

**EL PASO COUNTY RESOLUTION ADOPTING CRITERIA
FOR USE IN REDISTRICTING 2011 PROCESS**

Whereas, the El Paso County Commissioners Court is responsible for redistricting under federal and state law including, but not limited to, Amendments 14 and 15 to the United States Constitution, U.S.C.A. (West 2006), and the Voting Rights Act, 42 U.S.C.A. § 1973 *et seq.* (West 2003 and Supp. 2010); Article 5, Section 18 of the Texas Constitution (Vernon 2007); and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002 (Vernon 2008); and

Whereas, on review of the 2010 census data it appears that a population imbalance exists requiring redistricting of the County's Commissioner Precincts; and

Whereas, it is the intent of the County to comply with the Voting Rights Act and with all other relevant law, including *Shaw v. Reno* jurisprudence; and

Whereas, a set of established redistricting criteria will serve as a framework to guide the County in consideration of districting plans; and

Whereas, established criteria will provide the County a means by which to evaluate and measure proposed plans; and

Whereas, redistricting criteria will assist the County in its efforts to comply with all applicable federal and state laws;

NOW THEREFORE BE IT RESOLVED, that the County, in its adoption of a redistricting plan for Commissioner Precincts, will adhere to the following criteria:

1. Where possible, easily identifiable geographic boundaries should be followed;
2. Communities of interest should be maintained in a single district, where possible, and attempts should be made to avoid splitting neighborhoods;
3. To the extent possible, districts should be composed of whole voting precincts;
4. Although it is recognized that existing districts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing districts;
5. Districts must be configured so that they are relatively equal in total population according to the 2010 federal census. In no event should the total deviation between the largest and the smallest district exceed ten percent. The County will attempt to achieve a deviation that is less than ten percent under the data released by the Census Bureau;
6. The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical dimension.

7. Consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
8. The plan should be narrowly tailored to avoid retrogression in the position of racial minorities and language minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise;
9. The plan should not fragment a geographically compact minority community or pack minority voters so as to comply with the Section 2 of the Voting Rights Act, 42 U.S.C. § 1973, and not prejudice minority voters.

Adopted this 2nd day of May, 2011.

EL PASO COUNTY, TEXAS

Veronica Escobar, County Judge

Annabelle Perez, Commissioner, Precinct 1

Sergio Lewis, Commissioner, Precinct 2

Willie Gandara, Jr., Commissioner, Precinct 3

Daniel Haggerty, Commissioner, Precinct 4

GUIDELINES FOR PERSONS SUBMITTING SPECIFIC REDISTRICTING PROPOSALS

Whereas, the El Paso County Commissioners Court is responsible for redistricting under federal and state law including, but not limited to, Amendments 14 and 15 to the United States Constitution, U.S.C.A. (West 2006), and the Voting Rights Act, 42 U.S.C.A. § 1973 *et seq.* (West 2003 and Supp. 2010); Article 5, Section 18 of the Texas Constitution (Vernon 2007); and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002 (Vernon 2008); and

Whereas, it is necessary to provide for the orderly consideration and evaluation of redistricting plans which may come before the Court; and

Whereas, these Guidelines relate to persons who may have specific redistricting plans they wish the Court to consider; and

Whereas, the Court welcomes any comments relevant to the redistricting process;

NOW THEREFORE BE IT RESOLVED, that in order to make sure that any plan that might be submitted is of maximum assistance to the court in its decision making process, the Court hereby sets the following guidelines:

1. Plans should be submitted in writing. If a plan is submitted orally, there is a significant opportunity for misunderstanding, and it is possible that errors may be made in analyzing it. The Court wants to be sure that all proposals be fully and accurately considered. Your cooperation in submitting any plan in writing will be of great assistance.
2. Any plan should show the total population and voting age population by race/ethnicity for each proposed commissioner precinct. If a plan is submitted without a population breakdown, the Court may not have sufficient information to give it full consideration.
3. Plans should be submitted by June 17, 2001. In order to meet the deadlines imposed by state and federal law, the Court will need to adopt a plan by July 18, 2011.
4. Plans should redistrict the entire county. The Court, of course, will be considering the effect of any plan on the entire county. Also the Court is subject to the Voting Rights Act, which protects various racial and language minorities. Thus, as a matter of a federal law, it will be required to consider the effect of any proposal on multiple racial and ethnic groups. If a plan does not redistrict the entire county, it may be impossible for the Court to assess its impact on one or more protected minority groups.

5. Plans should conform to the criteria the Court will be using in drawing the commissioner precincts.

Adopted this 2nd day of May, 2011.

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