

## GLOSSARY of TERMS

Apportionment: See, definition of *reapportionment*.

Reapportionment: The allocation of seats in a legislative body (such as Congress) among established jurisdictions (such as states), where the jurisdiction's boundaries do not change but the number of members per jurisdiction does change.

Redistricting: The process of redefining the geographic boundaries of individual election units such as legislative or congressional districts.

Registration (Reg Total): The total number of persons registered to vote within a geographic unit of the state of Louisiana.

P. L. (Public Law) 94-171: The federal statute that requires the Census Bureau to provide, by April 1 of each year following a decennial census, the population and race data necessary for redistricting.

TOT AMERICAN INDIAN: The total population of the state of Louisiana who reported themselves as being, even partially, of American Indian ancestry, excluding any such persons who reported themselves as being, even partially, of Black ancestry.

TOT ASIAN: The total population of the state of Louisiana who reported themselves as being, even partially, of Asian ancestry, excluding any such persons who reported themselves as being, even partially, of either Black or American Indian ancestry.

TOT BLACK: The total population of the state of Louisiana who reported themselves as being, even partially, of Black ancestry.

TOT HISPANIC: The total population of the state of Louisiana who reported themselves as being, even partially, of the Hispanic language group.

TOT OTHER: The total population of the state of Louisiana who reported themselves as being of any ancestry excluding any such persons who reported themselves as being, even partially, of Asian, Black, or White ancestry.

TOT POP: The total population of the state of Louisiana as determined by the decennial census of 2000.

TOT WHITE: The total population of the state of Louisiana who reported themselves as being solely of White ancestry.

VAP TOT: (Voting age population): The number of persons in a geographic unit who are at least 18 years of age.

Ideal district population: A population measure calculated by dividing the total population of the state or other jurisdiction being redistricted by the number of districts in the type of redistricting plan being considered. For example, in 2001 the ideal district population for house districts was 42,561, which was the 2000 state population (4,468,976) divided by 105 House districts; for Senate districts was 114,589, which was the 2000 state population (4,468,976) divided by 39 Senate districts.

Deviation: The amount by which a district's population differs from the ideal district population for the particular plan type. Deviation may be stated in terms of:

Absolute deviation: A plus (+) or minus (-) number, showing the difference between the district's population and the ideal district's population.

Relative deviation: is attained by dividing the district's absolute deviation by the ideal district's population and is expressed as a plus (+) or minus (-) percentage.

Total Range of Deviation: The range over which the populations of all districts in a redistricting plan deviate from the ideal district population, normally expressed as a percentage.

Overall Range or Overall Deviation: For a redistricting plan, the difference in population between the smallest and largest district, normally expressed as a percentage.

Topologically Integrated Geographic Encoding and Referencing System (TIGER): The cartographic map database, prepared by the Census Bureau, that the states use as the geographic database for redistricting.

Visible Boundaries: District boundaries that follow visible geographic features, whether natural or man-made.

Gerrymander: Intentionally drawing a district in such a way as to favor one or more interest groups (including political parties) over others.

Packing: drawing district boundary lines so that the members of a minority are concentrated, or "packed," into as few districts as possible. The minority becomes a supermajority in the packed districts – 60, 70, 80, or 90 percent. They easily can elect representatives from those districts, but their votes in excess of a controlling majority are "wasted." Those "wasted" votes are not available to help

elect representatives in other districts, so the minority cannot elect representatives in number approaching proportion to their numbers in the state as a whole.

Fracturing: drawing district lines so that a minority population is broken up. Members of a minority are divided among as many districts as possible, keeping them a minority in every district, rather than permitting them to concentrate their strength enough to elect representatives in one or more districts.

Racial gerrymander: when a state intentionally draws a majority-minority district without regard to “traditional districting principles,” (See, later) the district will be subject to attack as violating the 14<sup>th</sup> amendment equal protection clause and be subjected to “strict scrutiny” by the reviewing court.

Equal Protection Clause: See "Fourteenth Amendment to the U.S. Constitution."

Fourteenth Amendment to the U.S. Constitution: The U.S. Constitution provision that includes the “Equal Protection Clause”, which prohibits the states from denying persons equal protection of the law. The “Equal Protection Clause” is the primary basis of the One-Person, One-Vote principle (See next). Also, this is principle that Supreme Court has used to strike down districts as “racial gerrymanders”.

One person, one vote: The principle derived from the Equal Protection Clause of the Fourteenth Amendment that each person's vote should count the same as every other person’s vote which is achieved by requiring that all legislative districts be drawn approximately equal in population.

Strict scrutiny: a standard of review by a court which subjects a law to assessment as to whether the law is “narrowly tailored” to serve a compelling governmental interest. The Supreme Court has defined “narrowly tailored” as a law that “targets and eliminates no more than exact source of evil it seeks to remedy.”

Traditional districting principles: a term for criteria, such as compactness and contiguity, which have historically been considered by a particular jurisdiction in drawing election districts.

Community of interest: A grouping of people that has common political, social, or economic interests.

Compactness: The degree to which the geography assigned to a district is close together Courts have held that “reasonably compact districts” is a traditional districting principle.

Contiguity: Adjacency. For redistricting purposes, a district is considered to be contiguous if each part of the district touches another part of the district at more than a point, so that the entire district is within a continuous boundary. In Louisiana, intervening water bodies may provide contiguity.

Core of prior districts: the portion of a previously enacted district which is identified by the incumbent office holder as representing the electoral base upon which elections within the district are won or lost. This “core” geography should be relatively consistent from districting plan to districting plan.

Respect for political subdivision boundaries: considering whether to cross a political subdivision boundary line when assigning geography to a district or whether to keep the political subdivision wholly within one election district.

Fifteenth Amendment to the U.S. Constitution: The U.S. Constitution provision providing that the right to vote may not be denied or abridged on account of race. Foundation upon which Congress rests the Voting Rights Act (*See*, below).

Minority Districts: Term used for districts where a racial or ethnic minority group constitutes an effective majority of the population, sufficient to provide to members of that minority group a reasonable opportunity to elect candidates of its choice. Also referred to as “majority-minority” districts.

Voting Rights Act: The federal law prohibiting discrimination in voting practices on the basis of race or language group, codified as 42 U.S.C. Section 1973 *et seq.* The official title of the Act is the Voting Rights Act of 1965. Sections 2 and 5 of the Act are important for redistricting:

Section 2: Prohibits the adoption of voting standards or practices that abridge the right to vote on the basis of race or language group. This section applies to all states and other governmental units and may be used to challenge a redistricting plan that discriminates against a racial or language minority group by diluting their voting strength.

Vote dilution: the result of a voting standard or practice that abridges a minority population’s right to fully participate in the election process and to elect representatives of their choice.

Single-Member District: District that elects only one representative.

Gingles preconditions:

- 1) that the minority is sufficiently large and geographically compact to constitute a majority in a single-member district;
- 2) that it is politically cohesive; and
- 3) that, in the absence of special circumstances, bloc voting by the White majority usually defeats the minority's preferred candidate.

Section 5: Requires that changes in election procedures and practices (including changes in district lines) be precleared by the U.S. Department of Justice or by a three-judge federal district court in the District of Columbia prior to implementation.

Preclearance: A determination by a three-judge federal court in Washington D.C. or the U. S. Attorney General that the submitting jurisdiction has met its burden of demonstrating that a particular voting change (including a districting plan) does not violate Section 5 of the Voting Rights Act, *i.e.*, does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

Retrogression: A voting change that leaves minority voters "worse off" than they had been before the change with respect to their opportunity to exercise their right to vote.

Submissions: For states, such as Louisiana, covered by Section 5 of the federal Voting Rights Act, changes in voting practices or procedures cannot be implemented until Section 5 preclearance has been obtained. A state may submit the voting change to the U. S. Attorney General. Once the plan is submitted for preclearance, the Department of Justice has 60 days within which to review a "complete" submission. If the U.S. Attorney General interposes an objection to all or part of the redistricting plan, the legislature may (1) attempt to cure the objection by making changes to the districting plan; (2) request administrative reconsideration from the Attorney General; or (3) seek a declaratory judgment in the District Court of the District of Columbia that the districting plan does not violate Section 5.

