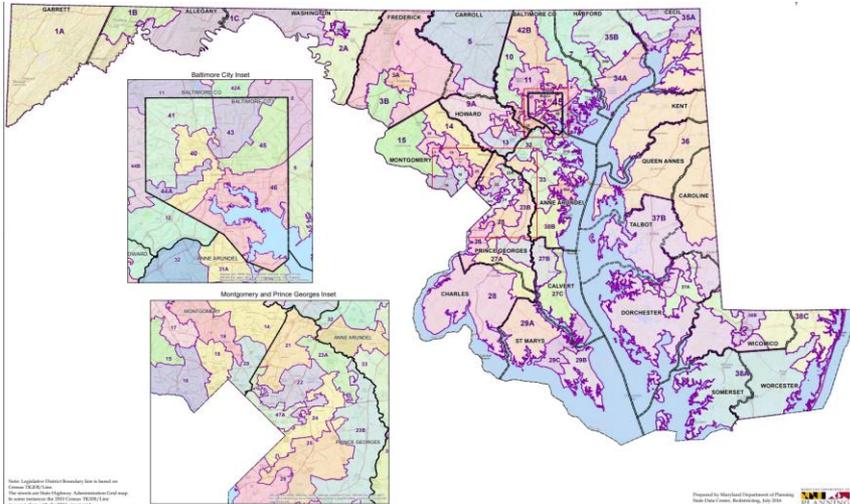


# Considerations for Redistricting of the Maryland Senate

Nate Persily



# Relevant Differences From Congressional Plan

1. Greater population variance (+/- 5%) allowed –  
Ideal (adjusted) district population = 131,392  
[Allowable range = 124,822 to 137,961]
2. Stricter political subdivision requirement based on caselaw and state constitution.
3. Caselaw on not crossing the Chesapeake Bay.
4. Nesting requirement for House districts affects Senate districts.
5. Voting Rights Act considerations play a bigger role.

# Considerations

- ❑ Permissible/Target Deviation?
- ❑ Montgomery County can support exactly 8 districts
- ❑ Four Western Maryland counties can together support exactly four districts
- ❑ How many districts should traverse the borders of Prince George's, Baltimore County and Baltimore City?
- ❑ In particular, should a district span Baltimore City and Anne Arundel or Baltimore County? Should a Prince George's District go into Anne Arundel or Montgomery?

# Conceptual challenges

1. Which race data to use – adjusted or unadjusted?
2. How to count multiracial individuals?
3. How to account for citizens and noncitizens?
4. How to consider minority coalition districts?
5. How to deal with areas where additional majority Black VAP districts come at the expense of majority Hispanic VAP districts?
6. When should political subdivisions be split in order to deal with VRA concerns (while avoiding *Shaw v. Reno* concerns)?

# Specific Areas of Concern

1. Unpacking Prince George's County and Baltimore
2. Identifying areas where additional opportunity districts for House exist in current plan or could be drawn:
  - Wicomico and Dorchester Counties
  - Frederick? Harford? (Coalition Districts?)
3. How to deal with border between Prince George's and Montgomery Counties?
4. Should a majority Hispanic VAP\* district be drawn in Prince George's and/or Montgomery County?

# State Demographic Data

	Number	Percent
Total Adjusted Voting Age Population (AVAP)*	4,813,382	
NH White AVAP	2,400,841	49.88
NH Black AVAP	1,387,557	28.83
Hispanic AVAP	492,190	10.23
NH Asian AVAP	332,659	6.91
NH Indian AVAP	9,777	0.20
NH NHOPI AVAP	2,035	0.04
NH Other AVAP	0.48	0.48

# Maryland Constitution

Article 3, Section 4:

“Each legislative district shall consist of **adjoining** territory, be **compact** in form, and of **substantially equal** population. Due regard shall be given to **natural boundaries and the boundaries of political subdivisions.**”

# Governor's Order (Part 1)

1. The Commission shall prepare one plan for Maryland's state legislative districts and one plan for Maryland's congressional districts, in conformance with the following:
  - a. The plans shall:
    - i. Comply with all State and federal constitutional and legal requirements, including the Voting Rights Act;
    - ii. Comply with all applicable judicial direction, rulings, judgments, or orders;
    - iii. Respect natural boundaries and the geographic integrity and continuity of any municipal corporation, county, or other political subdivision to the extent practicable; and
    - iv. Be geographically compact and include nearby areas of population to the extent practicable;

# Governor's Order Part 2

c. Congressional districts shall:

- i. Equal the number of representatives in the U.S. Congress that have been apportioned to the state; and
- ii. Be equal in population to the extent practicable; and

d. Legislative districts shall be:

- i. As nearly equal in population as is feasible given due regard for natural boundaries and the boundaries of political subdivisions;
- ii. To the extent possible and consistent with the Commission's other duties and responsibilities, subdivided into single-member delegate districts; and
- iii. Numbered consecutively commencing at the northwestern boundary of the state and ending at the southeastern boundary of the state.

