



Revision to ASR and/or Attachments

Date: June 8, 2021
To: Clerk of the Board of Supervisors
CC: County Executive Office
From: Frank Kim, County Executive Officer 
Re: ASR Control #21-000515, Meeting Date 6/22/21, Item No. # 73
Subject: 2021 Redistricting Plan Update

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County of
Orange, ou=CEO,
email=frank.kim@ocgov.com,
c=US
Date: 2021.06.09 10:09:17 -0700

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

2021 JUN -9 AM 10:26

RECEIVED

Explanation:

The phone number provided for public information and comment related to redistricting should be (714) 834-6000 instead of (714) 834-2206 on pages 5 and 15 of Attachment A.

Revised Recommended Action(s)

Make modifications to the:

Subject Background Information Summary Financial Impact

Revised Attachments (attach revised attachment(s) and redlined copy(s))

Attachment A – Redistricting Presentation



2021 REDISTRICTING

www.ocgov.com/redistricting

County of Orange Redistricting Process June 22, 2021

Presented By: Nicole M. Walsh
Senior Assistant County Counsel

County of Orange





WHAT IS REDISTRICTING?

- ➔ Redistricting is the regular process of adjusting the lines of voting districts in accordance with population shifts.
- ➔ Different levels of government have responsibilities for redistricting following each decennial Census to meet strict requirements for population equality and voting rights protections:
 - ▶ State – Responsible for redrawing Congressional and State legislative districts.
 - ▶ Counties – Responsible for redrawing Supervisorial districts.
 - ▶ Cities – Responsible for redrawing City Council districts, if applicable.





REDISTRICTING STEP ONE: RECEIPT OF CENSUS REDISTRICTING DATA

- COVID-19 pandemic created delays and extended data collection by the U.S. Census Bureau to October 2020.
 - ▶ *Four months later than in previous Census efforts.*

- U.S. Census Bureau plans to release Census redistricting data (P.L. 94-171) to the States by September 30, 2021.
 - ▶ *Five months later than in previous redistricting efforts.*
 - P.L. 94-171 legacy-format data expected by August 16, 2021, but format requires additional processing.
 - State needs 30 days to adjust data for incarcerated individuals.

- Delays impact the redistricting timeline for everyone.





STEP TWO: PUBLIC ENGAGEMENT AND PARTICIPATION





HOW CAN THE PUBLIC GET INVOLVED?

- Participate in public workshops in each Supervisorial District in August.
- Provide feedback on communities of interest.
- Create a draft map.
- Provide comments on draft maps.
- Visit www.ocgov.com/redistricting website.
- Submit comments throughout process to redistricting@ocgov.com.
- Email redistricting@ocgov.com to be receive redistricting updates by email.
- Submit comments via phone at (714) 834-6000.





COMMUNITIES OF INTEREST

- A “community of interest” is a population that shares common social or economic interests that should be included within a single Supervisorial district for purposes of its effective and fair representation.
- Examples include culture, areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities or have access to the same media.
- People can belong to multiple communities of interest.
- Community testimony is invaluable, but base decision on quality of claim, not number of people making it.





PUBLIC ENGAGEMENT REQUIREMENTS

- Four public meetings before adoption of the map including one before the Board of Supervisors' draws a map; two meetings after the Board of Supervisors' draws a map; and one meeting held on a weekend or after 6 p.m. Monday-Friday.
 - ▶ Orange County is providing more opportunities: public hearing/workshops in each Supervisorial District in August.
- Live translation will be provided if requested 72 hours in advance of meeting.
- Redistricting website to be maintained for 10 years.
- Draft maps must be published on the internet for at least seven days before adoption (or three days if there are fewer than 179 days until the next election). Elec. Code, § 21508





COUNTY PUBLIC ENGAGEMENT TIMELINE

July 2021: Board considers public participation plan.

Summer Public Workshops:

- July: Virtual meeting with community-based organizations, government entities, media, and other trusted messengers to promote redistricting involvement by the public.
- July 21 & 28: OC Registrar of Voters' Redistricting Academy held on two days with four sessions.
- August: Public meetings and workshops will be held to provide information on the redistricting process and receive comments, including those regarding communities of interest. Five proposed evening workshops – one in each Supervisorial district.





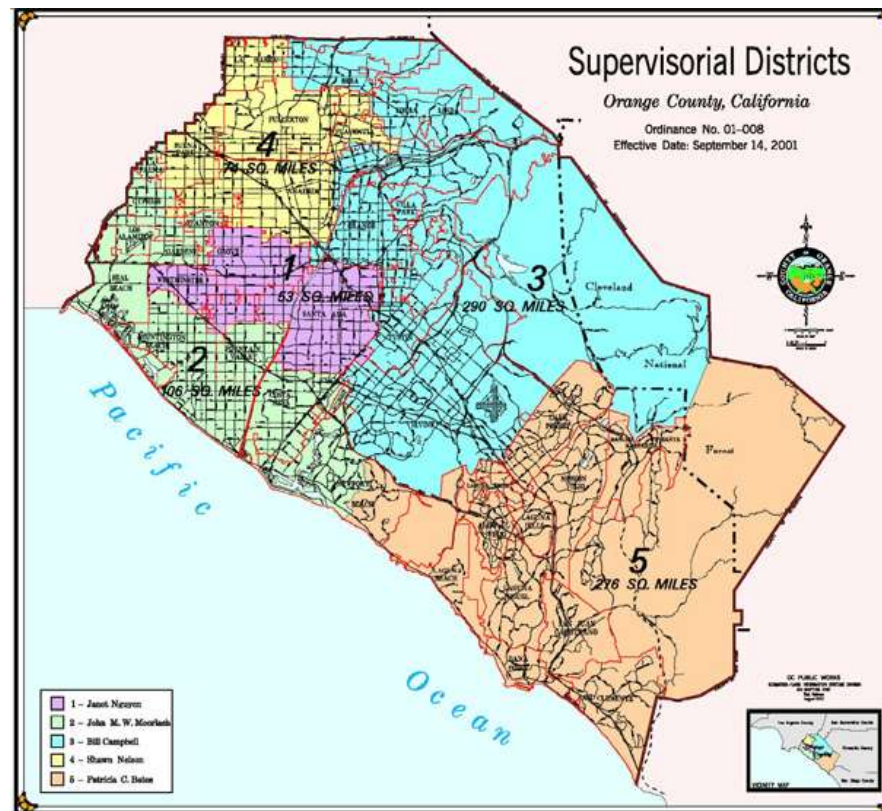
COUNTY PUBLIC ENGAGEMENT TIMELINE

- October 4-15: Estimated public submission period of proposed maps based on receipt from Statewide Database of P.L. 94-171 Redistricting Data adjusted for incarcerated individuals by September 30.
- Nov. 2: Board presents draft map(s) at a public hearing (Board of Supervisors meeting).
- Nov. 9: Public Hearing regarding any possible map revisions or map selection.
- Nov. 16: Public Hearing to select map for preparation of ordinance.





STEP THREE: ADOPTION OF A SUPERVISORIAL DISTRICT MAP IN COMPLIANCE WITH THE LAW





TIMELINE FOR BOARD PUBLIC HEARINGS FOR ADOPTION OF MAPS

- Nov. 17- Dec. 1: OC Survey prepares legal descriptions for ordinance.
- December 7: Board considers first reading of redistricting ordinance/maps.
- December 14: Board considers second reading of redistricting ordinance/maps.
- December 15: Statutory deadline for Board of Supervisors to approve redistricting ordinance maps for June 7, 2022 Primary Election.
- June 7, 2022: Primary Election with updated maps.





LEGAL CONSIDERATIONS: SUBSTANTIALLY EQUAL POPULATION

- Unlike Congressional districts, local electoral districts do not require perfect equality—some deviation acceptable to serve valid governmental interests.
- Total deviation between districts of less than 10% presumptively constitutional.
- AB 849 requires population to be adjusted to count incarcerated people at their home address.





LEGAL CONSIDERATIONS (*CONTINUED*): MANDATORY CRITERIA

- Elections Code § 21500 requires that the Board adopt Supervisorial district boundaries using the following criteria in order of priority:
 - ▶ Geographically contiguous.
 - ▶ Maintain geographic integrity of neighborhoods or local community of interest (share a common social or economic interest).
 - ▶ Respect geographic integrity of city or Census-designated area and minimize division.
 - ▶ Make district boundaries easily identifiable and understandable by residents.
 - ▶ Supervisorial districts shall be drawn to encourage geographical compactness.
- Board also “...shall not adopt Supervisorial district boundaries for the purpose of favoring or discriminating against a political party.”





LEGAL CONSIDERATIONS (*CONTINUED*): VOTING RIGHTS ACT OF 1965

- ➔ Board of Supervisors must adopt a map that complies with Section 2 of the Voting Rights Act, which prohibits voting practices that result in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color.

- ➔ A violation of Section 2 is established if, “...based on the totality of circumstances,” the challenged electoral process is “...not equally open to participation by members of a [racial minority group] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.”





HOW TO FIND OUT MORE

- Visit www.ocgov.com/redistricting website.
- Email redistricting@ocgov.com to be receive redistricting updates by email.
- Phone Number: (714) 834-6000.

