

Apportionment, Redistricting, and Gerrymandering after the 2020 Census: What's the Picture?

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Our topic

- While some of what we'll discuss is dry, we will get to the heart of politics
- For parties, officeholders, and candidates, little matters more than the drawing of district lines
- With Republicans nationally needing to flip only a (net) handful of seats to control Congress so blood is in the water
- We will explore the relevant processes and what's at stake

What We Will Cover

- Part 1(today)
 - History and purpose of censuses
 - Problems and innovations in the 2020 census
 - The constitutional requirement of apportionment
 - Reallocation of U.S. House of Representative seats
 - Introduction to redistricting and gerrymandering
- Part 2 (next week)
 - More on gerrymandering and its consequences
 - How the 50 states go about redistricting and the likelihood of gerrymandering
 - Impact on the 2022 elections

A Brief History of the Enumeration of Population, or Census

- Origin of the term census – from Latin, “censere,” to estimate
- Ancient world censuses
 - Egypt c. 1700 BCE, Greek city states, ancient Israel 100 BCE
 - India 330 BCE; Han Dynasty of China 2 CE
- Middle Ages censuses
 - Muslim Caliphates 600s CE
 - England 1086 (“Domesday Book”) and others

A Brief History of the Enumeration of Population, or Census (continued)

- Emerging modernity
 - Incan empire 1500s CE, Spanish empire 1577 CE
 - Quebec 1666, Iceland 1703, Sweden 1749
 - American colonies 1710 - 1780s (irregular)
 - United States 1790

Historical Purposes of Censuses

- Historical purposes have included
 - Taxation
 - Military conscription
 - Representation in government
 - Societal information (e.g., economic activity, landholding, housing, education, employment)

Historical Problems with Censuses

- Non-compliance from parts of the population because of
 - Resistance to taxation
 - Resistance to military conscription
 - fear of the government

Example: The biblical King David's census and "resulting" plague on Israel for his sins were mentioned as reasons for census resistance in medieval Britain and colonial America

The U.S. Census

- Is a constitutionally mandated enumeration of the population for apportioning the seats in the House of Representatives
- The task of the census is simple to state although difficult to implement
 - Count everyone once (no undercount)
 - But only once (no overcount)
 - In the right place (no location errors)

The 2020 Census: Problems

- Budget (held at 2010 level)
- Pandemic (e.g., hesitancy to open doors, college students not on campus, delays, difficulty in securing a sufficient workforce)
- The Trump administration's push for a citizenship question (Supreme Court ruled against this in June 2019)
- Politicization (new positions and hand-picked aides by Commerce Secretary)
- Potential for hacking of sensitive data files
- Low trust in government
- Demographic differences in response rates
- Attempt to end count early

The 2020 Census: Innovations

- The 2020 address file update used satellite imagery, third-party data providers (e.g., the USPS), and geographic information systems, rather than the fieldwork of census workers walking 11 million census blocks
- Every household that was likely to have an internet connection received instructions on how to respond online
- For households that couldn't be reached by mail, a census taker dropped off a paper questionnaire or visited to interview the household
- The public had three options to respond, by phone, mail, and, for the first time, online
- The questionnaire was available in 13 languages online or by mail

The 2020 Census: Outcomes

- Despite the problems and because of the innovations, the final self-response rate was 67%, a bit higher than the 66.5% rate in 2010, and during a pandemic
 - The total U.S. population was 331,449,281, up 7.4% from 2010
- The apportionment data was released on April 26, 2021 (in a non-pandemic year, it would have been December 31, 2020)
- The Census Bureau released redistricting data without tables on August 12, 2021 (in a non-pandemic year April 1) and full data with tables on September 16

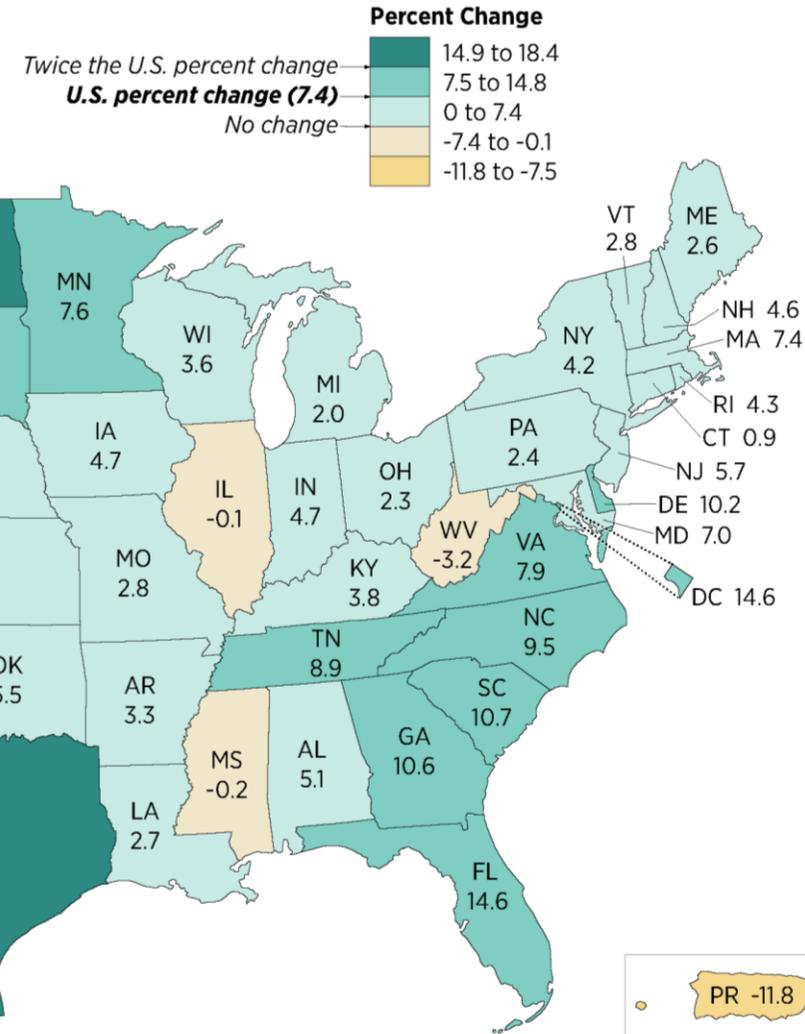
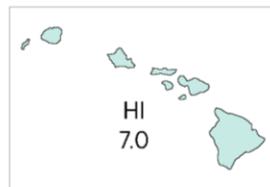
What the 2020 Census Shows

- Growth in the U. S. population
 - 7.4% to a total of 331,449,281
- The distribution of population growth across the states
 - 3 states lost population
 - 47 states grew
- Changes in demographic characteristics
 - Greater ethnic and racial diversity

Where the Population Grew 2010-2020

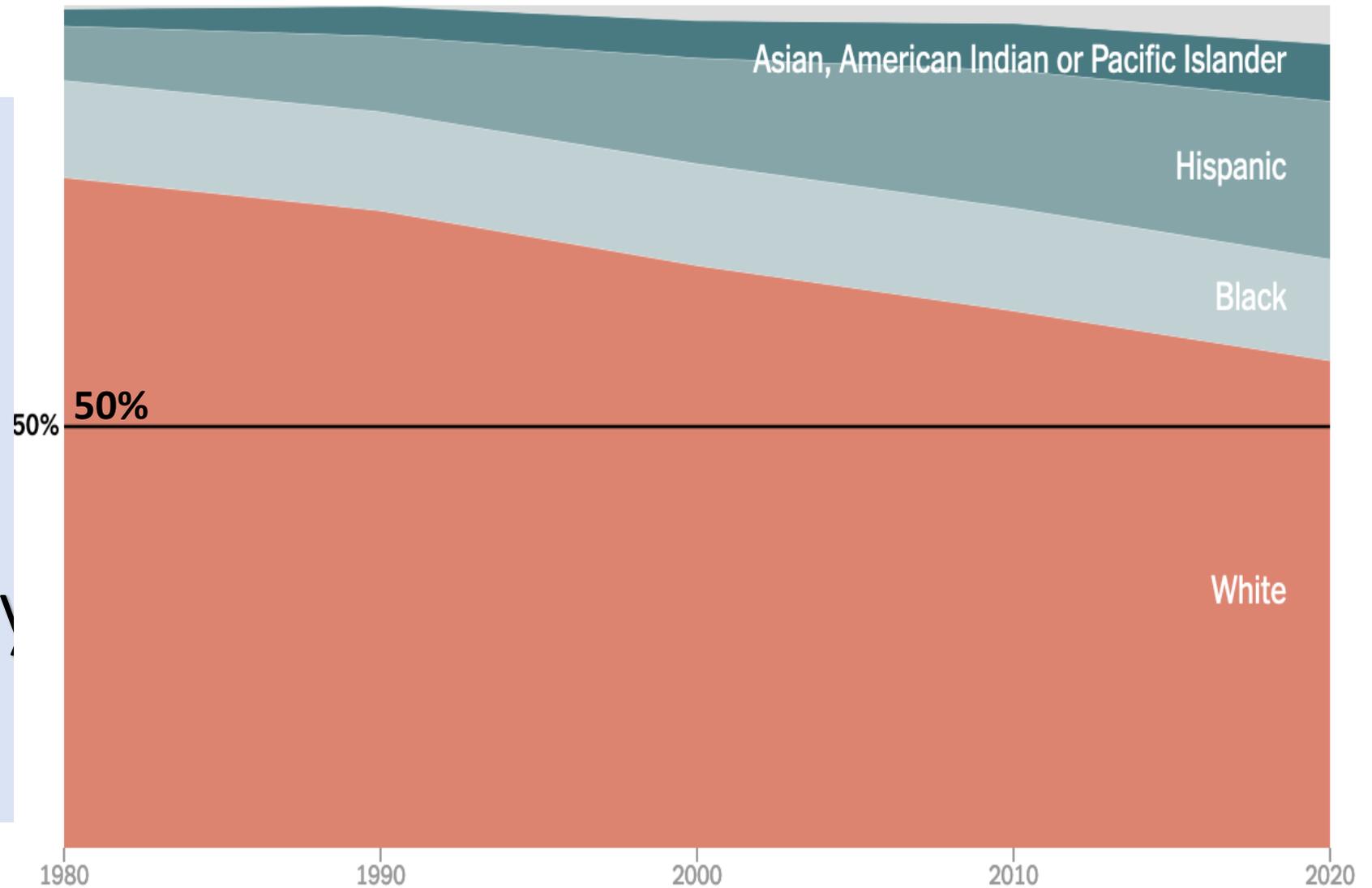
Key
 dark blue=+15%,
 tan and gold indicate
 population decline

Percent Change in Resident Population for the 50 States, the District of Columbia, and Puerto Rico: 2010 to 2020



How the population makeup changed in the U.S.

What the
Census
Showed
about Race
and Ethnicity
1980-2020

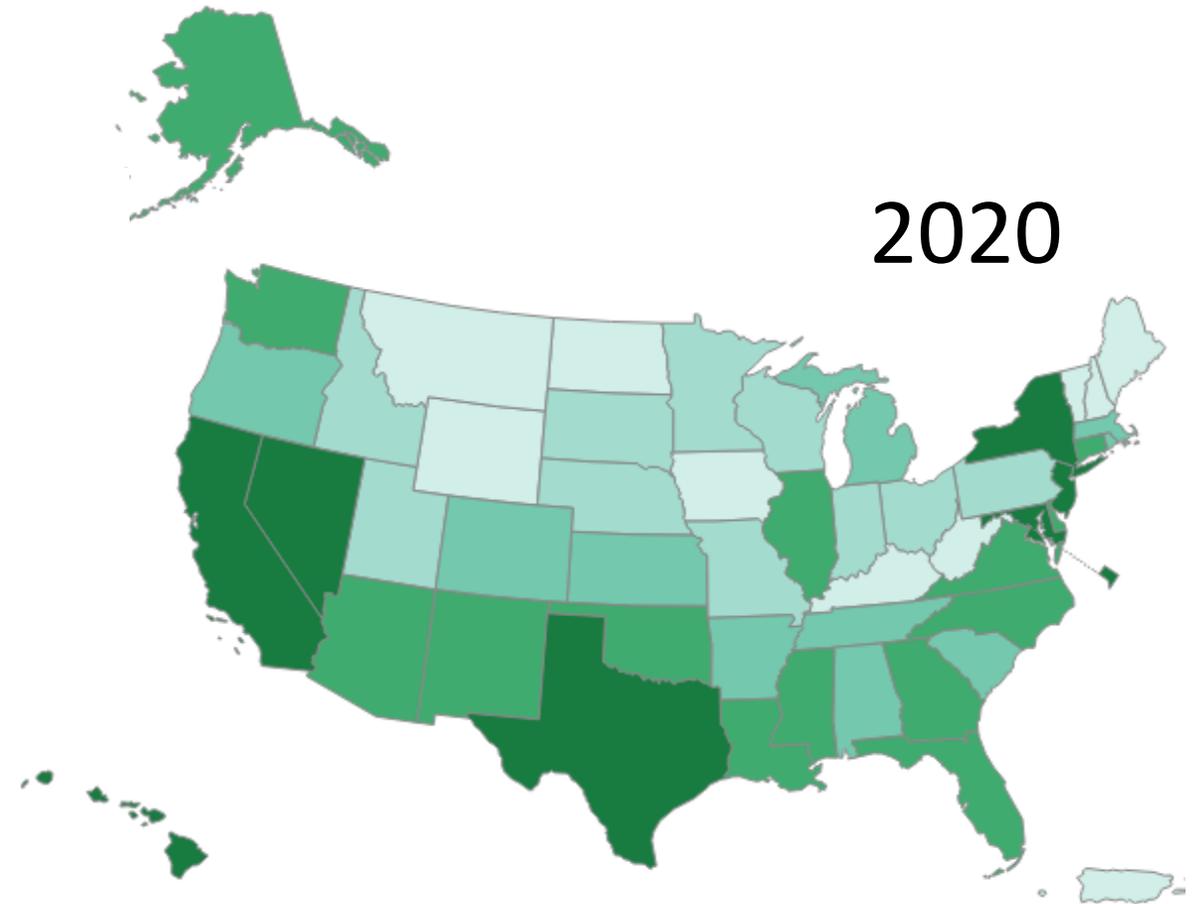
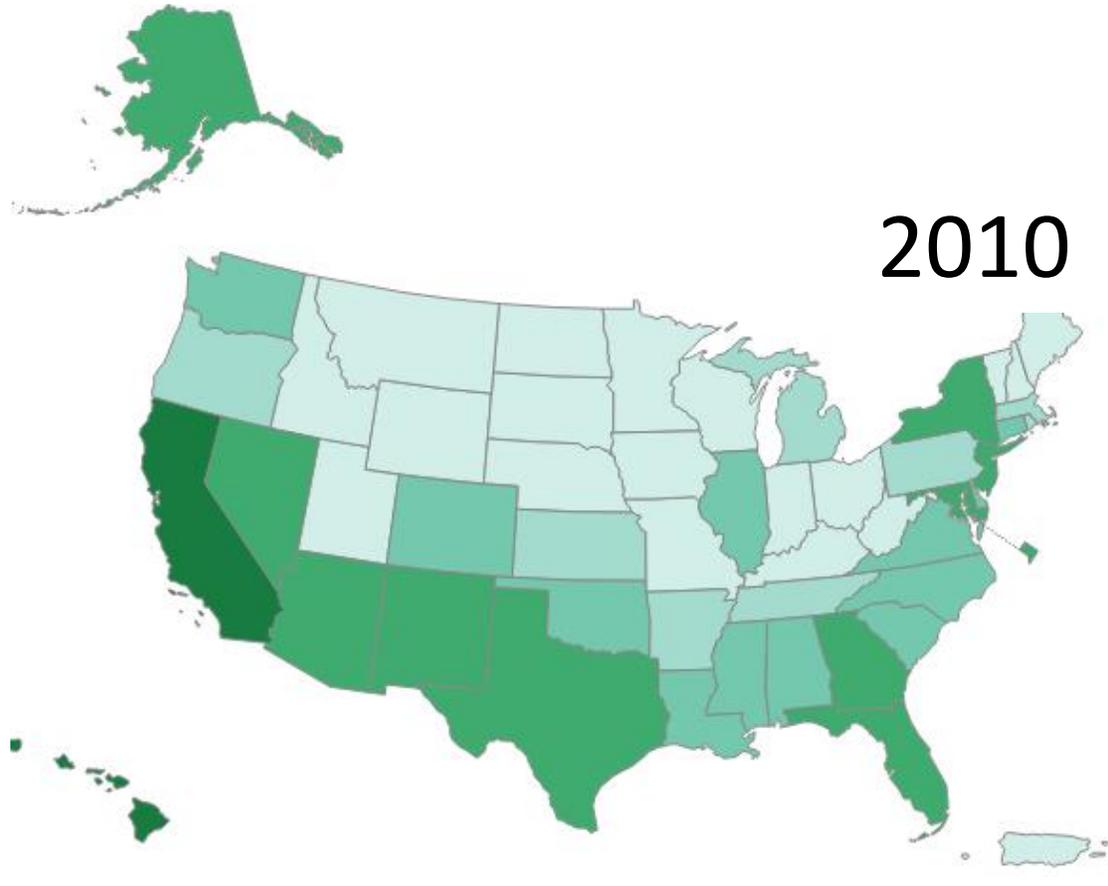


Notes: Other races are shown in gray. The Census Bureau added a multiracial option in 2000. Data for each group labeled on the chart since then reflect only a single race or ethnicity.

Census results 2010 vs 2020 in the U.S. and Texas

	U.S Population (millions)			Texas Population (millions)			
	2010	2020	% change 2010-2020	2010	2020	% change 2010-2020	+/- Popul. added
Total population	308.7m	331.4m	+7.4%	25.1m	29.1m	+15.9%	3,999,944
% "White only"	64%	58%	-4.9%	46%	40%	+1.6%	179,000
% "Black only"	12%	12%	+6.3%	12%	12%	+18.9%	547,000
% Hispanic	16%	19%	23.1%	38%	40%	21.0%	1,999,500
% "Asian only"	3%	6%	89.5%	4%	5%	64.6%	610,000

Changing population diversity 2010 to 2020 censuses (more intense green = more diversity)



Apportionment

- Article I, Section 2 of the Constitution mandates an apportionment of U.S. congressional seats after each decennial census
- Apportionment is the process of dividing the 435 seats in the U. S. House of Representatives among the 50 states based on population
- Apportionment also affects states' votes in the Electoral College
- The results of the 2020 census were released in April and identified the number of House districts per state
 - <https://www.census.gov/library/visualizations/interactive/historical-apportionment-data-map.html>

Change in House Seats as a Result of the 2020 Census Apportionment

- 7 states lost 1 seat each—CA, IL, MI, OH, PA, NY, WV
 - If NY's count was only 89 more, it would not have lost a seat
- 5 states gained 1 seat each—CO, FL, MT, NC, OR
- 1 state gained 2 seats—TX
- All other states (37) maintained the same number of seats

Appor- tionment based on the 2020 Census

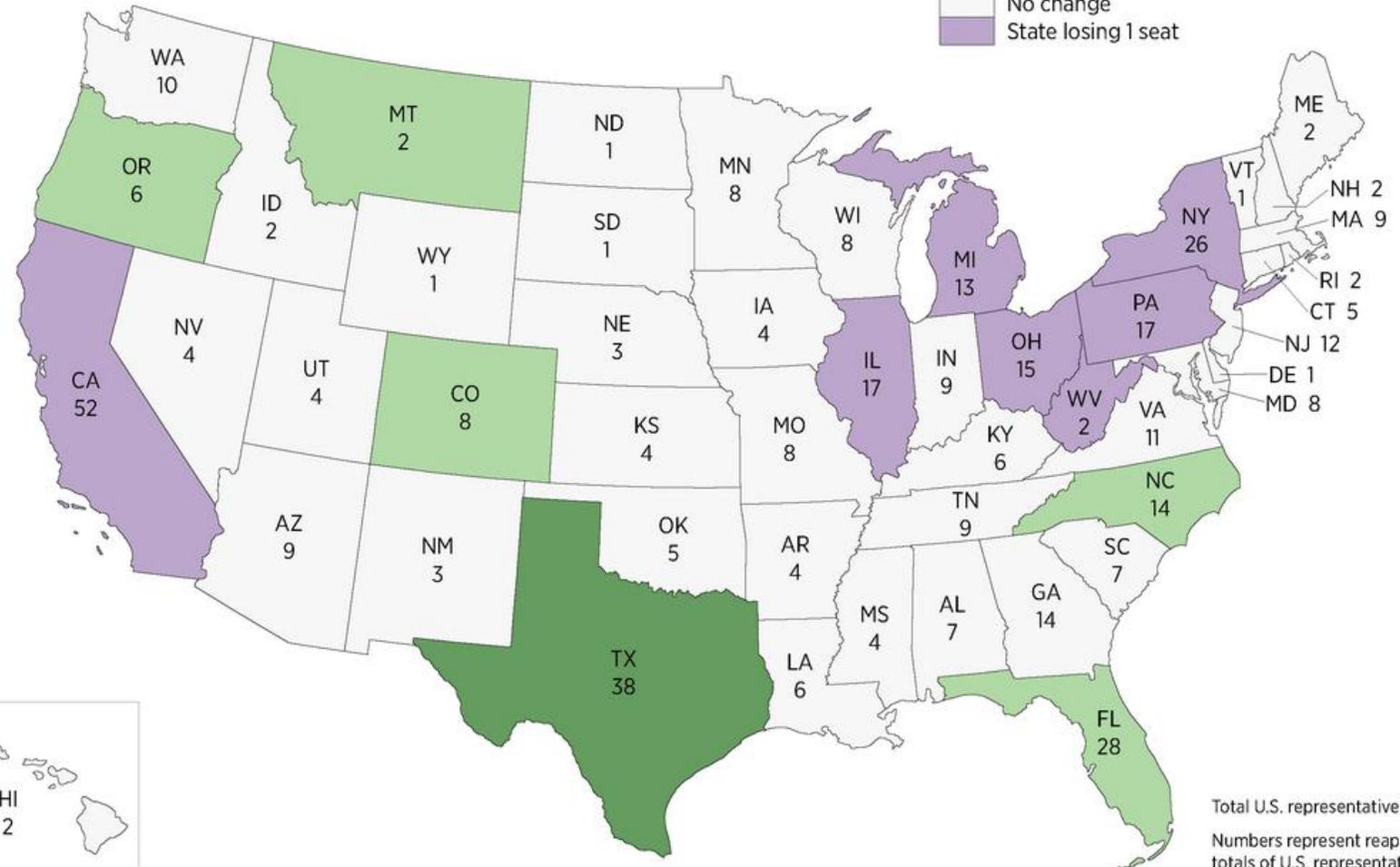
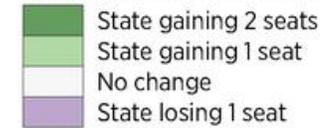
Key

dark green = +2
light green = +1.
purple = - 1



Apportionment of the U.S. House of Representatives Based on the 2020 Census

Change from 2010 to 2020



Total U.S. representatives: 435
Numbers represent reapportioned
totals of U.S. representatives.

What Population Changes and Reapportionment Lead to

- Changes to U.S. Congressional and state legislative districts
- Redrawing of districts' boundaries to roughly equalize populations among them
- Thus, “redistricting”

Redistricting practices and law

- For 160+ years, all states determined for themselves how to redistrict — or whether to do it at all
- In the 1960s, a series of Supreme Court cases set the foundation for modern redistricting, requiring that districts be redrawn every decade to account for population shifts and to accomplish the one-person, one-vote rule

Key Supreme Court Decisions on Redistricting

- **Baker v. Carr** 1962—TN had not redrawn districts since 1901 (!). The Court held that federal courts could hear a claim that inequality of representation violated the Equal Protection Clause of the 14th Amendment
- **Westbury v. Sanders** 1964—the constitutionality of congressional districts was a question that could be decided by federal courts; districts must be drawn “as nearly as practicable” so that one person’s vote is worth as much as another’s
- **Reynolds v. Sims** 1964 –state legislative bodies should have seats of “roughly equal population”

Redistricting

- Once U.S. House seats are distributed through apportionment, states establish geographic districts
- Each Congressional district in 2021 will have about **761,000 people**
 - Based on Supreme Court rulings, the equal population requirement for congressional districts is strict
- All but the 6 states—AK, DE, ND, SD, VT, WY—that have only one representative will be redrawing district lines
- States will also redistrict their state legislative, city, and county government districts

Redistricting the U.S. House

- As noted, the Census Bureau released detailed redistricting data to the states on August 12, 2021 -- months later than normal
- On September 16, the Census Bureau delivered the final redistricting data toolkit, including
 - digital tools providing access to an integrated software browsing tool for official recipients and
 - access to the online Data Explorer tool for both official recipients and the public
- New districts will be in effect for the 2022 elections

Do You Want to Draw Your Own District Maps?

- Data users can access and download 2020 Census redistricting data directly from data.census.gov
- To learn how to access and use these data, visit [Census Academy](https://www.census.gov/academy/) or visit the redistricting home page at www.census.gov/rdo
- You can also use free, open-source software to draw your own maps
 - <https://www.districtbuilder.org/>
 - <https://davesredistricting.org/maps#home>

How is Redistricting Done?

- States determine their own redistricting methods
 - In most states **legislatures** play the dominant role
 - The next most common system uses **commissions** of various sorts
 - A few states have hybrid systems in which the **legislatures share redistricting authority with commissions**
 - If legislatures fail or if redistricting plans are rejected by courts, **courts may review and send back to legislatures, or eventually redistrict themselves**

How is Redistricting Done?

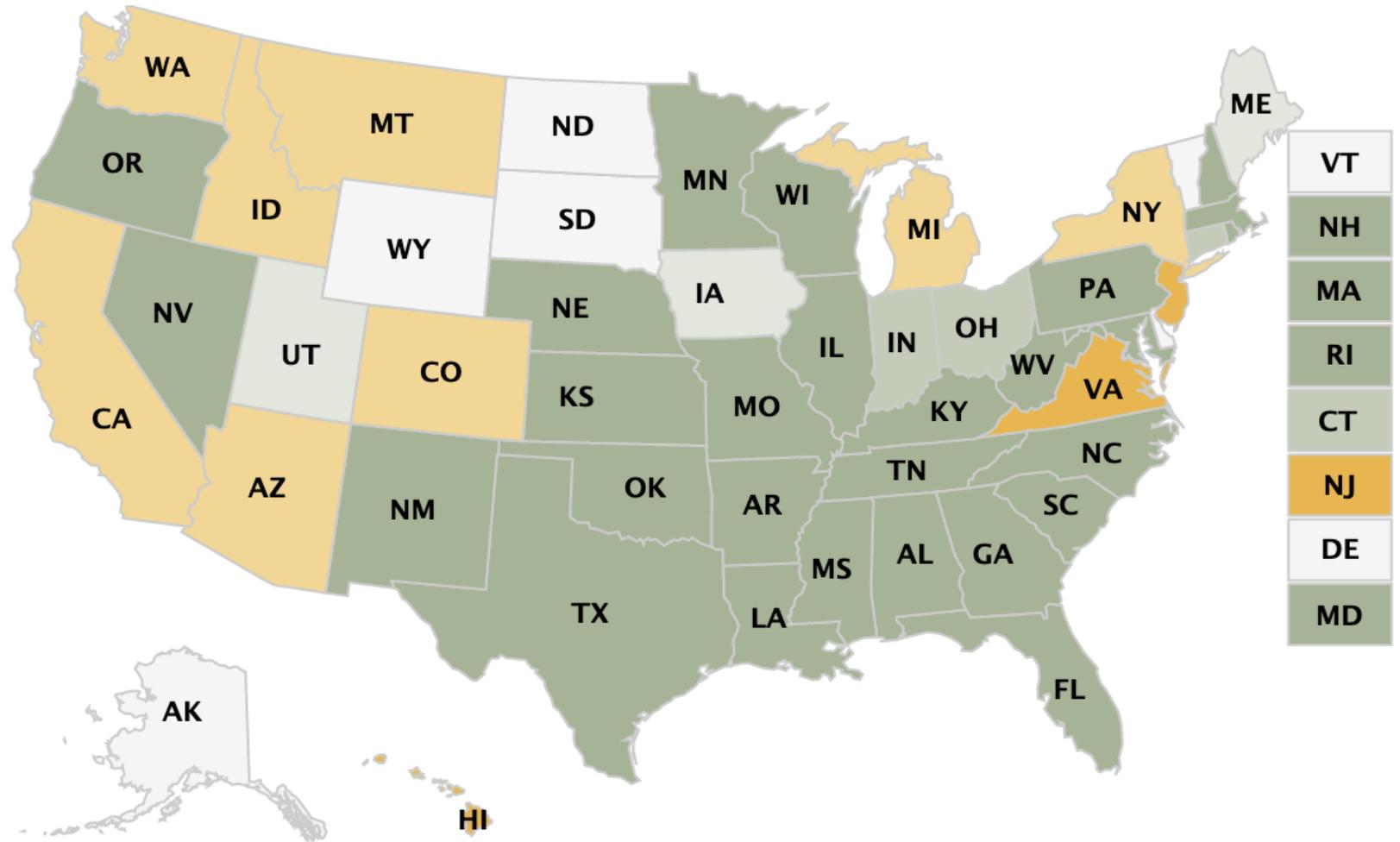
(source: www.redistricting.ils.edu)

Key

dark grey-green=legislature
 med. grey-green=backup commission

dark gold=politician commission
 light gold=independent commission

light grey=advisory
 White= not redistricted



- Legislature
- Backup Commission
- Politician Commission
- Advisory Commission
- Independent Commission
- n/a

This map shows the institution with primary responsibility for drawing district lines.

Redistricting Processes Can Be Complex — Ohio

- Constitutional amendments passed in 2015 and 2018 changed how district boundaries are drawn, intended to make them less partisan and more fair
 - Step 1—the majority party in the legislature puts up districts for a vote by September 30, 2021. The vote requires 60% of the both the Senate and House, including half of the minority party
 - Step 2—if the legislature can't agree, the map moves to a 7-member commission: governor, auditor, secretary of state, and 2 Republican and 2 Democratic legislators (in 2021, 5 Republicans, 2 Democrats). 4 members, including 2 from the minority party, must approve by October 31, 2021
 - Step 3—if the commission doesn't agree, the legislators have till November 30 to pass a map by a 60% majority, but a requirement of only 33% of the minority party
 - Step 4—if all this fails, the legislature passes a map that lasts for 4 years.

Redistricting Process—Virginia

- In 2020 Virginia voters approved a constitutional amendment to create a commission to draw the state's political districts
 - A special master created the districts currently in place after federal courts repeatedly found that the Republican majority in the legislature had unconstitutionally packed black voters into a handful of districts
- The new process:
 - The commission has 45 days to submit maps to the General Assembly.
 - If the commission fails to agree, or if the legislature rejects the plan, the Supreme Court of Virginia will create the new maps

Redistricting Process—New York

- Vote in 2014 established a bipartisan redistricting commission
- The commission's map requires a supermajority, and the legislature and the governor must approve its work
- NY presently has Democratic supermajorities in the legislature and a Democratic governor.....
- Because many Republican-controlled states have gerrymandered in past redistricting cycles, NY, which has previously had split party control, might now produce more Democratic gains than Republican gains this time around

Redistricting process—Texas

- Texas must redistrict 38 U.S. House seats, 150 Texas House seats, 31 Texas Senate seats, 15 State Board of Education seats
- According to the state constitution, the Legislature redistricts in “first regular session” after release of census data. Because of late data release this year, the governor called a special session for September 20 for redistricting
 - Republicans control the House 83 - 67, and the Senate 18 - 13
- Districts produced may later be appealed in federal or state courts, and then either modified by the court or sent back to the Legislature
- The Legislature may also revise districts between censuses
 - In 2002 Republicans gained control of the legislature and drew new districts in 2003 to replace the maps that the courts had drawn. After the 2004 elections, the House delegation from TX had a Republican majority, 21 R – 11 D, for the first time since Reconstruction

Race, Ethnicity and Redistricting

The **Voting Rights Act of 1965 (VRA)** prohibited voter discrimination based on race, color, or membership in a language minority group

- Section 1 of VRA required states with a history of voter discrimination. (TX was one) to get **federal approval or “pre-clearance”** from the U.S. Justice Department or federal judges before passing changes to election or voting laws
- The VRA and the formula to implement pre-clearance was **extended in 2006 with a unanimous Senate vote** and was signed by President Bush
- However, by a 5-4 margin, the Supreme Court in **Shelby County v Holder** (2013) invalidated the VRA’s Section 1, ruling that Congress had not taken into account racial progress in singling out certain states for federal oversight
 - Post Shelby –**in this 2021 redistricting for first time there’s now no federal pre-clearance**

Race, Ethnicity and Redistricting

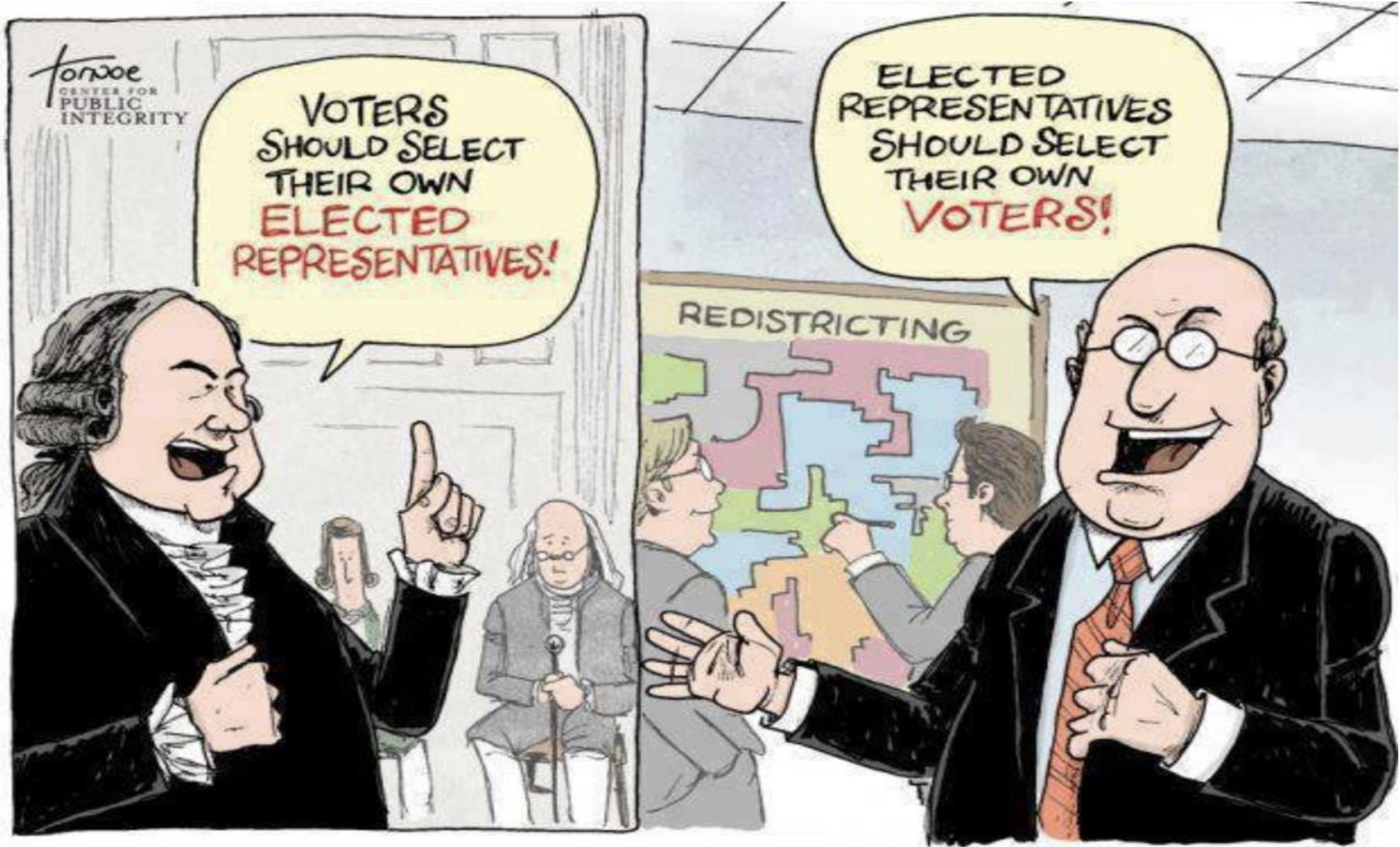
- Section 2 of the Voting Rights Act bans practices that make it more difficult for minority voters to “participate in the political process” and “elect representatives of their choice”
 - This has resulted in **majority-minority** or **minority opportunity** districts, likely to elect members of minority groups
- In Thornburg v. Gingles (1986), the Supreme Court clarified the test for a minority group vote dilution claim:
 - the affected minority group must be sufficiently large to elect a representative of its choice
 - the minority group must be politically cohesive
 - white majority voters must vote sufficiently as a bloc to usually defeat the minority group’s preferred candidates
- Courts have interpreted Gingles as compelling states to create a majority-minority/ minority opportunity districts where the Gingles factors are met

Race, Ethnicity and Redistricting

- In practice, Section 2 of the Voting Rights Act generally requires that the same number of minority opportunity districts as provided in the previous redistricting plan must be drawn in a new redistricting plan unless
 - Minority populations in states have grown (such as Hispanic and other minority communities in Texas), therefore more minority opportunity districts may be required
 - Minority populations have decreased, in which case it may be impossible to draw a minority opportunity district or to have as many as before

Gerrymandering

- The word “gerrymandering” is a portmanteau of the name of a MA governor, **Elbridge Gerry**, and **salamander**
 - In 1812 Gov Gerry signed a bill that created a partisan district that looked to some like a salamander, henceforth a district drawn for partisan advantage has been called a gerrymander
- Gerrymandering is viewed as a corruption of the democratic process by undermining fair representation
- It is designed to produce a mismatch between citizens’ votes for a party’s candidates and the number of seats that party wins by designing districts to advantage one political party and to disadvantage another
- It has been described as politicians picking their voters rather than voters picking their politicians or as a thumb on the scale to manufacture outcomes detached from the preferences of voters



THEN

NOW

Gerrymandering Techniques

- **Packing concentrates the minority party's voters in one or a few districts** to reduce their influence in others and limit the number of seats that party is likely to win
 - **When packed districts are majority-minority districts, they are vulnerable to court challenge.** In the past decade, courts invalidated plans in AL, TX, and VA for assigning them more minority citizens than needed for minorities to elect their candidate of choice in order **to reduce minority influence elsewhere**

Gerrymandering Techniques

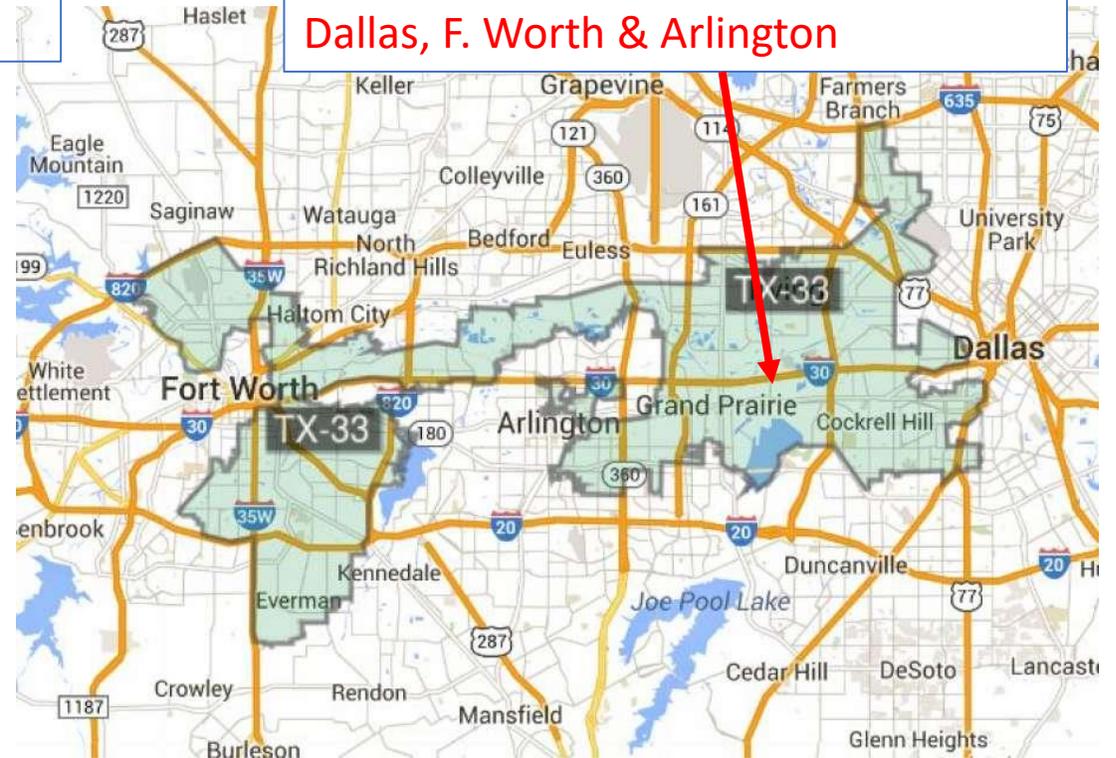
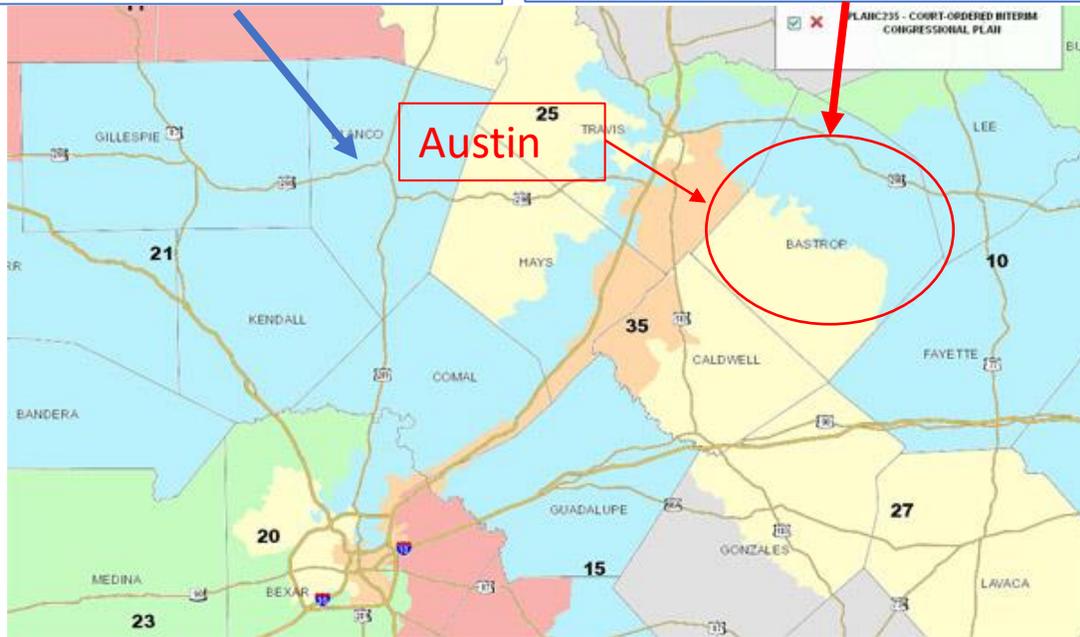
- **Cracking dilutes the minority party's strength by distributing its members across a number of districts** (e.g., by splitting up a big city) to limit the number the minority party is likely to win
 - 5 of the 9 U.S. cities divided into at least 5 congressional districts are in TX
 - **City Cracking Index (CCI) = a city's actual no. of Congressional districts / number of districts if based on population alone**
 - **Austin** is the only U.S. city of less than a million residents (962,000) split into 6 districts. **CCI=4.6**
 - **Fort Worth**, with about 919,000 residents, is split among 5 districts. **CCI=4.2**
 - **Dallas** has 7 districts for its 1.3 million residents. **CCI =4.1**
 - **Houston's** 2.3 million residents are divided among 9 districts, **CCI=3.0**
 - **San Antonio** has 5 districts for its 1.4 million residents. **CCI=2.8**

Examples Packing and Cracking in Texas Congressional Districts

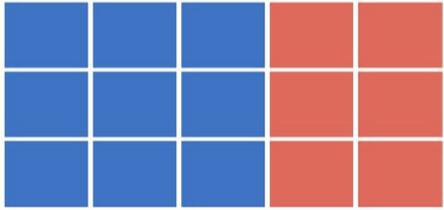
Chip Roy (R 21) 62% white
– **cracks** Austin and San Antonio

Lloyd Doggett (D 35) 71% minority – **packs** minorities in Austin and SA

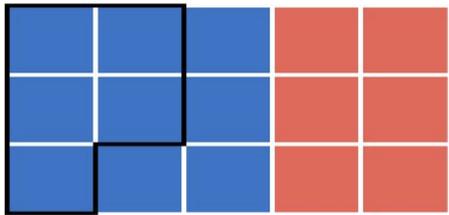
Mark Veazey (D 33) 83% minority – **packs** minorities in Dallas, F. Worth & Arlington



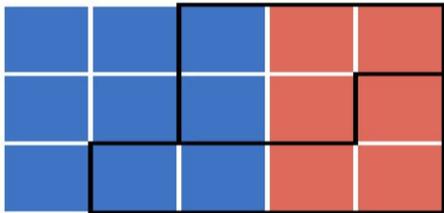
Gerrymandering through Packing and Cracking



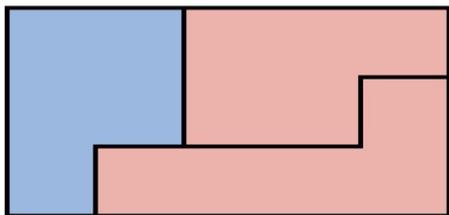
Take this hypothetical county where the majority of the population supports the **blue party**, but the **red party** is in control of the mapmaking and must draw three districts.



To engineer a map that still gives them control of a majority of the districts, the **red party** could cram as much of the **blue party** population into the fewest number of districts possible. In this case, they would **pack** them into one district.



They could then **crack** the remaining **blue party** communities, dividing them up into two other districts where the **red party** is in the majority.



The result of their work is a map in which the **red party** controls two of the county's three districts.

In the Next Class

- What gerrymandering looks like
- Which party controls which states and the state redistricting process
- The role of the courts in evaluating districts
- Potential changes in the party balance in the House as a result of reapportionment and redistricting
- Possible 2022 election results and the House majority in 2023

Questions?

THANKS!

Apportionment, Redistricting, and Gerrymandering after the 2020 Census: What's the Picture? Part 2

**Patti Richard, Trustee Professor of Political Science Emerita, Ohio
University**

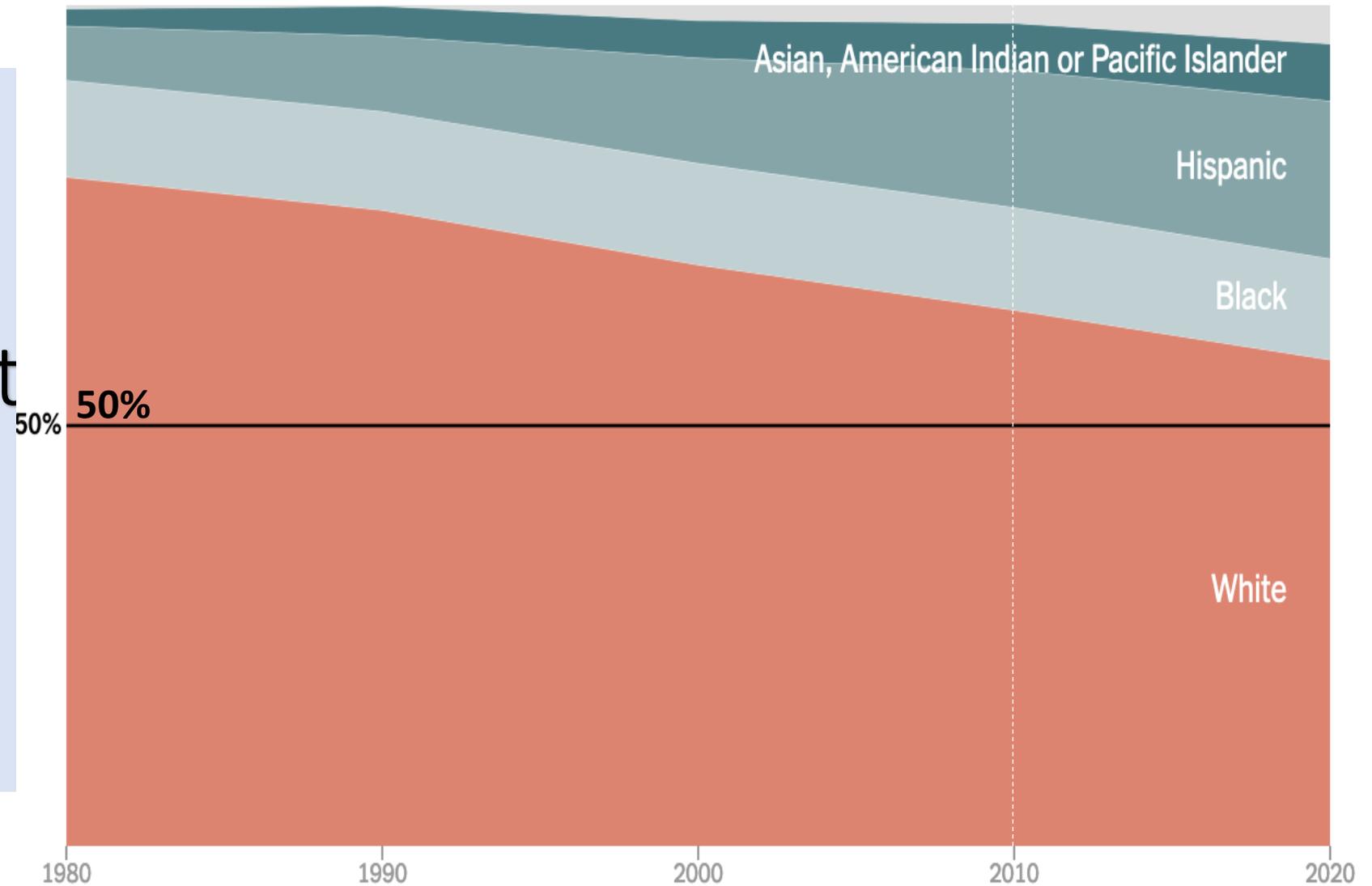
**John Booth, Regents Professor of Political Science Emeritus,
University of North Texas**

Brief Review of the First Class

- Censuses have been around thousands of years
- The U.S. census aims to count everyone, only once, and in the right place
- 2020 census results came out later than usual because of the pandemic
- The results showed 7.4% growth to 331 million residents
 - The second slowest in U.S. history
 - Most of the growth has come among minorities

How the population makeup changed in the U.S.

What the
Census
Showed about
Race and
Ethnicity
1980-2020



Notes: Other races are shown in gray. The Census Bureau added a multiracial option in 2000. Data for each group labeled on the chart since then reflect only a single race or ethnicity.

Brief Review of the First Class

- Once the census was completed, U.S. House seats were (re)apportioned
- 7 states lost one seat each (CA, IL, MI, OH, PA, NY, WV), 5 gained one seat each (CO, FL, MT, NC, OR), and one gained two seats (TX)
- Supreme Court decisions require that House districts be equal in population (now 761,000)
- Census data guides redistricting seats to accomplish population equality
- Most states' redistricting processes result in gerrymandering, or shaping districts for partisan advantage

What We'll Cover Today

- What gerrymandering looks like and what are its consequences
- Party control of state legislatures and effects on redistricting
- The role of the courts in evaluating districts
- How party balance in the U.S. House of Representatives may change in 2023 as a result of reapportionment and redistricting /gerrymandering

An “Efficiently” Gerrymandered Map

- Has a maximum number of districts that each contain just enough governing-party supporters to let that party’s candidates win and hold the seat safely, even during “wave” elections when the opposition does especially well
- Packs the opposition’s supporters into a minimum number of districts that the opposition will win overwhelmingly
 - In Texas, for example, the tension for governing Republicans is to create the largest number of Republican seats possible without spreading Republican voters too thin to win in future years as population growth reduces Republican advantage

Gerrymandering in practice

- For political parties and officeholders, district lines are critical
 - They determine whether seats advantage one party or are competitive
- Gerrymandered maps use sophisticated demographic data and past election results in addition to census data in their construction, allowing intricate algorithms to game redistricting with surgical precision
- While gerrymandering has a long history for both parties, the most concerted effort to gerrymander occurred after the 2010 elections
 - The Republican project, called REDMAP (Redistricting Majority Project), cost about \$30 million dollars, mostly for software
 - Republicans had control over the drawing of 213 House seats (of 435) and it showed in the election results in the ensuing decade

Consequences of Gerrymandering on Democratic Practice

- **It reduces the number of competitive districts**
 - Makes most seats safe for one party
 - Party control the House is determined by a few dozen competitive seats
- **It contributes to polarization among parties and citizens**
 - Reduces legislators' incentives to compromise
 - Makes primaries the important elections, with candidates focusing of their "base"
 - Most current representatives have never faced a competitive general election
- **It effectively disenfranchises voters, lowering turnout in non-presidential elections**

Gerrymandering

- Constructs legislative districts in order **to advantage one political party and disadvantage another** whereas a **fair system** would allocate seats by following principles like communities of interest and compactness
- Produces a **mismatch between citizens' votes for a party's candidates and the number of seats that party wins**
 - For example, in 2012 Democratic candidates won a majority of votes in PA but Republican candidates won 13 (72%) of 18 House seats (The state supreme court later struck down the map based on the state constitution)
- **Allows dominant party politicians to, in effect, put their thumbs on the scale to produce outcomes that undermine voter preferences**

Gerrymandering: The How and The

Why

- Again, gerrymandering is carried out through
 - “Cracking” which divides the opposition party’s supporters into multiple districts, leaving the governing party an expected majority of voters in each
 - “Packing” which concentrates the opposition’s supporters into a minimum number of districts that the opposition will win overwhelmingly
- Especially in this hyper-partisan environment, the pressure to gerrymander is great

Who Controls the Redistricting Process

- Republicans control 20 states with 187 seats, or **43%** of the 435 districts to be redrawn
- Democrats control 8 states with 75 seats (**17%**)
- Commissions will draw the maps in 7 states with 96 seats, or **22%**
- 9 states with 71 seats have split control between Rs and Ds (**16%**)
- The other 6 states have a single U.S. representative

Who Controls how the U.S. House Districts are Redrawn in 2021¹

Key

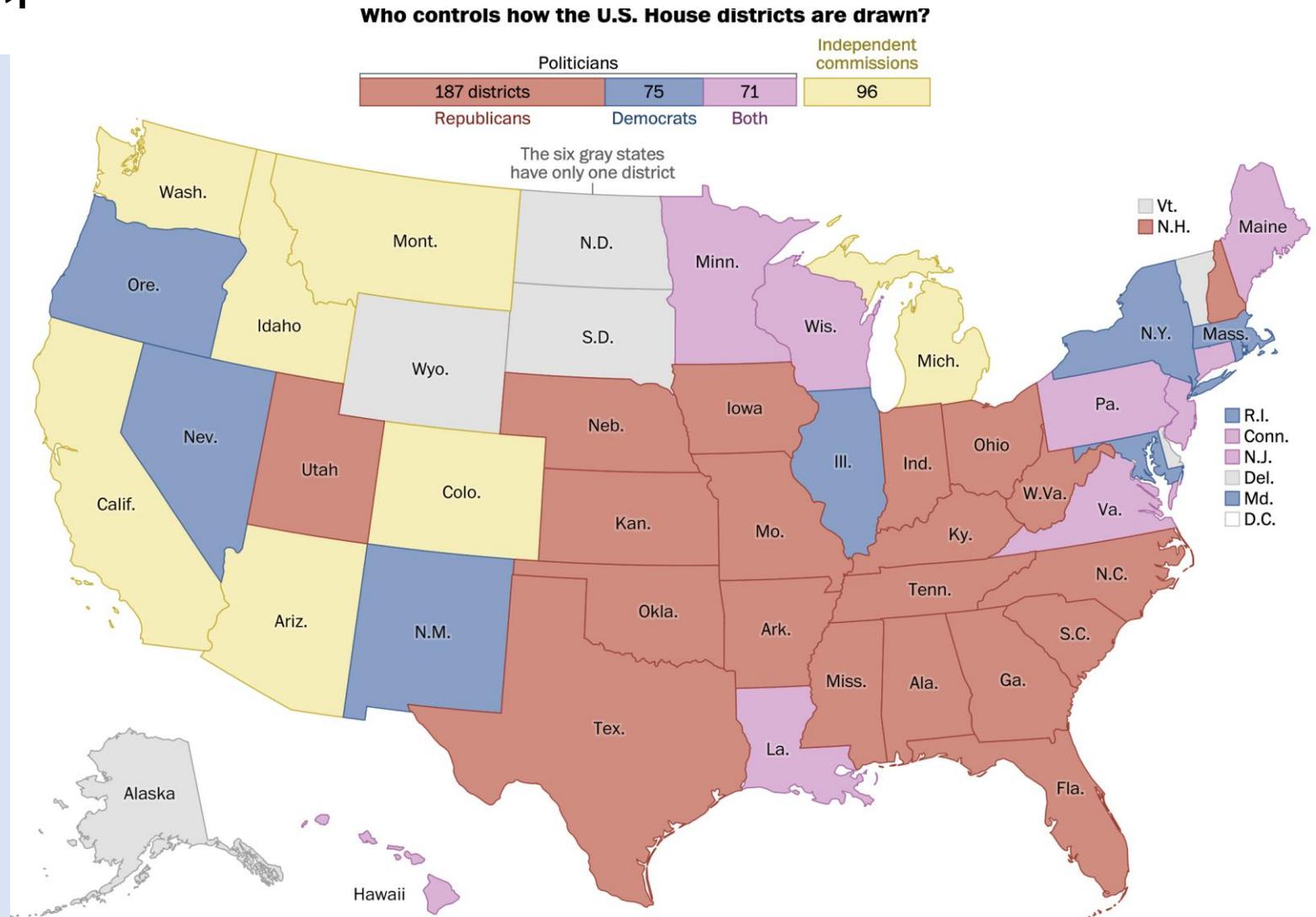
Red = Republican legislature (187)

Blue = Democratic legislature (75)

Purple = divided control (71)

Yellow = independent commissions (96)

Grey = no redistricting



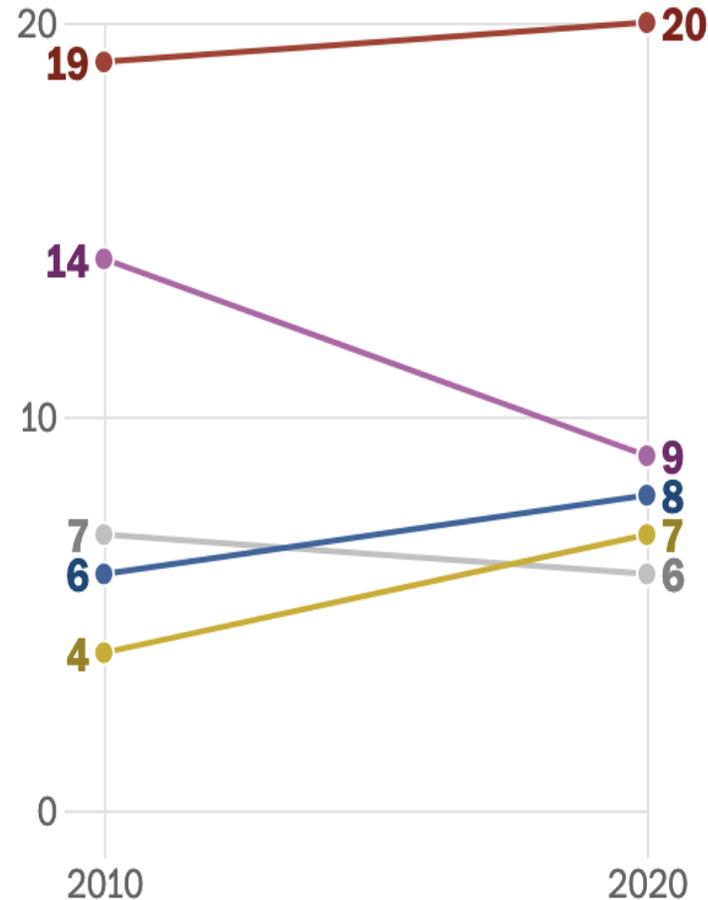
Changes in Control of the Redistricting Process from 2011 to 2021

Key
Red=Republican legis.
Blue=Democ. legis.
Purple=divided control
Yellow=independent commissions
Grey=single district states

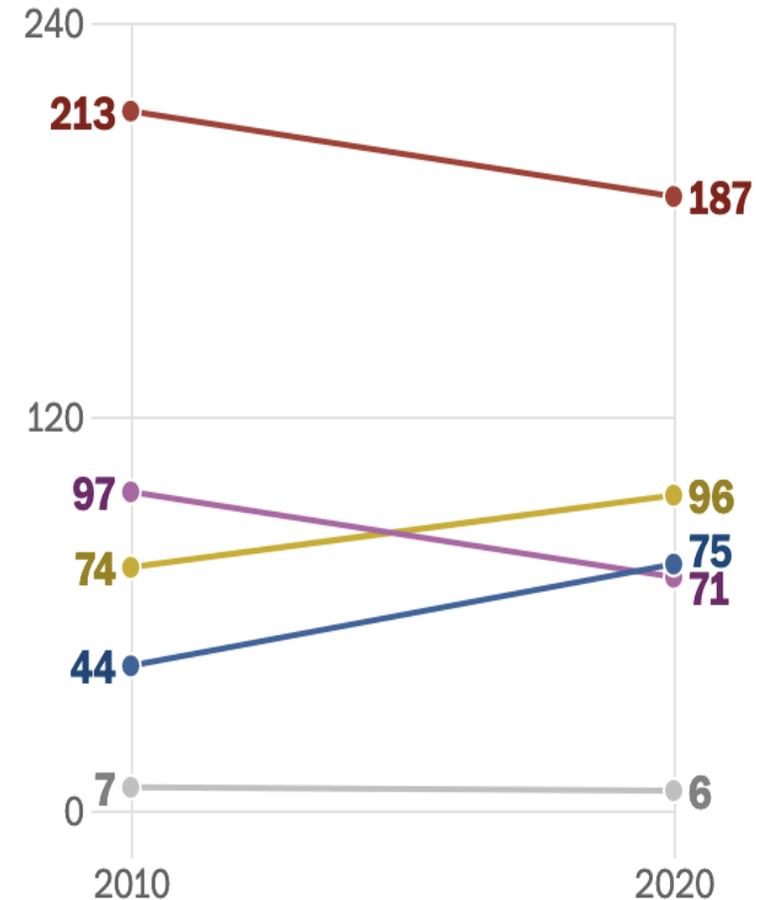
How control of maps has changed since 2010

● Republicans ● Democrats ● Both
 ● Independent commissions ● Single district

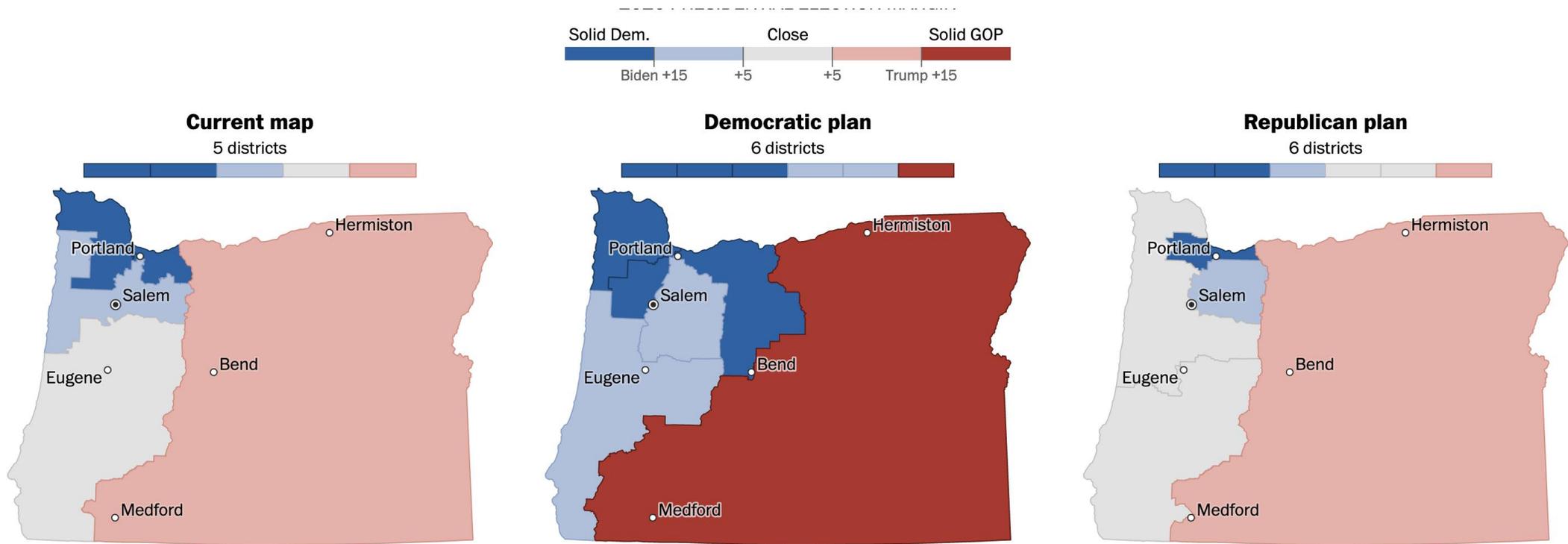
NUMBER OF STATES



NUMBER OF DISTRICTS



Examples of Redistricting Plans: Oregon (Democrats Control; Their Plan Adopted)



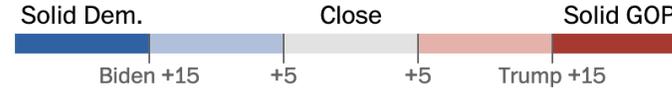
👉 **Hover to learn more about each district**

Sources: Decision Desk HQ, [TIGER/Line](#), [Oregon redistricting proposals](#)

Indiana's Redistricting Plan by the Republican-Controlled Legislature

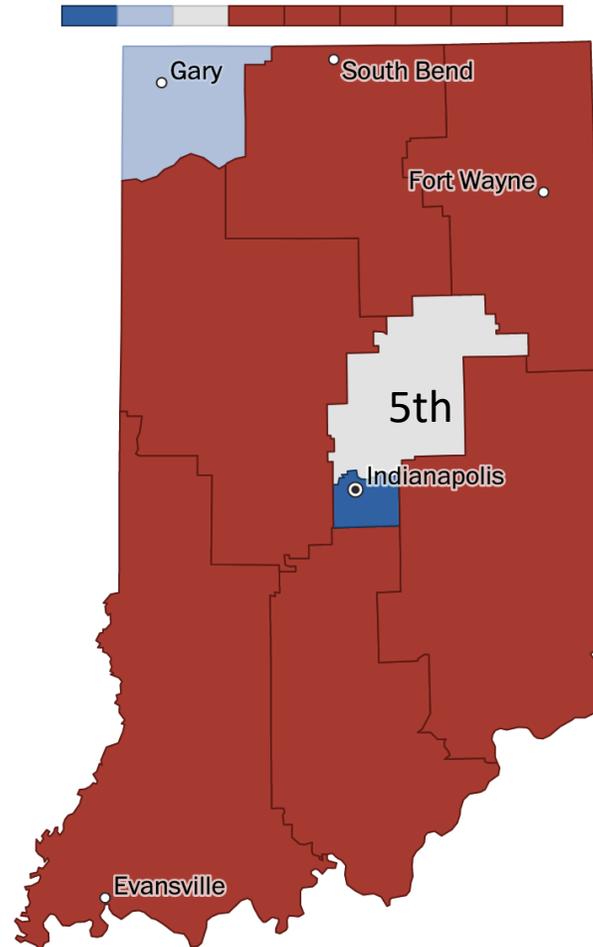
Indianapolis-based district would go from 28% to 42% Biden margin, while the 5th district becomes safe for Rs

2020 PRESIDENTIAL ELECTION MARGIN



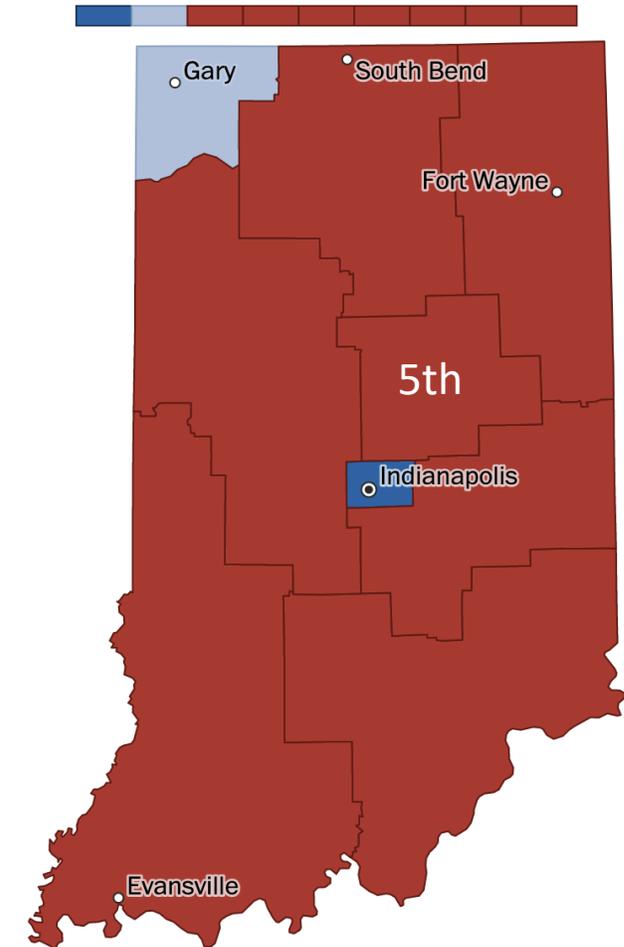
Current map

9 districts



Republican plan

9 districts



 **Hover to learn more about each district**

Sources: Decision Desk HQ, [TIGER/Line](#), [Indiana House Republican Caucus](#)

The Supreme Court and Partisan Gerrymandering

- In **Rucho v. Common Cause** (2019), the Court, by a 5-4 majority, held that the federal courts are powerless to hear challenges to partisan gerrymandering— “a partisan question beyond the reach of the courts”
 - Justice Kagan’s dissent: “gerrymandering is, as so many Justices have emphasized before, anti-democratic in the most profound sense”
- The decision is all but certain to minimize the influence of minority parties in states where one party controls the governor’s office and legislature, and where lawmakers draw the districts
- Even so, both parties are gearing up for litigation over district lines

Legal Context for Redistricting

- Map drawing in 2021 will take place under a legal framework weakened against gerrymandering by two major Supreme Court rulings
 - In 2013, the Supreme Court gutted core protections of the Voting Rights Act (eliminating pre-clearance) (Shelby County v. Holder)
 - In 2019, the Court closed the door to federal court challenges to partisan gerrymanders (Rucho v. Common Cause)
- But the last decade saw new jurisprudential fronts open with wins against partisan gerrymandering in two **state courts** (PA and NC), suggesting that state constitutions could emerge as an alternative route to challenge gerrymandering in the current cycle.

Legal Context for Redistricting

- Districts must include **equal numbers** of people
- Districts **must not discriminate against voters on the basis of race or ethnicity**
- Some states have additional requirements
 - 21 require **contiguity** (you must be able to travel anywhere in the district without leaving it)
 - 20 require that districts have **compact shapes**
 - 19 require that maps avoid favoring a political party or candidate
 - 18 require that district lines **follow political boundaries**
 - 13 require **avoiding breaking up “communities of Interest”** (groups with common policy concerns or demographic traits)
 - (Texas requires none of these)

When Redistricting Must Be Completed

- Boundaries must be in place **before a state's primary filing deadline** for the 2022 election
- The earliest filing deadline is
 - **December 13, 2021, in TX**, for the March 1, 2022 primary (these will be the dates if a redistricting bill is signed by the governor by November 15)
 - The second earliest is **December 17, 2021, in NC**, for the March 8, 2022 primary

Redistricting and the 2022 Elections

- All U.S. House candidates, except those in 6 states with only one Representative, will be running in newly redrawn districts
- The districts will reflect any changes in the state's number of representatives and changes in population
- Gerrymandering will **enhance party advantage if a party controls the state's redistricting process**
- **Many districts will be drawn to protect incumbents**

Redistricting and the 2022 Elections

- A Washington Post analysis says that **Republicans could gain seats in the 16 states controlled by Republicans that Trump won by double digits twice** (primarily by breaking up Democratic urban strongholds, that is, cracking)
- **FL, GA, NC, and TX offer the best opportunities for Republican gains** (the Washington Post sees a minimum of 4)
- **In Democratic controlled states, Democrats may gain several seats, e.g., in NY** where upstate Republican districts have population deficits, **MD, OR**

Redistricting and the 2022 Elections

- An analysis by Politico about **vulnerable incumbents** shows that
 - Of the 33 GOP incumbents who won in 2020 by fewer than 8 points, 15 are from states where Republicans have total control over redistricting
 - Of the 33 Democratic incumbents who won by the same margin, only 5 live in a state where their party will craft new maps
 - **If both Republicans and Democrats redistrict to save their vulnerable incumbents, the result would be a net gain of 10 for Republicans**

Other Factors Affecting the 2022 Elections

- **Members' retirements** may change the calculus of elections
 - In states that have lost seats, the vacancy created by a retiring member offers an easy resolution
 - Retiring members districts also provide those in charge of redistricting ways to enhance the chances of those running for reelection and to create desirable open seats
- As of early October, **19 House members** had announced they would not be running again for their seats
 - **10 Democrats and 9 Republicans**

Retirements (those underlined are in states where redistricting is controlled by their party)

- **9 Republicans**-- Anthony Gonzalez (OH 16), Kevin Brady (TX 8), Tom Reed (NY 23), Billy Long (MO 7), Vicky Hartzler (MO 4), Ted Budd (NC 13), Mo Brooks (AL 5), Lee Zeldin R (NY 1), Jody Hice (GA 10)
 - all but 2 are in states where Republicans are in charge
- **10 Democrats**-- Ron Kind (WI 3), Cheri Bustos (IL 17), Filemon Vela (TX 34), Ann Kirkpatrick (AZ 2), Conor Lamb (PA 17), Val Demings (FL 10), Tim Ryan (OH 13), Charlie Christ (FL 13), Karen Ball (CA 37), Eddie Bernice Johnson (TX 30)
 - only 1 where Democrats are in charge: 1 is a state with a robust commission

In sum: Retirements advantage Republicans (they control more redistricting)

Reapportionment and Redistricting Are Critical to Who Has the Majority in the U.S. House of Representatives for the 118th Congress in 2023

- The current House of Representatives has 221 Democrats, 212 Republicans, and 2 vacancies—the margin is **very close**
- The changes because of reapportionment and the maps drawn through redistricting mean the **new 2023 House majority might easily go either way**

The State of Play for Redistricting and Party Gains: Republican Advantages

- **Republican-controlled states gained more seats in reapportionment (5 - 2)**
 - But some states that lost a seat may shed a Republican, e.g. in IL and NY
 - Also, the pattern of minority populations' growth may blunt Republican gains, e.g, in NC
- **Many more district lines are being drawn by Republican-controlled legislatures—this is the biggest factor**
- **Redistricting is likely to save more vulnerable Republicans than vulnerable Democrats**
- **Given the control of redistricting where retirements are, Republicans are advantaged**

The State of Play for Redistricting and Party Gains: Democratic Advantages

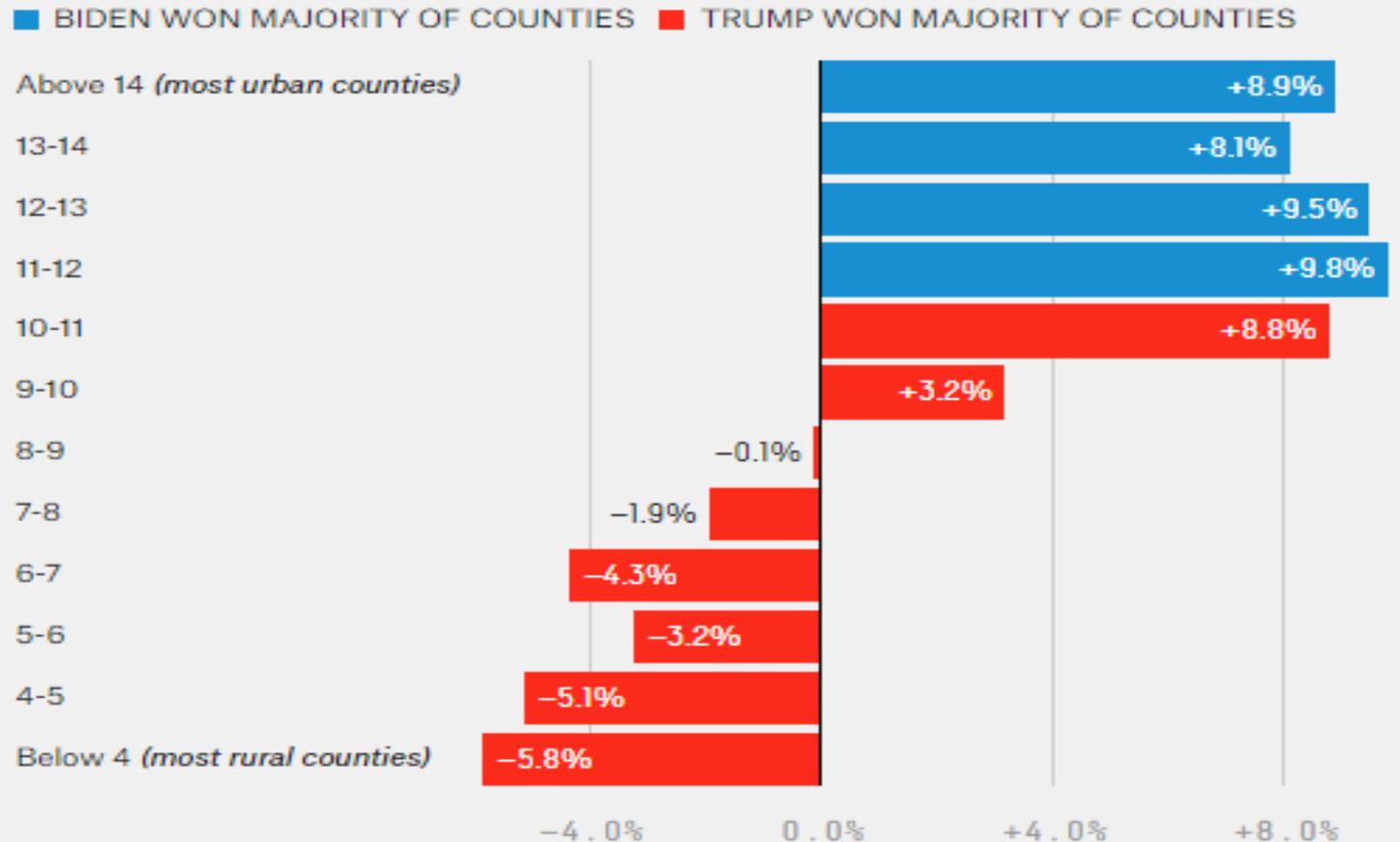
- Constraints that protect “**minority opportunity districts**” may **somewhat assist the Democrats** (favored by many minorities)
- Since the areas growing faster, urban and many suburban areas, tend to favor Democrats while rural areas which are growing slowly or shrinking tend to favor Republicans, over the course of the decade, districts are likely to shift blue
- **Litigation may not provide any comfort to Democrats in the short term** – not enough time to win before 2022 elections

Urban areas' relatively greater growth tends to favor the Democrats in the long run...

but maybe not yet because Republicans now control more state legislatures

The most rural (and reddest) counties are shrinking

Average county's population change from 2010 to 2020 census by FiveThirtyEight's urbanization index and which candidate won more counties in the 2020 presidential election



FiveThirtyEight's urbanization index, a calculation of how urban or rural a county is, is the natural logarithm of the average number of people living within a five-mile radius of every census tract in that county.

Analysis includes Washington, D.C., but excludes Alaska, which does not have county-equivalent-level election results available.

Redistricting and the 2022 Elections: Texas

- In TX, minorities constituted 3.8 million of the 4 million population increase since 2010
- These populations cluster in DFW, Austin, and Houston
- The two new seats gained through reapportionment, as of the current map in the legislature, go to Austin and Houston
- Neither is a “minority-opportunity” seat which makes a court challenge likely

Where Texas's
Hispanic Population
Has Increased and
Decreased since
2010

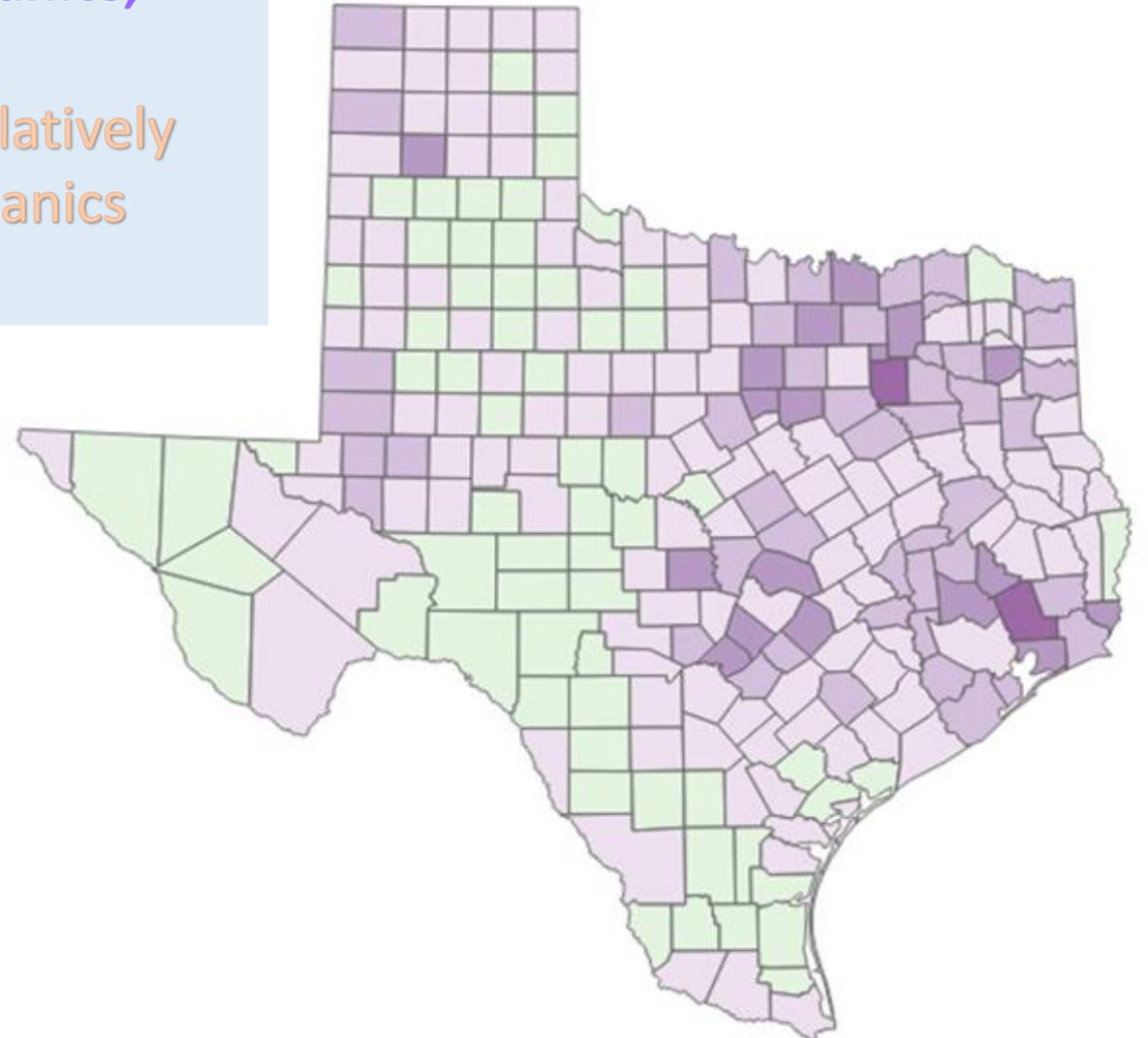
(Source: U.S. Census)

Percent Change Hispanic or Latino Population
by County: 2010 to 2020

Texas: 20.9%

Purple = relatively
more Hispanics,

Green = relatively
fewer Hispanics



Where Texas's
Black Popula-tion
Has
Increased and
Decreased since
2010

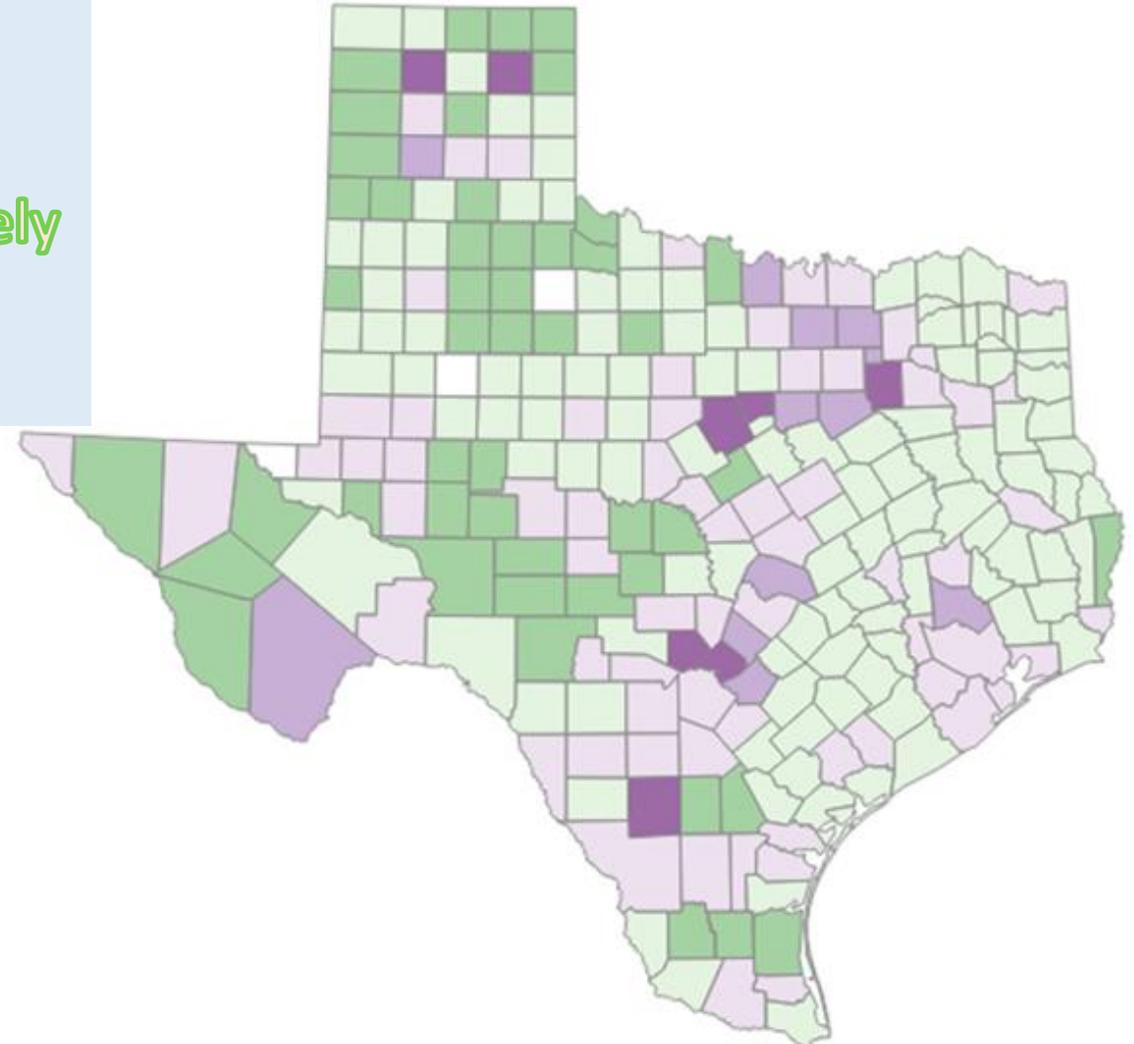
(Source U.S. Census)

**Purple =
relatively more
Blacks**

**Green = relatively
fewer Blacks**

Percent Change Black or African American Alone,
Total Population by County: 2010 to 2020

Texas: 19.2%



The Proposed Texas Congressional Districts: 23 Safe Republican, 12 Safe Democrat, 3 Competitive

Texas congressional districts by 2020 presidential vote margin

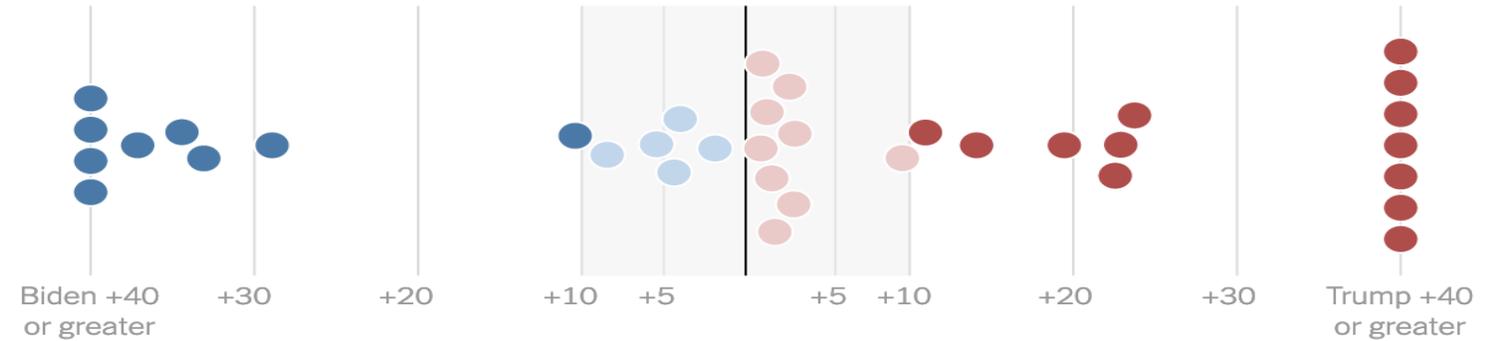
Current U.S. House districts

Current districts

9 districts
Biden +10 or greater

14 districts
Less than 10-pt margin

13 districts
Trump +10 or greater



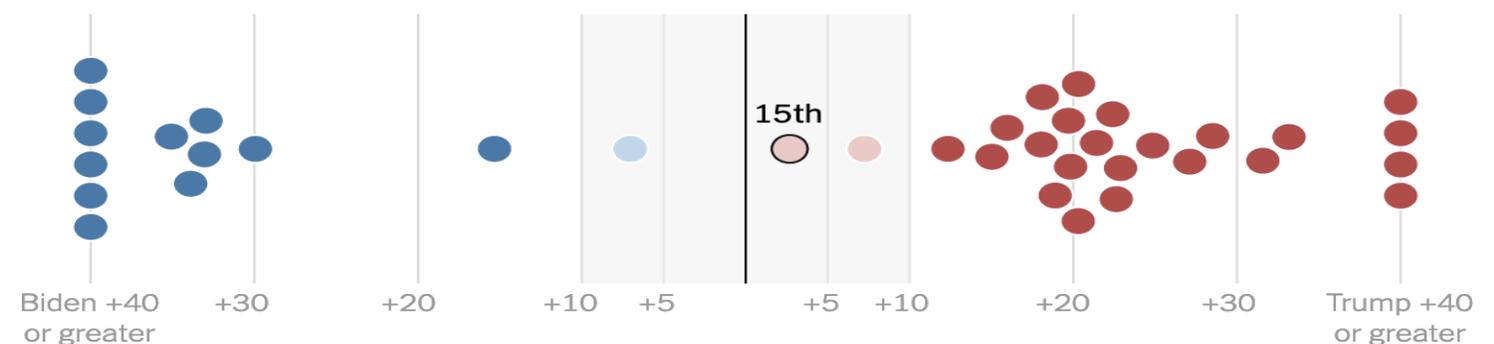
Likely future U.S. House districts

Proposed districts

12 districts
Biden +10 or greater

3 districts
Less than 10-pt margin

23 districts
Trump +10 or greater

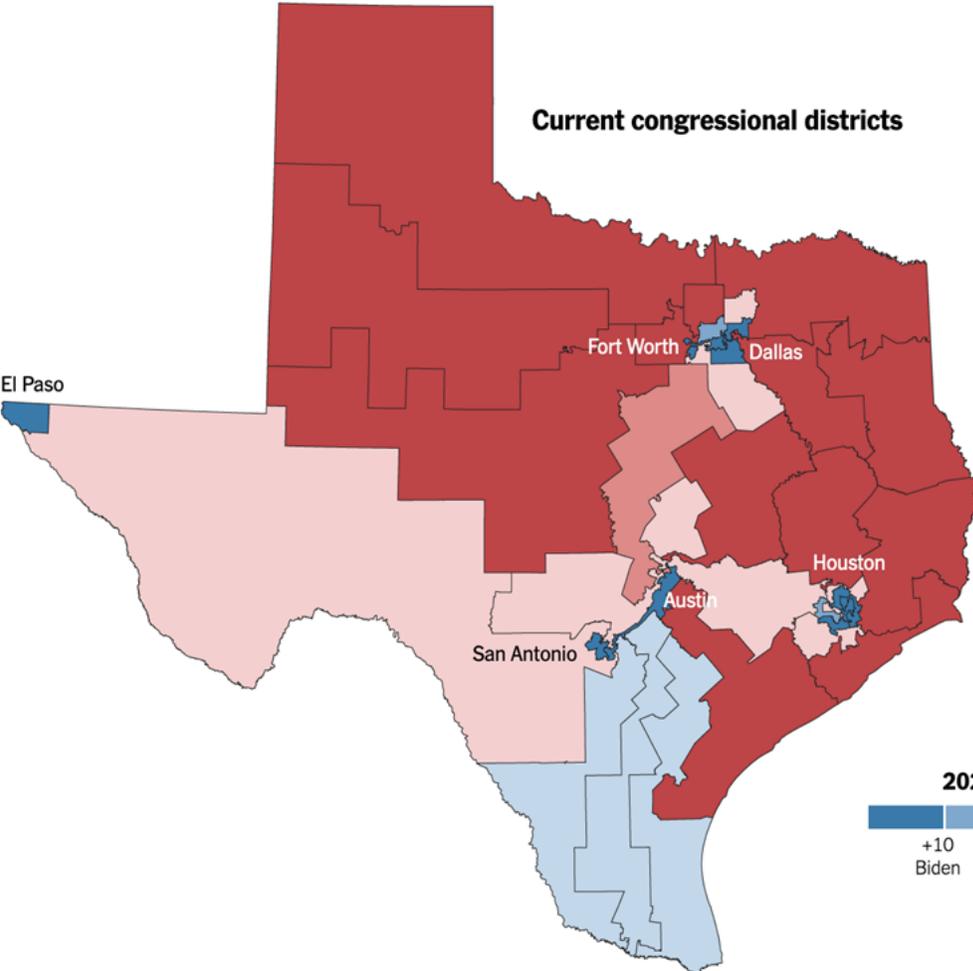


The Proposed Texas Map – U.S. House

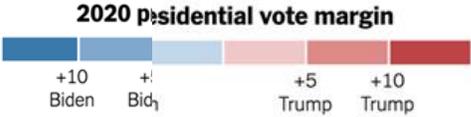
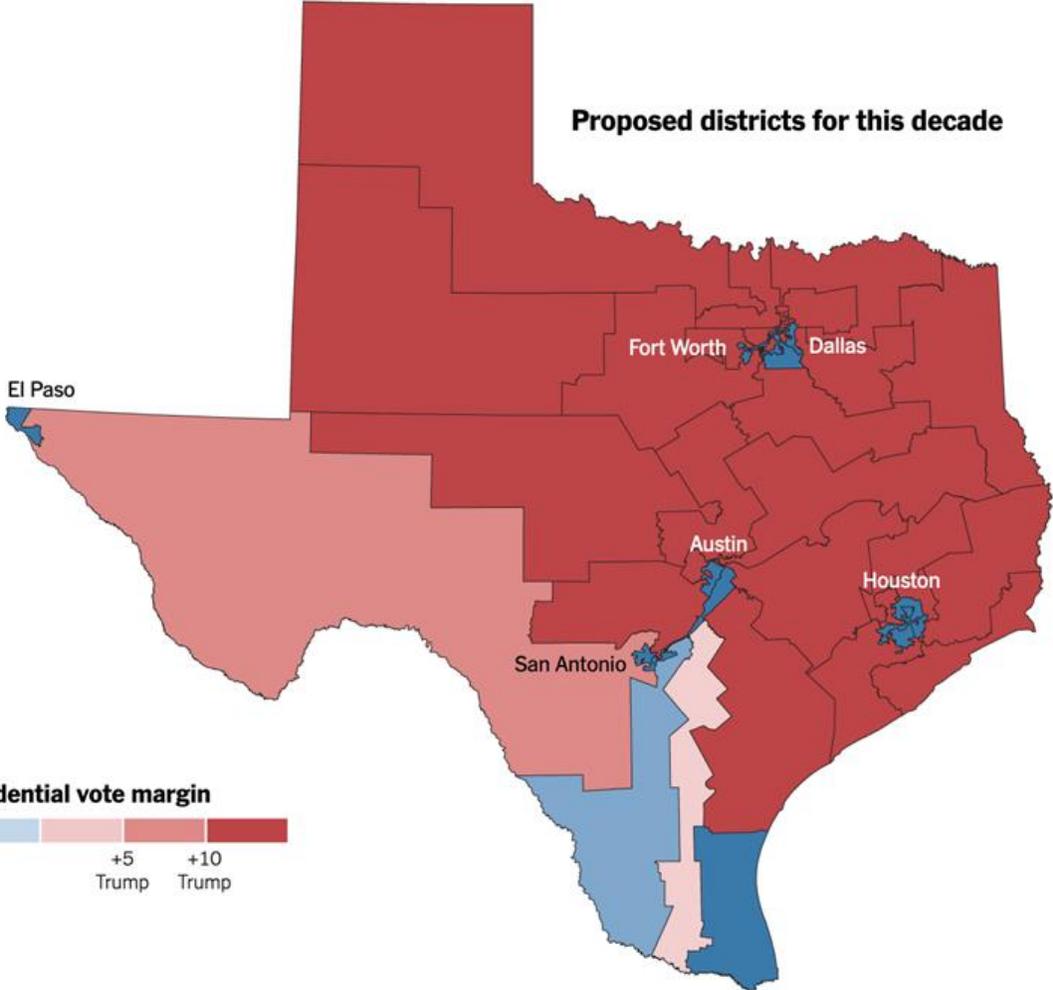
- Shores up Republican incumbents
- Reveals a defensive redistricting strategy
- Consolidates Republican districts and makes Democratic ones even safer
- Spreads out the Latino vote --no new majority-minority district
- Reduces the number of competitive seats
 - Only 1 district where the 2020 presidential margin would have fallen within 5%

Old and Proposed Texas Congressional Districts

Current districts



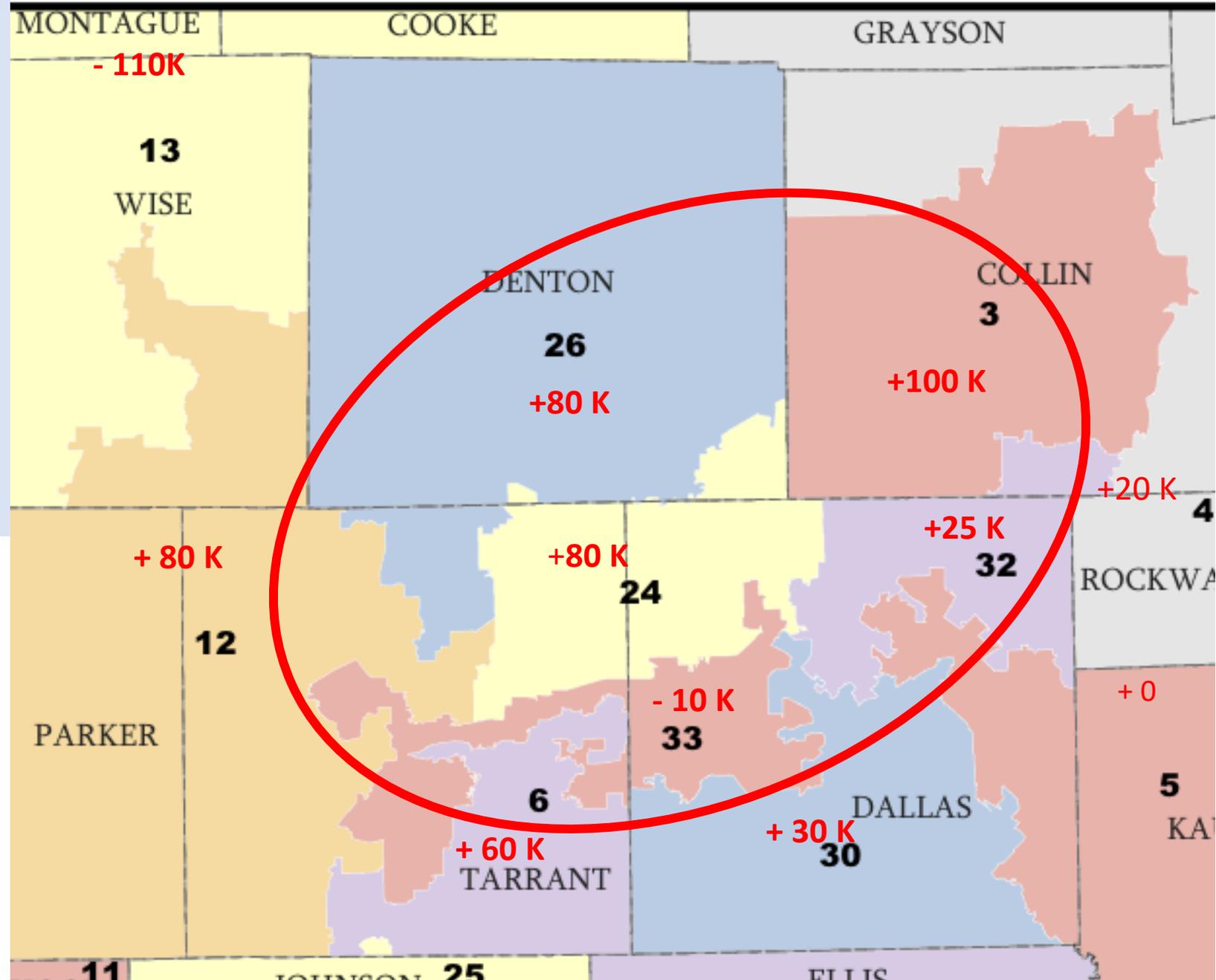
Proposed new districts



DFW area had enough new population for one new congressional district— but this didn't happen

Districts' incumbents

- 3 – Taylor (R)
- 6 – Ellzey (D)
- 12 – Granger (R)
- 13 – Jackson (RV)
- 24 – VanDuyne (R)
- 26 – Burgess (R)
- 32 – Allred (D)
- 33 – Veasey (D)



Of note:

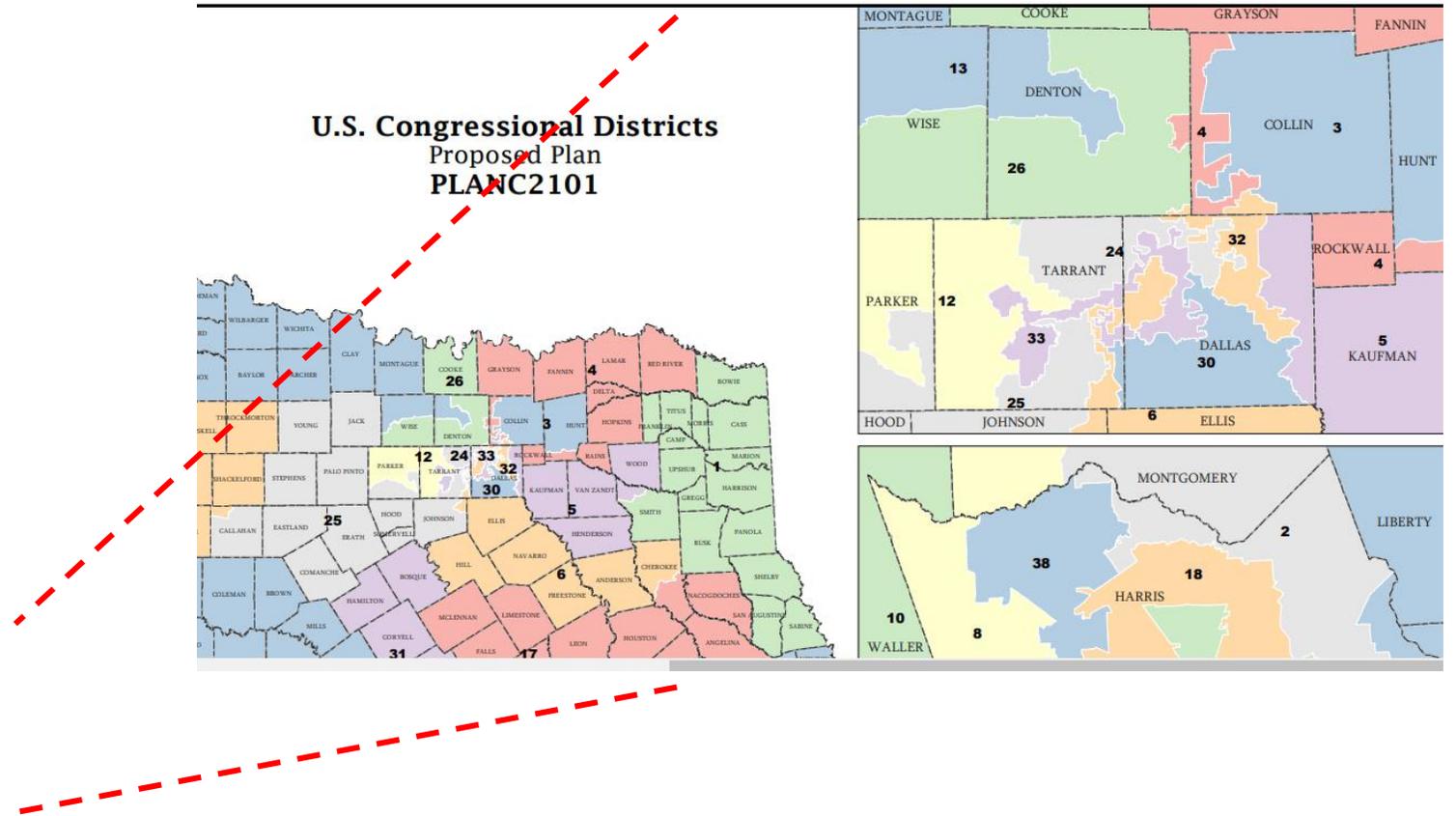
District 26 (Burgess-R)
loses part of Denton
County and much of
Denton city to District 13
(Jackson-R)

District 26 (Burgess)
would absorb the
southern half of Wise
County and all Cooke
County

**Part of Denton city would
be in same district as
Amarillo in Jackson's
District 13 (460 miles
long)**

**Veasey's (D) District 33
packs in minority voters
taken from VanDuyne's
(R) District 24**

Proposed Congressional Districts in Denton and DFW Area



The 2022 Elections

- Reapportionment based on the census is now complete and we know how many congressional districts each state has
- The detailed data for redistricting has been released and redistricting is underway
- The full effect of redistricting is not yet known nor is how extensive gerrymandering will be
 - The first completed maps suggest it will be extensive at all levels

The 2022 Elections—What We Know

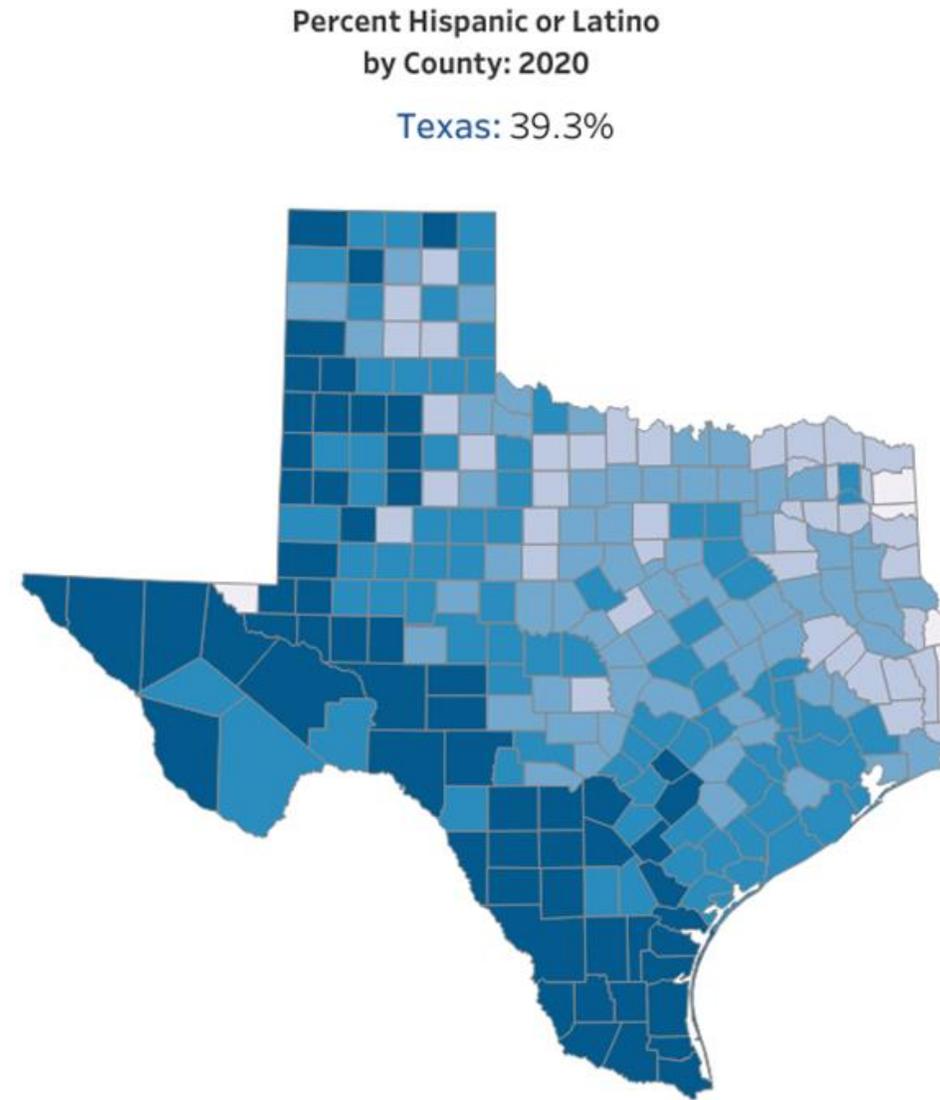
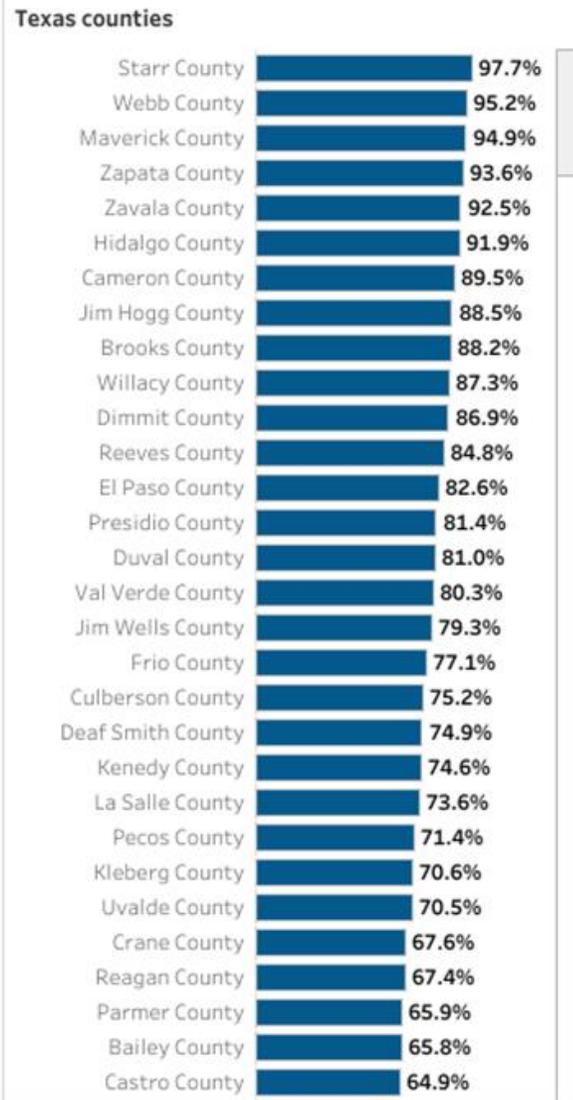
- Republicans are advantaged based on the number of states where they control the redistricting process, as well as with vulnerable incumbents and seats of those leaving the House
- The party of the president historically has lost seats in the first midterm election
- Presidential approval ratings affect midterm congressional results
- From these gleanings, we can say that Republicans have a good chance of becoming the majority in the House in 2023

One final note on redistricting – its pervasive!

- We have focused on U.S. Congressional districts, but that is only a fraction of redistricting
- Nearly every elective representative body in the United States must also be redistricted in the next few months to create roughly population-proportional districts; these include:
 - State legislative houses and senates
 - Other state elective boards (e.g., Texas' State Board of Education's 15 seats)
 - County commissioners' precincts
 - City council representatives' districts

- Questions?

- Thank you!



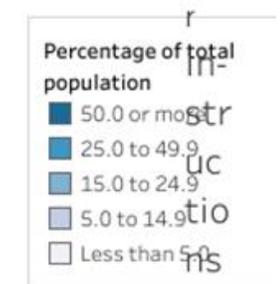
Interested in a particular county?
 Enter a county in the search bar to highlight it.

No items highlighted

Use the filter to change state.

Texas

[Return to Nation](#)

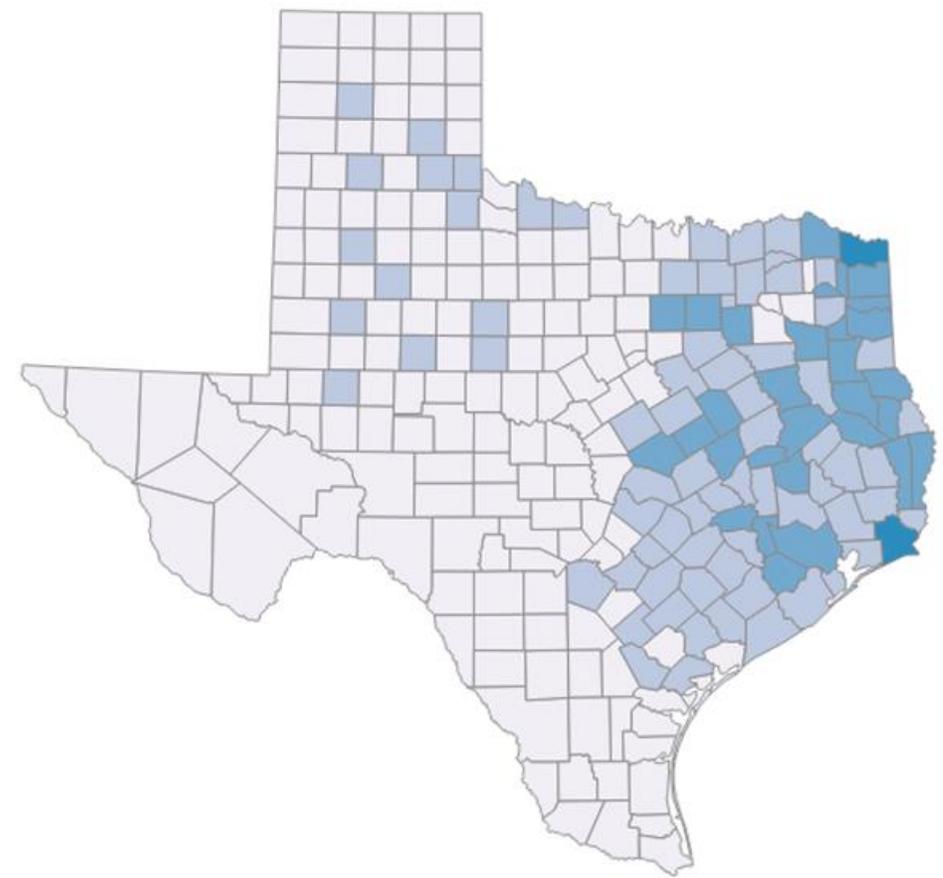


Texas counties

Jefferson County	33.1%
Bowie County	25.0%
Houston County	23.5%
Bell County	23.0%
San Augustine County	22.5%
Falls County	22.3%
Dallas County	22.0%
Walker County	21.8%
Waller County	21.6%
Fort Bend County	20.8%
Morris County	20.6%
Gregg County	20.3%
Anderson County	20.0%
Harrison County	19.7%
Madison County	19.4%
Harris County	19.2%
Marion County	19.1%
Robertson County	19.0%
Tarrant County	17.4%
Newton County	17.1%
Jasper County	17.0%
Limestone County	16.8%
Nacogdoches County	16.6%
Smith County	16.5%
Shelby County	16.0%
Cass County	16.0%
Rusk County	15.9%
Washington County	15.7%
Camp County	15.2%
Red River County	15.2%

Percent Black or African American Alone,
Total Population by County: 2020

Texas: 12.2%



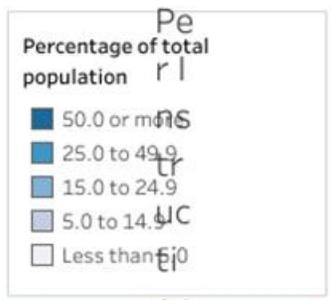
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No items highlighted

Use the filter to change the state.

Texas

Return to Nation



Census results 2020 v. 2010 in the U.S. and Texas

	U.S Populations (millions)			Texas Populations (millions)			
	2010	2020	% change 2010-2020	2010	2020	% change 2010-2020	+/- Popul. added
Total population	308.7m	331.4m	+7.4%	25.1m	29.1m	+15.9%	3,999,944
% "White only" %	64%	58%	-4.9%	46%	40%	+1.6%	179,000
% "Black only"	12%	12%	+6.3%	12%	12%	+18.9%	547,000
% Hispanic	16%	19%	23.1%	38%	40%	21.5%	1,999,500
% "Asian only"%	3%	6%	89.5%	0.4%	5%	64.6%	610,000

Census results 2020 v. 2010 in the U.S. and Texas

	U.S Populations (millions)			Texas populations (millions)			
	2020	2010	% change 2010-2020	2020	2010	% change 2010-2020	+/- Popul. added
Total	331.4	308.7	+7.4%	29.1	25.1	+15.9%	3,999,944
“White only”	191.6 (58%)	196.7 (64%)	-4.9%	11.6 (40%)	11.4 (46%)	+1.6%	179,000
“Black only”	40.1 (12%)	37.7 (12%)	+6.3%	3.4 (12%)	2.9 (12%)	+18.9%	547,000
Hispanic	61.9 (19%)	50.3 (16%)	23.1%	11.5 (40%)	9.5 (38%)	21.5%	1,999,500
“Asian only”	19.9 (6%)	10.5 (3%)	89.5%	1.6 (5%)	1.0 (4%)	64.6%	610,000