

ANALYSIS OF SUBMITTED COUNCIL DISTRICT PLANS

**City of Carmel, Indiana
October 15, 2018**

Submitted by:

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CITY OF CARMEL INDIANA
Analysis of Submitted Council District Plans
October 11, 2018

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Introduction

RESOLUTION NO.: CC 08-20-18- 01, A RESOLUTION OF THE CARMEL COMMON COUNCIL ADOPTING GUIDELINES FOR CITY COUNCIL LEGISLATIVE REDISTRICTING was adopted on August 20, 2018 (the "Guidelines"). This report is submitted in compliance with the Guidelines, Section B. Public Preparation and Submission of Redistricting Plans.

Six plans were submitted in writing to the Clerk-Treasurer's office prior to Noon on October 5, 2018 and are reviewed in this analysis. Capitalized terms are referenced in the Guidelines.

As stated in the Guidelines, any plan offered by a member of the public must meet the following criteria in order to be considered:

1. It must have been submitted in writing to the City Redistricting Coordinator through the Clerk's office during regular business hours between the date of adoption of the Guidelines and Noon on October 5, 2018;
2. The precincts (or portions of partial precincts) contained in each proposed legislative body district shall be clearly written on the form provided (Note: the Guidelines direct that precinct boundaries be respected except in extraordinary circumstances);
3. The plan as submitted must stand as a complete City-wide plan for districting i.e., all pieces of geography within the City must be accounted for in some district); and
4. The plan must comply completely in all respects with the Guidelines and with the instructions attached as Exhibit "2" to the Guidelines. Any total deviation in excess of 5% from population equality must be justified in writing with reference to the objective criteria set forth in the Guidelines.

A plan must meet the above requirements to be considered by the Council. As described in the Guidelines, each plan will be evaluated for: 1) compactness; 2) contiguity; 3) population deviation; 4) respect for precinct boundary lines; 5) compliance with the requirements prohibiting discrimination; 6) respect for communities of interest; and 7). other relevant criteria.

Three of the plans submitted, the Council plan submitted by the Redistricting Coordinator, Kapostasy 1 and Kapostasy 4 had population deviations of less than 5%, the other plans did not provide justification in writing as required by criteria 4 above.

1. Compactness

The measurement of compactness used in this analysis is the Polsby-Popper test which computes the ratio of the district area to the area of a circle with the same perimeter:

$$4\pi \times \frac{A}{P^2}$$

The measure is always between 0 and 1, with 1 being the most compact.¹

¹ Polsby Popper 9 Yale Law Pol Rev 301, The Third Criterion: Compactness as a Procedural Safeguard Against Partisan Gerrymandering, Daniel D. Polsby and Robert D. Popper, 1991.

Plan Name**Plan Summary****Council Plan**

Council Districts / Compactness	Minimum	0.3874	
Central	0.4418	Maximum	0.5131
North	0.4677	Mean	0.44548
West	0.3874	Standard Deviation	0.038632345
Northeast	0.4241		
Southeast	0.5131		
Southwest	0.4388		

Morris

Council Districts / Compactness	Minimum	0.3473	
NC	0.3473	Maximum	0.4661
NE	0.4240	Mean	0.39265
NW	0.3921	Standard Deviation	0.044421607
SC	0.3343		
SE	0.4661		
SW	0.3921		

Kapostasy 1

Council Districts / Compactness	Minimum	0.1635	
CEN	0.2052	Maximum	0.5136
HOME	0.1635	Mean	0.30063
NE	0.1782	Standard Deviation	0.138997994
NW	0.2779		
SE	0.4654		
SW	0.5136		

Kapostasy 2

Council Districts / Compactness	Minimum	0.2105	
CEN	0.3109	Maximum	0.5136
HOME	0.2105	Mean	0.35793
NE	0.3693	Standard Deviation	0.105090797
NW	0.2779		
SE	0.4654		
SW	0.5136		

Kapostasy 3

Council Districts / Compactness	Minimum	0.1777	
CEN	0.1777	Maximum	0.5511
HOME	0.2213	Mean	0.32511
NE	0.2475	Standard Deviation	0.126186085
NW	0.3945		
SE	0.5511		
SW	0.3586		

Kapostasy 4

Council Districts / Compactness		Minimum	0.2408
CEN	0.2629	Maximum	0.5136
HOME	0.2408	Mean	0.35500
NE	0.3694	Standard Deviation	0.104097662
NW	0.2779		
SE	0.4654		
SW	0.5136		

Discussion

A perfectly compact district boundary would be a circle and would have a Polsby Popper compactness measure of 1. A district differing greatly from a circle would have a measure closer to 0. In the proposed plans, a compactness score was calculated for each district and a mean value for that plan was determined. In the submitted plans, the Council plan had the greatest mean value at 0.44548 and was consequently the most compact of all the submitted plans. The Council plan was also significantly more uniform than the others with the smallest plan standard deviation of 0.038632345.

2. Contiguity

Ind. Code §36-4-6-3 (the "City Districting Statute" or "Statute") specifies that legislative body districts shall be "composed of contiguous territory, except for territory that is not contiguous to any other part of the city." The Council interprets this requirement to mean that, among other things, a legislative body district cannot be made up of one or more areas that meet at the points of adjoining corners. The Guidelines required legislative body districts that consist only of contiguous territory.

Discussion

Analysis of the submitted plans confirms that all plans submitted provide for contiguous districts.

3. Population Deviation

The City Districting Statute requires districts that "contain, as nearly as is possible, equal population." The Guidelines interpreted this phrase to mean that City legislative body districts must comply with the equal protection clause of the United States Constitution as that clause has been interpreted with respect to local government election districts. The modifying language clearly indicates, however, that, unlike federal Congressional districts, precise equality of population among districts is not specifically required by the Statute.

In order to comply with the City Districting Statute and the equal protection clause of the United States Constitution the Guidelines provide that the Council will evaluate the population of each district of any plan considered by the Council for "deviation from the ideal district size" and will also evaluate any such redistricting plan for the "total deviation" of the plan. As used in the Guidelines the term "ideal district size" refers to the total population of the City (as determined by the 2010 Census as updated by the Special Census) divided by six (6). The term "deviation from the ideal district size" refers to the amount by which the population of any district is greater than or less than the ideal district size and is expressed as a percentage by dividing the difference between the actual and ideal district sizes by the ideal district size.

The term "total deviation" refers to the sum that is derived by adding the deviation from the ideal district size of the smallest and largest population districts (expressed as a percentage).

The Guidelines recognize that total population deviations of less than ten percent (10%) are considered prima facie constitutional for state legislative districts pursuant to Supreme Court precedent and that total population deviations in excess of ten percent (10%) may be justified if supported by reasonable state interests. Courts have generally applied similar standards to local government apportionment efforts.

Nevertheless, the Council determined that a primary goal of the redistricting process should be the creation of districts with nearly equal population and that any significant deviation from this principle must be adequately justified and as narrow as possible to meet the stated reasons for the deviation. Any total deviation in excess of five percent (5%) must be justified in writing with reference to one or more rational objective criteria listed in the Guidelines.

Discussion

Six district plans were submitted for evaluation. The total population of the City as determined by the 2010 Census as updated by the 2016 Special Census is 91,612 and the ideal district size is 15,269.

Population Deviations for the plans ranged from a low of 3.54% for the Council plan and a high of 8.80% for the Kapostasy 2 plan.

Table 1: Population Equality

Council Plan

District	Population	Deviation	Deviation %	Total Deviation
1	15081	-188	-1.23%	3.54%
2	15579	310	2.03%	
3	15410	141	0.92%	
4	15038	-231	-1.51%	
5	15181	-88	-0.58%	
6	15323	54	0.35%	

Morris

District	Population	Deviation	Deviation %	Total Deviation
1	15835	566	3.71%	7.19%
2	15148	-121	-0.79%	
3	15579	310	2.03%	
4	14811	-458	-3.00%	
5	15502	233	1.53%	
6	14737	-532	-3.48%	

Kapostasy 1

District	Population	Deviation	Deviation %	Total Deviation
1	15575	306	2.00%	4.20%
2	14994	-275	-1.80%	
3	15222	-47	-0.31%	
4	15583	314	2.06%	
5	14943	-326	-2.14%	
6	15295	26	0.17%	

Kapostasy 2

District	Population	Deviation	Deviation %	Total Deviation
1	15997	728	4.77%	8.80%
2	14654	-615	-4.03%	
3	15140	-129	-0.84%	
4	15583	314	2.06%	
5	14943	-326	-2.14%	
6	15295	26	0.17%	

Kapostasy 3

District	Population	Deviation	Deviation %	Total Deviation
1	15364	95	0.62%	6.36%
2	14719	-550	-3.60%	
3	15184	-85	-0.56%	
4	15071	-198	-1.30%	
5	15583	314	2.06%	
6	15691	422	2.76%	

Kapostasy 4

District	Population	Deviation	Deviation %	Total Deviation
1	15248	-21	-0.14%	4.20%
2	15403	134	0.88%	
3	15140	-129	-0.84%	
4	15583	314	2.06%	
5	14943	-326	-2.14%	
6	15295	26	0.17%	

4. Respect for Precinct Boundary Lines

The City Districting Statute provides that districts may not cross precinct lines unless: (1) more than one member of the Council resides in a single precinct as described; or (2) the districts would not otherwise contain, as nearly as is possible, equal population. However, the Council recognized that respect for precinct boundaries is essential to minimize voter confusion on election day, to reduce the cost of election administration, to help preserve communities of interest and to encourage voter understanding of the electoral process. The Guidelines committed to creating legislative body districts that respect precinct boundary lines provided that the goal of creating districts with nearly equal population is not unduly burdened thereby. Consequently, only in an extraordinary event would precinct boundary lines be disregarded, and in such even such division will be minimized to the extent reasonably practicable. Prior to the adoption of a final plan which includes districts crossing precinct lines, the Clerk – Treasurer must give the notice required by subsection (f) of the City Redistricting Statute. The precinct boundary lines used to create City Council districts shall be those precinct boundary lines in use in Hamilton County as of July 1, 2018.

Discussion

All submitted plans followed precinct boundary lines, consequently, notice of precinct division is not required.

5. Compliance with the Requirements Prohibiting Discrimination

The Guidelines provided guidance regarding the intentional drawing of district lines that would dilute the voting strength of any “language or racial minority group or any identifiable political group.

The Council recognizes the fundamental right of political participation by all citizens in the City. Consequently, no district shall be drawn to intentionally dilute or that has the effect of diluting the voting strength of any language or racial minority group. Any proposed redistricting plan demonstrated to have the intent or effect of dispersing or concentrating minority population in a manner that prevents minority communities from electing their candidates of choice shall not be acceptable.

In addition, no district shall be drawn for the purpose of discriminating against an identifiable political group in such a way that the group's electoral influence is consistently degraded.

Discussion

None of the proposed plans contained districts appearing to discriminate against identifiable, language, racial or political minority groups based on available census data.

6. Respect for Communities of Interest

The Guidelines address communities of interest as social, cultural and economic interests held in common by recognizable groups of voters.

As stated in the Guidelines, the Council believes that an important function of electoral districts is to promote and enhance community cohesiveness and dialogue and to promote the recognition of unique interests that are held in common by recognizable groups of voters. Such interests may include social, cultural, or economic interests common to the population of the

area. In the redistricting process the City will preserve communities of interest where possible so long as recognition of such interests does not conflict with the other statutory or constitutional redistricting criteria.

Discussion

Because of its recent history of cohesiveness on matters of mutual concern, the inclusion of Home Place for the first time in this redistricting cycle arguably constitutes a recognizable community of interest. In the plans submitted, the Council plan and the Morris plan consolidated the precincts of Home Place into a single council district. All of the Kapostasy plans split the Home Place precincts into separate council districts.

7. Other Relevant Criteria.

The Council identified no other relevant criteria for analysis.

Conclusion

While three of the submitted plans met the Guideline requirements for equal population and each of the submitted plans met the minimum criteria for other requirements, the Council plan contains the lowest population deviation of 3.54%, has the greatest mean value for compactness at 0.44548 and is overall the most compact and equally populated district plan of all the submitted plans. Additionally, the Council plan was significantly more uniform than the others with the smallest compactness standard deviation of 0.038632345.