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The Congressional Redistricting Process

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Today's Agenda

1. The Steps to Redistricting
2. Census, Reapportionment and Redistricting
3. 2021 Reapportionment Results
4. Federal Redistricting Guidelines
5. Gerrymandering, Packing, and Cracking
6. The Redistricting Process
7. Decision Makers and How to Get Involved



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What is Redistricting?

The process of creating new congressional districts or re-drawing existing districts.

Redistricting happens every 10 years.



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The Steps to Redistricting

1



Census

2



Reapportionment

3



Redistricting



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Census & Redistricting

- The Census is one of the oldest processes in the United States to count residents living in the U.S. since 1790.
- The U.S. Constitution requires that population be counted every 10 years.
- The 2020 Census determined that the total U.S. population is **334 million people**.
- The population numbers captured by the U.S. Census are used to determine the number of seats each state will have in the U.S. House of Representatives for the next ten years.



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What is Reapportionment?

The process of dividing the 435 seats of the House of Representatives among the 50 states.

The process and formula used for reapportionment is established by the U.S. Constitution and federal law.



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The Reapportionment Process

- The Constitution requires each state to have at least one seat in the House of Representatives and seats should be based on state population.
- The Permanent Apportionment Act of 1929 set the number of seats in the House of Representatives to 435.
- The Apportionment Act of 1941 determined the timeline of the reapportionment process and the formula used for the number of seats per state.
- The populations of Washington, DC and U.S. territories are not considered when determining the amount of representatives each state receives.



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Post-COVID Census and Apportionment Timeline

April - October 2020 - Census Operations

April 26, 2021 - Delivery of Apportionment data to the President

April 2021 - Delivery of Apportionment data and state delegation size to the Clerk of the House

April 2021 - Delivery of Apportionment data to each state

August 12, 2021 - Census Bureau provides population data to all states

Regular Census and Apportionment Timeline

April - July 2020 - Census Operations

December 31, 2020 - Delivery of Apportionment data to the President

January 2021 - Delivery of Apportionment data and state delegation size to the Clerk of the House

January 2021 - Delivery of Apportionment data to each state

April 1, 2021 - Census Bureau provides population data to all states



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2021 Reapportionment



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**Apportionment
Population**

331,108,434

**Average Congressional
District Population**

761,169

**States that lost a
Congressional seat**

7

**States that gained a
Congressional seat**

6

**Six states with only
1 U.S. Representative:**



Alaska



Wyoming



Delaware



South Dakota



Vermont



North Dakota

States that lost seats



Ohio



New York



Illinois



California



Michigan



**West
Virginia**



Pennsylvania

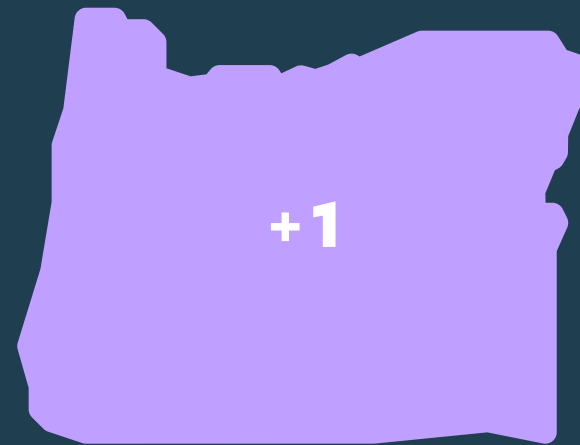


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States that gained seats



Florida



Oregon



Texas



Montana



**North
Carolina**



Colorado



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The Steps to Redistricting

1



Census

2



Reapportionment

3



Redistricting



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Federal Redistricting Guidelines

Redistricting processes are almost completely controlled by the State.

While states control most of the redistricting process, federal standards and guidelines must be followed.

Judicial decisions set the parameters that states must follow when drawing congressional districts.

Important federal guidelines and jurisprudence:

Section 2c of Title 2 of the United States Code
One Person, One Vote
Section 2, Voter Rights Act



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Federal Guidelines Summary

- One Person, One Vote – All congressional districts in the state should have the same population size
- Section 2 of the Voter Rights Act – Congressional districts that dilute minority voting strength cannot be drawn
- The Department of Justice no longer has pre-clearance authority over certain states
- Single member districts (2 U.S. Code § 2c)



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Fair Redistricting Principles

**Population Equality
(Up to 10% deviation)**

Contiguity

**Preservation of Political
Boundaries**

Compactness

Fair and Effective Representation

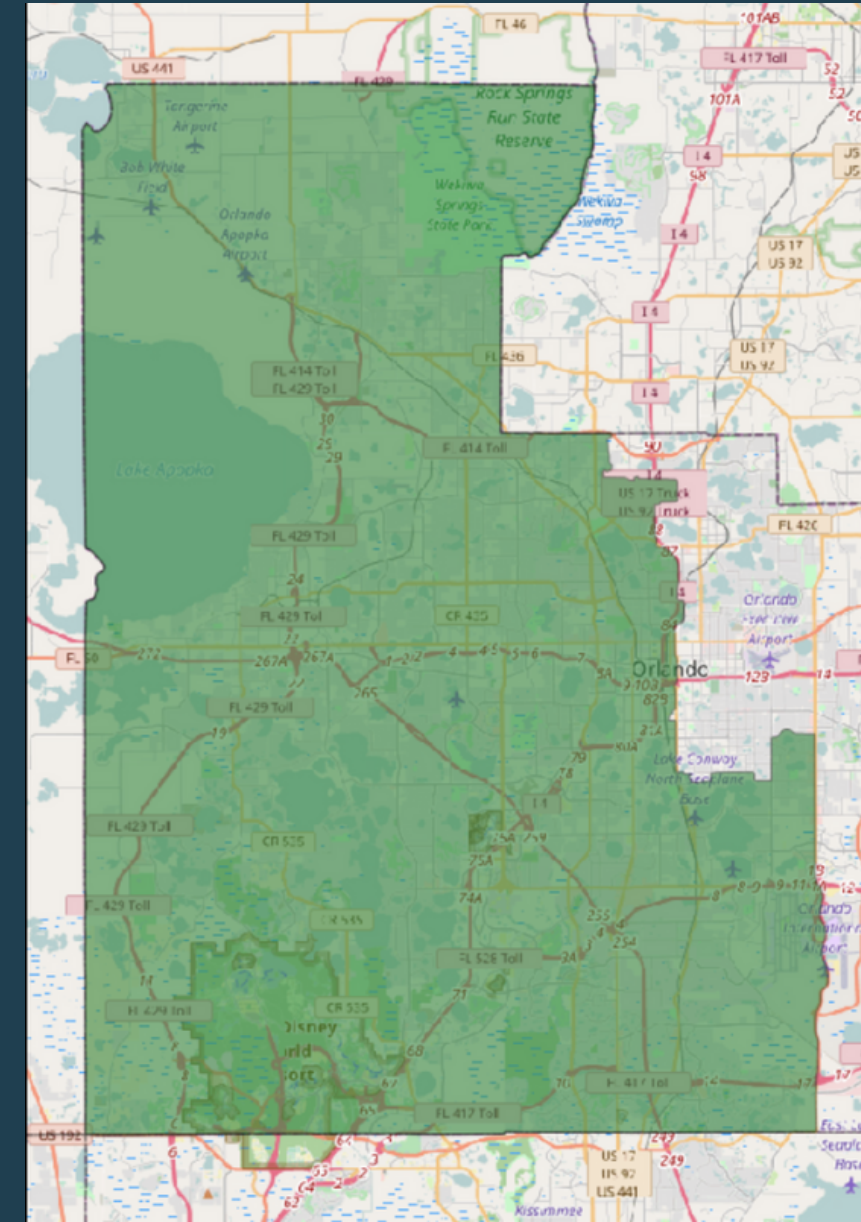
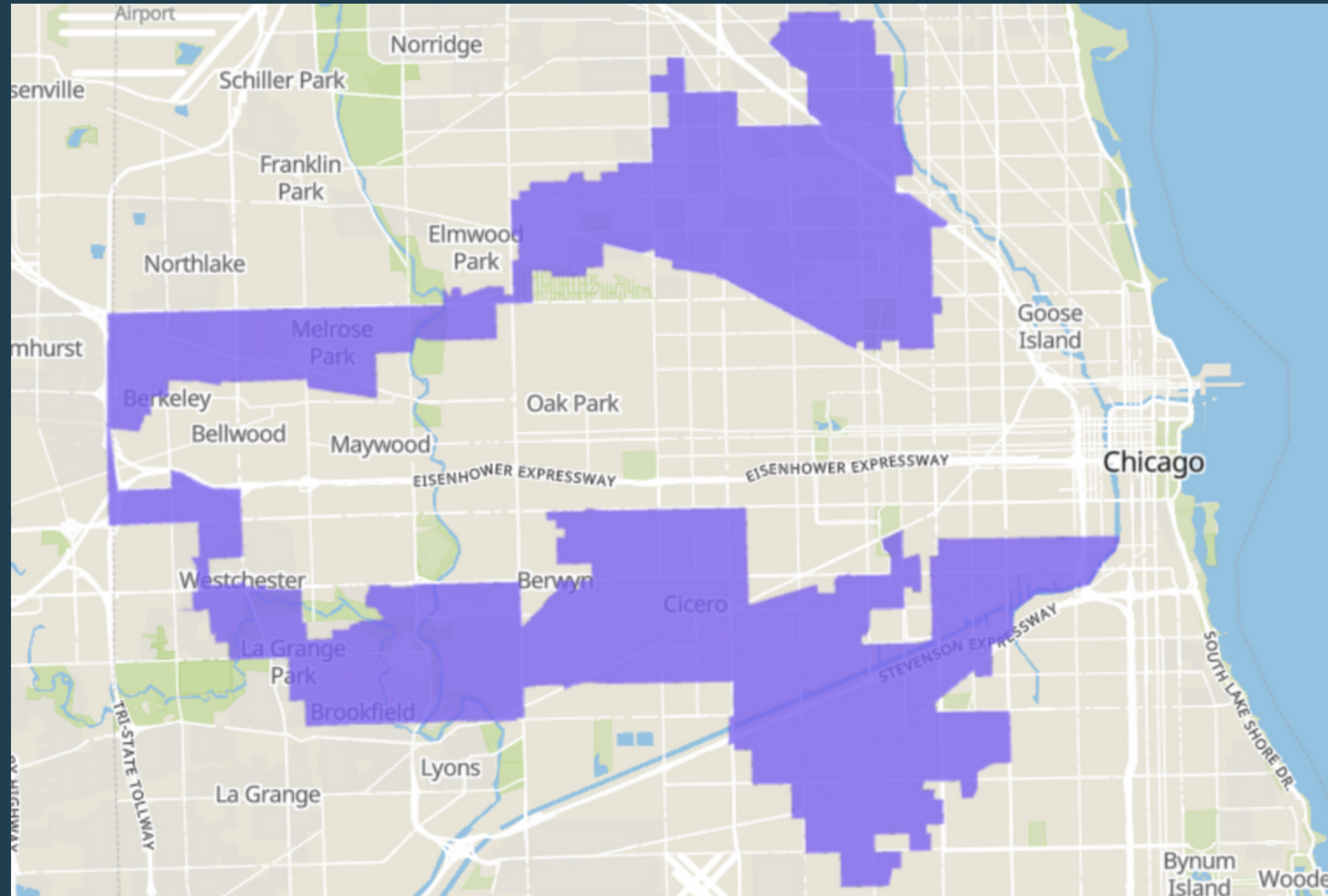
**Preservation of Communities of
Interest**



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Examples of Congressional Districts



What is Gerrymandering?

Gerrymandering is the process of designing districts that unfairly favor one group over another.

It's named after Gov. Elbridge Gerry of MA – who signed a redistricting bill that favored Democratic-Republicans. One of the districts was "shaped like a salamander."



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The First "Gerrymandered" District



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Packing & Cracking

Packing

Gerrymandering practice that consolidates or "packs" minority populations into districts. The intention is to "sacrifice" one seat to make the surrounding areas more competitive.

Cracking

Gerrymandering practice that divides a community into several districts. The intention is to dilute the voting power of that community and prevent them from gaining representation.



Packing Example



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District 1

District 2

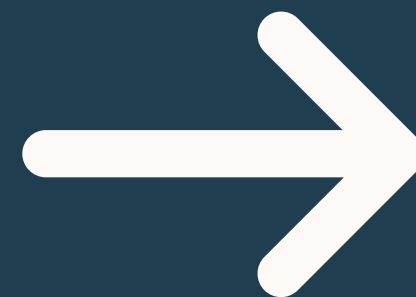
District 3



Majority

Majority

Competitive



District 1

District 2

District 3



Minority

Minority

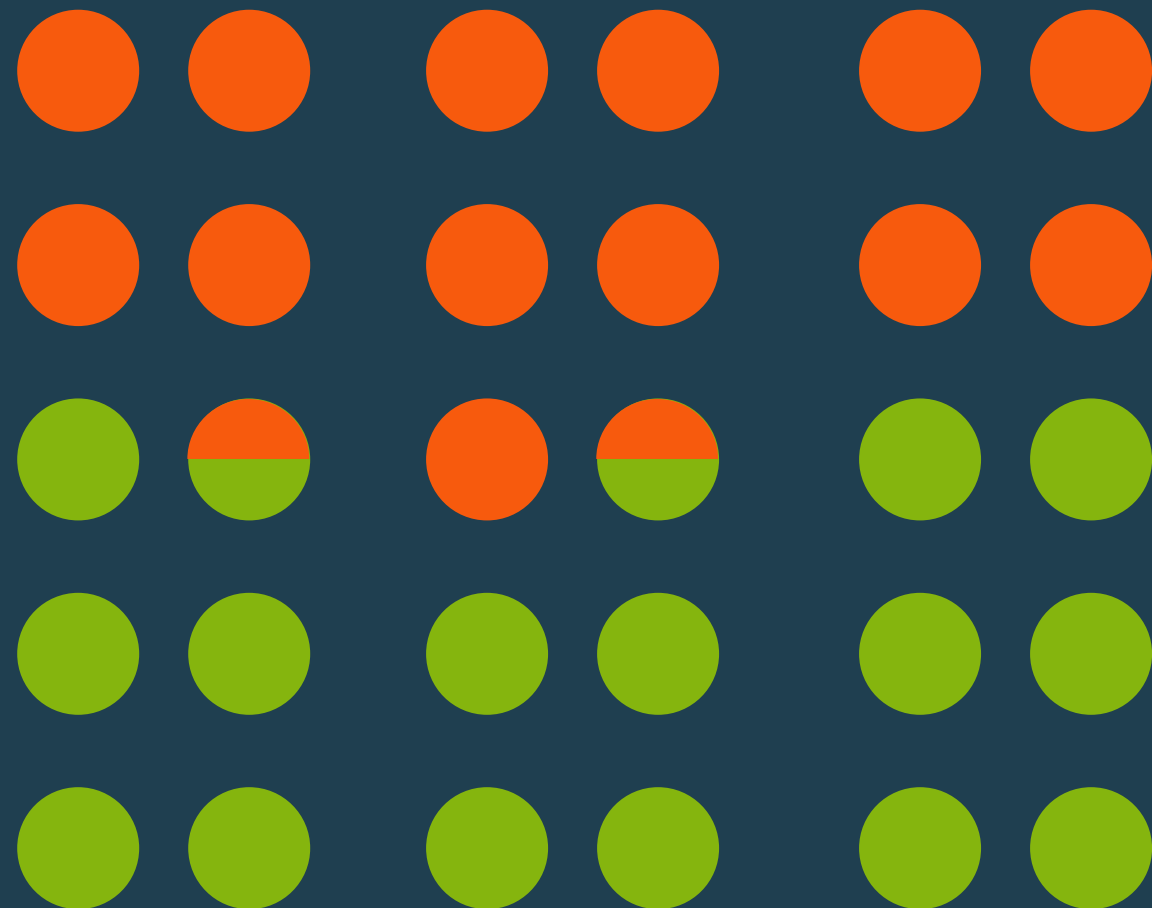
Majority

Cracking Example

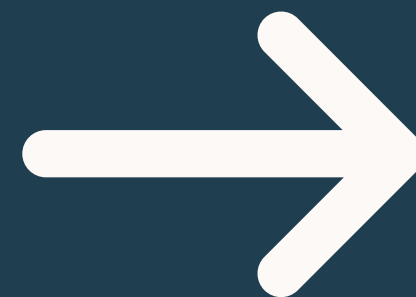


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District 1 District 2 District 3



Majority Minority Majority



District 1 District 2 District 3



Minority Minority Majority

The Redistricting Process



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- Every state has different timelines and processes for redistricting.
- State legislatures control the redistricting process in most states – including the drawings of congressional maps.
- Governors can veto redistricting maps in some states.
- Some states use redistricting commissions to draw the congressional maps. The composition and power of redistricting commissions vary by state.
- There are no shared criteria among states for drawing congressional districts.



Decision Makers



**State
Legislatures**



Governor



**Redistricting
Commissions**



**Judicial
Branch**

Getting Involved



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**Provide
Testimony**



**Engage
with Stakeholders**



**Join
Groups/Coalitions**



**Inform
Neighbors & Friends**



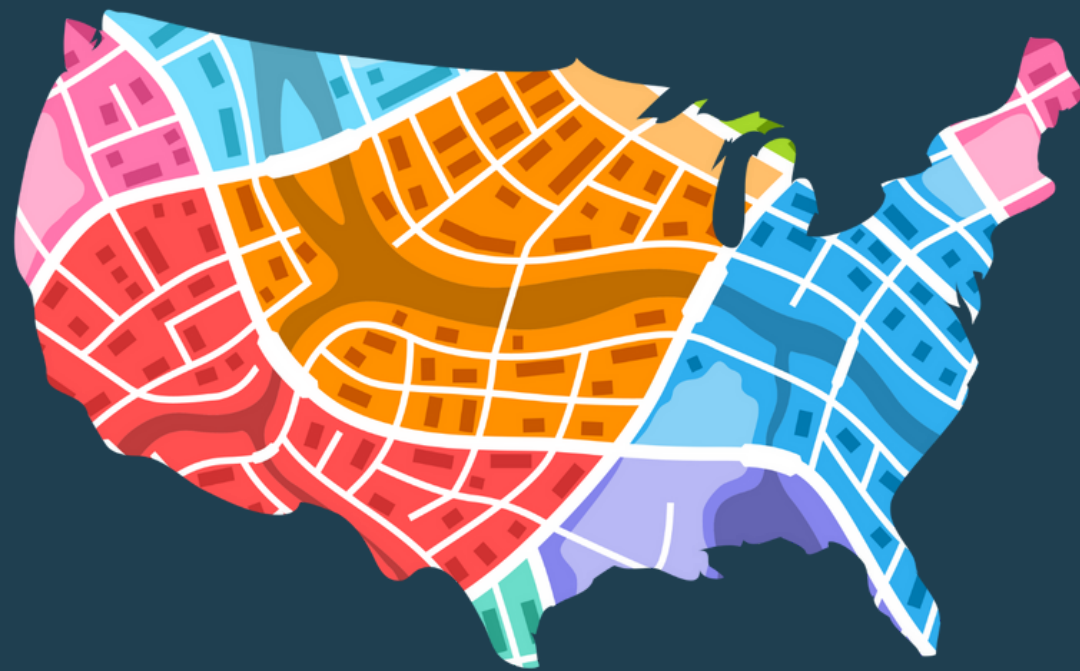
**Sign/Create
Petitions**

Homework

- Complete the Redistricting 101 course assignments listed under the "Homework" tab in the Redistricting Academy website
- Email us at racademy@hispanicfederation.org with any questions you might have



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