.3%)** and smallest is **107,181 (-17.3%)**

# South Orange Community College District

## 2010 Population Estimates

### District Overview



### 2010 Census

	1	2	3	4	5	6	7
Population	134,091	125,877	128,369	145,411	107,081	134,029	131,138
Deviation	4,663	-3,551	-1,059	15,983	-22,347	4,601	1,710
Deviation %	3.6%	-2.7%	-0.8%	12.3%	-17.3%	3.6%	1.3%
No Eth	68,982	56,614	96,427	107,755	79,644	73,989	93,200
No Eth %	51.4%	45.0%	75.1%	74.1%	74.4%	55.2%	71.1%
Latino	12,290	41,629	19,219	27,825	15,465	24,289	23,785
Latino %	9.2%	33.1%	15.0%	19.1%	14.4%	18.1%	18.1%
Asian	50,612	25,253	11,142	8,535	10,691	33,403	12,177
Asian %	37.7%	20.1%	8.7%	5.9%	10.0%	24.9%	9.3%
Black	2,207	2,381	1,581	1,296	1,281	2,348	1,976
Black %	1.6%	1.9%	1.2%	0.9%	1.2%	1.8%	1.5%

### Citizen Voting Age Population (CVAP)

	1	2	3	4	5	6	7
Total US 18+	91,657	82,005	97,816	107,182	86,901	106,545	97,808
No Eth CVAP	51,364	42,313	76,415	84,502	64,043	60,980	71,189
No Eth CVAP %	56.0%	51.6%	78.1%	78.8%	73.7%	57.2%	72.8%
Latino CVAP	11,838	20,349	11,641	14,904	9,983	13,550	14,758
Latino CVAP %	12.9%	24.8%	11.9%	13.9%	11.5%	12.7%	15.1%
Asian CVAP	26,540	17,604	8,355	6,664	11,603	30,043	10,391
Asian CVAP %	29.0%	21.5%	8.5%	6.2%	13.4%	28.2%	10.6%
Black CVAP	1,915	1,739	1,405	1,112	1,272	1,972	1,470
Black CVAP %	2.1%	2.1%	1.4%	1.0%	1.5%	1.9%	1.5%

# South Orange CCD

## Preliminary Findings

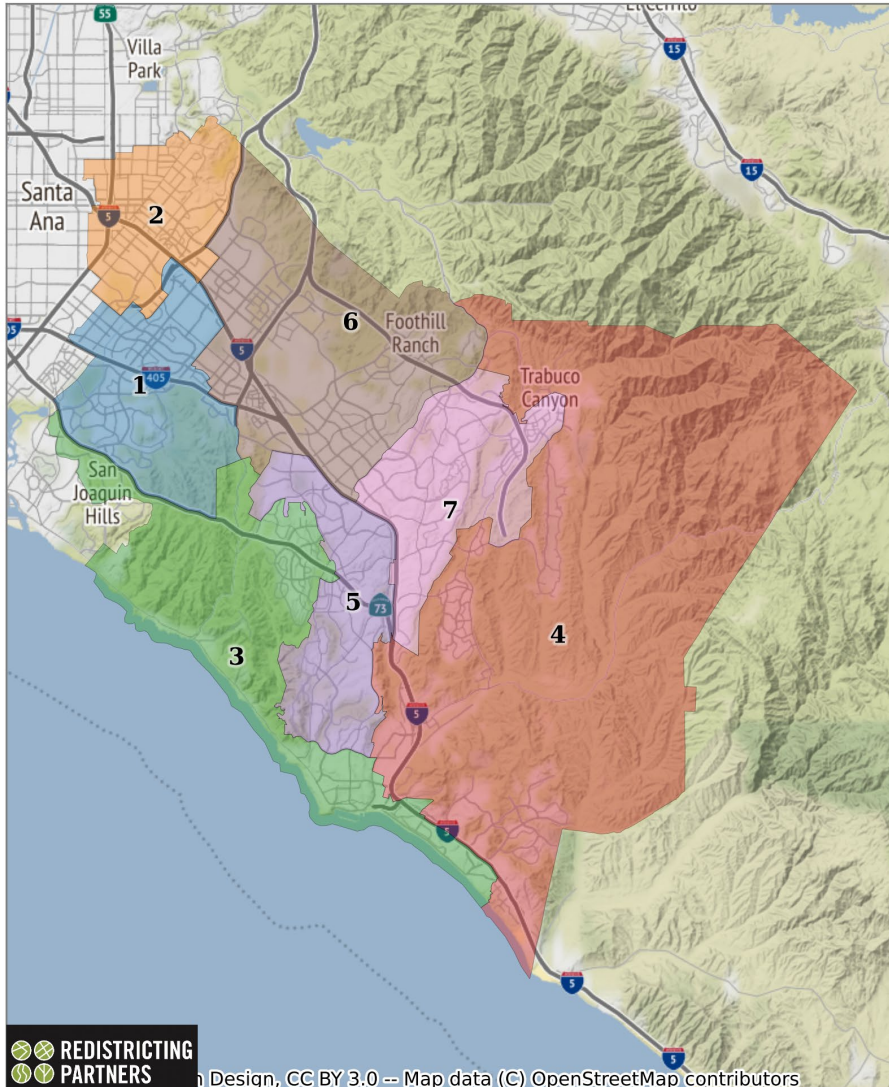
Estimated population is **992,069** based on the ACS.

- This population is used for the determination of the target size of a district, and the “equal population” calculations that cannot exceed 10% from the largest to smallest District.
- Based on estimated population the ideal district size would be 141,724 residents.
- Using the 2010 Census data the largest is **168,876 (+19.2%)** and smallest is **117,579 (-17%)**

# South Orange Community College District

## Current Population Estimates

### District Overview



### Current population

	1	2	3	4	5	6	7
Population	145,753	133,522	133,419	157,165	117,579	168,876	135,755
Deviation	4,029	-8,202	-8,305	15,441	-24,145	27,152	-5,969
Deviation %	2.8%	-5.8%	-5.9%	10.9%	-17.0%	19.2%	-4.2%
No Eth	71,314	53,821	97,491	115,356	79,584	83,893	92,370
No Eth %	48.9%	40.3%	73.1%	73.4%	67.7%	49.7%	68.0%
Latino	16,833	46,906	21,463	29,817	18,924	25,663	25,737
Latino %	11.5%	35.1%	16.1%	19.0%	16.1%	15.2%	19.0%
Asian	54,103	30,071	12,764	10,381	17,169	56,471	15,474
Asian %	37.1%	22.5%	9.6%	6.6%	14.6%	33.4%	11.4%
Black	3,503	2,724	1,701	1,611	1,902	2,849	2,174
Black %	2.4%	2.0%	1.3%	1.0%	1.6%	1.7%	1.6%

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Black CVAP %	2.1%	2.1%	1.4%	1.0%	1.5%	1.9%	1.5%

# South Orange CCD

## Preliminary Findings

The Community College District will need to do a redistricting in 2021.

- If the agency chooses to keep the same at-large election system, those districts still have to be rebalanced.
- The conversion to true districted elections can happen anytime before 2022.
- **If converting it will be critical to conduct the process in an open/transparent manner.**



**REDISTRICTING  
PARTNERS**