

**ELECTED OFFICIALS +
FAIR DISTRICTING**

**A Toolkit to Prepare
Your Constituents and
Communities for
Redistricting**

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A Call to Action

It is difficult to overstate the power civic engagement has to shape our lives. The decennial census provides the opportunity for every person to be counted where they live so they are seen, and voting allows every qualified person the chance to determine who will best represent them. **Every 10 years, after each census, the boundary lines of election districts are drawn.** The population within these districts can change over time, leaving some communities underrepresented and others overrepresented in government. **Redistricting is the process of drawing those district lines to equalize the population and reach equal representation between districts.**

As an elected official, you are called to recognize the significance of this moment. You must be **diligent and steadfast in your efforts to educate, encourage, combat misinformation, and alleviate anxiety that is felt by your constituents and communities.** It is imperative to work towards fair redistricting processes. Whether you are a **member of Congress, governor, state legislator, mayor, councilperson, school board member, or other elected official,** your respectable standing and ability to mobilize your constituents is critical to achieving full participation and transparency in the redistricting process. The people in your district will depend on you to ensure that lines are drawn fairly, represent who they are, and include key areas that make up the communities they reside in.

Whether it is the church or college most people in the community grew up attending, or provided jobs for them, even the community park that hosts sporting events for their children and grandchildren, these areas tell the story of the importance of community to the well-being of its citizens. As a candidate, you were able to mobilize and engage your community. Now, as an elected official, you have the awesome opportunity to lead the charge to identify shared areas that define “communities of interests” and work with your local networks and partnerships to demonstrate what these communities of interest look like on a map.

Fair Count has designed this toolkit as a guide for understanding the process of redistricting and fair redistricting practices, and the importance of shaping your districts to reflect the shared values of your communities. This kit will also provide additional resources to help provide information to your constituents. **You are a vital component who can help promote the fact that fair redistricting efforts must be conducted to ensure that all communities are equitably represented!**

What is Redistricting?

Redistricting typically takes place after the census and refers to the process of drawing the lines of electoral districts; it determines who represents the citizens in government. Redistricting can affect all electoral districts: Congressional, state legislatures, county commissions, city councils, school boards, or any other district. Redistricting is done to account for population shifts; however, redistricting can also occur at other times for other reasons, or in a few states, for no reason at all. Redistricting often has a substantial impact on how different communities are grouped together.

A note on terminology: Research by ASO Communications and Frameshift has found that people are extremely unresponsive to the word “redistricting”. Although that is the name of the process of redrawing districts, people are more likely to be interested and respond to “fair districting,” “community districting,” or even just “districting,” which sounds less bureaucratic to people. From here on out, we’ll refer to redistricting using these terms.

How Does It Work and Why Is It Important?

Districting refers to the drawing of voting districts in each state, including those for Congressional, state legislatures, county commissions, city councils, school boards, or any other district.

The manner in which district lines are drawn requires putting voters together in groups. The lines can keep people with common interests together or split them apart. Depending on which voters are grouped together in a district, district lines have the potential to change the composition of an entire legislative delegation.

DEEPER DIVE: The ‘When’ of Redistricting

In the 1960s, the US Supreme Court ruled that legislative districts must have approximately the same population according to figures that are reasonably up to date. For practical purposes, this means electoral district lines are usually drawn at least once every 10 years – after each decennial US Census.

In some states, though, electoral district lines may be redrawn at any time – in the middle of a decade or even several times during the decade. Some states have laws requiring that electoral district lines be redrawn before the next census, or that they may be redrawn only under certain circumstances (e.g., if existing electoral district lines are struck down by a court). Moreover, states have different rules for drawing congressional districts and state legislative districts – some have no rules at all for when electoral district lines should be redrawn.

What are Communities of Interest?



One of the “best practices,” principles, or considerations used when drawing electoral districts on a local level is a goal of keeping neighborhoods and communities intact within a single electoral district (e.g., a city council or supervisorial districts). This may be referred to as keeping a “community of interest” together.

Communities of interest are the overlapping sets of neighborhoods, networks, and groups that share interests, views, cultures, histories, languages, values, and whose boundaries can be identified on a map. Relationships with political parties or elected officials and candidates are **not** considered communities of interest.

The following considerations help define communities of interest:

- Shared interests in schools, housing, community safety, transit, health conditions, land use, environmental conditions, and/or other issues;
- Common social and civic networks, including churches, mosques, temples, homeowner associations, and community centers, and shared use of community spaces like parks and shopping centers;
- Similar racial and ethnic compositions, cultural identities, and households that predominantly speak a language other than English;
- Similar socio-economic status, including but not limited to income, homeownership, and education levels;
- Shared political boundary lines from other jurisdictions, such as school districts, community college districts, and water districts.

While local governing bodies likely know many of the communities of interest in their jurisdictions, there will inevitably be some communities they do not know well and some they do not know at all. A holistic picture of the communities of interest in any city or county takes shape only through extensive public testimony from a diverse set of community members.

What are the Types of Redistricting?

Redistricting may be performed at each level of government and for the electoral district boundary lines in a state. Types of redistricting include:

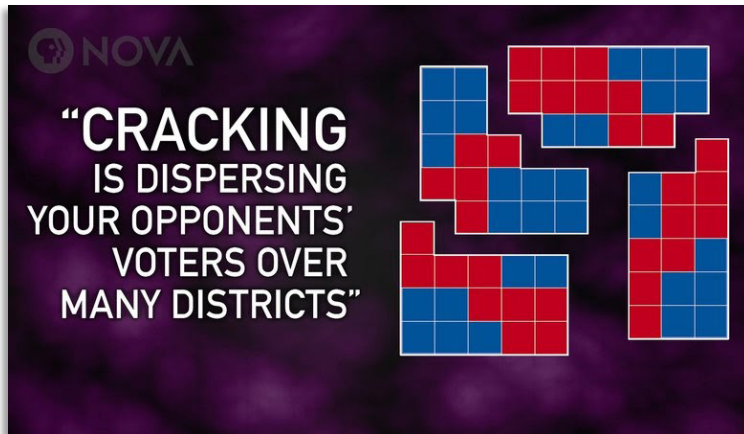
- **US Congress**
Federal level
- **State House and Senate**
Legislative
- **County Commissioner**
County level
- **City and Town Leadership**
Municipal level
- **School Board**
School District level
- **Career & Technical Ed. Board**
Schools District level
- **Court Districts**
Judicial level
- **Voter Precinct Committees**
Elections



What Are the Challenges to Fair Districts?

The American Civil Liberties Union (ACLU) outlines that the US Constitution prohibits drawing district lines that intentionally discriminate against individuals or communities because of race or ethnicity. Challenges to fair districting include overcoming practices that weaken the voting power of minority groups.

Two techniques frequently used to dilute minority voting strength are “cracking” and “packing.”



Cracking refers to fragmenting minority populations and dispersing them among other districts to dilute the minority population vote.

Example: In 2010, the North Carolina Legislature split North Carolina A&T State University, the largest HBCU in the country, directly down the middle into two.

Packing refers to the consolidation of minority voters into a small number of districts to decrease their voting power in surrounding districts and weaken their overall voting power.

Example: In 1882, white legislators in South Carolina redistricted the state so the vast majority of the Black population was centered in the 7th “Boa Constrictor District,” and all other districts were majority white. South Carolina had a majority Black population at the time but only one majority Black district. ([The South Carolina Historical Magazine, 2012](#))



These techniques may result in a districting plan that violates the **Voting Rights Act**.

According to Professor Justin Levitt of Loyola Law School, the Voting Rights Act concerning race and ethnicity in the redistricting context can be summarized by three concepts:

1. Don't draw lines that set out to harm voters based on their race or ethnicity.
2. Where discrimination plays or has played a significant role, and where voting is substantially polarized along racial or ethnic lines, look at electoral patterns and decide whether minorities already have proportionate electoral power. If not, the Voting Rights Act might require a change to the lines to give a compact and sizable minority community an equitable electoral opportunity they do not currently enjoy (i.e. the creation of majority-minority districts).
3. When considering race in drawing districts, whether to satisfy the Voting Rights Act or otherwise, consider other factors in the mix as well.

Prisonmandering

According to the NAACP Legal Defense and Educational Fund, prison-based gerrymandering, or prisonmandering, is a practice where state and local governments count incarcerated persons as residents of the areas where they are incarcerated, rather than the location of their home address, when voting district lines are drawn. This leads to an inflation of the population of the districts where prisons and jails are located and weakens the voting power of everyone living outside of those districts. This problem is not limited to any particular region, and it affects both rural and urban communities alike.

While this isn't something that can be completely fixed before this upcoming redistricting cycle, there are steps that we can take to keep it from happening in the future. The Prison Policy Initiative's Prison Gerrymandering Project offers two ways elected officials can address prisonmandering:

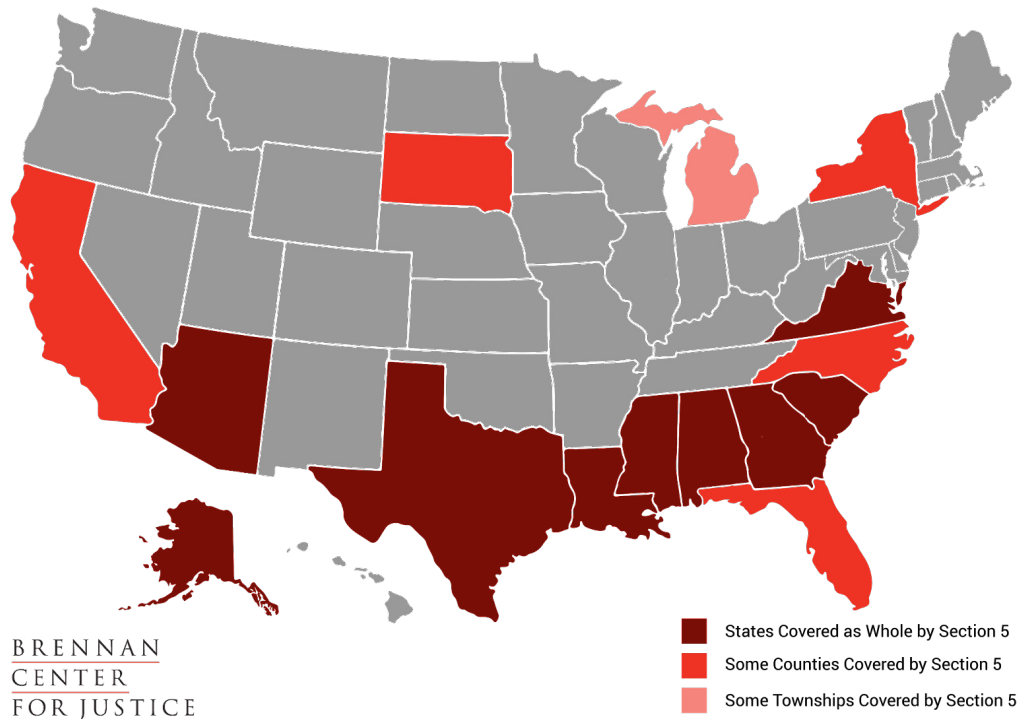
1. The state can standardize the collection of home address information when people enter the custody of the Department of Corrections. Over time, this will generate a complete dataset of home address information for use in future redistricting processes or for the Census Bureau to use directly.
2. The state can prohibit state, county, and municipal legislative districts from using prison populations as padding. The populations counted in correctional facilities should be declared as living at "addresses unknown" and only count at-large rather than in any specific geography in the data used for districting, except where home address data exists and a state agency can adjust the Census Bureau's redistricting data to reflect those people being counted at home. This solution would immediately eliminate the majority of the electoral harm caused by prison gerrymandering and would, by the next census, provide a complete solution that counted everyone in the correct location.

Deeper Dive: The Voting Rights Act

The federal [Voting Rights Act of 1965](#) was designed to combat tactics denying minorities the right to an effective vote, including redistricting techniques like packing, cracking, and stacking. As federal law, the Voting Rights Act overrides inconsistent state laws.

- From 1965-2013, the Voting Rights Act had an especially powerful provision, Section 5, targeting jurisdictions with the worst history of racial discrimination. In these areas, the Act required that **every** change in election rules (including redistricting rules) be approved by the Department of Justice or a federal court before they took effect. This process was called “preclearance” and helped stop discrimination before it had the chance to work.
- In 2013, the U.S. Supreme Court decision in [Shelby County v. Holder](#) ruled the Section 5 preclearance process unconstitutional. As of this cycle, maps proposed by states with a history of racial discrimination DO NOT have to get their maps approved by the DOJ before they’re adopted.

States Covered by Section 5 at the time of the Shelby County Decision



- The remaining provision of the Voting Rights Act is Section 2, which blocks district lines that deny minority voters an equal opportunity *“to participate in the political process and to elect representatives of their choice.”* It applies whether the denial is intentional or an unintended end result.



What Role Can Elected Officials Play in Fair Districting?

As a trusted leader, you are at the forefront of efforts to help your constituents stay informed, organized, and represented in government. Ways to do that can include:

- Working with other elected officials, at all levels, to ensure that maps are fair and the redistricting process is carried out with transparency and public input.
- Holding town halls, speaking at PTA meetings, writing letters to other elected officials, sending letters to the editors of news organizations, and sharing information about upcoming hearings and events.
- Communicating via virtual events, through email, on social media, and through other channels that provide you with a unique ability to reach a large audience and increase understanding about redistricting.
- Leveraging your strong relationships and partnerships with local businesses, organizations, nonprofits, educational institutions, and community and faith leaders for assistance in increasing awareness, trust, and, ultimately, participation.
- Learning as much as you can about the redistricting process and advocating for transparency and access!

What Role Can Your Constituents Play in Fair Districting?

Identify Communities of Interest

Work with people and groups with shared values to determine the neighborhoods and cultures that define the “communities of interest” in your area. The understanding of where people live and places are located can guide the boundaries of the community and be used for drawing fair districts.



Create a map of your community

Once “communities of interest” are identified, drawing a community map will visually depict what the community looks like. A map that visually depicts a “community of interest” can potentially be used by map drawers and analysts when considering proposed electoral district maps. Constituents can use free map-drawing tools (discussed below) to draw and share community maps.

Attend Public Hearings & Provide Testimony

Encourage your constituents to provide testimony about what defines their community (community of interest) as a whole. Most states hold public hearings to listen to testimony from community members. Once census data is received by the states, hearings allow people the opportunity to share their thoughts about population shifts that will likely significantly change the makeup of their communities. Constituents can learn more about how their state holds hearings by visiting redistricting.ils.edu.

Attend Town Halls

Town halls can help provide information to all stakeholders about redistricting and how it will affect communities. It also allows elected officials the opportunity to answer questions community members have and identify the next steps people can take in the process.

RESOURCE: Sample Events

Community involvement is key to advocating for maps that accurately reflect communities of interest. The [National Conference of State Legislators](#) has provided some examples of activities/events that you can host in your district:

Fair Districts Town Hall/Chat:

Host a webinar or tele-town hall in your district that provides a basic explanation of what fair districting is to your constituents (consider recording the event). Question-and-answer sessions help identify the issues/concerns that people have going into the districting process, which can help you personalize messaging that goes out to your constituents (See Resources: Sample Constituent Emails). We will have an external Redistricting 101 slide deck you can use for this purpose.

(Virtual) Listening Tour:

Host meetings with different people and/or groups throughout your district to better understand how your constituents want their communities to look. This can happen after initial maps are proposed.

Map-Drawing Sessions:

Having community members draw maps of their communities is key both when providing feedback on draft maps at hearings and as on-the-record information in potential legal proceedings. The Princeton Gerrymandering Project Representable website allows communities to draw their own maps and can be found at representable.org. Other mapping tools exist that allow individuals to draw districts themselves, such as [Districtr](#), [Dave's Redistricting App](#), and others.

Faith Community Events:

You can partner with local faith leaders to encourage congregations to participate in community districting. If you have access to a network of faith leaders, encourage them to use their worship services to promote participation in districting events in your district. For resources for faith leaders, please download our faith toolkit at faircount.org.

Discuss Fair Districting During Existing Organization and Community Meetings:

Consider introducing fair districting as an agenda item during weekly and monthly meetings that you already attend, such as fraternity/sorority meetings, church meetings, etc.

Set up an Email/Phoneline for Feedback:

Provide an email address and/or phone number that constituents can use to provide feedback about what should be included in maps of the community.

RESOURCE: Sample Constituent Emails

August

Subject Line: A Fair Districting Summer

While the counting part of the 2020 Census is over, the next step we can take to help make sure everyone is represented is having our voices heard during the districting process. Now is the time to advocate for a fair drawing of lines that define our communities. Here is how you can help:

Learn Why Fair Districting is Important and How It Affects Your Community:

Redistricting will define the district boundary lines for every elected office, from Congress to school board, and determine who will be in each district to vote. Reach out to your elected officials and visit online sites like Dave's Redistricting App for more information to help work for fair districting in communities.

Identify and Work With Like-Minded People in Your Community: What people or groups are a part of your community? What community centers, churches, schools, and other important places define where you live? Find people in the organizations you are a part of, events you attend, and folks who have lived in your community to discuss what defines the boundaries of your area.

Who Controls the Process Where You Live?: Will your state senators and representatives be in charge of the districting process or will it be decided by an independent commission? Find out who will be making the final decision about what your community will look like.

When and Where Will Public Hearings Take Place?: Once you know who will be drawing the lines, it is important that they know what should be included to define your community. Find out the time and location of any upcoming redistricting hearings in your area.

The redistricting process will determine what our communities look like for the next 10 years and beyond. Let's make sure we work together to have the voices of our community heard.

September

Subject Line: (Re) Drawing the Lines

While the 2020 Census counted millions of households across the country, there is more work to do to ensure our communities are being included. Redistricting is the process of drawing the district boundary lines that make up our communities. While the purpose of the process is equal representation, it is up to us to work to make sure that maps are accurately drawn to reflect our identity as a community. The maps drawn in 2021 could impact our community's share of resources for the next 10 years.

Here is where your help is needed. We can help shape the maps by telling the story of our community. Yes, we want to help draw the lines that determine the boundaries of the voting districts that directly impact us, like city council and school board, but it goes deeper than that. We want to make sure our neighborhoods aren't split up, that community centers stay in the community, and that we identify every place and person that defines who we collectively are.

**September
Cont.**

Drawing the maps can be a long, complex process, but there are things you can do to help get fair, community districts:

- Identify the makeup of your area. Which communities should stay together?
- Outline maps of your community at representable.org that show the groups, people, and locations that should be included.
- Attend public redistricting hearings to present community drawn maps, ask questions, and demand fair districts.

We were seen during the census and heard through our vote. Let's work to make sure our communities represent us.

October

Subject line: The Time to Get Involved is Now!

The Census Bureau is scheduled to release redistricting data from the 2020 Census on August 12, and states will begin to determine how the lines that define our community for the next 10 years will be drawn. As the maps are being finalized, it's important our voices are heard.

Here are a few things you can do to get involved:

- Work with groups in your community who have shared interests to determine what the boundaries of the community should be.
- Visit map-drawing websites such as representable.org to create the map you feel best represents the community.
- Make a plan to attend upcoming redistricting hearings to share proposed maps and demand fair districts.

Feel free to reach out to my office for any questions or concerns. Together, we can make sure our community is seen and our voices are heard.

November

Subject line: Make Sure Your Community Is Heard!

Redistricting numbers from the 2020 Census have finally arrived! These numbers will determine what our districts look like and who is included within the boundaries of our communities. To make sure your community is heard during this process, you can do the following:

- Update yourself and others in your community with similar interests about the reported numbers from the Census Bureau for the districts in your community.
- Ask your elected officials when and where redistricting hearings are being held.
- Work with people in your communities to draw maps of what is included in your area. Attending redistricting hearings is so important because your testimony can help people understand what defines the boundaries of where you live and how we can achieve fair districts.

Taking action now is the way our voices are heard about our communities. Now is our time to speak up.



RESOURCE: Fair District Messaging for Your Constituents

- No matter our color, background, or ZIP code, most of us believe that voters pick our leaders, our leaders should not pick their voters.
- Fair Districts are needed to keep the powerful from rigging the game so they get more, while others with greater needs get less.
- Communities of Interest span generations and work together in the same areas. It is important that these communities are not broken apart.
- Attend public hearings about redistricting and talk about the people, places, and boundaries that define our communities. Get involved in community mapping.
- Redistricting affects different parts of our lives. It determines the boundaries for our state senators and representatives, the school districts our children attend, even the precincts where we vote. We have the power to make sure your voice is heard for fair districts!
- Stacey Abrams has said, “If they can erase us from the story of America, they can erase us from the future of America.”
- The road to recovery from COVID-19 is going to be long, but we will get there. And when we do, we need to be sure that the people in our communities are seen and accurately represented in the maps that are drawn.

RESOURCE: Shareable Social Media Content

Elected Officials can share (and urge their constituents to share) accurate and up-to-date information about redistricting online and through their social media networks. Doing so will help provide basic information and messaging about fair districts to your constituents.

- Visit faircount.org to access graphics, articles, and other digital content that can be tweeted, posted on Facebook/Instagram/Snapchat, shared via text or email, etc.
- Follow Fair Count on **Twitter** ([@faircount](https://twitter.com/faircount)), **Facebook** ([@faircountgeorgia](https://facebook.com/faircountgeorgia)), and **Instagram** ([@faircount](https://instagram.com/faircount)) to stay updated. Please retweet and/or share as often as possible.

Fair Count is committed to keeping this toolkit up to date and providing more shareable information.

RESOURCE: CHARGE

CHARGE, the **Coalition Hub Advancing Redistricting & Grassroots Engagement**, is a space for groups that organize people in states and local communities. While each organization brings different skill sets, has presence in different states, and deploys different strategies, all are united around the common goal that redistricting must be transformed to allow more voices to participate, be heard, and ultimately be represented.

CHARGE is committed to empowering people who have been intentionally excluded from voting and electoral politics to have a seat at the redistricting table. The Coalition is grounded in the reality that, as important as this process is, redistricting is **not** at the top of most people's minds and that points of entry must be built that meet people where they are.

CHARGE has nine organizations that work collaboratively to anchor its work: APIAVote, Center for Popular Democracy, Common Cause, Fair Count, League of Women Voters, Mi Familia Vota, National Association for the Advancement of Colored People, National Congress of American Indians, and State Voices.

To learn more about CHARGE or redistricting, visit <https://www.redistrictingcommunitycollege.com/home>.

Black Men Count

Representation matters. In the spring of 2019, Fair Count launched Black Men Count, a statewide Complete Count Committee (CCC) in an effort to help identify and solve the long-term obstacles preventing Black Men from being counted in the census. Seeking to bring together leaders of organizations led by and serving black men to address the historical undercounts of Black men, Fair Count supports the effort and is committed to growing its connection throughout the nation.

Black Men Count has also developed a public discussion initiative called Black Men Speak. This program gives Black men a space to gather and strategize about how to ensure we are engaging civically in Georgia and the nation. The events with this program highlight the challenges facing our communities and the conversations end with concrete solutions and takeaways to tackle the articulated challenges.



Faith Leaders across the nation can use the efforts and materials from the Black Men Count program as advocacy tools in:

- Men's ministry programs
- Returning citizen efforts
- Youth outreach
- Fraternal activities
- Learn more about our national work at blackmencount.org.

When you sign up for the Faith Toolkit email list, you will receive links to media, social, and conversation-starting materials about outreach to Black men throughout the redistricting period.

ADDITIONAL RESOURCES

Redistricting and Transparency: Recommendations for Redistricting Authorities and Community Organizations. Brennan Center, bit.ly/BrennanRedistricting

All About Redistricting. Professor Justin Levitt, Loyola Law School, redistricting.lls.edu.

Everything You Always Wanted To Know About Redistricting But Were Afraid To Ask. American Civil Liberties Union, www.aclu.org/sites/default/files/FilesPDFs/redistricting_manual.pdf

Into the Thicket: A Redistricting Starter Kit for Legislative Staff. National Conference of State Legislatures, ncsl.org/research/redistricting

The Solutions. Prison Gerrymandering Project, prisonersofthecensus.org

Prison-Based Gerrymandering Reform. NAACP Legal Defense and Educational Fund, naacpldf.org

Supreme Court Divided Over Limiting Gerrymandering. ABC News, March 26, 2019, Dwyer, Devin, abcnews.go.com/Politics/supreme-court-ponders-limits-gerrymandering/story?id=61923452

Hastening the Demise of Federalism in the Lowcountry: South Carolina's Congressional Gerrymander of 1802. The South Carolina Historical Magazine, Vol. 113, No. 3, July 2012, Hunter, Thomas Rogers. www.jstor.org/stable/41698115



faircount.org