

# Reprecenting in Massachusetts

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OFFICE OF THE SECRETARY OF THE COMMONWEALTH

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# Reprecincting Overview

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- **What is reprecincting?**

- Reprecincting is the drawing of new local district lines.
- Wards and precincts in the cities and towns within which they are comprised, form the building blocks for the larger legislative districts.
- Districts must be drawn so as to contain roughly equal numbers of residents
  - This is different from the number of registered voters.
  - Population is determined by the most recent federal census.

# Reprecincting Overview

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- **When is reprecincting done?**
  - Every ten years, after each federal census.
- **Why is reprecincting done?**
  - State law requires each city and town to create new precinct boundaries that take into consideration population, communities of interest, and state and federal constitutional requirements, among other considerations.

# Redistricting Overview

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- The law requires that legislative districts be redrawn on a periodic basis so that shifts in population will neither unfairly increase nor diminish a particular voter's voice in government.
- The new precinct lines form the building blocks of other districts, including congressional districts, state senator and state representative districts.
- In Massachusetts, the Legislature is charged with creating new legislative districts.
- When determining legislative districts, the government may not unfairly dilute minority voting strength, nor may it make race the predominant factor in redistricting absent a compelling state interest.

# Local Reprecincting

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- Municipalities themselves have the initial responsibility of establishing ward and precinct boundaries, which become the building blocks in determining legislative and local government districts.
- A **precinct** is the smallest geographically bounded unit used for state election purposes.
- A **ward** is a geographically bounded unit for election purposes, which consists of one or more precincts.

# **Establishment of Wards and Precincts**

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- Each city and town is required to establish ward and precinct lines every ten years, following the federal census if:
  - A town contains more than 6,200 residents; or
  - A precinct contains more than 4,000 residents; or
  - The wards of a city do not contain approximately equal numbers of residents so that each ward's population is within 5 percent of the average; or
  - A ward not divided into precincts contains more than 4,000 residents.

# Standards

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- The law requires that voting precincts established by a city or town must meet the following requirements:

- Each new precinct must be “composed of compact and contiguous territory” without protruding fingers or long tails to the extent possible.
- **Precincts must be bounded by the center-line of streets or other well defined boundaries** such as streams or other bodies of water, railroad tracks, power lines or other clearly visible geographic figures.
- No precinct may contain more than 4,000 residents.
- Every precinct's population must be within five percent (5%) of the average precinct population for that ward or town.
- Ward populations must be within five percent (5%) of the average ward population for the city.

# Minority Vote Dilution

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- Redrawn precinct and ward boundaries must not result in the dilution of minority group members' votes.
- The Voting Rights Act prohibits any voting practice which “results in a denial or abridgement of the right... to vote on account of race or color” or membership in a language minority group.

# Minority Vote Dilution

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- Two examples of possible violations are known as “packing” and “fragmentation”:
  - “**Packing**” means concentrating a high proportion of minority group members in one or a few districts so that their votes cannot elect as many minority group representatives as another plan may potentially allow.
  - “**Fragmentation**” refers to spreading minority group members among many districts or submerging them in a district dominated by another group also resulting in the election of a smaller number of minority group representatives.

# Minority Vote Dilution

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- Resources to obtain precise information about how many minority group members reside in which areas of a municipality:
- “**Census of Population and Housing**” provided by the United States Census Bureau.
- The data series “**Block Statistics**” contains basic race and ethnic information allowing aggregation of minority data from the block level up to the ward and precinct areas being redistricted for the community.
- This and other statistical data will be posted on the U.S. Census Bureau’s website ([www.census.gov](http://www.census.gov)) no later than September 30, 2021.

# Other Considerations

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- Existing polling places
- Potential new polling places
- Communities of interest
- New construction

# Local Approval Procedure

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- Local reprecincting plans must first be approved locally and are generally adopted by a vote of the city council in a city and by a vote of the select board or town council in a town.
- **After local approval, the city or town clerk must give written notice of the division, submit maps and required paperwork to the Local Election Districts Review Commission (LEDRC).**

# Local Election Districts Review Commission

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- The LEDRC is an independent commission charged with the responsibilities of overseeing, supervising and approving the divisions of cities and towns into precincts.
- The LEDRC consists of three members: the attorney general and the state secretary, or their designees, and a third member appointed by the governor.
  - Each member serves at the pleasure of their respective designating officer.
- The LEDRC has the authority to reject submitted plans and to require local authorities to reconfigure their wards and precincts.
  - If a locality fails to submit a ward and precinct plan or fails to comply with a directive of the LEDRC following its review, then the LEDRC (or a master appointed by the LEDRC) is mandated to make local ward and precinct divisions itself.

# **Submission to LEDRC**

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- Six (6) items must be certified and submitted to the LEDRC:
  1. Number and designation (numbers or letters) of wards and precincts and their population; and
  2. Official census map showing new wards and precincts designated by number and letter; and
  3. A physical boundary description of the new wards and precincts which includes the number of residents in each new ward and precinct; and
  4. A list of the census tract and block numbers and each block's population for each precinct; and
  5. A map with the precincts drawn on it; and
  6. Vote of adoption.

# **LEDRC Procedures**

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- The LEDRC will review the submission and vote to accept or reject the submission.
- Meetings of the LEDRC are public.
- If the plan is accepted, the city or town will be so notified.
- If the LEDRC determines there are problems with the submitted plan, the LEDRC must give specific written notice to the select board or town council in a town or the mayor or city manager of a city.

# Correcting Deficiencies

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- In cities, upon receipt of notice of deficiencies, the mayor or the city manager must present their recommendations to the city council to revise the plan to bring it into compliance in a timely fashion after receiving notice from the LEDRC.
  - If the city council fails to timely adopt a plan, the mayor or city manager may give an executive order making the changes.
- If corrections are not made and a new/revised plan submitted, the LEDRC can either make the division itself or appoint a master to make the division.
- **If the LEDRC is required to appoint a master, all costs associated with the appointment will be the obligation of the municipality.**

# Timeline

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- Now-September 30, 2021: Reviewing and evaluating current precinct lines using population estimates.  
“Legacy files” released by Census Bureau.
  - August 15, 2021: Official 2020 Census numbers to be released.
  - September 30, 2021:
  - \*October 30, 2021: Deadline for cities and towns to vote to approve new precinct boundaries and submit to LEDRC
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- If the LEDRC notifies the city or town of a deficiency, the city or town shall have 7 days to correct.

# **Notice to the Public and Local Officials**

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- Once a re-division has been approved by the LEDRC, the city council in a city or the select board or town council in a town must publish a map or description of the new precincts.
  - The map must clearly define the boundaries of the precincts.
- Copies of the map or description of the precincts must be sent to the appropriate election officials and the board of assessors.
- Copies are also posted in public places in every precinct as determined by the city council or the select board or town council.
- Every registered voter whose polling place is changed by the reprecincting must be notified by mail of the new polling place.

# **Effective Date of New Precincts**

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- Changes in wards and precincts are effective on December 31<sup>st</sup> of the year of their adoption.
- All regular municipal preliminaries, primaries and elections held in any community after it has been redivided shall be held in such community as redivided.

# Individual Workshops

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- Municipalities can sign-up for individual workshops following this link:
  - <https://www.sec.state.ma.us/CensusWeb/Registration.aspx>
- When a city/town registers for this workshop, only staff from the same municipality will be able to register.
- The schedules will change weekly.
  - Please visit the website frequently or reach out to the Census Division directly for scheduling questions.

# Questions?

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Contact the Census Division at:

[www.ma2020census.org](http://www.ma2020census.org)

617-878-3219

[ma2020census@sec.state.ma.us](mailto:ma2020census@sec.state.ma.us)