



THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700
County Council

2021 Redistricting Commission

Virtual Meeting

Tuesday, March 23, 2021

Minutes

Members Present:

Rev. James J. Robinson, Chair
Dr. Charlene M. Dukes
David C. Harrington

Council Staff:

Robert J. Williams, Jr.
William M. Hunt
Colette R. Gresham, Esq.
Raj A. Kumar, Esq.
Karen T. Zavakos, Esq.
Kathleen H. Canning, Esq.
Charlotte D. Aheart

Consultants & Consultant's Staff

Dr. Nathaniel Persily, Esq.
Zahavah Levine
Rosalyn E. Pugh, Esq.

1. Call to Order

The initial meeting of the Redistricting Commission was virtually called to order at 3:35PM on Tuesday, March 23, 2021, by the Redistricting Commission Chair, Rev. James J. Robinson.

2. Opening Remarks

Robert J. Williams, Jr., Council Administrator, welcomed the Redistricting Commission members to their first regular meeting and advised them generally about their mission. Chair Robinson and Mr. Williams facilitated introductions of Redistricting Commission members and staff.

3. Introduction to Redistricting Commission

Raj A. Kumar, Principal Counsel to the District Council and Lead Attorney for the Redistricting Commission provided an overview of the Prince George's County redistricting law, including a historical perspective of the County's 2011 Redistricting Plan and process. Mr. Kumar presented the 2021 Redistricting Plan - Timelines; the Prince George's County 2011 Redistricting Commission, September 2011 Plan and Report; and CB-64-2011, the 2011 Redistricting Plan.

4. Presentation: “Redistricting Principles and Procedures: Prince George’s County (2021)”

Dr. Nathaniel Persily, Professor, Stanford Law School, and consultant to the Redistricting Commission, presented on redistricting in 2021. His presentation focused on census data, geographic data, political data, and communities of interest. He spoke on the legal constraints and the paramount importance of one person, one vote. He elaborated on a number of non-partisan principles in redistricting. He focused on the County’s timeline and critical stages of the redistricting process in 2021. Most importantly, he commented on the late timing of the release of the census data and its unique impact on the redistricting process in 2021.

Dr. Persily commented that the focus of the Redistricting Commission is to identify: (1) principles to govern the Redistricting Plan; (2) the role of the Redistricting Commission; and (3) the role of the public in the redistricting process.

Dr. Persily’s presentation is incorporated in the March 23, 2021 Minutes. (See attached.)

The Chairman questioned the methodology that will be used for preparation of the plan and report.

5. Discussion Items

Role of the Board of Election Data

Dr. Persily indicated that the Redistricting Commission will decide about the use of Board of Election data in their Redistricting Plan.

Public Engagement - Public Drawing of Redistricting Plans

William M. Hunt inquired about the public’s drawing of individual redistricting plans which was discussed by Dr. Persily at his March 16, 2021 briefing to the County Council in which he discussed a mapping tool to create redistricting plans. Mr. Hunt asked Dr. Persily to explain the process in a more detailed manner.

Dr. Persily spoke about the use of a mapping tool software to create individual redistricting plans and cited the experience of Lowell Massachusetts, where this modality was utilized. Dr. Persily provided a video demonstration on how the software works.

The Commissioners discussed the mapping tool and Commissioner Harrington expressed concerns about utilizing the mapping tool for this redistricting cycle when census data is available so late in the process and the potential for causing false expectations.

Redistricting of School District Boundaries

Commissioner Harrington inquired as to whether the Redistricting Plan should also include the redistricting of school district boundaries. Commissioner Dukes offered considerations that the school population has a continual movement and asked about the legal authority to include the school district boundary redistricting with the County’s Redistricting Plan. Ms. Karen T. Zavakos provided that school district boundary redistricting is based on separate legal authority and that the County does not have the legal authority to revise school district boundaries.

6. Next Meeting

The next meeting is a virtual meeting on Monday, April 5, 2021 at 3:00PM.

7. Adjournment

The meeting was adjourned at 4:47PM.

Redistricting Principles and Procedures: Prince George's County (2021)

Nathaniel Persily
Stanford Law School

I. Inputs

A. Census Data – P.L. 94-171 file (to be released on September 30)

1. population
2. voting age population
3. racial breakdown

B. Geographic Data

1. Political subdivision lines
2. Old district lines
3. Topographical features
4. Highways/railroads

C. Political Data

1. Election returns from recent elections broken down by precinct
2. Party registration data
3. Location of incumbents' residences

D. Community of Interest Data

1. Locations of churches, industries etc.
2. Association membership lists (e.g., unions)
3. Other anecdotal evidence of communities united by social, economic, or cultural characteristics

II. Legal Constraints

A. Constitutional constraints

1. One Person, One Vote

2. Prohibition on Intentional Racial Discrimination
3. *Shaw v. Reno* -- Prohibition on use of race as the predominant factor in the construction of a district
4. Mild prohibition on partisan gerrymandering

B. Voting Rights Act (Section 2)

1. Applies nationwide

2. Prevents racial vote dilution

3. *Gingles* standard

- a. Minority group must be compact and large enough to constitute a majority in a single member district
- b. Minority group must be politically (and perhaps culturally) cohesive
- c. Racial bloc voting -- White majority votes sufficiently as a bloc to prevent the minority community from having an equal opportunity to elect their candidates of choice
- d. *Johnson v. DeGrandy*: Proportionality is a factor counting in favor of a redistricting plan

III. A Menu of Non-Partisan Principles

- A. Contiguity
- B. Compactness
- C. Respect for political subdivision lines
- D. Respect for “communities of interest”
- E. Avoid bias
- F. Promote competition and responsiveness
- G. Avoid contests between incumbents
- H. Least Change – Preserve cores or configurations of prior districts
- I. Promote efficient election administration and avoid voter confusion

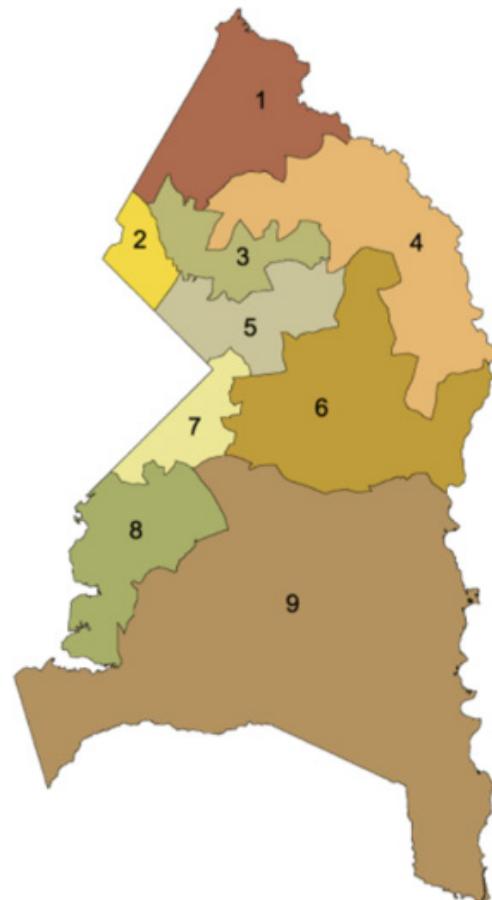
IV. Procedures

A. Critical Stages

1. Assembling the necessary data, geographic files, software and hardware
2. Identifying personnel and assigning responsibilities
3. Consideration of principles
4. Opportunity for public input as to principles and proposed districts
5. Articulation of principles
6. Preparation of a draft plan
7. Release of a proposed plan
8. Public input on proposed plan
9. Preparation of revised plan
10. Approval of revised plan
11. Litigation defending final plan.

B. Critical questions

1. Where to begin? Current map or from scratch.
2. What factors to consider or avoid?
3. How much public/Council input and at what stages?



Timeline

- February 1 – Appoint Commission
- September 1 – Completion of Plan
- Sept 14 – Presentation of Plan to Council
- September 28 – Public Hearing on Plan
- September 30 – Release of Census Data
- November 30 – Plan becomes law if County does not adopt own plan