



El Paso County Redistricting Commission

February 18th, 2021

Background

- Court unanimously approved 2 resolutions and a Legislative Values statement calling for independent redistricting following Fair Maps principles
- Cities in Texas may delegate redistricting – i.e. Austin, Texas
- Counties cannot; therefore, while this policy establishes a citizen-led Redistricting Commission, final maps must be approved by Commissioners Court
- The policy being presented is a draft and subject to modification

Previous process

- The County in 2010 resolved to follow similar principles.
- The County has been a leader in good government; for example, the County Ethics Commission
- This policy furthers the County's leadership amongst its peers in citizen engagement and transparency, and takes its work in 2010 a step further by directly engaging citizens in the work.

Policy Considerations

- Creation of Commission
- Eligibility for Commission Membership
- Principles of Mapmaking
- Meeting Guidelines
- Effect of Recommendations

Policy – Creation of the Commission

- Every year after the Census, by **March 31st** each member of the court appoints **2 members** to the commission
 - One member must be a bona fide constituent who resides in the precinct represented by the appointing commissioner
 - Court members cannot recommend appointees to their fellow court members
- The chair of the Ethics Commission will serve as an ex-officio member
- Within two weeks of appointment the commission will hold an organizing meeting and members select a presiding officer and vice-chair

Policy – Eligibility for serving on Commission

- Only adults who have been **registered to vote in El Paso County, Texas for five years immediately before** being appointed, who **have voted in three of the five general elections preceding** his/her appointment are eligible
- **Employees of El Paso County**, or individuals who have been employed by the County **within five years of appointment**, or their spouses, are **not eligible**
- **Appointees of any state or local government body**, or individuals who have held state or local government appointment **within five years of appointment**, or their spouses, are **not eligible**
- Individuals who **currently hold public office or who have held or run for public elective office within five years of appointment**, or their spouses, are **not eligible**

Policy – Eligibility for serving on Commission cont.

- Individuals who currently **hold any officer position within a political party, campaign, political action committee, and/or any other partisan organization or organization affiliated with a specific political party and/or candidate for elective office**, or individuals who have held such a position or affiliation within five years or appointment, or the spouse of any such person, cannot serve
- Individuals who are currently **registered as a lobbyist with any local governmental unit** within El Paso County and/or as a lobbyist with the State of Texas, or individuals who have been registered lobbyists within **five years of appointment**, or their spouse, **cannot serve**

Policy – Eligibility for serving on Commission cont.

- Individuals who have **contributed \$500.00 or more (financially or in-kind) to the political campaign of any current member of the commissioners court** or any candidate for any El Paso County Commissioners Court election **within five years cannot serve**
- Individuals who are or were **staff or consultants to any type of business association with a member of commissioners court** or a candidate in any El Paso County Commissioners Court election or have had one **within three years of appointment**, or their spouse, **cannot serve**
- Prior to accepting appointment, **all prospective members of the Commission shall swear or affirm they meet all eligibility requirements contained in this section of the policy by submitting a notarized affidavit** to County Administration and to the commissioner nominating them

Policy – Commission Guidelines

- The commission **will establish maps for county commissioner precincts, county election precincts, and Justice of the Peace precincts** and/or places
 - **Districts will comply with the U.S. Constitution and all relevant state and federal law**
 - Each precinct will have **reasonably equal population** with other precincts for the same office, except where deviation is required to comply with the Voting Rights Act
 - Precincts will be **geographically contiguous**

Policy – Commission Guidelines cont.

- The commission **will respect geographic integrity of neighborhoods and communities of interest in a manner that minimizes their division** – communities of interest are **contiguous populations with shared social and economic interests** that should be included within a single precinct for purpose of fair and effective representation
- To the extent practicable, **district boundaries should be drawn to encourage geographical compactness and using geographically identifiable boundaries** – i.e. major roads/parks/natural boundaries
- The commission **shall not consider the residential address of any incumbent or political candidate in planning any precinct** – the goal is to ensure the commission does not draw precincts to favor or discriminate against any incumbent, candidate, or political group

Policy – Commission Guidelines cont.

- By the statutory deadline, the **commission shall adopt a final plan for El Paso County, describing boundaries for aforementioned precincts**. Upon adoption, the commission will certify the plan and the presiding officer shall present it at a regular meeting of commissioners court
 - The commission will prepare a **written report to explain the basis of precinct boundaries as they were chosen**, explaining compliance with the guiding principles and providing summaries of any public or invited testimony given at commission meetings
 - If the commission does not approve a plan by the deadline, the County Attorney will petition state court for an order prescribing boundary lines for precincts with the criteria set forth in the policy – those lines will remain until they can be replaced by a commission approved plan

Policy – Commission Guidelines cont.

- The County Attorney will **assign counsel to the commission to provide advice**. The counsel assigned may not also be assigned to the County Attorney's Commissioners Court unit.
- County Administration will ensure that information and staffing needed for the commission to achieve its goals is provided.
- The **commission will remain inactive except when necessary to carry out its duties**. Members of the commission will not use their affiliation to the commission for self-promotion. Members of the commission will not be compensated for their service.

Policy – Meeting Guidelines

- Within **21 days of its organizing meeting, the commission will begin holding regular public meetings** (at least once per month) until making final approval of recommended maps for commissioners court.
- Subject to public health guidelines or other emergency restrictions, the commission **may hold meetings virtually**.
- Monthly meetings, except under pandemic or emergency conditions, will be held, **at least once, in each of the county's four commissioners court precincts**.
- The commission should prioritize county-owned buildings to host its meetings, but can use **publicly accessible facilities** across the county.

Policy – Meeting Guidelines

- The commission will coordinate with County Administration to ensure **meetings are filed, recorded, and stored in an online archive**. To the extent feasible, the meetings should also **be live-streamed**.
- The **commission must comply with state and county requirements for open meetings**. All records of the commission and its members will be treated as public information subject to relevant state and local laws concerning transparency and access to public information.
- The **commission must post a detailed agenda with necessary backup at least 72 hours prior** to meeting.

Policy – Meeting Guidelines

- The commission **shall promote meetings and make all reasonable steps to promote broad public participation** at commission hearings.
 - The **commission shall hold at least one meeting prior** to presenting to commissioners court during which final public comment and feedback on the plan is sought.
 - The commission **shall accept public comment for a minimum of 14 calendar days following the conclusion of the meeting** where the commission presents its maps to the public.
- The chair of the commission shall have the authority to speak on behalf of the commission to the media/press

Policy – Effect of Commission Recommendations

- The goal and intent is for the Commissioners Court to grant the commission **maximum deference** permitted by law in defining and drawing El Paso County's precincts
- When approving final precinct maps, members of the Commissioners Court may not deviate from the commission's recommended precinct maps unless they state all reasons for disagreement and propose alternatives that address their concerns in an **open session of Commissioners Court**.



Questions?



