



LOS ANGELES COUNTY REDISTRICTING 2021

COMMISSION AGENDA REPORT

TO: Honorable Commissioners

FROM: Holly O. Whatley, Independent Legal Counsel

DATE: October 25, 2021

SUBJECT: Discussion and Potential Development of Map Evaluation Criteria Regarding 1) vote “acceleration” and “deferral” and 2) Draft Maps that Increase to Six Years the Interval Certain Voters Will Have to Wait Before Voting in a Regularly-Scheduled Supervisorial Election

SUMMARY

The Los Angeles County Citizens Redistricting Commission (LA County CRC) will consider whether to establish map evaluation criteria based on 1) how many voters in a given proposed map will have to wait six years between regularly-scheduled supervisorial district (SD) elections instead of the usual four years and 2) the number of voters who will be represented by a supervisor whose election they did not have an opportunity to vote in.

DISCUSSION

To meet constitutional and statutory requirements in drawing district boundaries, the Commission will necessarily shift populations among the five supervisorial districts. Those shifts will affect when voters next have the opportunity to vote in a regularly-scheduled supervisorial election based on Los Angeles County’s election schedule for SDs. The following table aids understanding the issue.





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Supervisory District	Last Election	Next Election
1	2018	2022
2	2020	2024
3	2018	2022
4	2020	2024
5	2020	2024

As the table illustrates, SD 1 and SD 3 share election years, as do SD 2, SD 4, and SD 5.

Here are two scenarios that illustrate the impact:

- **Example 1: Accelerated votes.** If, for example, some residents in SD 5 are moved to SD 3, those who last voted for a supervisory candidate in 2020 (former SD 5 residents) will now have the opportunity to vote in the 2022 supervisory election, two years earlier than if they had remained in SD 5. These are often referred to as “accelerated” votes.
- **Example 2: Deferred votes.** But if that scenario is flipped and residents in SD 3 are moved to District 5, the time between elections for those is lengthened. Former SD 3 residents, who last voted in 2018, will now have to wait until 2024 until they have the opportunity to vote in a regularly-scheduled supervisory election, which is two years longer than they would have to wait if they were not moved or had they been moved to another district with a 2022 election date. These are often referred to as “deferred” votes.

It is impossible to eliminate entirely that redistricting will place some voters in a “deferred” status. As a result, the Commission may want to develop criteria for evaluating proposed maps or creating draft maps that take into consideration how many voters will be placed in “deferred” or “accelerated” status. For example, as between two maps, one might have a substantially larger number of persons whose election schedule is “deferred” compared to the other. However, the map with the larger number of affected persons may meet other criteria more important to the Commission. Or the Commission may decide that lengthening the election period for some voters is a low priority in relation to the other constitutional and statutory criteria it must consider. ***The decision requires prioritizing among competing values.***

Relatedly, changing district boundaries will unavoidably create districts where, for some period, a portion of residents had no opportunity to vote in the election for the supervisor who represents the district. ***The Commission may not consider the residence address of a supervisor in drawing lines, nor may it draw***





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districts to favor or disfavor incumbents. The issue to consider is not the incumbent, but rather the extent of the effect on the voters in a proposed district.

Some proposed maps have designating SD numbers that have no or little overlap with existing SD numbers. It is not clear whether the renumbering was intentional or simply an arbitrary numbering system with no thought given to the current SD numbering convention. For example, one of the submitted maps refers to the newly configured area of the North County as SD 1, and not SD 5. Such renumbering may have significant consequences. Using an example to illustrate the issue, if the boundaries for the current SD 4 and SD 5 remained the same and only the district numbers were swapped, there would be no “accelerated” or “deferred” voters because both districts share the same election cycle. But the numbering swap would mean that all the residents in each of those two districts would be represented by a supervisor for whom no one in the newly renumbered district participated in the election of.

For policy reasons, the Commission may want to consider the proportion of residents in renumbered districts in proposed maps who will be represented by a supervisor in whose election they did not participate. Similarly, the Commission may opt to direct ARCBridge to renumber the districts to reflect geographic proximity to existing districts.

Alternatively, the Commission may identify competing values that support establishing districts where few residents participated in that district’s election, and the Commission has the discretion to do so.

OPTIONS

1. Develop map evaluation criteria that considers the number of “deferred” and/or “accelerated” voters a proposed map creates and direct staff accordingly.
2. Develop map evaluation criteria for proposed maps that renumber the SD’s such that a significant number of residents would not have participated in a proposed district’s supervisory election and direct staff accordingly.
3. Decline to develop map evaluation criteria for either No. 1 or 2 above.
4. Continue the discussion of possibly developing such criteria to a future meeting.

