

BALTIMORE COUNTY COUNCILMANIC REDISTRICTING COMMISSION

June 28, 2011

The Honorable John Olszewski, Sr.
Chairman - Baltimore County Council
Old Court House, Room 205
400 Washington Avenue
Towson, MD 21204

**RE: Baltimore County Councilmanic Redistricting Commission
2011 Redistricting Process and Recommendations**

Dear Chairman Olszewski:

As Chairman of the first Baltimore County Councilmanic Redistricting Commission (hereinafter referenced as the "Commission"), it is my pleasure on behalf of the other members of the Commission to provide you with this report that summarizes our findings and recommendations with regard to the 2011 redistricting process.

Initially, let me state that I have been honored to serve on the Commission with distinguished members Anne C. Neal, Ralph W. Wright, Robert E. Latshaw, and James A. Gillis. The diversity and varied backgrounds of the Commission members fostered very insightful and productive discussions, and their diligence in completing the task at hand results in what we believe is a workable, objective and fair redistricting map -- one that reflects an independent analysis of the issues and concerns associated with this process.

By way of background, following the recommendation of the Murphy Commission, which reviewed the Baltimore County Charter provisions governing redistricting, the County Council passed Bill 67-02 to amend Charter Section 207 and establish a councilmanic redistricting commission. Baltimore County voters approved the Charter amendment on November 5, 2002. On March 7, 2011, the County Council passed Resolution 26-11 establishing the current Redistricting Commission.

On March 16, 2011, members of the Commission held an organizational meeting in the Council library where Council Secretary Thomas J. Peddicord, Jr. presented the members with the *Baltimore County Redistricting Manual* and highlighted the relevant provisions of the process and legal requirements. The members also discussed scheduling issues related to the holding of public hearings and their locations. In addition, the members were given a demonstration by a representative of the County's Office of Information Technology of the computer software system that would allow redistricting lines to be moved and maps redrawn.

Thereafter, the Commission held three public hearings -- on April 12, 2011 at 7:00 PM in the County Council Chamber in Towson, on April 13, 2011 at 7:00 PM in the auditorium of New Town High School in Owings Mills, and on April 28, 2011 at 7:00 PM in the auditorium of Patapsco High School in Dundalk. The purpose of the public hearings was to give members of the community and interested citizens across the County the opportunity to provide input and express their opinions and concerns on redistricting to members of the Commission. The main theme of the offered testimony was “community” -- that is, the desire to keep existing communities together as well as to re-unify communities that may have been separated in prior redistricting. Another issue brought to the attention of the Commission was the potential for creating a second majority-minority district in Baltimore County, as was done initially in the 2001 redistricting process.

Following the public hearings, the Commission met together on June 22, 2011 in the Council library and discussed various issues that had been brought forth by the public, as well as those that had arisen during the Commission’s review of the 2010 census data.

In order to give context to the Commission’s decisions and recommendations regarding the new redistricting boundaries, a brief review of the relevant law is helpful. Charter Section 207(b) requires the Commission to recommend legislation that “shall provide for councilmanic districts that are compact, contiguous, and substantially equal in population, and in which due regard is given to current natural, geographic, and community boundaries.” These elements are defined and explained in more detail in the *Baltimore County Redistricting Manual*. It is noteworthy, however, that the requirement for relative equality of population in the councilmanic districts is the most critical element of the redistricting process. Cases have generally held that a legislative plan with an overall population range of less than ten percent is acceptable, with individual districts in a range of less than five percent from the target population figure.

The 2010 census data reveals a total County population of 807,053, an increase from the 2000 census of 52,761.¹ Analysis of the figures reveals that increases in population occurred in all of the Districts, with Districts 3, 4, 5, and 6 showing the most significant overall growth. Based on the current total population, the optimal population figure for the 2011 redistricting is 115,293.

¹This figure includes incarcerated persons under the “No Representation Without Population Act” passed by the General Assembly in 2010, which requires population counts to include individuals incarcerated in the State or Federal correctional facilities at their last known residence before incarceration if the individuals were residents of the State of Maryland.

The chart below shows the current population figures by District:

<u>DISTRICT</u>	<u>POPULATION</u>	<u>%DEVIATION</u>
1	108,360	-6.01
2	110,984	-3.74
3	116,637	1.17
4	117,072	1.54
5	122,127	5.93
6	121,453	5.34
7	110,420	-4.23

With an optimal population figure of 115,293, these figures result in a total percent deviation of 11.94%, with District 5 over by 5.93% and District 1 under by 6.01%.

In order to be at or near the optimal population figure of 115,293, adjustments were obviously required in Districts 1 and 5. In reality, adjustments were required in all districts in order to achieve substantial equality in population. The task of achieving this equality was further complicated by the requirements of “compact and contiguous” districts, while also giving “due regard to current natural, geographic, and community boundaries.” In addition, the need to increase the population figures for Districts 1 and 7 presented unique challenges due to their locations at the lower end of the County to the west and east, respectively. More particularly, District 1 is constrained by its border with Anne Arundel and Howard Counties to the south and west and with Baltimore City to the east. It has no other avenue with which to increase population than from its neighbor to the north, District 4. Similarly, District 7 is constrained by the waters and tributaries of the Chesapeake Bay to the south and east and also with Baltimore City to the west. Hence, it must look to District 6 to the north in order to gain population.

While striving to achieve this substantial equity of population, the Commission also looked at the potential for a second majority-minority district. This subject had been raised by a number of individuals who testified at the public hearings. While another majority-minority district may be desirable and certainly worthy of consideration, at this time it does not seem feasible based on the current census data. An objective analysis of this data reveals that there is not now a minority group that is appropriately sizeable and geographically compact so as to comprise a majority in a second Baltimore County single-member district. The likelihood of another majority-minority district in the future will likely be dictated by natural population shifts and the movement of different races into and out of the various districts.

Following our discussion and deliberations, the Commission unanimously approved a recommended map. Attached to this report is the recommended Redistricting Map and population figures, and accompanying legislation, which is presented to the Council for its review. Of primary

importance, the new Map results in population figures that are well within the “10% overall and 5% each district” recommended deviation in order to ensure Districts that are substantially equal in population. Moreover, the Map generally keeps existing communities in the same Districts as before, and also re-unifies traditional communities such as Reisterstown, Mays Chapel, Hillendale, and Perry Hall. Further, the Map takes into account natural boundaries and re-unifies waterfront communities on the east side of the County by placing the entire Back River Neck/Holly Neck peninsula into District 7, and placing White Marsh and areas south of the I-95 corridor and north of Bird River into District 6.

The chart below represents the adjusted population figures for the newly proposed Redistricting Map as follows:

<u>DISTRICT</u>	<u>POPULATION</u>	<u>%DEVIATION</u>
1	114,618	-0.59
2	112,604	-2.33
3	113,665	-1.41
4	110,814	-3.88
5	120,266	4.31
6	117,994	2.34
7	117,092	1.56

These figures result in a total percent deviation of 8.19%, with District 5 over by 4.31% and District 4 under by 3.88%, well within 10% and 5% rule, respectively.

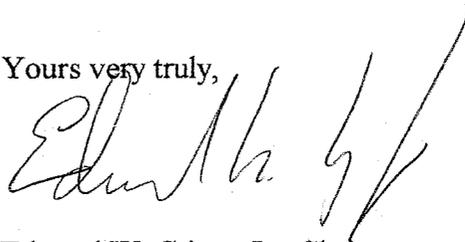
A part of the Commission’s discussion focused on the adjustments made to Districts 1 and 4. Mr. Wright expressed the concern that the Commission’s recommendation skews the population numbers so that District 4 has the lowest total population, at 110,814. As previously noted, District 1 needs to increase population significantly in order to meet the legal requirements of the Charter; geographically, it can only draw from District 4. The Commission believes that the best solution is to move Precinct 1-1 from District 4 to District 1. The resulting population adjustment indeed makes District 4 the numerically smallest district, but, in the collective judgment of the Commission, this shift also makes the most sense, geographically. Mr. Wright preferred a different precinct shift that would have resulted in a higher total population for District 4. The Commission draws the Council’s attention to this issue.

In summary, the new Redistricting Map reflects a thorough review and evaluation of the redistricting criteria and compliance with the legal requirements of State and Federal mandates, as well as a genuine concern and consideration of the desires of communities throughout the County. We are hopeful that you and your colleagues on the County Council will utilize the proposed Map and legislation as a framework for your important work to adopt a new Redistricting Map for

Baltimore County, the boundaries to become effective for the next regularly scheduled election of council members in 2014.

Thank you again for the opportunity to serve the citizens of Baltimore County in this most important endeavor. We also wish to thank the Council office staff and legislative counsel Thomas Peddicord and Thomas Bostwick for their assistance, as well as the staff from the Office of Information Technology, most particularly Tunde Oyinloye, without whose efforts this task could not have been completed.

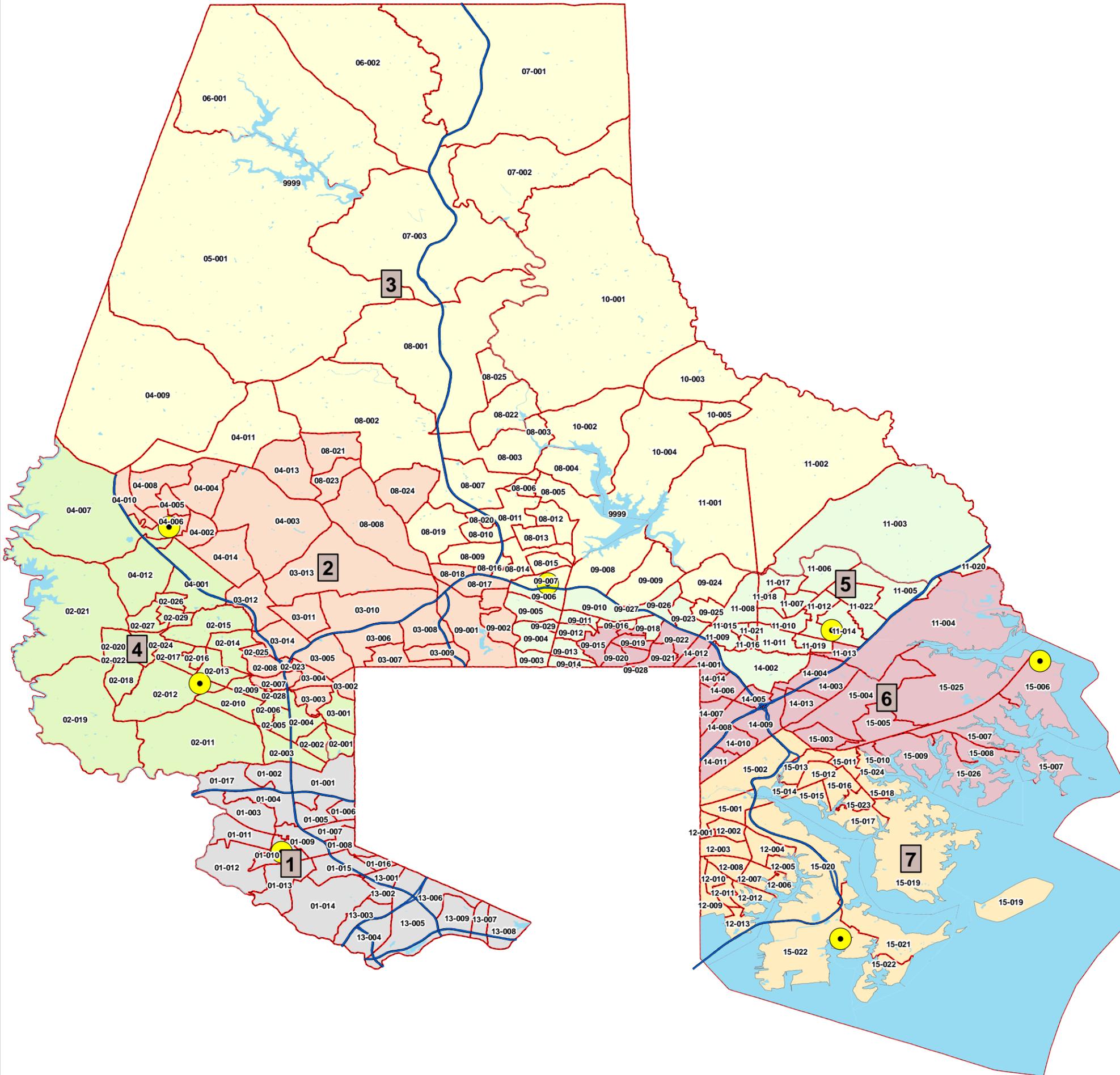
Yours very truly,

A handwritten signature in black ink, appearing to read "Edward W. Crizer, Jr.", with a large, sweeping flourish extending upwards and to the right.

Edward W. Crizer, Jr., Chairman
Baltimore County Councilmanic
Redistricting Commission

Enclosures

cc: Council Members
BCCRC Members



BCDISTRICT 042911

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2011, Legislative Day No.

Bill No.

Councilmembers

By the County Council,

A BILL
ENTITLED

AN ACT concerning

Revision of Councilmanic Districts

FOR the purpose of revising and reconstituting the councilmanic districts of Baltimore County in accordance with the latest census figures published as a result of the U.S. Census of 2010, as required by Section 207 of the Baltimore County Charter.

WHEREAS, Section 207 of the Baltimore County Charter empowers and directs the County Council to revise the councilmanic districts along population lines as determined by the decennial census of the United States; and

WHEREAS, the population results of the 2010 U.S. Census indicate the need for revising the current councilmanic district lines; now, therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND that, in accordance with Section 207 of the Baltimore County Charter, the
3 councilmanic districts of Baltimore County be and they are hereby revised and reconstituted to read
4 as follows:

5 Baltimore County is divided into seven councilmanic districts composed of the following
6 election districts or parts of districts as the districts presently exist:

1 **COUNCILMANIC**
2 **DISTRICT**

PRESENT ELECTION DISTRICT OR PARTS THEREOF

3 I The entire 1st Election District; and the entire 13th Election District.

4 II Precincts 7, 8, 23 and 25 of the 2nd Election District; Precincts 2
5 through 14, all inclusive, of the 3rd Election District; Precincts 2
6 through 6, all inclusive, and Precincts 8, 10, 13 and 14 of the 4th
7 Election District; Precincts 8, 17, 18, 21, 23 and 24 of the 8th Election
8 District; and Precincts 1 and 2 of the 9th Election District.

9 III Precincts 9 and 11 of the 4th Election District; the entire 5th Election
10 District; the entire 6th Election District; the entire 7th Election District;
11 Precincts 1 through 7, all inclusive, and Precincts 9 through 16, all
12 inclusive, and Precincts 19, 20, 22 and 25 of the 8th Election District;
13 Precincts 7 through 9, all inclusive, and Precincts 24, 25 and 27 of the
14 9th Election District; the entire 10th Election District; and Precincts 1
15 and 2 of the 11th Election District.

16 IV Precincts 1 through 6, all inclusive, and Precincts 9 through 22, all
17 inclusive, and Precincts 24 and 26, and Precincts 27 through 29, all
18 inclusive, of the 2nd Election District; Precinct 1 of the 3rd Election
19 District; and Precincts 1, 7 and 12 of the 4th Election District.

20 V Precincts 3 through 6, all inclusive, and Precincts 10 through 14, all
21 inclusive, and Precincts 16, 18, 23, 26 and 29 of the 9th Election
22 District; Precinct 3 and Precincts 5 through 12, all inclusive, and
23 Precincts 14 through 22, all inclusive, of the 11th Election District,
24 and Precinct 2 of the 14th Election District.

1 VI Precincts 15 and 17, and Precincts 19 through 22, all inclusive, and
2 Precinct 28 of the 9th Election District; Precincts 4 and 13 of the 11th
3 Election District; Precinct 1 and Precincts 3 through 14, all inclusive,
4 of the 14th Election District; Precincts 3 through 10, all inclusive, and
5 Precincts 25 and 26 of the 15th Election District

6 VII The entire 12th Election District; and Precincts 1 and 2, and Precincts
7 11 through 24, all inclusive, of the 15th Election District

8 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
9 affirmative vote of five members of the County Council, shall take effect 45 days after its enactment,
10 and the councilmanic boundaries established herein shall become effective for the next regularly
11 scheduled election of council members in 2014.