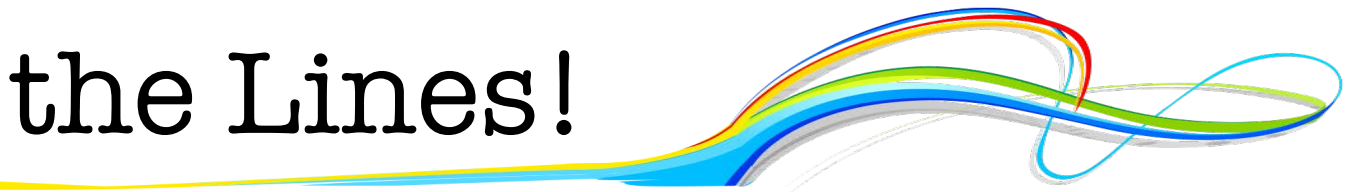
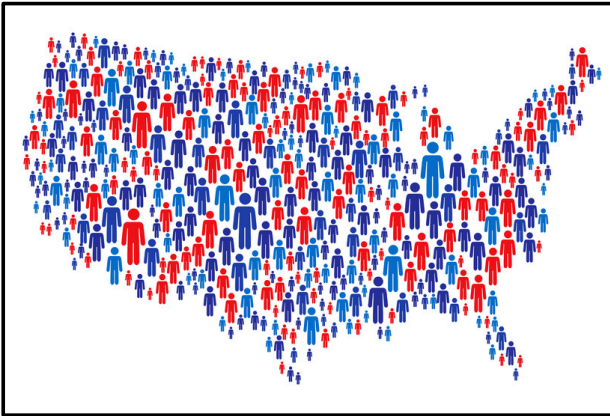


# We Draw the Lines!



*Exploring redistricting, its connection to the US Census, and its importance in maintaining democracy in America.*



An Inquiry lesson for  
11<sup>th</sup> and 12<sup>th</sup> grade teachers:

**Should voters choose the politicians or  
should politicians choose the voters?**

# Acknowledgments

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## California Redistricting

### CENSUS 2020

#### Should Voters Choose the Politicians or Should Politicians Choose the voters?

##### CA United States History and Geography Standards:

- **11.11: Students analyze the major social problems and domestic policy issues in contemporary American society.**

11.11.7. Explain how the federal, state, and local governments have responded to demographic and social changes such as population shifts to the suburbs, racial concentrations in the cities, Frostbelt-to-Sunbelt migration, international migration, decline of family farms, increases in out-of-wedlock births, and drug abuse.

##### CA Principles of Democracy Standards

- **12.2: Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured.**

- 12.2.3. Discuss the individual's legal obligations to obey the law, serve as a juror, and pay taxes.
- 12.2.4. Understand the obligations of civic-mindedness, including voting, being informed on civic issues, volunteering and performing public service, and serving in the military or alternative service.

- **12.5: Students summarize landmark U.S. Supreme Court interpretations of the Constitution and its amendments.**

- 12.5.1. Understand the changing interpretations of the Bill of Rights over time, including interpretations of the basic freedoms articulated in the First Amendment and the due process and equal-protection-of-the-law clauses of the Fourteenth Amendment.

- **12.6: Students evaluate issues regarding campaigns for national, state, and local elective offices.**

- 12.6.4. Describe the means that citizens use to participate in the political process (e.g., voting, campaigning, lobbying, filing a legal challenge, demonstrating, petitioning, picketing, running for political office).
- 12.6.5. Discuss the features of direct democracy in numerous states (e.g., the process of referendums, recall elections).
- 12.6.6. Analyze trends in voter turnout; the causes and effects of reapportionment and redistricting, with special attention to spatial districting and the rights of minorities; and the function of the Electoral College.

##### Common Core ELA Reading Literacy Standards:

- **Integration of Knowledge and Ideas**

- 7. Integrate and evaluate content presented in diverse formats and media, including visually and quantitatively, as well as in words.

##### CA History/Social Science Analysis Skills:

- **Chronological and Spatial Thinking**

- Students use a variety of maps and documents to interpret human movement, including patterns of domestic and international migration, changing environmental preferences and settlement patterns, the frictions that develop between population groups, and the diffusion of ideas, technological innovations, and goods

## Teacher Introduction:

"*We the people*" of the United States directly elect one member to the U.S. **House of Representatives**, and each state is guaranteed at least one House member and two U.S. Senators. During the drafting of the Constitution, the **Great Compromise** produced the current bicameral structure for the **U.S. Congress**, with states equally represented in the **Senate** (with two senators regardless of population or geographical size), while representation in the House would be allocated proportionally based on each state's population. Because of this arrangement, today larger states like California have significantly more representatives (53) compared to states with smaller populations, such as Wyoming and Vermont, with just one representative each.

Determining each state's representation in Congress is the main reason the federal government conducts the **Census**, a nationwide population count that occurs every ten years as required by **Article I, Section 2 of the U.S. Constitution**:

"Representatives and direct Taxes shall be apportioned among the several States ... according to their respective Numbers ... . The actual Enumeration shall be made within three Years after the first meeting of the Congress of the United States, and within every subsequent Term of ten Years."

The **Census Bureau** (an agency within the Department of Commerce) conducts the census by counting all persons living in U.S. residential structures, including citizens, legal residents, long-term visitors, and the undocumented. After the census is completed, important shifts in political and economic power occur. States gaining population stand to gain power in presidential elections, per the Constitution's **Article II Section 1** rule that **electoral vote** totals represent "the whole Number of Senators and Representatives" per state. Given the constitutional power of the House to initiate revenue bills and impeachment proceedings, one could also make the case that the population of each state amplifies Congress's **enumerated (stated) powers**. Furthermore, census data is used to determine the distribution of roughly \$1.5 trillion dollars in yearly **federal funds**, including federal grants-in-aid to the states for education, health care, and other income security programs. States with bigger populations are generally eligible for more federal dollars, whereas states with declining populations can lose federal money.

Since political and economic power are at stake with each census, both the methodology of the census and the results are often contested. After the 1920 census, Congress failed to pass a **reapportionment** act (which allocates changes in the number of House seats to the states) due to disputes over whether urban populations had been properly counted. More recently, in 2018 the Trump administration announced plans to include a **citizenship question** on the 2020 census, which had not been asked since 1950. California (and some other states) challenged this proposed question in federal court, arguing it was designed to intimidate census participants, leading to inaccurate data on the size of the state's population. An **undercount** could cost California billions in federal dollars, but also seats in Congress, and with that fewer electoral college votes in future presidential elections. With the 2020 census now completed, for the first time in its history California is projected to lose a House seat and will be represented by 52 House members beginning with the 2022 **midterm Congressional elections**.

## Background on Redistricting:

The process of **redistricting** that follows the census, and the unique way California conducts this process is the focus of this lesson. **Article I Section IV of U.S. Constitution** granted the Congress authority for establishing federal rules on the “manner” of Congressional elections, but states are given the authority for creating their own legislative boundaries following the census:

“The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof”

In 1929 Congress fixed the total number of House seats at 435, where it remains to this day. States showing significant population increases after the census generally pick up seats in the House, whereas states with declining populations (and even stable populations or minimal growth relative to other states) can lose seats in the House. Therefore, Congressional elections, unlike those for the President and the Senate, involve a process known as redistricting. After the 435 House seats are **apportioned** (allocated) to the states following the census, the states have the responsibility for “mapping” or creating new legislative districts, and these districts apply to Congressional and state level legislative races held over the next decade. In 2021, every U.S. state will engage in a redistricting process that will be used in electoral contests starting in 2022.

On the surface, redistricting may appear to be a neutral process, but with the development of **political parties** after the Constitution’s ratification, it did not take long for state level politicians to find ways to draw districts for political ends. In 1812 Massachusetts Elbridge Gerry used his influence as governor to have his state’s congressional districts redrawn to strengthen the Democratic-Republican party’s majority in the legislature. One of the unusually shaped districts resembled a lizard, hence the emergence of the term “**gerrymandering**”. This particular district, and the controversies surrounding gerrymandering, are featured in this lesson.

Supreme Court rulings also set guidelines states must respect during the redistricting process, including protections against **malapportionment**, the creation of unequally sized districts and/or using discriminatory practices in creating districts. During the civil rights movement, the Supreme Court spoke to this controversy, by ruling that the **14<sup>th</sup> Amendment’s “equal protection”** clause required states use similar sized populations in districts to protect the “one person, one vote” principle [see ***Baker v. Carr (1962)*** and ***Reynolds v. Sims (1964)***]. These rulings halted racially discriminatory practices such as creating districts with smaller numbers of whites alongside districts with larger numbers of African Americans, effectively diluting the voting power of the state’s Black population. Today all legislative districts (both state legislatures and congress) must have roughly the same amount of people to ensure citizens are equally represented. With our nation’s population growth, today each House district represents roughly 711,000 persons, and state level legislative districts must be equal in population size to the others in that state.

Supreme Court rulings on redistricting also involve the role of the federal **Voting Rights Act (1965)**. Intended to eliminate Jim Crow era voting restrictions such as literacy tests, by 1990 the focus of the Voting Rights Act was it’s enforcement provisions and whether “**majority-minority**” districts would be permitted. These were districts with equal populations, but where concentrations of minority populations (usually African American) were concentrated. In ***Shaw v. Reno (1993)*** and again in ***Miller v. Johnson (1999)***, the Supreme court ruled that gerrymandering based solely on racial data (so-called “**racial gerrymandering**”) was unconstitutional. In other words, race can be one factor in creating electoral districts, but it cannot be the sole factor used in creating districts. Another provision of the Voting Rights Act that has come under scrutiny is whether states with a history of voting discrimination (known as “**covered jurisdictions**”) should still be required to submit plans to the U.S. Justice Department for “**preclearance**” before any changes in voting laws can take effect. In ***Shelby County v. Holder (2012)***, the “preclearance” provision of the Voting Rights Act was held to be outdated, which gave states more latitude in creating new voting laws and new district boundaries. In ***Evenwel v. Abbott (2016)***, states were given discretion in defining the total population (including children, prisoners, and non-citizens living within a district boundary) used in creating legislative boundaries.

Finally, in 2018 the Supreme Court looked at the issue of **partisan gerrymandering** - districts deliberately drawn to advance the interests of one political party over the other. In *Gill v. Whitford* (2018) the Court reviewed a gerrymandering plan initiated by the Republican legislature in Wisconsin, but ruled the absence of a clear formula to determine what constitutes partisan gerrymandering meant (at this point) that no constitutional violation was present. This does not mean controversies over partisan gerrymandering have subsided, and the Court's ruling suggested an openness to revisit this issue. This type of gerrymandering is the focus of second part of this lesson, and ending partisan voter discrimination is the subject of several bills in the current US Congress (including the Biden administration's proposed "**For the People Act**")

In most states today redistricting is inherently a political process since **state legislatures and the governor** are involved in creating and approving new electoral boundaries. Our current political environment is also characterized by high rates of party-line voting (or "**partisanship**") combined with historic rates of **negative polarization** (negative views of the other party). This is partly why  $\frac{3}{4}$  of US states are controlled by just one party, with 23 states currently having Republican Party control of the legislature and the governorship, and in 15 states the Democratic Party has control of both the executive branch and the legislative branch. In almost every case, this makes the redistricting process even more intensely partisan, as the majority party attempts to protect and gain political advantages by redrawing district lines to advance their interests and please their voters. Computer mapmaking technology, access to voter registration records, and the widespread availability of various other types of voter data has enabled the process to become even more refined and perhaps even more partisan.

One reform proposed to address partisan gerrymandering (and its effects like party polarization and congressional **gridlock**) is removing the power of redistricting from elected officials. After recent decades with historic rates of incumbent re-election, and growing concerns about partisan voter discrimination, 13 U.S. states now assign at least some responsibility for drawing election boundaries to **redistricting commissions**. In those states either parts of the redistricting or the entirety of the redistricting process are removed from elected officials, and usually public hearings and citizen involvement are part of the process. Like voting itself, this is designed to give citizens more oversight and input into who represents them. In 2008, after a record number of California **incumbents** (current officeholders) won re-election, California voters used the initiative process to move redistricting for the state Assembly and the state Senate to an independent redistricting commission. In 2010 this commission's power was expanded by voters with another initiative to cover the boundaries for congressional races in the state. The **2020 California Citizens Redistricting Commission** - its role, process, merits and drawbacks - is the subject of the second half of this lesson.

Whether redistricting is done by elected officials or by independent commissions, states set most of the criteria for mapping legislative districts, subject to Supreme Court rulings and federal law. Criteria used by states include **contiguity** (keeping areas within a district connected), **compactness** (keeping residents living near each other together in districts), protecting **communities of interest** (keeping groups with a common political, social, or economic interest together), and some states require keeping **local political boundaries** (counties, cities, towns, etc.) together when creating legislative districts. While district lines are generally required to be "contiguous" in most states, they are not necessarily required to be "compact" (geographically concentrated), so some "gerrymandered" districts are only held together only by a single street and can stretch for hundreds of miles. This is part of the reason the controversy over redistricting is likely to continue past 2020, and several of these districts are featured in this lesson.

2020 was certainly a pivotal election year in the U.S., with a presidential race, congressional elections, and a national census all occurring simultaneously, something that occurs only once every 20 years! Now it looks like 2021/2022 could be even more impactful, with the census data, 2020 election outcomes, and the various types of state redistricting methods shaping the political landscape that will influence the next generation of U.S. politics.

## **Student Vocabulary Terms**

**Reapportionment** is the process of determining how many Congressional seats each state receives after the U.S. census.

**Redistricting** is the actual redrawing of districts that is done within each state.

**Gerrymandering** is the manipulation of the redistricting process for political gain; this is also known as partisan gerrymandering or partisan redistricting

**incumbent:** the current officeholder; “incumbency” refers to the power of office holders to retain their seats at high rates, in part due to gerrymandering

**safe-seat:** legislative districts (Congressional or state legislature) without meaningful 2-party competition

**Packing:** Placing as many voters of one type in a district to minimize the number of elections they can influence elsewhere (this contributes to voter “wastage”, a term critics of gerrymandering use to explain the larger than normal and unnecessary margins of victory that are deliberately created in packed districts)

**Cracking:** Spreading voters of one type into multiple districts where they will comprise minority blocs less likely to influence elections; like packing, it is another type of partisan gerrymandering, which critics see as a modern form of voter discrimination.

**gridlock:** the inability of Congress to produce meaningful legislation due to excessive partisanship

**party polarization:** ideological divisions that contribute to partisan divisions in Congress; negative polarization refers to negative feelings toward the other political party

**Proposition 11 (2008):** a.k.a. the “Voters First Act”, this proposition passed by voters in 2008 placed the power to draw State Assembly and State Senate Districts in a Citizens Redistricting Commission, as opposed to the state legislature

**Proposition 20 (2010):** known as “The Voters First Act for Congress”, this initiative extended the power to draw electoral boundaries for the U.S. House of Representatives to the Citizens Redistricting Commission.

**California Citizens Redistricting Commission:** created after passage of Proposition 11, this 14 member commission has responsibility for drawing state legislative district boundaries. The Commission is made up of 5 members of the Democratic Party, 5 members of the Republican Party, and 4 members of neither Party.

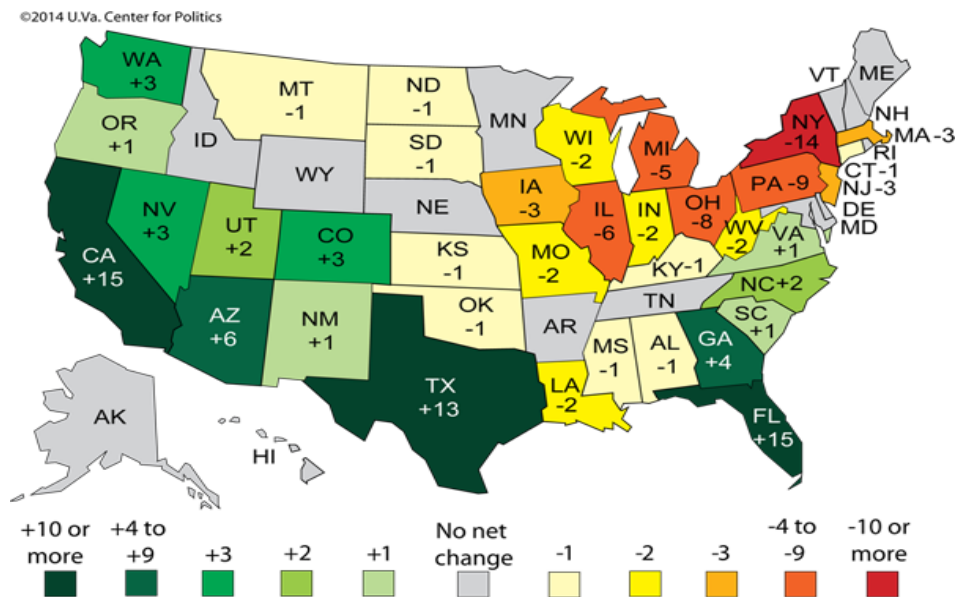
## PART I. Anticipatory Set

**What do you know about the U.S. census? Do you know how the census is connected to representation in Congress?**

## PART II. An Introduction to Redistricting and Gerrymandering

**A. Redistricting and the Census:** After completion of the national census, states gaining population can gain seats in the U.S. House of Representatives, while states losing population can lose seats in the House. Congressional **reapportionment** is the process of redistributing House seats to reflect national population changes. Since 1960, states with growing populations (mainly **Sunbelt** states in the South and Southwest) have generally gained seats, while states with declining populations (mostly Midwestern and Northeastern “**Rustbelt**” states) have generally lost seats. Use the map below for the following questions.

### Congressional Reapportionment: 1960-2010



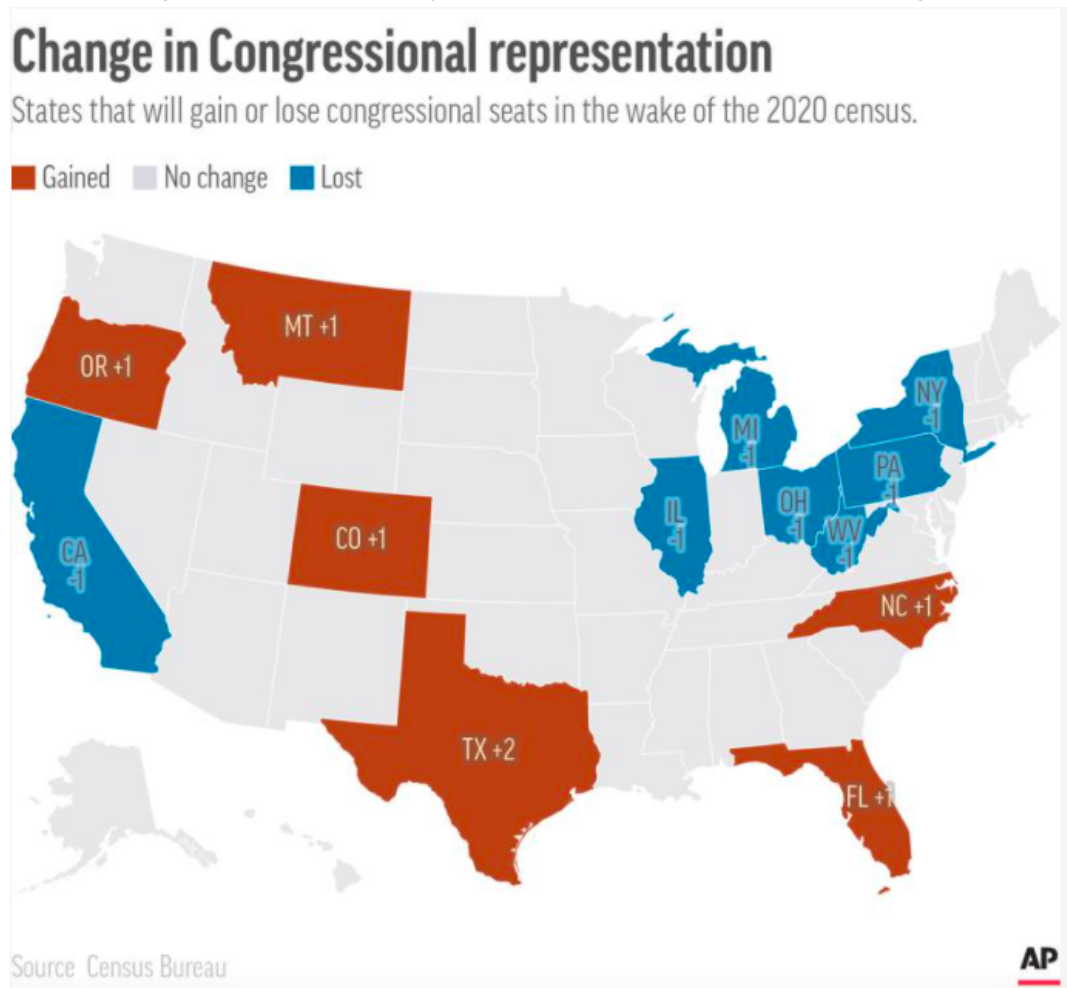
1. Which regions and states gained the most seats in Congress between 1960-2010?

2. Which US regions and states lost the most seats in Congress between 1960-2010?

3. In which direction did political representation shift from 1960-2010? What was the reason for this?



**B. Reapportionment and the 2020 Census:** The recently completed 2020 census will change the number of Congressional seats allocated to certain U.S. states, and also the amount of **electoral votes** (a combination of state's total House members plus Senators) they will have in the 2024 presidential election. While most states' *total population increased* from 2010-2020, only states significantly gaining or losing population relative to other states see changes in the size of their Congressional delegation and electoral vote total (this is why most states are "No change" in the map below). Use the map to answer the following questions:



1. Which states will gain representation in Congress following the 2020 census? Which states will lose at least one Congressmen based on the 2020 census?

2. States gaining House seats also gain electoral votes in the 2024 presidential election. Why is that, and which U.S. state benefited the most?

3. For the first time in its history, California is poised to lose a seat in the House. How does this fit with the population trends you identified in Part A? How could losing representation in Congress affect California?

**C. Gerrymandering:** Election boundaries are redrawn by the states the year following the census, and they are often designed to give advantages to **incumbents** (the current officeholders), especially from the party in power in the state legislature. Many of these districts are drawn in unusual shapes for political purposes, known as “**gerrymandering**,” in honor of a district created over 200 years ago to benefit Massachusetts politician Elbridge Gerry. Since most states use **partisan** legislators (Democratic or Republican elected officials) in redistricting, politicians have an incentive to design districts to help themselves and/or their party. This leads to high rates of re-election in both the U.S. Congress and in U.S. state legislatures, which is one reason most countries do not have elected officials involved in drawing their own election boundaries. Refer to the political cartoon in the following questions.



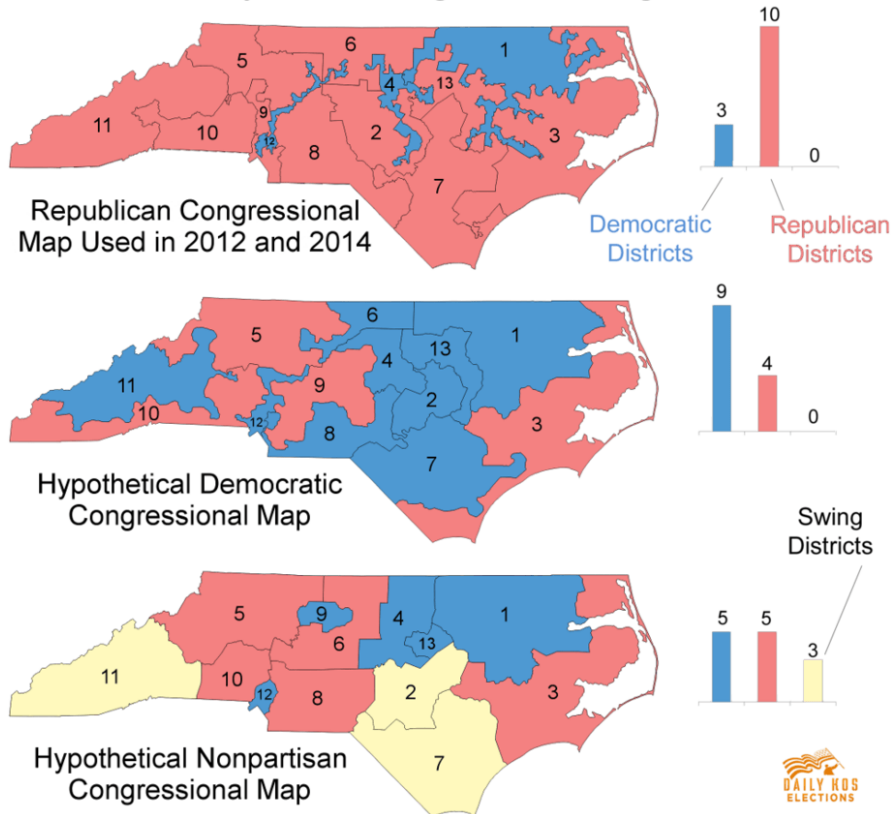
This political cartoon, drawn by Elkanah Tisdale in 1812, shows a Massachusetts legislative district drawn to benefit Elbridge Gerry looking similar to a salamander. This was done to boost the political fortune of Gerry and the Democratic Party in the state.

1. What is gerrymandering and why do state officials gerrymander districts?

2. Why do you think most countries avoid having politicians create legislative district boundaries?

**D. Packing and Cracking:** Sometimes during the redistricting process the majority party will intentionally create a district or districts “packed” with voters of the other party. This shows that gerrymandering is not just about creating comfortable seats for the majority party, but also to give the opposite party as few of those as possible. After the 2010 census, some Republican (or **G.O.P.**) controlled states created Democratic-leaning African American Congressional districts. While this virtually guarantees a “**safe-seat**” for a Democrat, by concentrating Democratic support in fewer locations across the state it increases the likelihood that outlying districts will elect Republicans by spreading more G.O.P voters into the other districts. Use the map below of North Carolina’s 13 Congressional districts created after the 2010 census, with its 3 black-majority districts (NC-1, NC-4 and NC-12) for the next questions:

### How Gerrymandering Can Swing Elections

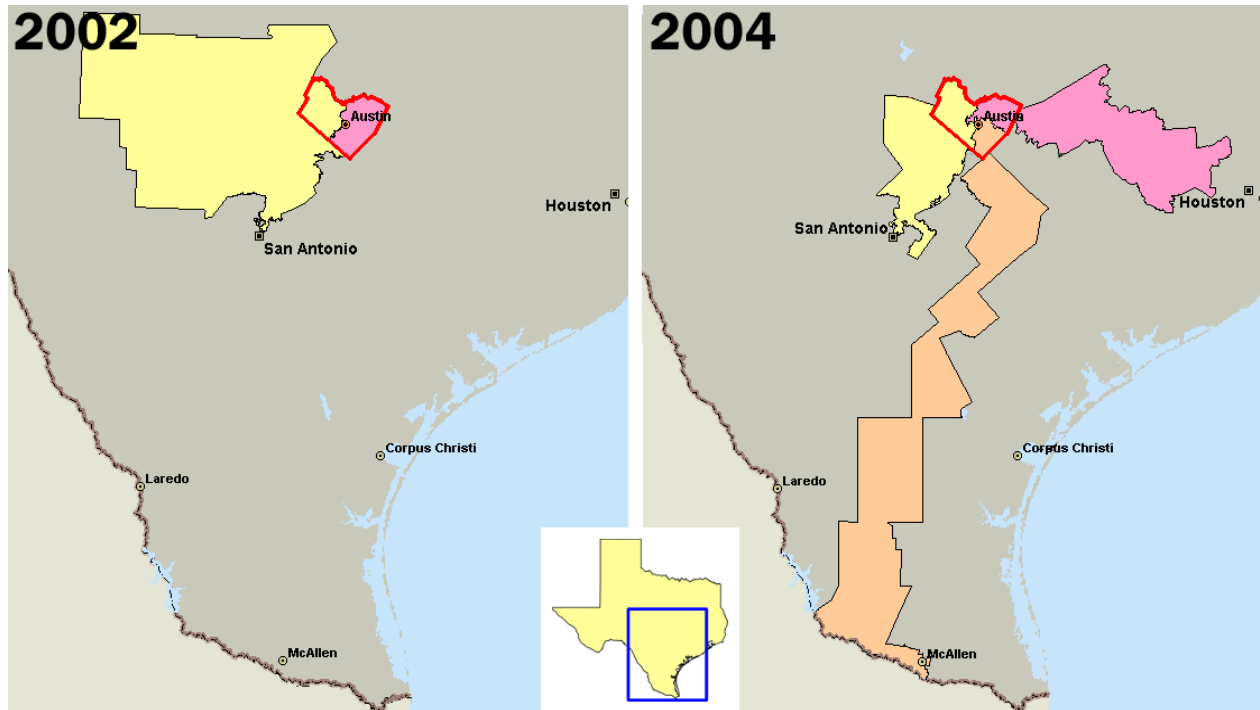


1. Using the top map in the image above, why would the Republican controlled legislature in North Carolina create three Democratically leaning “safe seats”?

2. In 2012 the three “packed” districts in North Carolina all elected Democrats, with all 10 other districts in the state electing Republicans; this despite Democrats winning 50.6% of total House votes statewide in 2012. According to the bottom two state maps in the image above, what would happen if Democrats controlled the redistricting process? What if an independent, or non-partisan, commission controlled the state’s redistricting?

3. Some of these “packed” districts in North Carolina stretch hundreds of miles around geographically disconnected African American communities. Why might this be another problem with gerrymandering?

**Cracking** is the other major type of **partisan** or party based gerrymandering. With computer mapping technology and greater access to voter information databases, it is easier than ever for determined state policymakers to create partisan districts. Since the 1990s, several states have effectively produced districts across the entire state without meaningful 2-Party competition. In 2004 a redistricting plan in Texas led to intense court battles after the Republican controlled legislature redrew several Congressional boundaries to increase the size of the states' G.O.P. delegation. By "**cracking**" a district that encompassed the Democratic leaning city of Austin, lawmakers were able to divide this community into 3 new districts. Republican candidates won each of these 3 districts in the next election. Use the map below for the next questions:



U.S. congressional district covering Austin and parts of Travis County, Texas (outlined in red) in 2002, left, and 2004, right. After the 2004 Republican redistricting plan took effect, the voting power of the Democratic residents of the district was diluted by distributing its residents among three new majority-Republican districts.

3. What happened to the residents in the Democratic leaning district in the Austin area after the 2004 Texas redistricting plan took effect?

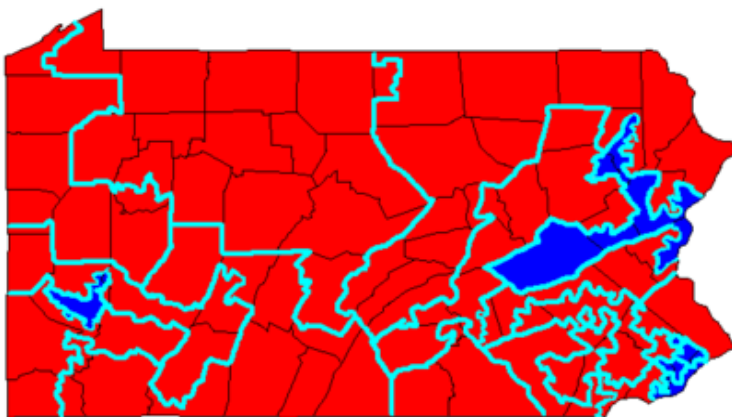
4. In 2002, 2 years before the Republican redistricting plan took effect, Texas Democrats won 17 of the 32 House seats, or 53% of the total in the state, despite Republicans winning the statewide congressional vote 53% – 44%. What does this suggest Democrats did when they controlled redistricting in Texas?

5. As a result of party-based redistricting, *Congressional Quarterly* estimates that less than a quarter of the 435 House seats are competitive (elections where the Democratic and the Republican candidates are within 10% of each other in the election results). With most districts now "**safe seats**" for incumbents, winning candidates typically receive over 60% of the vote. How are both packing and cracking connected to this?

**E. Political and Economic Consequences:** David Daley, Senior Fellow at electoral reform group FairVote, documented some of the impacts of partisan redistricting after the 2010 census. Following low Democratic voter turnout and frustration with President Barack Obama, Republicans won 700 new state legislative seats that year. This allowed the GOP to control the redistricting process in states representing 193 House districts (or 44% of the 435 total House seats). In 2012, the first election using these newly drawn districts, Democratic candidates won 1.4 million more popular votes nationwide than Republicans, but the G.O.P. came away with 33 more House seats. In seven states where Republicans gained control of both the legislature and the governorship in 2010, they received 16.7 million votes to the Democrats 16.4 million votes in 2012, and in these seven states Republicans won 73 of the 107 House seats.

1. In the seven states mentioned above, Republican candidates received a slight majority of the statewide vote in Congressional races (50.4% to 49.6%) but won 68% of the House seats in those states. In that same 2012 election cycle, a similar pattern was seen in states with Democratic Party control over redistricting. In Maryland, for example, Democrats won a slight majority of the statewide popular vote but won 7 of the 8 House seats in the state. How can we explain both major U.S. political parties winning seats in Congress far in excess to their popular vote percentages?

In 2010 Republicans came to power at the state level in Pennsylvania and gained the power to redraw the state's Congressional districts. In 2012 Pennsylvania Democratic House candidates won 83,000 more votes than Republican House candidates statewide (or 50.5% of the total), but Republicans won 13 seats to the Democrats 5 seats. One district drew attention for its unusual shape, the 7th district outside Philadelphia, also known as the "Donald Duck kicking Goofy" district. Use the two maps below for the next question



Pennsylvania's 2012 Congressional map, with 5 Democratic districts (Blue), and 13 Republican districts (Red), and its infamous 7th district outside Philadelphia, aka the "Donald Duck kicking Goofy" district. The 7th was rated as the 4th most gerrymandered district in the US by the *Washington Post* given its lack of compactness and geographical spacing.

2. What is a concern with partisan gerrymandering represented by each map above?

Gerrymandering can also be problematic from a governing standpoint. By increasing the geographical distance of a district, it can be harder for legislators to know their constituents compared to a legislator from a more compact or “**contiguous**” district. More so, if a legislative district is concentrated with voters of one party, those districts' representatives will likely govern in a more **partisan** or **ideological** manner, which can perpetuate **Congressional gridlock** (the inability to reach the compromise needed to pass laws). In the 2013 federal budget shutdown, many Republican legislators who voted to continue the shutdown represented heavily conservative leaning, mostly white districts. Similarly, in districts composed mainly of African American voters, the “left of center” Democrats who represented these districts generally opposed cuts in federal spending. Both divisions played a role in perpetuating the budget stalemate.

3. In terms of the ability to govern effectively, identify one problem associated with gerrymandering. Then, identify a positive outcome more competitive Congressional races might bring.

Scholars also cite gerrymandering as a leading cause of growing **polarization** in Congress. In gerrymandered districts the real competition is often the **primary election** to represent the party in the November general election. In districts without meaningful 2 party competition, the winner of the primary is almost guaranteed to win the November general election. This has led to a new term, “**getting primaried**”, where a Congressperson with an ideology or record seen as too moderate is targeted for defeat by groups both outside and inside the party (often backed by millionaires and billionaires who contribute money to SuperPACs who can fund issue ads and campaign mailers urging their defeat).

4. How might gerrymandering also contribute to growing levels of political polarization in Congress?

Evidence also suggests allowing partisan mapmakers to create districts gives them an incentive to include or exclude wealthy interests. In Detroit, Michigan’s 14th district (largely African American and working class), the new General Motors plant and Faygo Soda headquarters - where many of 14th’s residents work - are drawn outside the 14th district’s boundaries. Instead, these headquarters are included in the wealthier and whiter surrounding district. According to FairVotes David Daley, this means “there will be no easy campaign cash and no famous constituency for the member of Congress from the 14th.” Similarly, the old Detroit Tigers baseball stadium and the vacant Silverdome (where the NFL’s Detroit Lions used to play) are drawn inside the 14th district, while the new Ford Field (where the Lion’s currently play) and the new Comerica Park (where the Tiger’s now play) are drawn outside the 14th district despite being walking distance from most points inside the 14th district. This leads to less tax revenue coming into the 14th district as well.

5. What economic consequences may also exist with partisan gerrymandering?

### III. Reforms

**A. Two Approaches to Redistricting:** Imagine a U.S. state with 30 people in it: 12 are gold party members and 18 are blue party members. How might you divide these people into 3 equally populated voting districts with 10 voters each?

**Sample State District Map #1:** In the first example blue party representation is maximized by placing 6 blue voters with 4 gold voters, yielding 3 blue representatives.

1	1	1	1	1
1	1	1	1	1
2	2	2	2	2
2	2	2	2	2
3	3	3	3	3
3	3	3	3	3

1. In Sample State District Map #1, each of the districts has ten people, but the blue party wins all three seats (or 100% of the representation possible) with only 60% of the eligible voters. What do we call this type of redistricting?

**State District Map #2:** Now create 3 equally populated districts that maximize Gold party representation. Remember, you need 10 squares per district, the squares must connect, and number the squares 1-3 to show where you placed blue and yellow voters (hint: you should be able to make 2 yellow districts and 1 blue district using the same data, and “yellow” voting district 1 is done for you)

1- Gold	1- Gold			Blue
1- Gold	1- Gold		Blue	Blue
1- Gold	1- Gold		Blue	Blue
Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue

2. In State District map #2, what technique(s) did you use to maximize Gold Party representation?

Now draw the most competitive districts you can using the same voter data.

### State District Map #3

Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue
Gold	Gold	Blue	Blue	Blue

3. How many seats did the blue party win in this map? How many did the Gold Party win? How does this compare to the outcomes in Sample Map #1 and State District Map #2?

**B. Taking Informed Action:** Now that you've studied gerrymandering and seen how easy it is to do, it's time for you to take informed action. Rank the factors below from 1 → 5 in terms of which should be prioritized in creating legislative districts (1 being the most important factor and 5 being the least important).

- \_\_\_\_\_ Keeping county/city boundaries together inside districts
- \_\_\_\_\_ Compactness/geographical size of the district (not stretching hundreds of miles if possible)
- \_\_\_\_\_ Keeping "communities of interest" together in districts (racial, economic, cultural, religious, etc.)
- \_\_\_\_\_ Contiguity (keeping areas within districts connected to each other)
- \_\_\_\_\_ Partisanship/party affiliation of the voters in the district (the most common factor currently used)

1. Briefly explain your rankings. Did they align with how most states conduct redistricting?



**C. Should Gerrymandering end?** A growing number of politicians in both parties have come to believe that gerrymandering should be ended. Use the quotes below for the next question:

“Most estimates are that, of the 435 House seats, fewer than 50 are genuinely competitive. Most members now sitting in House seats know that the outcome of the next election in their district will be in the favor of their party or the other. In other words, you can predict the party outcome now because of the way redistricting has occurred. The Republicans have been most successful at this, the last time around for redistricting, because they controlled more State legislatures after the 2010 election, the last Census year. Democrats, in the past, did much the same...We all know that in our country we have an embarrassingly low level of participation in elections... This gives hugely disproportionate influence to the most activist, the most ideological, the most rigid, and the most uncompromising persons in their parties, on both sides....”

- George Mitchell, former Democratic Senator from Maine, 2013

“Gerrymandering is about politicians picking the voters rather than the voters picking the politicians...They’ve gotten so smart with the technology to know exactly how to draw the district lines so that they get the perfect Democratic district and the perfect Republican district. You now have to now be so far to the left to win the Democratic district, and so far to the right to win a Republican district, that when they go to work and get to the Capitol and try to work together, they can’t.”

- Arnold Schwarzenegger, former Republican Governor of CA, 2017

1. What are some of the different reasons Democrat George Mitchell and Republican Arnold Schwarzenegger give for ending partisan gerrymandering?

2. Several U.S. states have already removed at least some of the power to draw election boundaries from elected officials. The U.S. Congress is also seriously considering legislation that would place new federal regulations on gerrymandering. Yet, many who have concerns about gerrymandering also feel it should not be the job of the federal government to tell the states how to create their election boundaries. This means a variety of reform proposals, including:

- Putting term limits on members of Congress to reduce high incumbency rates
- Establishing uniform federal criteria for states to use in creating their districts (compactness, contiguity, keeping “communities of interest” together, etc.)
- Having state Independent Redistricting Commissions create legislative boundaries

At this point, which of these reforms would you favor and why? Which would you oppose and why?

**D. California's Independent Redistricting Commission:** Some states - including California - now use independent redistricting commissions to create their legislative districts. As of 2017, however, only 13 states (including Arizona, California, Hawaii, Idaho, New Jersey, and Washington) use this process. In November 2008, California voters passed **Proposition 11**, authorizing the creation of the Independent Citizens Redistricting Commission to draw state legislative district lines, taking the job out of the hands of the California Legislature, and transferring it to the citizens. In 2010, the **VOTERS FIRST Act** added the responsibility of drawing Congressional districts to the Commission. This commission now draws the 120 state legislative districts (80 for the State Assembly, 40 for the State Senate) as well as California's U.S. Congressional districts.

1. What did CA voters decide in 2008 and in 2010 regarding the issue of redistricting? Did their choice match any of your preferences in the question before this?

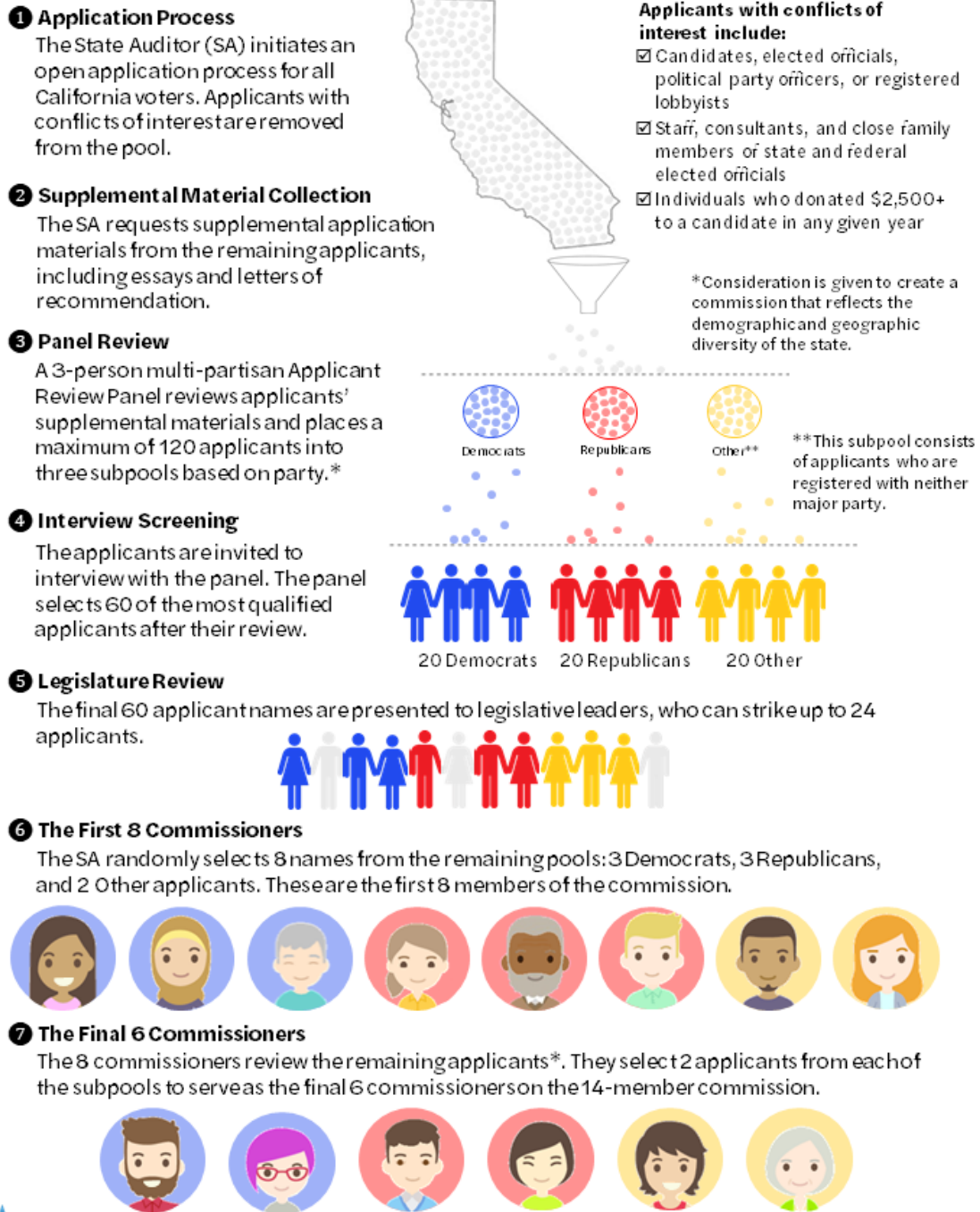
**The 2020 Citizens Redistricting Commission:** Every ten years, after the federal government publishes census information, California must redraw the boundaries of its Congressional, State Senate, and State Assembly districts. The Voters FIRST Act authorized the creation of an independent Commission of 14 members, which include five Democrats, five Republicans, and four who are either registered without, or "independent" of, any political party other than the Democrats and Republicans. For approval, new district boundaries need votes from three commissioners of the largest party, three from the second largest, and three of the commissioners from neither party. You may refer to <https://www.wedrawthelinesca.org/> for additional information about the redistricting process underway in California.

2. How are citizens and different political party members involved in California's redistricting process?

**Competitiveness:** Studies by the Public Policy Institute of California and Ballotpedia show that California now has some of the most competitive districts in the nation, creating opportunities for new elected officials. In the event that voters did not like the maps drawn by the commission, the maps may be overturned by public referendum (a public vote), and in the event that a map is overturned, the California Supreme Court appoints a new group of voters to create a new map. The California Constitution also now requires that districts be contiguous, and mandates that "[districts] must ... preserve the geographic integrity of cities, counties, neighborhoods and communities of interest." Districts must also "encourage compactness", with State Senate and Assembly districts nested within each other where possible. (*All About Redistricting*, 2015)

3. Review your informed action criteria from the question in Part II above. Do any of the criteria used in California match your top rankings? What does the research on election competitiveness suggest about California's approach?

## California Citizens Redistricting Commission Commissioner Selection Process



Graphic produced by Common Cause. Illustrates the commissioner selection process for California's Citizens Redistricting Commission, created and set forth by the Voters FIRST Act.

4. Using the infographic above, what are some of the ways citizens can directly participate in California's redistricting process?

**E. Defining Community:** Finally, the California Citizens' Redistricting Commission conducts a series of public meetings after the commissioners are selected, allowing voters up and down the state to review how they define "community" in their area, offer suggestions to the Commission on how to "draw their community" into legislative district maps, and offer testimonials (either written and in-person) to the Commissioners. Here is an example of a testimony taken from the website of the Commission (<https://www.wedrawthelinesca.org/>)

*I live in an area called Oak Knoll Valley. The neighborhood is bounded between Highway 9 on the west and Sunnyside River on the east side. There are approximately 8,000 residents in Oak Knoll Valley and it is primarily a residential area with some areas zoned for commercial and mixed use especially along the river.*

*The languages spoken in Oak Knoll Valley are primarily English and Spanish with some residents speaking Vietnamese and Mandarin. While most residents go outside our community for shopping and employment, they tend to stay here for their socializing, religious activities, and recreation. The Oak Knoll Regional Center provides a variety of activities and is a real hub of the community.*

*Across the river is the town of River Glen which is like our community as it is mostly residential. We are in the same school district and the high school which Oak Knoll students attend is in River Glen. It would make sense that we would be included in the same legislative or Congressional district.*

*On the other side of Highway 9 is Gold City which is primarily an industrial and commercial area. Most of the residents live in multi--family apartment buildings and many of them are new to the area. Gold City is part of a different school district than Oak Knoll. While Gold City is in close proximity to Oak Knoll, we have less in common than we do with River Glen.*

1. How would you define your "community" to the Commission? Does it extend beyond the city boundaries as the voter above suggests?

2. What if California did not have an independent redistricting commission, and elected officials divided your community for partisan political purposes? Now revisit the initial question in the lesson, "Should Voters Choose their Politicians or Should Politicians Choose their voters?"

3. Raise your voice! Now that you've learned about redistricting and have identified your community, visit [www.drawmycommunity.org](http://www.drawmycommunity.org) to let the California Citizens Redistricting Commission know about YOUR Communities of Interest!

**EXTENSION ACTIVITY:** What do the actual Congressional districts look like in our state? What about a neighboring state? Use [GovTrack](#) to help see what they look like and answer the questions that follow:

Are all the districts in your state similar in shape?	
Do you notice any irregularities? Are any districts more oddly shaped than others?	
Other Observations	

### **Resources**

- Congressional Quarterly/CQ Roll Call ([info.cq.com](http://info.cq.com))
- We Draw the Lines CA ([wedrawthelines.ca.gov/](http://wedrawthelines.ca.gov/))
- FairVote ([www.fairvote.org/](http://www.fairvote.org/))
- All About Redistricting ([redistricting.ils.edu/](http://redistricting.ils.edu/))
- McGhee, Eric; Krimm, Daniel (September 2012). "[Test-driving California's Election Reforms](#)". [Public Policy Institute of California](#).
- Hrabe, John (July 18, 2012). "[10 California U.S. House races ranked 'most competitive' in country](#)". [CalWatchdog](#).
- King, Tyler (Aug. 16, 2012). "[2012 competitiveness in California state legislative elections](#)". [Ballotpedia](#)
- Ingraham, Christopher (May 15, 2014) "[America's most gerrymandered districts](#)" *Washington Post*
- Click Here for the six criteria that the California Citizens Redistricting Commission must consider when drawing lines.