

Reprecincting in Massachusetts

OFFICE OF THE SECRETARY OF THE COMMONWEALTH

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Reprecincting Overview

- **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

- **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

- 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

- 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

- 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

- 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

- 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

- 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

- 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) no later than September 30, 2021.

Other Considerations

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

Local Approval Procedure

- 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

- 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

- 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

- 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

- 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

- Now-September 30, 2021: Reviewing and evaluating current precinct lines using population estimates.
 - August 15, 2021: “Legacy files” released by Census Bureau.
 - September 30, 2021: Official 2020 Census numbers to be released.
 - *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

- 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

- Changes in wards and precincts are effective on December 31st 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

- 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?

Contact the Census Division at:

www.ma2020census.org

617-878-3219

ma2020census@sec.state.ma.us