


"FYI" - Submitted By: *Merald L. White, Sr.*  
 Hillsborough County  *Charter Review Board*  
 7/30/2010

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## Redistricting and Census Frequently Asked Questions

This memo provides quick answers to the most common questions about the redistricting & census process. This memo is not meant to be a formal legal opinion. It instead attempts to give answers in a more direct and easier to read fashion. Even in this form, some of the terms used are very technical in nature, so if you have additional questions, please contact the County Attorney's Office at (813) 272-5670.

- Please explain what you mean by "minority"
- Why is "Hispanic or Latino" listed on a separate district map?
- What is considered a "discriminatory effect?"
- Why is District 3 often called the "minority district?"
- What will the Department of Justice look for when it receives the new districts?

### Please explain what you mean by "minority":

The Federal Government has created several definitions and classifications for the term "minority." On its most basic level, the term minority is defined as a population group that has fewer individuals than another population group. For purposes of redistricting, the Federal Government looks to whether there is a discriminatory effect against the voting rights of any members of a "racial minority" or a "language or ethnic" minority. All of these definitions are solely for record-keeping and for enforcement of civil rights laws. The definitions are not meant to be scientific or genetic in nature, but to reflect the Federal Government's present view of ancestry, society, and culture.

The Federal Government presently keeps data on the following "racial" groups:

- **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **Black or African American.** A person having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

In addition, the Federal Government keeps data on the following "language" or "ethnic" groups:

- **Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture, heritage, or origin, regardless of race.
- **American Indian, Asian American, & Alaskan Native** groups are also incorporated in this category for consideration of whether such groups are discriminated against because of their language abilities.

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Why is "Hispanic or Latino" listed on a separate district map?

In Census 2000, the Census Bureau asked individuals to check off one or more of the above racial categories. The bureau then asked whether or not a person considered themselves to be Hispanic or Latino. A person can check any of the above racial categories and also check Hispanic or Latino. Therefore, the data collected from Census 2000 has to be presented on two different maps to show how individuals classified themselves.

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### **What is considered a "discriminatory effect?"**

A change is considered discriminatory if it will lead to a "retrogression" in the position of members of a racial or language minority group with respect to their opportunity to vote. "Retrogression" means making someone worse off than they had been before a change. The benchmark for determining this effect is the present commission districts, adopted in 1991.

Therefore, the task force will be looking at the population change between Census 1990 and Census 2000 in order to seek a new set of districts that do not cause retrogression. Any appearance of retrogression will have to be explained to ensure that there is no discriminatory intent or effect. The Task Force has set a goal of zero retrogression in redistricting. The final district layout will, however, depend upon all of the factors required to be followed in this process.

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### **Why is District 3 often called the "minority district?"**

District 3 has been sometimes labeled the "minority" district since its creation after the 1983 Hillsborough County Charter. The reason for this is under the Federal Voting Rights Act, the districts were originally drawn to allow a larger concentration of "minority" voters in one district to increase the likelihood of diversity on the Board of County Commissioners. In this situation, the term "minority" combined all racial and language minorities into one group. This includes all of the racial and language or ethnic groups listed previously as adopted by the Federal Government. That combination created a district that was 36.40% Black or African American and 15.64% Hispanic or Latino in population. Under these definitions, this combination allowed a 52.04% "minority" population.

The Task Force has set a goal of not reducing the population percentages in this district. As stated above, the final district layout will depend upon all of the factors required to be followed in this process.

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### **What will the Department of Justice look for when it receives the new districts?**

There are two levels of scrutiny that the Department of Justice will use when analyzing the new districting plan. These are Section 5 preclearance and Section 2 Review. The section numbers come from the original bill that passed Congress as the Voting Rights Act and do not match up directly to their United States Code sections.

#### **■ Section 5 Preclearance**

Section 5 of the Voting Rights Act (42 USC 1973c) sets out certain state and local governments that must seek federal approval ("preclearance") before making a change that would affect voting rights. Hillsborough County is a preclearance jurisdiction.

The Attorney General has stated that in order to be "precleared," the county must show that any change which affects voting rights does not have a discriminatory purpose and will not make racial or language minority voters worse off under the new plan than under the old plan. In order to do this, the new 2001 districts will be compared with the last precleared districts, in our case, the 1991 districts.

#### **■ Section 2 Review**

Section 2 of the Federal Voting Rights Act (42 USC 1973) provides that it is illegal for state and local governments to use election processes, including commission district plans, that are not equally open to all voters, or which gives one population less opportunity to participate in the political process and elect representatives of their choice to political office. The Attorney General can litigate problems under this section at any time, it is not solely used with redistricting.

Section 2 also includes a prohibition on vote dilution. To show vote dilution there must be evidence that voters in the

majority are voting as a bloc to preclude the electoral choice of voters in a geographically distinct minority, even if voters in the minority are unified in their voting

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Credits: 42 USC 1973, 28 CFR 51 & 55, the Hillsborough County Charter, and Frequently Asked Questions, U S. Department of Justice Civil Rights Division Voting Section.



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**Minority and Ethnic Group Percentages for Adopted Districts**

DISTRICT	1	2	3	4
District Population	249676	249304	247825	252143
Target Pop.	249737	249737	249737	249737
Percent deviation from target pop.	-0.02%	-0.17%	-0.77%	0.96%
% WHITE	81%	85%	51%	83%
WHITE	203465	211204	125980	210254
% BLACK	7%	7%	39%	7%
BLACK	17015	17085	97007	18316
% HISPANIC	26%	13%	19%	14%
HISPANIC	65565	31799	46342	35986
% Non HISPANIC	74%	87%	81%	86%
Non HISPANIC	184111	217505	201483	216157
% AMERICAN INDIAN	0.4%	0.3%	0.5%	0.4%
AMERICAN INDIAN	967	819	1118	975
% ASIAN	3%	3%	1%	1%
ASIAN	6926	7745	3648	3628
% Total Other	9%	5%	8%	8%
Total OTHER	21303	12451	20072	18970

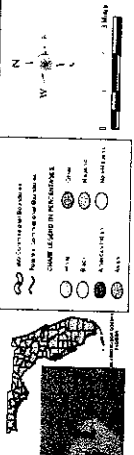
# Census 2000 Equalized District Populations With Consideration of Community Input

## OPTION ONE

Office of the County Administrator  
**David A. Michalski**  
 Real Estate Department  
 Survey Division  
**GIS SECTION**  
 601 E. Kennedy Blvd.  
 Hillsborough County  
 Florida  
 Tampa, Florida 33601-1110  
 (813) 273-8800  
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### Legend

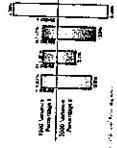


### Census 2000 Population Data

Census 2000 Population Data for Hillsborough County, Florida. This map displays the population distribution across various districts, with pie charts indicating the percentage of the total population residing in each district. The total population for Hillsborough County is 1,000,000.

### Evaluation of Criteria

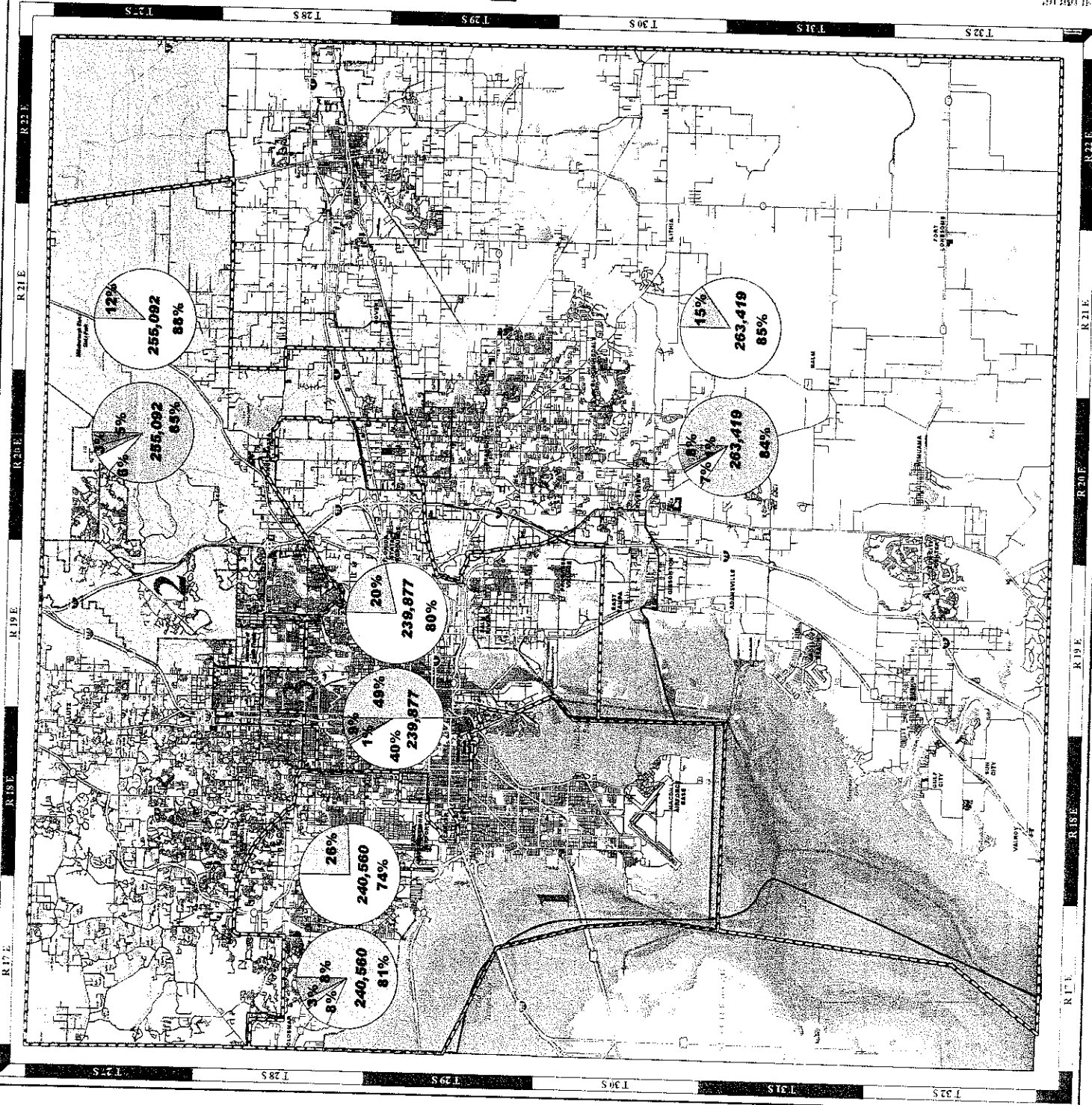
This map displays the evaluation of criteria for the proposed district boundaries. The criteria include population, geographic compactness, and community input. The map shows the results of the evaluation, with shaded areas indicating the areas that meet the criteria.



1. The population of each district is approximately equal to the population of the other districts.  
 2. The geographic compactness of each district is high.  
 3. The community input for each district is positive.

District	Population	Percentage
District 1	240,560	24%
District 2	239,877	24%
District 3	263,419	26%
District 4	255,092	25%
District 5	240,560	24%
District 6	263,419	26%

Census 2000  
 Equalized District Populations  
 With Consideration of  
 Community Input  
**OPTION ONE**  
 2000



# Census 2000 Equalized District Populations With Consideration of Community Input **OPTION TWO**

Office of the County Administrator  
**Daniel A. Klaman**

Real Estate Department  
Survey Division  
**CIS SECTION**  
601 E. Kennedy Blvd  
Tampa, Florida 33602-1110

GIS CONTACT  
813.272.4589  
cisa@hiborough.fl.gov  
www.hiborough.fl.gov



## Legend

- Equalized District
- Interstate
- Major Road
- Minor Road
- Water
- Rail
- Airport
- School
- Park
- Cemetery
- Other



## Census 2000 Population Data

Population	Male	Female	White	Black	Hispanic	Other
255,265	127,633	127,632	187,100	68,165	10,900	9,000

## Evaluation of Criteria

**Criteria for Evaluation:**

1. The population of the district is within 10% of the target population.
2. The population of the district is within 10% of the target population.
3. The population of the district is within 10% of the target population.
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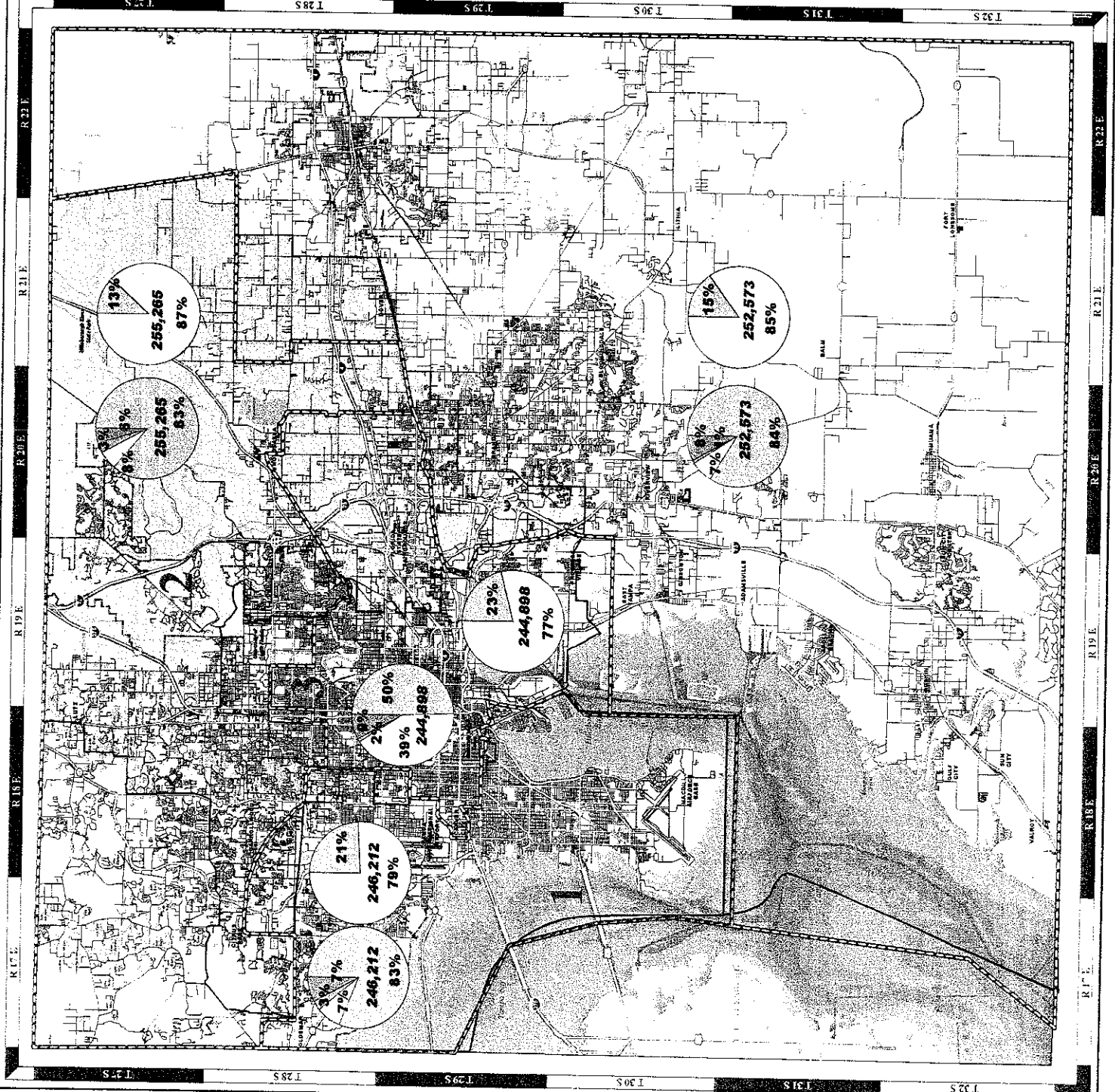
7. The population of the district is within 10% of the target population.

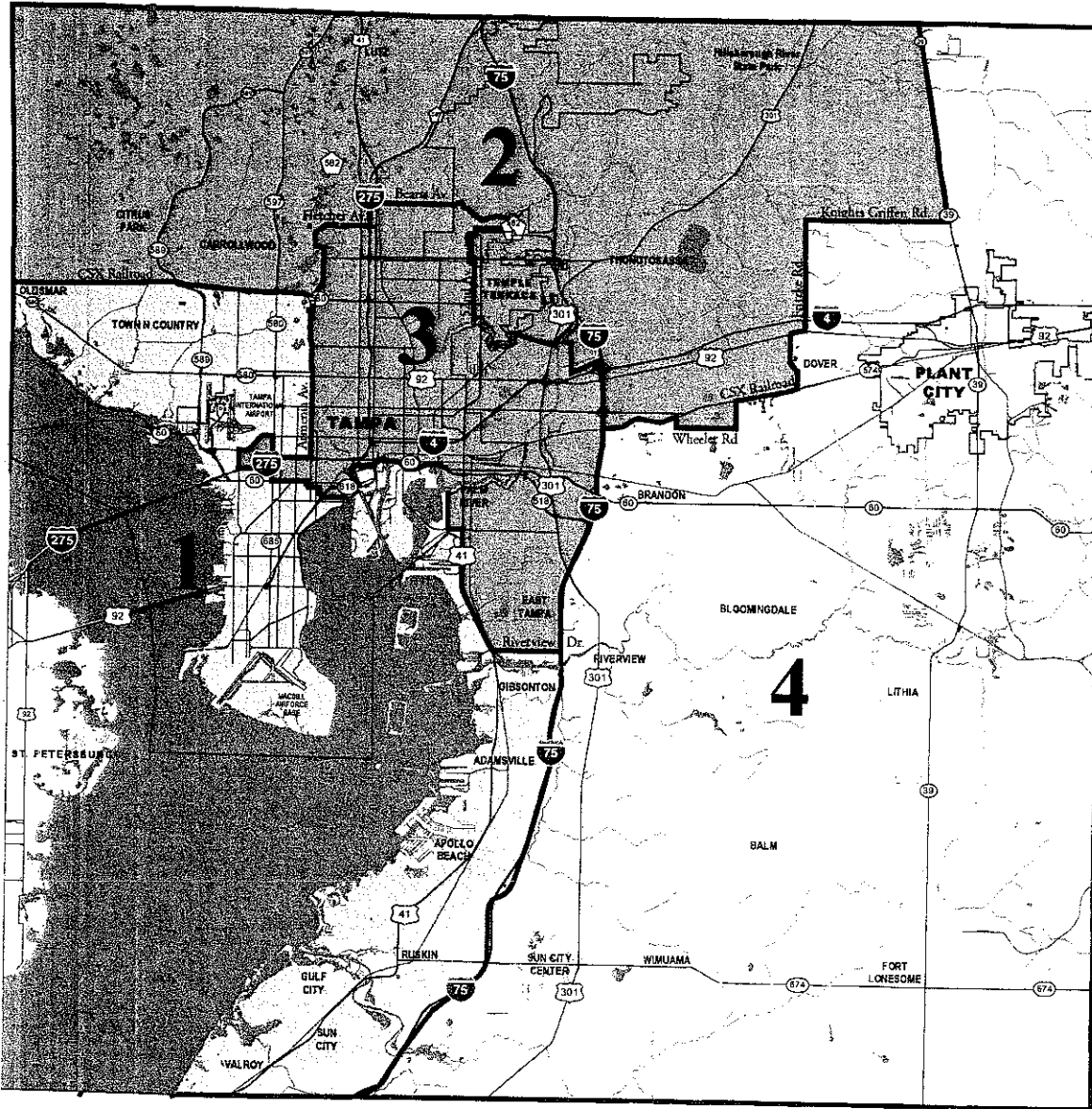
8. The population of the district is within 10% of the target population.

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10. The population of the district is within 10% of the target population.

Census 2000  
Equalized District Populations  
With Consideration of  
Community Input  
**OPTION TWO**  
April 2000





## Adopted Commission District Boundaries: 2001

Date: July 13, 2001

NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data

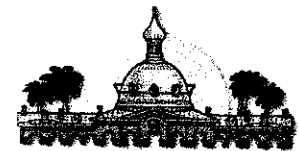
Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map

Real Estate Department  
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