

CITY OF HAMMOND CENSUS 2020 & REDISTRICTING

April 26, 2022

Dr. William Blair

Who, What, When and Why

What Is Redistricting?

- The process of drawing boundaries of districts to achieve population equality
- Required by Federal and State Law after every Decennial Census

Who Does Parish Redistricting?

- **Governing Authorities** Have This Responsibility For Louisiana's Parishes and Municipalities

When Does this Happen?

□ After Every Decennial Census

□ April 26:

- Reapportionment Data Released to the President

□ September 16th:

- Easy-To-Use Redistricting Data Released to States and Localities

□ Jurisdictions have Timelines

- Statute Requirements
- Election Requirements
- **December 31, 2022**: All Jurisdictions Must Complete
- **Hammond: May 7, 2022**

Why Does this Happen?

- ▣ Federal and State Law
- ▣ Supreme Court Decisions

Why Is The 2020 Cycle Different?

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□ **Census Release Delay**

- Apportionment Data: 4 Month Delay
- PL 94-171 Redistricting Data: 7 Month Delay

□ **State Statutes Timelines and Elections**

- Tied to Census Release Schedule
- Potential contradictions in current law

What Are The Effects?

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- **Hammond Home Rule Charter**
 - ▣ **Section 2-02.**
 - **Changes in district boundaries, reapportionment.**
 - C. Following official publication of each federal census by the United States Bureau of the Census for the area covered by the City of Hammond, and at least six (6) months prior to the next primary election for council members, the council by ordinance, shall alter, change or rearrange council district boundaries so as to provide for population equality among the districts as near as reasonably practicable.

What Are The Effects?

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- **What about Qualifying?**
 - ▣ July 20-23 of 2022

- **What about Submission of Plan to the Secretary of State?**
 - ▣ June 20th of 2022

Federal Legal Requirements

Federal Law: Equal Population

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□ Equal Population

▣ One Person, One Vote

- 14th Amendment of the Constitution

▣ Population Equality: How is it measured?

- **Ideal Population:** Total population divided by the number of districts

- **Deviation:** Amount by which a single district's population differs from the ideal

▣ **Hammond: 19,584 Population & 5 Districts**

- **Ideal Population = 3,917**

- **Allowable Deviation = (+/-) 195**

Federal Law: Equal Population

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□ Equal Population Standards

■ Baker v. Carr (1962)

- Texas state lawmakers had not reapportioned legislative districts since 1901
- Significant population disparities, which in turn diluted the relative impact of votes cast by citizens in more populous districts
- Violating the Equal Protection Clause of the 14th Amendment

■ Different standards for Congress and State Jurisdictions

- Based on different legal provisions
- 10% Standard for State and Local Jurisdictions

Federal Law: Equal Population

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□ Equal Population Standards

- Deviations from this principal are permissible only if incident to the effectuation of a legitimate state interest
 - *Reynolds v. Sims*, 377 U.S. 533, 579 (1964)
- Deviations may be justified when based on legitimate considerations incident to the effectuation of a rational state policy.
- Traditional Redistricting Criteria
- State policies that have been referenced:
 1. **Communities of Interest**
 2. **Compactness**
 3. **Preserving cores of prior districts**
 4. **Avoiding contests between incumbents**

Federal Law: Voting Rights

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□ The Voting Rights Act of 1965

▣ Section 2

- Prohibits any state or political subdivision from imposing a voting qualification, standard, practice, or procedure that results in the denial or abridgment of any U.S. citizen's right to vote on account of race, color, or status as a member of a language minority group

Federal Law: Voting Rights

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□ The Voting Rights Act of 1965

▣ Section 5 (DOJ Preclearance)

- Jurisdiction has burden of showing that the plan neither has the purpose nor the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group
- Alabama, Alaska, Arizona, Georgia, **Louisiana**, Mississippi, South Carolina, Texas, Virginia
- California (4), Florida (5), New York (5), North Carolina (40), South Dakota (2), Michigan (2 Townships)
- Retrogression
- “Any discriminatory purpose”

Federal Law: Voting Rights

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- **Section 4(b) of the VRA of 1965**
 - **Held Unconstitutional**
 - *Shelby County v. Holder, 133 S.Ct. 2612 (2013)*
 - *While voter discrimination still exists, the VRA employed extreme measures to address an extreme problem of voter suppression. That extreme problem no longer exists.*
 - Invoked 10th amendment sovereignty of the states over their elections. States should be treated equally.
 - Congress relied on decades-old data to reauthorize the VRA.
 - VRA has eliminated those barriers to voting for minorities, and disparities in registration and turnout have been erased.
 - **Jurisdictions can be re-added to Section 4(b)**

State Legal Requirements

State Legal Requirements

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□ **Hammond Redistricting Requirement Summary**

- Maintain district populations within a +/- 5% deviation
- Adhere to traditional redistricting criteria when creating districts
- Be conscious of the requirements of the Voting Rights Act of 1965 when creating districts
- Adopt a Redistricting Plan by May 7, 2022

All Municipalities (RS 33:1371)

Municipal Legal Requirements:

All Municipalities (RS 33:1371)

- **After Receiving New Census Data:**
 - ▣ *Examine the apportionment plan* of the municipal districts to determine if there exists any substantial variation in the representation of the districts within **one year** after the official release of every decennial census
 - ▣ By **ordinance adopted by a majority** of the members thereof, either declare the apportionment of the districts to be equitable and continue its existing apportionment plan or provide for a new apportionment plan

Municipal Legal Requirements:

All Municipalities (RS 33:1371)

- **Geography To Be Used In Redistricting:**
 - ▣ The boundaries...shall contain, to the extent practicable, *whole election precincts*
 - ▣ *If...unable to comply with applicable law* regarding redistricting and reapportionment, including adherence to traditional redistricting principles...the municipal governing authority may *divide a precinct* into portions that are bounded by visible census tabulation boundaries or census tabulation boundaries that are the boundaries of the municipality, as applicable.

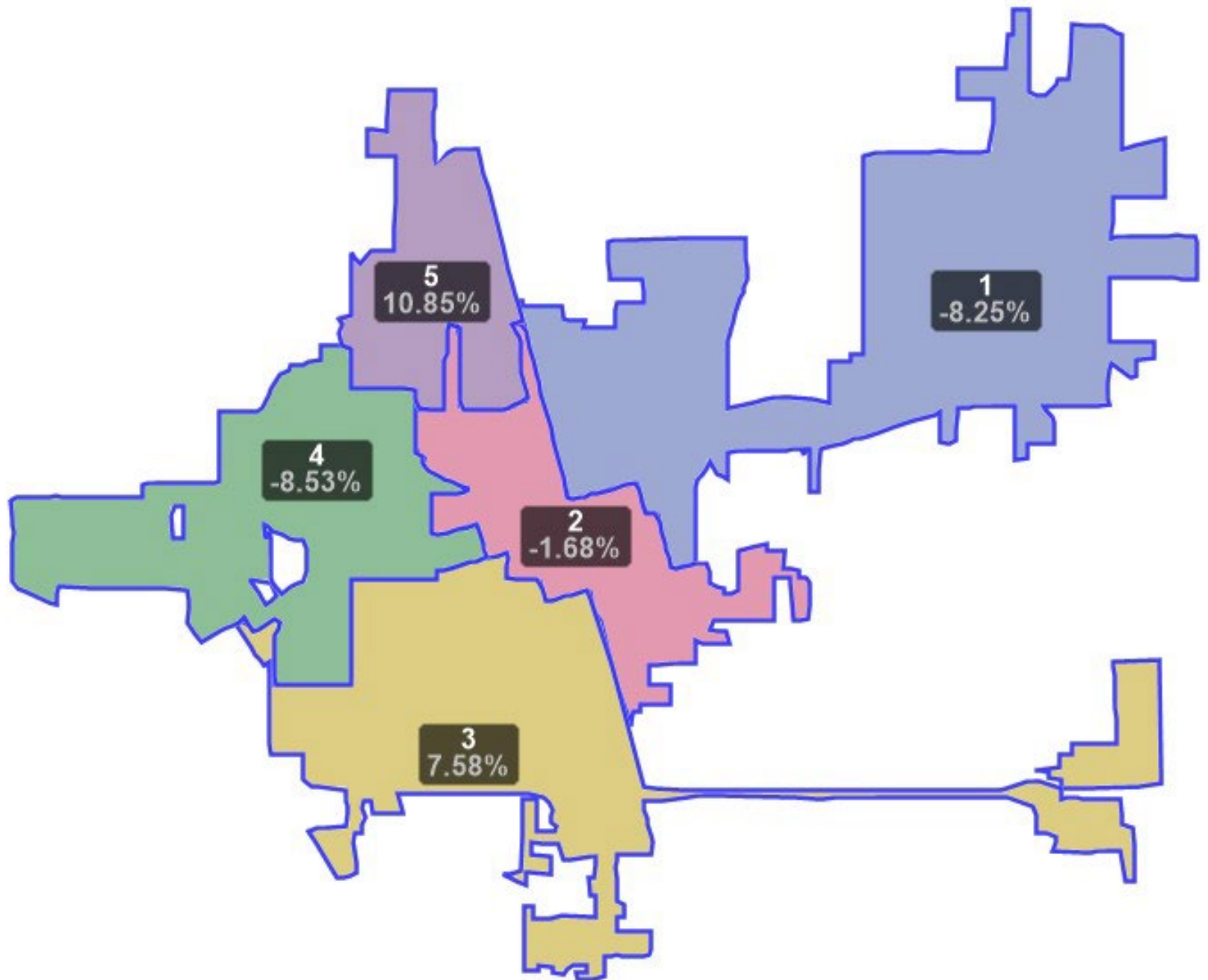
Hammond Redistricting

Census Data & Malapportionment

Hammond Census Information

2010 Census Population					
Total Pop	White	Black	Asian	AmIndian	Other
20,019	9,724	9,632	322	91	250
	48.57%	48.11%	1.61%	0.45%	1.25%
2020 Census Population					
Total Pop	White	Black	Asian	AmIndian	Other
19,584	8,828	9,276	435	271	774
	45.08%	47.37%	2.22%	1.38%	3.95%
2010 to 2020 Census Population Change					
Total Pop	White	Black	Asian	AmIndian	Other
-435	-896	-356	113	180	524
-2.17%	-9.21%	-3.70%	35.09%	197.80%	209.60%

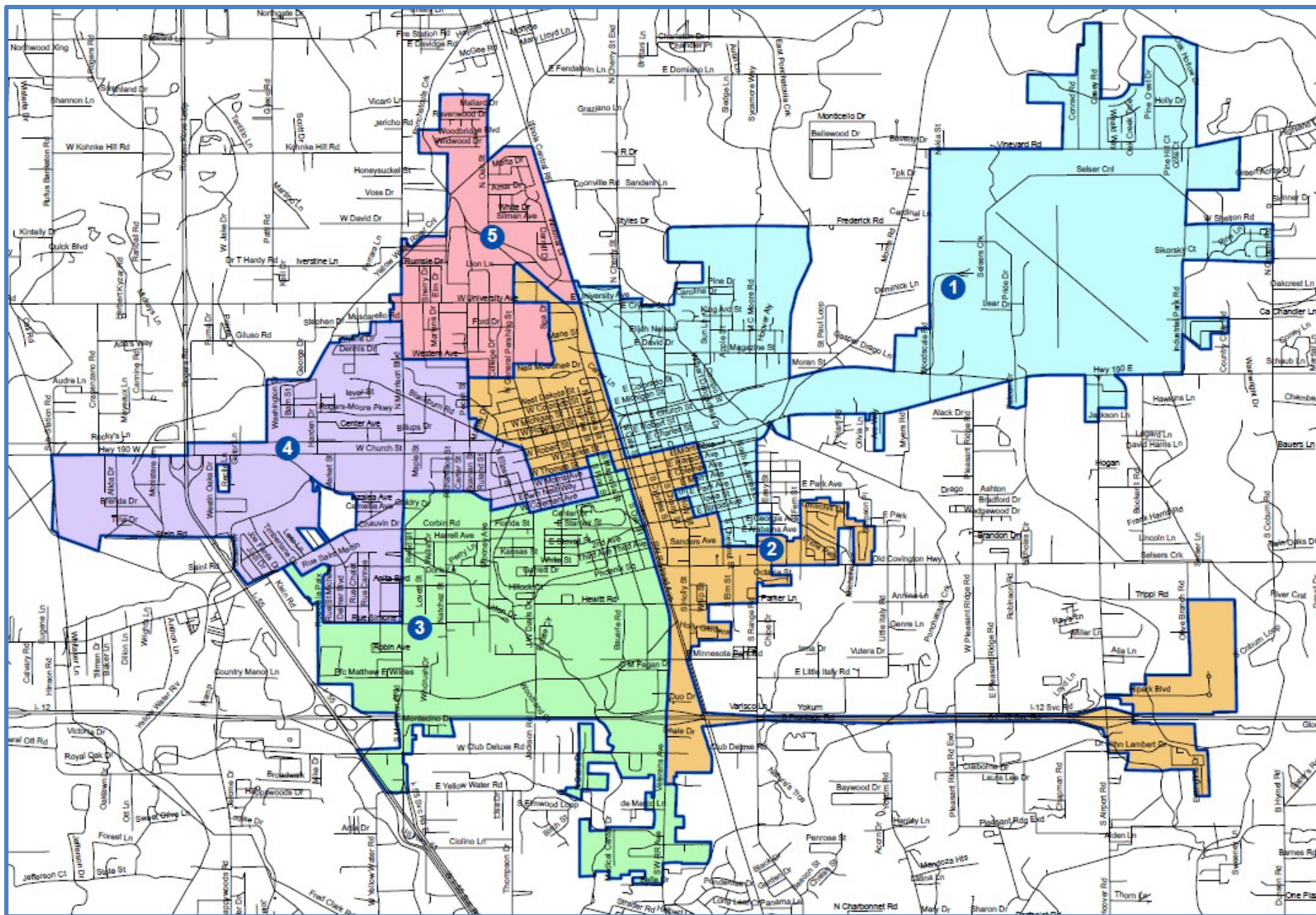
Hammond Malapportionment Map



Hammond 2020 Malapportionment Report

District	Population	Deviation	% Devn.	% TOT_WHITE	% TOT_BLACK	% VAP_WHITE	% VAP_BLACK
1	3,594	-323	-8.25%	35.36%	58.29%	38.06%	56.13%
2	3,851	-66	-1.68%	67.98%	24.77%	69.67%	23.2%
3	4,214	297	7.58%	25.18%	69.89%	28.48%	67%
4	3,583	-334	-8.53%	39.97%	48.98%	45.39%	43.19%
5	4,342	425	10.85%	56.33%	35.17%	56.73%	35.41%

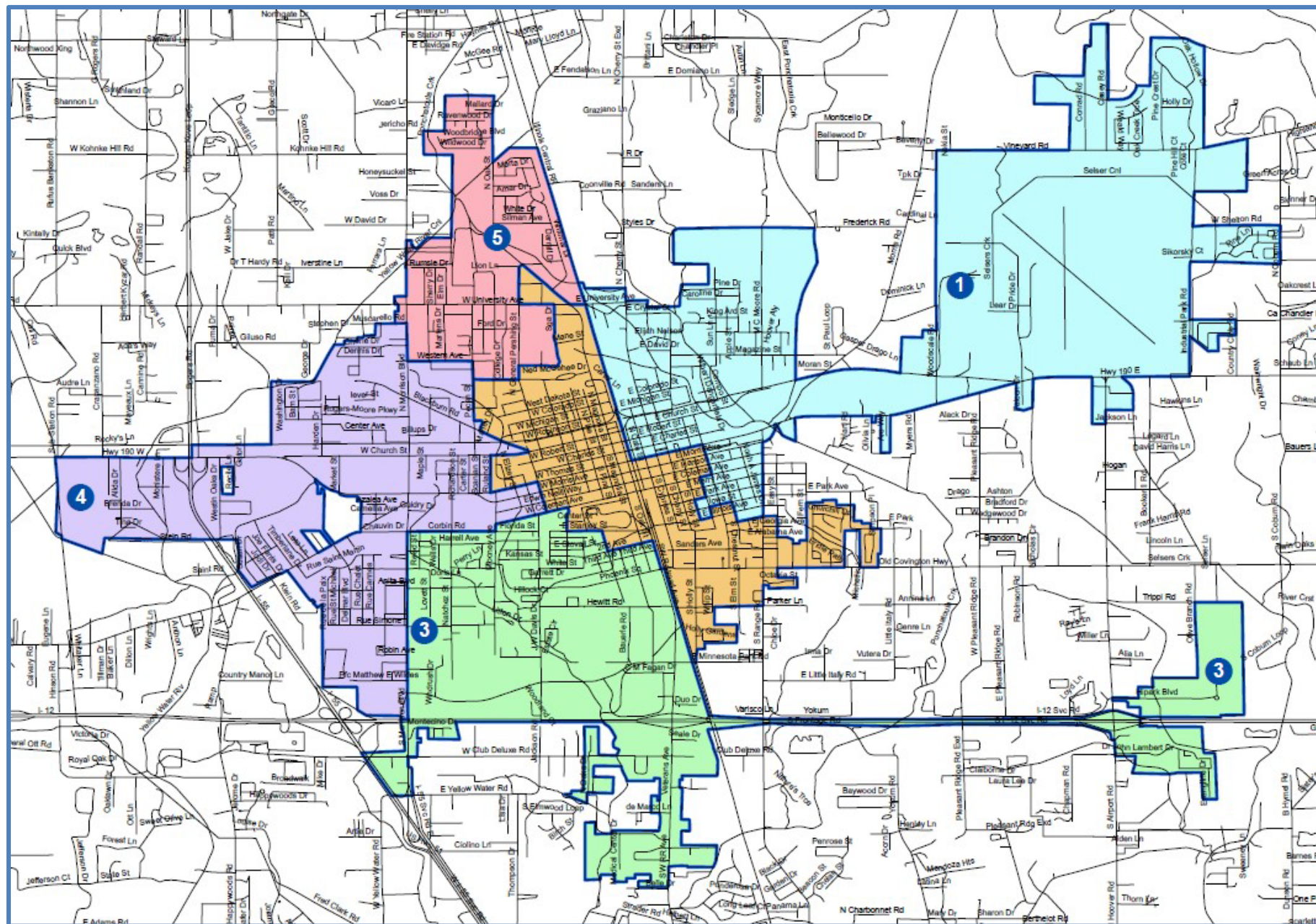
Hammond Plan A



Hammond Plan A

District	Population	Deviation	% Devn.	% TOT_WHITE	% TOT_BLACK	% VAP_WHITE	% VAP_BLACK
1	3,969	52	1.33%	34.69%	58.93%	37.3%	56.82%
2	4,107	190	4.85%	67.42%	23.86%	68.2%	23.26%
3	3,752	-165	-4.21%	17.8%	78.25%	21.19%	75.12%
4	3,737	-180	-4.60%	42.92%	46.45%	48.2%	41.07%
5	4,019	102	2.60%	59.97%	31.97%	60.44%	32.18%

Hammond Plan B



Hammond Plan B

District	Population	Deviation	% Devn.	% TOT_WHITE	% TOT_BLACK	% VAP_WHITE	% VAP_BLACK
1	3,780	-137	-3.50%	35.08%	58.76%	37.82%	56.59%
2	3,988	71	1.81%	65.17%	26.83%	65.98%	26.05%
3	3,805	-112	-2.86%	22%	73.06%	24.55%	71.02%
4	3,992	75	1.91%	41.48%	48.1%	47.07%	42.19%
5	4,019	102	2.60%	59.97%	31.97%	60.44%	32.18%

Redistricting Questions?

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