

## Redistricting - should I change or should I stay?

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Municipal officials should analyze their 2010 Census data to ensure their single-member districts are equally populated. After reviewing the data, local officials can make a reasoned decision on whether the municipality should undertake the redistricting process to redraw its lines.

### Some key questions to ask when trying to determine if redistricting is necessary

**Why should a city redistrict?** Courts have said cities should make “an honest and good faith effort” to create districts with populations as nearly equal as practicable. Also, the Voting Rights Act of 1965 requires districts to be fair to minorities. Redrawing district lines should achieve the required “one person, one vote” single member districts.

If a town’s districts are not equal, a person’s vote is considered not equal given this disparity. In a town of 10,000 residents with five districts, the ideal district size is 2,000 people. If one district has 500 people and another has 5,000, a person’s vote in each district is not proportionate. A vote in the 500-person district is weighted more than a vote in the 5,000-person district.

To decide whether to begin the redistricting process, the municipality should determine its ideal district size, the total population divided by the number of districts. Courts have allowed a deviation in each district of up to 10 percent but prefer the municipality to draw its districts near its ideal district size. If the districts fall within this deviation, the U.S. Department of Justice usually will deem the city to have met its “one person/one vote” mandate.

**What if a town’s population remained the same?** The town still should undergo this initial review to ensure each district’s population stayed the same and didn’t have significant population changes among its districts.

**Should only big cities do this analysis?** No, the same scenario of having its single member districts out of proportion applies to smaller towns as well as larger cities.

**Is it too late to begin?** No. If a municipality decides to undertake the redistricting process, it should begin the process as soon as practical. Generally, the process outline goes as follows:

- City obtains technical and legal advice on how best to proceed. Drawing districts is a particularly complex undertaking encompassing legal and technical issues.
- Before drafting a plan, the city should provide opportunities for public input, especially after creating an initial plan.
- After council approves the new lines, the city must submit the changes to the U.S. Department of Justice for preclearance approval before implementing the plan. The Justice Department has 60 days upon receipt of the changes to object, request additional information or preclear the plan. At this point, towns with a November election probably cannot complete the redistricting process before this year’s election and should not undergo the redistricting analysis until after the election. Towns with an election this spring should have time to complete the process.

**Can future election results be challenged if the districts are not redrawn?** Yes, there potentially could be a legal challenge based on the premise the districts don’t meet the “one person, one vote” standard.