

LGBTQ+ REDISTRICTING

National Toolkit
2021-2022

WE BELONG TOGETHER



VICTORY
FUND



LGBTQRedistricting.org



TABLE OF CONTENTS (CLICK TO QUICKLY ACCESS)

The importance of LGBTQ+ input in the redistricting process 3

Quick Background on Redistricting 4

What You Can Do to Participate in the Process 5

Where is Redistricting Happening?..... 6

Ensure LGBTQ+ People are considered a Community of Interest 8

Showcase your LGBTQ+ Community for the mapmakers 9

Public Mapping Tools 10

Alert the Media and Engage Allies 11

Additional Resources LGBTQRedistricting.org 12

THE IMPORTANCE OF

LGBTQ+ INPUT IN THE REDISTRICTING PROCESS

LGBTQ+ involvement in the redistricting process is imperative if we are going to increase the LGBTQ+ Community's ability to elect candidates that will be champions for our community.

Harvey Milk's first election to the San Francisco Board of Supervisors was a result of LGBTQ+ organizing in the redistricting process!



Despite the LGBTQ+ community comprising about 20% of San Francisco voters and turning out at some of the highest rates in the City, LGBTQ+ candidates could not win elections under the City's at-large electoral system.

After Harvey Milk's defeat under this at-large system in 1973, Harvey and other LGBTQ+ activists mapped out the City with precinct-level data and concluded that he could win a Board seat if the city converted to district-based elections. Consequently, the LGBTQ+ community played a leading role in the 1976 proposition to convert City elections from at-large to districted contests.

San Francisco voters approved the change and, following the redistricting process in 1977, Harvey Milk romped to the biggest victory for a non-incumbent in the City – largely thanks to overwhelming support from the LGBTQ+ Community in the city's Castro neighborhood.

As the LGBTQ+ Community works toward empowerment through representation, it's critical to understand and act upon the role redistricting plays in the creation of opportunities for that improved representation.

Asserting our LGBTQ+ Community of Interest is incredibly important to paving the way for our community's leaders to be represented in the policy debates that will shape our future. This toolkit is designed to equip LGBTQ+ organizations and activists as they embark upon this once-in-a-decade opportunity to advocate for our Community of Interest in redistricting processes that are taking place at every level of government right now.

A city doesn't have to be San Francisco to benefit from LGBTQ organizing, redistricting work, and elevating members of the community and allies to public office.

QUICK BACKGROUND ON REDISTRICTING

Following the decennial census, states will redistrict their congressional seats and all seats in the upper and lower house of the state legislature. In some states, there are also districts for statewide tax boards, judges, or other entities.

There are several common legal requirements for redistricting no matter where it is happening:

- Reasonably equal populations: Districts need to be balanced by total Census population in order to ensure that everyone has fair representation.
- District lines must be contiguous – a district should be one whole part, not a collection of disconnected pieces.
- District lines should be reasonably compact – this can be determined using a mathematical formula, or can just be common sense. Is the district oddly shaped for no reason? Is it a long stretched out shape connecting to far-away populations and bypassing nearby populations?

The greatest number of redistrictings are done at the tens of thousands of local agencies – cities, counties, and school districts – across the nation that have districted election systems. They too must redraw district boundaries every decade following the decennial census.

There are also several other important practices for redistricting. These include:

- The Voting Rights Act must be followed: race cannot be a predominant factor in the redistricting. In some cases, this can also mean that an agency must draw majority-minority districts.
- Communities of interest should be respected and not divided when possible – the idea of redistricting is to identify communities and ensure they're not split into multiple districts but are drawn into unified districts where they can have the greatest impact in their elections.
- Political subdivisions, like city and county boundaries, should be respected when possible. This can be a way of identifying communities of interest, like people who share the same city in a statewide redistricting, or live in the same neighborhood in a city redistricting.

Not Equal



Not Contiguous



Not Compact



Gerrymandering is when district lines give one set of people an unfair advantage over others. It can be partisan or racial or just preserving political power for incumbents. Any of these kind of gerrymanderings are unethical, even when an agency can slip through the narrow legal guidelines.

Look out for these Gerrymandering Tricks

- **Cracking:** when district lines divide a community of interest in a way so that a particular group of people cannot elect candidates of their choice because their vote is diluted.
- **Packing:** when district lines are designed to put as many people as possible of a particular group in one district so that they are over-represented and their ability to influence other districts is diluted.

Within the LGBTQ+ population, the most common problem is Cracking. This occurs when district lines are drawn to divide the LGBTQ+ population and weaken their ability to elect candidates who will be champions for our issues.

WHAT YOU CAN DO TO

PARTICIPATE IN THE PROCESS

Participating in your state or local redistricting could seem daunting, but there are simple steps you can take.

Where is Redistricting Happening?

Find out what jurisdictions in your area are redistricting and research what the process is for providing public input.

Showcase your LGBTQ+ Community.

Send an email directly to the public agency defining your local LGBTQ+ Community and letting them know where you are. Attend public redistricting meetings and speak up about your community when they are held. Use public mapping tools to showcase your LGBTQ+ community of interest.

Alert the media and engage allies.

Loudly and proudly promoting the LGBTQ+ community of interest in the public eye is a key piece to winning fair representation.

WHERE IS REDISTRICTING HAPPENING?

Statewide redistricting is happening in every corner of the country.

- Congressional Redistricting
- County City Elected Officials
- Legislative Redistricting
- School Boards / Other Districted elections

Check the LGBTQ+ Redistricting website to find specific information in over 30 targeted municipal areas around the country. There you can find more information for redistricting in many of the redistricting hot spots.

For other areas, most but not all municipalities have ordinances that specifically outline the redistricting process. The American Legal Publishing Corporation's **MUNICODE** is a great resource for find a municipality's city code online.

Searching terms like “redistrict” or “boundaries” will find any relevant sections of the code related to redistricting.

Independent Commission –

An independent commission is composed of individuals selected by an appointment or screening process conducted by an independent entity, like a state supreme court. They can be elected officials, but not from the body for which the map is being drawn. Independent commissions are bipartisan and have Democratic, Republican, and Independent representatives.

Advisory Commission –

A commission that draws a map for consideration by another body such as a legislature. Unlike other commissions, an advisory commission does not have the legal power to pass a binding map. Membership of an advisory commission may consist of legislators, non-legislators, or a mix.

Politician Commission –

A commission composed entirely of lawmakers or other elected officials. Politician commissions usually are appointed by the legislative or party leadership, the governor, or chief justice of the state supreme court.

For example, a search of MUNICODE for the **City of Los Angeles'** redistricting process will uncover a quite detailed section of the code that very specifically outlines the redistricting process in Los Angeles. The code not only sets a deadline for Council adoption of new district lines, but it also specifically lays out a commission process and what criteria the commission should consider while drafting maps.

Sec. 204. Election of City Council Members; Redistricting

(a) Redistricting by Ordinance. Every ten years, the Council shall by ordinance redraw district lines to be used for all elections of Council members, including their recall, and for filling any vacancy in the office of member of the Council, after the effective date of the redistricting ordinance. Districts so formed shall each contain, as nearly as practicable, equal portions of the total population of the City as shown by the Federal Census immediately preceding the formation of districts.

(b) Redistricting Commission. There shall be a Redistricting Commission to advise the Council on drawing of Council district lines. The Commission members shall be appointed in the following manner: one by each Council member except that the Council President shall appoint two members, three by the Mayor, one by the City Attorney, and one by the Controller. No City officer or employee shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.

(c) Redistricting Process. The Redistricting Commission shall be appointed no later than the date by which the Census Bureau is to release decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after appointment, but no later than June 1, 2021, and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.

On the other hand, as is more common, a search of MUNICODE for the **City of Salt Lake City** will uncover a much less detailed municipal code. Not only does the code not lay out the redistricting process or the criteria that should be used for the City, but it doesn't even set a deadline for when new district lines must be adopted by the Council.

Generally, vaguely worded ordinances like this example mean that the redistricting process and criteria is totally at the Council's discretion. Usually, either a subcommittee of the City Council will be charged with drawing the municipality's new district lines or a commission with members appointed by the Council will draft new maps for the Council. Even if the Council appoints a commission to draft lines, the process will be tainted with more political interference than what would be allowed under an independent citizens redistricting commission.

Districts And Membership:

A. District Division And Terms: The City shall be divided into seven (7) Council districts of substantially equal population. One nonpartisan candidate shall be from each Council district. Council members elected shall serve four (4) year terms; however, Council members inaugurated January 7, 1980, from districts 1, 3, 5 and 7 shall initially serve a term of two (2) years. After the initial terms commencing January 7, 1980, have been completed, all subsequent terms shall be for four (4) years.

B. District Boundaries: The legislative districts of the City are as provided on the map duly approved by the Council. The districts shall be enlarged by subsequent contiguous City annexations and shall be reapportioned following each Federal decennial census to maintain substantially equal populations. The Council shall by resolution or ordinance adopt such district boundary modifications and may, also, by resolution or ordinance adopt maps and/or metes and bounds descriptions of the districts. A current copy of all such maps, resolutions and ordinances shall be on file with the City Recorder and available for public inspection. (Prior Code § 24-4-1)

If a municipality's code for the redistricting process is as vague as the Salt Lake City example, it will be necessary to contact the municipality's City Attorney. Every municipality has a City Attorney and they are charged with authoring and enforcing the city's ordinances.

ENSURE LGBTQ+ PEOPLE ARE CONSIDERED A COMMUNITY OF INTEREST

LGBTQ+ redistricting advocacy is a fairly new phenomenon in politics, and so it may not be immediately obvious to the agency performing the redistricting why the LGBTQ+ community should be considered a significant stakeholder in this process. As agencies start their redistricting work, they will likely learn about different types of communities of interest – racial, economic, geographic, and cultural. It's important that LGBTQ+ advocates assert their Community of Interest in this discussion early on and throughout the process.

The LGBTQ redistricting page has a library of letters to commissions and redistricting bodies that you can browse.

Here is a sample letter that can also serve as the basis of talking points to address the need to recognize the LGBTQ+ community of interest:

Dear XXXXXX,

I am writing to ask that the upcoming redistricting process for the **State/County/City/School District** acknowledges its LGBTQ+ residents as a community of interest.

LGBTQ+ people have been historically underrepresented in the halls of power and frequently denied access to key social institutions and support networks. Despite rising acceptance of LGBTQ+ people, the community continues to fight for basic civil rights while experiencing hate and discrimination that perpetuates disparities in health and wellbeing.

- HIV is criminalized in more than half of states, and gay and bisexual men are still restricted from donating blood, regardless of HIV-status.
- Transgender and gender nonconforming people have extraordinary difficulty accessing affirming healthcare and mental health services.
- Across the country, there have been hundreds legislative attempts and ballot measures (both successful and unsuccessful) to restrict or eliminate basic civil rights for LGBTQ+ people.
- This year alone, more than half of state legislatures across the country (28) are actively considering bills to restrict or eliminate basic civil rights for transgender people.

This systemic discrimination has created very specific policy needs with respect to the advancement of LGBTQ+ individuals and it's imperative that it be provided a unified voice in electoral decisions effecting our community in the decade ahead. While not included as a protected class under the Voting Rights Act, as that provision of federal law governing redistricting is reserved exclusively for racial minority communities, the LGBTQ+ community is a protected class under the Civil Right Act because of its vulnerability to discrimination. Furthermore, the tests applied to communities in the 1982 amendments to the Voting Rights Act very plainly characterize the LGBTQ+ experience as well:

- A history of official discrimination;
- Voting is polarized based on membership in a protected class;
- Group is discriminated against in socioeconomic areas, such as education, employment, and health;
- Political campaigns have featured overt or subtle appeals against the community;
- The extent to which the community votes as a cohesive voting bloc, often in contrast to the preferences of voters who do not belong to the community; and
- The degree that elected officials are unresponsive to the concerns of the minority group.

The State/County/City/School District would be well-served by the recognition of the LGBTQ+ community as an elevated community of interest in this redistricting plan to demonstrate the spirit of fairness and inclusion that is tantamount to this very important process for our democracy. Please consider the public testimony that will be shared with the **Legislature/County Commissioners/City Council/School Board** throughout this process. This testimony will include:

- Census block-level datasets detailing the concentration of the LGBTQ+ population within our **State/County/City/School District**;
- Maps prepared by community members who will present their definition of the geographic community of interest by noting the spaces and landmarks that allows the LGBTQ+ community to thrive; and
- Written or spoken testimony that community members will provide to better describe the interactions that the LGBTQ+ population has on a regular basis with businesses, services, residential neighborhoods, and other landmarks that are vital to our community.

Thank you for your consideration of our request, and we would very much appreciate the opportunity to make further presentations or to answer questions related to our community of interest for the purposes of being fairly represented in the decade ahead by the upcoming redistricting plan.

Sincerely,

XXXXXXX

SHOWCASE YOUR LGBTQ+

COMMUNITY FOR THE MAPMAKERS

Redistricting, when done right, is built from the ground up utilizing "Community of Interest" input. The most commonly known communities in redistricting are racial minority groups such as Black, Latino, Asian, Native American, Alaskan Native, and others. These communities can also be provided a "protected class" status under the Federal Voting Rights Act (VRA).

The LGBTQ+ Community doesn't have the specific Voting Rights Act protections, but it does have a right to make claims based on the very same criteria that make these communities so important. The LGBTQ+ Community has specific health, employment, safety, and other needs that go unaddressed; a history of discrimination; decades of overt or subtle appeals to gender or sexual orientation when members of the community run for higher office; and more.

The way to express these needs in redistricting is to first identify your community in a manner that will strengthen our voice in the redistricting process.

To do this there are THREE key points you want to really drive home:

■ WHAT IS THE NATURE OF THE BOND OR COMMON INTEREST OF YOUR LOCAL LGBTQ+ COMMUNITY?

You can describe the way that the community is unique, how it differs from other communities in your area, the history of the community, and what it means to be a part of the LGBTQ+ Community. This should have personal, compelling evidence of the community as an extremely important part of the composition of your local area.

■ WHERE IS YOUR LGBTQ+ COMMUNITY LOCATED?

You can define it by cities, neighborhoods, streets, address, important cultural institutions like LGBTQ+ nightlife, and LGBTQ+ healthcare facilities. In some cases, you can even provide a map of this area. It is important to realize that the community can celebrate how spread out it is, with more LGBTQ+ people willing to be themselves even in traditionally non-LGBTQ+ friendly neighborhoods, but for this exercise we really need to focus on the most dense populations that can form the basis for potential districts.

■ WHAT IS THE POLICY NEED FOR YOUR COMMUNITY TO BE A PART OF THIS LOCAL REDISTRICTING?

You can describe how the issues before the agency doing the redistricting has an impact on your community. For example, maybe there has been an issue with healthcare access, or transportation within the LGBTQ+ area, or there have been acts of violence against the community. These are all things that point to why they should care about the community within their redistricting process.

Furthermore, the tests applied to communities in the 1982 amendments to the Voting Rights Act very plainly characterize the LGBTQ+ experience as well:



- A history of official discrimination;
- Voting is polarized based on membership in a protected class;
- Group is discriminated against in socioeconomic areas, such as education, employment, and health;
- Political campaigns have featured overt or subtle appeals against the community;
- The extent to which the community's votes as a cohesive voting bloc, often in contrast to the preferences of voters who do not belong to the community; and
- The degree that elected officials are unresponsive to the concerns of the minority group.

PUBLIC

MAPPING TOOLS

Increasingly common, many agencies now have their own community of interest tools online for public submission. These tools allow members of the public to draw their communities by using census geographies, like census blocks. In addition, these tools allow for testimony about why your community is tied together which is critical for public input. It is important to note the cultural institutions that tie the community together like Pride Parades, LGBTQ+ nightlife locations, and LGBTQ+ healthcare facilities.

Perhaps most importantly, the mapping can easily be exported as either a PDF or a Shapefile (geographic file), so that an agency's demographer can easily pull up the map submissions as a layer while the agency draws lines. The software also allows the ability for community groups to hold community mapping drives.

	Community of Interest Tool	District Mapping Tool	Maps Exportable As	Census Data
representable ▶ representable.org	✓	✓	PDF, SHAPE FILE	✓
 ▶ districtr.org	✓	✓	PDF, SHAPE FILE	✓
 ▶ davesredistricting.org	✗	✓	PDF, SHAPE FILE	✓
DRAW MY CA COMMUNITY ▶ drawmycacommunity.org	✓	✗	PDF, SHAPE FILE	✗

ALERT THE MEDIA AND **ENGAGE ALLIES**

Once you have identified how you want to be involved in redistricting, and you've done your part, you can build from there by working to publicize the issue, draw media attention, and build with local allies.

Over the past two decades, the public has been increasingly interested in redistricting reform and transparency. Voters have worked in several states, and even within local governments, to shift redistricting away from the elected officials to independent and bipartisan commissions, advisory committees, and other new, more public and transparent processes.

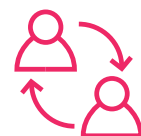
The viewpoint that redistricting should no longer be controlled by politicians has only increased in the last decade. In a recent poll, 97% of voters agree with the statement “local government should be required to have transparent, open redistricting.”

Looking more closely, 96% of the public supports laws that would require maps for local governments be made publicly available before being voted on, 91% believe local governments should have five or more hearings, 90% believe lines should not be drawn for incumbent protection, and 97% believe lines should not be drawn to favor political parties.

HERE ARE SOME STEPS YOU CAN TAKE:



Engage with a local redistricting consortium in your area. These are commonly created in cities and states with the most important redistricting processes.



Send information to your local media. Let them know that the LGBTQ+ Community is engaging in redistricting, why the LGBTQ+ Community is an important part of the process, and what hopes the community has from districts that better represent our residents.



Work with local good-government groups like Common Cause, League of Women Voters, All on the Line, and others in your area.

ADDITIONAL RESOURCES

www.LGBTQredistricting.org

Please visit our **microsite** to keep up to date on the latest in LGBTQ+ Redistricting!

- We have resources on more than 40 of the nation's largest metropolitan regions – learn about which agencies in your region will have a redistricting process and what that process will look like!
- Find sample letters that you can use to empower the LGBTQ+ Community in your region's redistricting processes!
- Learn more about redistricting 101: what are best practices and what are pitfalls to be avoided?

Atlanta, GA | 4/6

Atlanta, GA is a strong candidate for an LGBT program as it has 4 out of 6 measurable characteristics.

Summary Table

<input checked="" type="checkbox"/>	- Identifiable LGBTQ+ Community in Midtown, Ansley Mall, Cheshire Bridge, Decatur, Piedmont Park
<input checked="" type="checkbox"/>	- Districted Elections in Fulton County, City of Atlanta and Atlanta School Board
<input checked="" type="checkbox"/>	- Public Redistricting Process in City of Atlanta with public hearing and comments.
<input checked="" type="checkbox"/>	- Historic LGBTQ+ Discrimination in religious community and with "religious freedom act" allowing discrimination.
<input type="checkbox"/>	- Prior Participation in Redistricting – none found
<input type="checkbox"/>	- Current Local LGBTQ+ Elected Officials – historically, but none currently

Dear XXXXXX,

I am writing to ask that the upcoming redistricting process for the State/County/City/School District acknowledges its LGBTQ+ residents as a community of interest.

LGBTQ+ people have been historically underrepresented in the halls of power and frequently denied access to key social institutions and support networks. Despite rising acceptance of LGBTQ+ people, the community continues to fight for basic civil rights while experiencing hate and discrimination that perpetuates disparities in health and wellbeing.

- HIV is criminalized in more than half of states, and gay and bisexual men are still restricted from donating blood, regardless of HIV-status.
- Transgender and gender nonconforming people have extraordinary difficulty accessing affirming healthcare and mental health services.
- Across the country, there have been hundreds legislative attempts and ballot measures (both successful and unsuccessful) to restrict or eliminate basic civil rights for LGBTQ+ people.
- This year alone, more than half of state legislatures across the country (28) are actively considering bills to restrict or eliminate basic civil rights for transgender people.

This systemic discrimination has created very specific policy needs with respect to the advancement of LGBTQ+ individuals and it's imperative that it be provided a unified voice in electoral decisions affecting our community in the decade ahead. While not included as a protected class under the Voting Rights Act, as that provision of federal law governing redistricting is reserved exclusively for racial minority communities, the LGBTQ+ community is a protected class under the Civil Rights Act because of its vulnerability to discrimination. Furthermore, the tests applied to communities in the 1982 amendments to the Voting Rights Act very plainly characterize the LGBTQ+ experience as well:

- A history of official discrimination;
- Voting is polarized based on membership in a protected class;
- Group is discriminated against in socioeconomic areas, such as education, employment, and health;
- Political campaigns have featured overt or subtle appeals against the community;
- The extent to which the community's votes as a cohesive voting bloc, often in contrast to the preferences of voters who do not belong to the community; and
- The degree that elected officials are unresponsive to the concerns of the minority group.

The State/County/City/School District would be well-served by the recognition of the LGBTQ+ community as an elevated community of interest in this redistricting plan to demonstrate the spirit of fairness and inclusion that is testament to this very important process for our democracy. Please consider the public testimony that will be shared with the Legislature/County Commissioners/City Council/School Board throughout this process. This testimony will include:

- Census block-level datasets detailing the concentration of the LGBTQ+ population within our State/County/City/School District.
- Maps prepared by community members who will present their definition of the geographic community of interest by noting the spaces and landmarks that allows the LGBTQ+ community to thrive; and
- Written or spoken testimony that community members will provide to better describe the interactions that the LGBTQ+ population has on a regular basis with businesses, services, residential neighborhoods, and other landmarks that are vital to our community.

Thank you for your consideration of our request, and we would very much appreciate the opportunity to make further presentations or to answer questions related to our community of interests for the purposes of being fairly represented in the decade ahead by the upcoming redistricting plan.

Sincerely,
XXXXXXX