



BOSTON CITY COUNCIL

Committee on Redistricting

Liz Breadon, *Chair*

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

November 2, 2022

Dear Councilors:

After an intensive redistricting process given the constrained circumstances, the Committee on Redistricting recommends that the City Council pass ***Docket #1275, Ordinance Amending City Council Electoral Districts***, in a new draft. The matter was sponsored by Councilors Liz Breadon and Ricardo Arroyo and was referred to the Committee on October 19, 2022. This report reflects the draft which the Chair intended to recommend for passage at the most recent Council meeting on October 26, 2022.

The docket, both as filed and as recommended in a new draft, is an iterative reflection of various feedback and proposed redistricting plans submitted by Councilors and members of the public. It is also the result of several changes discussed at the most recent Committee working sessions and testimony received at public hearings. This plan meets population requirements and measures the opportunity for voters to elect their candidates of choice, while balancing priorities to maintain the integrity of existing neighborhoods and communities of interest where possible.

In particular, the new draft of ***Docket #1275*** being recommended for passage makes the following five changes from the language as originally filed: moving Ward 3, Precinct 15 from its present location in District 2 into District 3; returning Ward 6, Precinct 3 from District 3 back to its present location in District 2; returning Ward 16, Precinct 9 from District 4 back to its present location in District 3; and returning Ward 17, Precincts 2 and 6 from District 3 back to their present location in District 4. (See attached map, ordinance, and data).

Introduction

The City Council is the legislative body of the City of Boston and its members are elected every two years by the residents of Boston. For the past forty years, the Council has been composed of thirteen members—four elected at-large citywide, and nine elected by district.

Prior to 1909, the Board of Aldermen and the Common Council were made up of three representatives from each of the then-25 wards of the City. In 1909, the new City Charter established a nine-member City Council elected at-large, until a 1924 charter amendment created a 22-member body, each representing a ward. The 1951 Charter again provided for the election of nine City Councilors elected at-large for two-year terms. In 1977, the Massachusetts Legislature enacted chapter 549 of the Acts of 1977, inserting sections 128-134 of chapter 43 of the General Laws to create an option, by municipal referendum, for voters of certain large cities to amend their present form of municipal government as follows:

“An optional plan of a city council and a school committee organization in certain large cities”, a legislative body, to be known as the city council, composed of at least nine members or a school committee composed of at least nine members, or both, elected from equally populous districts and one member of the city council or of the school committee elected at large for every one hundred and twenty thousand residents of the city in excess of one hundred and fifty thousand residents, notwithstanding its plan of government or charter.¹

The binding referendum to provide for district representation, as provided for in section 128, appeared on the municipal election ballot of November 8, 1977, ultimately being rejected by a vote of 27,011 for and 30,821 against, with the 22 wards evenly split.² The binding referendum again appeared on the November 3, 1981 municipal election ballot, this time being approved by a vote of 41,973 in support and 34,623 against, winning all but six of the 22 wards.³

With the approval of the electorate to change the structure of the legislative body, the Legislature enacted chapter 605 of the Acts of 1982, later amended by chapter 343 of the Acts of 1986, as the enabling statute establishing procedures for drawing the boundaries of Boston City Council electoral districts. It is under this authority that the City Council electoral district boundaries were created and revised in 1983, 1987, 1993, 2002, 2012, and are currently being redrawn.

2020 Census Enumeration for the City of Boston

The federal decennial census is conducted every ten years by the U.S. Census Bureau to establish an official enumeration of the entire U.S. population. The onset of the COVID-19 pandemic in mid-March 2020 severely impacted efforts to ensure a complete count of all individuals at their usual place of residence as of April 1, 2020. The first round of limited census data, called Public Law (P.L.) 94-171 Redistricting Data, was released several months late on August 12, 2021, threatening to delay state legislative and congressional redistricting and reapportionment.

Following the release of 2020 Census redistricting data, the Research Division of the Boston Planning and Development Agency (BPDA), which acts as the planning board for the City of Boston,⁴ published several research reports. These include a 30-page presentation, “2020 Census Redistricting Data Analysis for Boston”⁵ on August 13, 2021; a 34-page presentation of data tables, “2020 Census Redistricting Data Tables for Boston”⁶ on August 13, 2021; and a 28-page presentation, “Further Insights from 2020 Census Redistricting Data”⁷ on August 20, 2021.

¹ An Act Providing for an Optional Plan of City Council and School Committee Organization in Certain Large Cities. 1977 Mass. Acts ch. 549. <https://archives.lib.state.ma.us/handle/2452/28851>.

² Annual Report of the Board of Election Commissioners, City Document no. 10 of 1978. City of Boston, <https://archive.org/details/annualreportofbo1977bost/page/93/mode/1up>.

³ Annual Report of the Board of Election Commissioners, City Document no. 10 of 1982. City of Boston, <https://archive.org/details/annualreportofbo1981bost/page/83/mode/1up>.

⁴ An Act Concerning the Development or Redevelopment of Blighted Open Areas, Decadent Areas and Substandard Areas by Urban Redevelopment Corporations with Special Provisions for Projects in the City of Boston. 1960 Mass. Acts ch. 652. <https://archives.lib.state.ma.us/handle/2452/31292>.

⁵ “2020 Census Redistricting Data for Boston,” Boston Planning & Development Agency Research Division, August 2021. <https://www.bostonplans.org/getattachment/2ccd9839-27d5-475a-8359-888cdda0371f>.

⁶ “2020 Census Redistricting Data Tables for Boston,” Boston Planning & Development Agency Research Division, August 2021. <https://www.bostonplans.org/getattachment/c55502f3-3a70-4772-a894-0c51c325b216>.

⁷ “Further Insights from 2020 Census Redistricting Data,” Boston Planning & Development Agency Research Division, August 2021. <https://www.bostonplans.org/getattachment/8818db70-f9ca-4f48-944a-83f8a32c2cd1>.

It should be noted that the BPDA, legally known as the Boston Redevelopment Authority (BRA), has consistently studied and published reports on the City’s demographic statistics since as early as its inception. These include detailed demographic analyses and forecasts for citywide and neighborhood statistical area profiles using population data products reported by the U.S. Census Bureau. This is an essential function of a proper municipal planning agency.

To place demographic data into local context, the BPDA presented 2020 Census data for Boston neighborhoods approximated by 2020 Census block groups, as described below with a neighborhood map posted September 24, 2021 on Analyze Boston, the City’s open data hub:

The Census Bureau does not recognize or release data for Boston neighborhoods. However, Census block groups can be aggregated to approximate Boston neighborhood boundaries to allow for reporting and visualization of Census data at the neighborhood level. Census block groups are created by the U.S. Census Bureau as statistical geographic subdivisions of a census tract defined for the tabulation and presentation of data from the decennial census and the American Community Survey.⁸

According to the BPDA’s publication of redistricting data tables, Boston’s population grew 9.4 percent from 2010 to 2020, reaching a total population of 675,647, a growth rate exceeding that of the Commonwealth and the nation.⁹ The following are the neighborhoods—as identified by the BPDA for zoning, planning, and research purposes—with the top ten highest population and housing unit growth rates in the City from 2010 to 2020. Each neighborhood’s share of the total citywide population and housing unit change was not reported by the BPDA, but has been calculated for inclusion.

Top 10 Neighborhood Population Growth Rates

<i>Neighborhood</i>	<i>2010 Population</i>	<i>2020 Population</i>	<i>2010 to 2020 Population Change</i>		<i>Share of City’s Change</i>
South Boston Waterfront	1,889	5,579	3,690	195.3%	6.4%
Chinatown	4,810	7,143	2,333	48.5%	4.0%
West End	5,423	7,705	2,282	42.1%	3.9%
Downtown	10,145	13,451	3,306	32.6%	5.7%
South Boston	31,785	37,917	6,132	19.3%	10.6%
Charlestown	16,439	19,120	2,681	16.3%	4.6%
Longwood	3,566	4,096	530	14.9%	0.9%
South End	26,039	29,373	3,334	12.8%	5.7%
Mission Hill	16,034	17,886	1,852	11.6%	3.2%
Roxbury	49,857	54,905	5,048	10.1%	8.7%
Boston	617,594	675,647	58,053	9.4%	

⁸ “Boston Neighborhood Boundaries Approximated by 2020 Census Block Groups.” Analyze Boston. City of Boston, September 24, 2021. <https://data.boston.gov/dataset/census-2020-block-group-neighborhoods>.

⁹ “2020 Census Redistricting Data Tables for Boston,” BPDA.

Top 10 Neighborhood Housing Unit Growth Rates

<i>Neighborhood</i>	<i>2010 Housing</i>	<i>2020 Housing</i>	<i>2010 to 2020 Housing Unit Change</i>		<i>Share of City's Change</i>
South Boston Waterfront	1,214	4,622	3,408	280.7%	11.7%
West End	3,261	5,243	1,982	60.8%	6.8%
Chinatown	2,439	3,644	1,205	49.4%	4.1%
Downtown	5,077	6,654	1,577	31.1%	5.4%
Longwood	389	456	67	17.2%	0.2%
South Boston	16,402	19,140	2,738	16.7%	9.4%
South End	14,570	16,619	2,049	14.1%	7.0%
East Boston	15,854	18,016	2,162	13.6%	7.4%
Jamaica Plain	16,767	18,891	2,124	12.7%	7.3%
Charlestown	8,648	9,525	877	10.1%	3.0%
Boston	272,481	301,702	29,221	10.7%	

The above ten-year population and housing unit growth rates should also be viewed with 2000 to 2010 neighborhood data as reported by the BRA Research Division. Twenty-year comparisons are not directly incorporated above because the geographic boundaries of neighborhoods used by demographers may not have been identical. For reference, the top five neighborhoods with the highest population growth rates from 2000 to 2010 were reported as the South Boston Waterfront (271.1%), the Leather District (191.8%), Downtown (55.7%), Chinatown (24.9%), and the West End (17.3%).¹⁰ Likewise, the top five neighborhoods with the highest housing unit rates from 2000 to 2010 were reported as the South Boston Waterfront (349.6%), the Leather District (140.1%), Chinatown (54.6%), Downtown (52.6%), and the West End (27.0%).¹¹

BPDA analysis further highlighted that Boston's 2020 Hispanic population grew 16.9 percent since 2010, making up 18.7 percent of the total population in 2020. Meanwhile, Boston's Asian population grew 37.8 percent since 2010, making up 11.2 percent of Boston's population in 2020. The non-Hispanic White population grew 3.8 percent since 2010 and the population share fell to 44.6 percent. The non-Hispanic Black or African American population fell by 6.4 percent since 2010, with the population share decreasing to 19.1 percent.¹²

It is important to recognize the significant undercount and challenges to the 2020 Census. In March 2022, the Census Bureau reported that the 2020 Census had a national net undercount of 3.30 percent for the Black population and 4.99 percent for the Hispanic population.¹³ Further, the Allston neighborhood's population fell by 5.9 percent, with a 40 percent decline in the group quarters population,¹⁴ underscoring concerns that the college dormitory population of Allston may not have been accurately counted amid the onset of the pandemic evacuation.

¹⁰ "Boston 2010 Census Population: Neighborhood Comparison," Boston Redevelopment Authority/Research Division, September 2014. <https://www.bostonplans.org/getattachment/1a0e7160-9d67-4e8c-97b9-24f1d42ee1b9>.

¹¹ "Boston 2010 Census Population: Neighborhood Comparison," BRA/Research Division, September 2014.

¹² "2020 Census Redistricting Data Tables for Boston," page 4, BPDA.

¹³ "Census Bureau Releases Estimates of Undercount and Overcount in the 2020 Census." U.S. Census Bureau, March 10, 2022.

<https://www.census.gov/newsroom/press-releases/2022/2020-census-estimates-of-undercount-and-overcount.html>.

¹⁴ "2020 Census Redistricting Data Tables for Boston," page 4, BPDA.

On October 12, 2021, Mayor Kim Janey submitted a letter notifying the Census Bureau of the City of Boston's intention to challenge its 2020 Census enumeration based on concerns related to group quarters and foreign-born populations. Mayor Janey's letter stated that, "Data collected by Boston's Department of Neighborhood Development from colleges and universities under the University Accountability Ordinance for Fall 2019 show approximately 5,000 additional students not enumerated by the 2020 Census redistricting data,"¹⁵ validating concerns of an undercount particularly in the Allston neighborhood. An undercount of 500 residents in two Suffolk County correctional facilities was also raised as a concern.

On September 13, 2022, the City announced that Mayor Michelle Wu formally initiated the City's challenge to the U.S. Census Bureau's 2020 Census population count through the Post-Census Group Quarters Review program.¹⁶ Staff of the UMass Amherst Donahue Institute, serving as the Massachusetts liaison to the U.S. Census Bureau's Federal-State Cooperative for Population Estimates, reviewed the City's University Accountability Ordinance data, and reported an undercount of 6,026 for the college or university student group quarter population and an undercount of 403 for correctional facilities.

The Mayor's letter also raised count coverage issues of the household population in census tracts with lower response rates than in the 2010 Census, particularly tracts with large numbers of off-campus students who temporarily left the city amid the onset of the COVID-19 pandemic. Unfortunately, the Census Bureau does not currently plan to accept challenges based on low self-response rates, as the Count Question Resolution Program only accepts challenges for boundary issues and census processing errors which excluded valid housing and associated population data, and provides no mechanism to review an increase in housing unit vacancies.

Objections were also raised to changes made to the collection and processing of race and ethnicity data which have led to large increases in the "some other race" and "two or more races" categories independent of actual demographic or cultural changes in the population. Following prescribed definitions developed by the Office of Management and Budget (OMB) in 1997, the Census Bureau collects, and in some cases recategorized, self-reported data for the population's race and Hispanic origin. According to the Mayor's letter,

As a result of this Census coding, 76 percent of the Hispanics in Boston chose (or were assigned) the "some other race" category, either by itself or in addition to other racial categories, up from 45 percent of Hispanics in 2010. Respondents listing a Brazilian or Cape Verdean origin were also assigned by the U.S. Census Bureau to the "some other race" category regardless of the respondents' self-identification. Respondents listing a Middle Eastern or North African origin were assigned to the White category regardless of their self-identification.

The City recommended methodological changes and expressed its support for the Bureau's consideration of a single race/ethnicity question. Despite pending challenges and any potential adjustments for future Census Bureau products, no changes can be made to official 2020 Census counts or data products, including for the purposes of redistricting.

¹⁵ Janey, Kim. Mayor Janey's letter to the U.S. Census Bureau regarding the 2020 Census, October 12, 2021. <https://bpda.app.box.com/v/2020CensusChallenge>.

¹⁶ "Mayor Wu Challenges 2020 U.S. Census Count of Boston." City of Boston, September 13, 2022. <https://www.boston.gov/news/mayor-wu-challenges-2020-us-census-count-boston>.

Census Demographic Data for Redistricting Purposes

On September 1, 2021, the U.S. Department of Justice released a guidance document to ensure state and local governments comply with Section 2 of the Voting Rights Act (VRA) with respect to redistricting and methods of electing governmental bodies.¹⁷ The guide noted that 2020 Census P.L. 94-171 data includes counts of persons identified with more than one racial category, reflecting OMB decisions and bulletins pertaining to multiple-race reporting and aggregation of data on race for use in civil rights monitoring and enforcement.

The Committee used the Esri Redistricting web-based software, following conventions in the Department of Justice guidance. This differs from other commonly reported race and ethnicity groupings, such as those used by demographers at the BPDA, in that it groups those reporting two races, one White and one non-White, as being members of the non-White race reported. Thus a person reporting White and Black would be categorized as Black. All residents of Hispanic or Latino origin, regardless of reported race, are grouped together.

The Committee also used Districtr, a free browser-based interactive tool for drawing electoral districts developed by the MGGG Redistricting Lab, a research group based at the Jonathan M. Tisch College of Civic Life of Tufts University. While Districtr allows for convenient sharing of maps, their methodology of grouping multiple-race data is similar to that conventionally used by demographers but different from that of the Department of Justice. As a result, official analysis of demographic data for consideration of redistricting plans relied on Esri products.

Availability of 2020 Census data aggregated to the boundaries of the current City Council districts and the new precincts impacted timeliness of the Committee’s work. Summary reports on the current districts were generated by the Geographic Information Systems (GIS) Team of the Department of Innovation and Technology and were presented to the City Council in March 2022. The 2020 Census population data for the current districts adopted in 2012 are as follows:

2020 Census Data on Current Districts

<i>District</i>	<i>Total Population</i>	<i>Deviation from Average of 75,072</i>	
1	74,051	-1,021	-1.4%
2	88,553	+13,481	+18.0%
3	68,561	-6,511	-8.7%
4	71,811	-3,261	-4.3%
5	75,245	+173	+0.2%
6	74,914	-158	-0.2%
7	72,829	-2,243	-3.0%
8	75,010	-62	-0.1%
9	74,673	-399	-0.5%
Boston	675,647	<i>Dev. Range</i>	26.6%

¹⁷ “Justice Department Issues Guidance on Federal Statutes Regarding Redistricting and Methods for Electing Public Officials.” U.S. Department of Justice, September 1, 2021. <https://justice.gov/opa/pr/justice-department-issues-guidance-federal-statutes-regarding-redistricting-and-methods>.

Although the City Council received summary report documents generated by GIS displaying population data for the current districts, the data had not been formally reported or published by the City. Archival research conducted by the office of the Chair found that the BRA had the past practice of reporting census data by Council districts, such as the 1983 report, “Boston’s 1980 Population by Electoral District: Selected Summary Tables from the U.S. Census.”¹⁸

A 1991 hearing order¹⁹ of Councilor Bruce C. Bolling documents continuous efforts of the Council to engage BRA assistance preparing census demographic data for redistricting purposes:

Federal census 1990 population figures have been announced for Boston, based on census tract totals... In 1982 and 1983, the Boston Redevelopment Authority research department translated census tract figures into the existing ward and precinct lines to assist the City Council to draw up council and School Committee district lines... The Agency also issued a report showing 1980 census figures by the number of black and Hispanic residents with percentages of population [sic] for each precinct/ward... Such data, updated to reflect demographic changes since the 1980 census, will be essential in drawing any new School Committee district lines this year or in redrawing City council districts.

The Council later passed an order of Councilor Bolling directing “The Boston Redevelopment Authority and the Office of Management Information Systems provide the City Council’s Special Committee on Redistricting with any and all information related to the 1990 Federal Census for the purpose of reviewing a possible redistricting of city council/school committee seats.”²⁰ In 2011, the BRA Research Division published a Boston City Council Demographic Profile.²¹

At the time the Chair assumed responsibility of the Committee in September 2022, detailed census data on the new precincts and current districts were not yet publicly available. On September 14, 2022, the Chair filed and the Council adopted a Section 17F order (Docket #1107) under the City Charter, requesting certain information from the BPDA: 2010 and 2020 Census population totals, total change, and percent change for the new precincts and current districts, as well as population and housing unit projections.

The BPDA responded on September 23, 2022, providing the requested census data for the new precincts,²² current districts,²³ and “baseline” districts.²⁴ The data was made available to all Councilors on September 26, 2022. The Chair repeatedly urged the BPDA and City departments to promptly publish the datasets on the Analyze Boston open data hub, where precinct-level data was released on October 20, 2022.²⁵

¹⁸ “Boston’s 1980 Population by Electoral District: Selected Summary Tables from the U.S. Census.” Boston Redevelopment Authority, May 1983. <https://archive.org/details/bostons1980popul00bost/mode/2up>.

¹⁹ Order of Councilor Bruce C. Bolling, Docket #1991-0491. Boston City Council, March 27, 1991. https://documentcloud.org/documents/22309656-19910327_0491-hearing-order-bra-mis-precinct-and-ward-data.

²⁰ Order of Councilor Bruce C. Bolling, Docket #1991-0812. Boston City Council, June 5, 1991. https://www.documentcloud.org/documents/22309658-19910605_0812-order-bra-mis-census-info-request.

²¹ Boston City Council District Demographic Profile: 2010 Census.” Boston Redevelopment Authority, 2011. https://www.documentcloud.org/documents/22309669-20110510_0511-bra-research-city-council-district-demographic-profile.

²² 2010-2020 Census data on new precincts, <https://bpda.app.box.com/s/lghdbnwopnux01r7a9rjnxuntyxdfvog>.

²³ 2010-2020 Census data on current districts, <https://bpda.app.box.com/s/6zed8gbk95nkuwoj2c5qz9ezlp4qq7rk>.

²⁴ 2010-2020 Census data on “baseline” districts, <https://bpda.app.box.com/s/oqedyk1xr278bl84zlfjigvwo7rp32p8>.

²⁵ “Census Data for 2022 Redistricting.” Analyze Boston. City of Boston, October 20, 2022. <https://data.boston.gov/dataset/census-data-for-2022-redistricting>

Ten-year data on current district boundaries, as provided by the BPDA, for total population and housing unit counts are summarized below with the addition of each district's share of the citywide change.

2010 and 2020 Census Population Data on Current Districts

<i>District</i>	<i>2010 Population</i>	<i>2020 Population</i>	<i>2010 to 2020 Population Change</i>		<i>Share of City's Change</i>
1	67,575	74,051	6,476	9.6%	11.2%
2	69,141	88,553	19,412	28.1%	33.4%
3	66,296	68,561	2,265	3.4%	3.9%
4	65,929	71,811	5,882	8.9%	10.1%
5	71,365	75,245	3,880	5.4%	6.7%
6	70,390	74,914	4,524	6.4%	7.8%
7	65,135	72,829	7,694	11.8%	13.3%
8	70,247	75,010	4,763	6.8%	8.2%
9	71,516	74,673	3,157	4.4%	5.4%
Boston	617,594	675,647	58,053	9.4%	

2010 and 2020 Census Housing Unit Data on Current Districts

<i>District</i>	<i>2010 Housing Units</i>	<i>2020 Housing Units</i>	<i>2010 to 2020 Housing Unit Change</i>		<i>Share of City's Change</i>
1	31,431	35,067	3,636	11.6%	12.4%
2	37,706	49,082	11,376	30.2%	38.9%
3	27,279	29,324	2,045	7.5%	7.0%
4	25,262	26,580	1,318	5.2%	4.5%
5	28,539	29,775	1,236	4.3%	4.2%
6	31,524	33,956	2,432	7.7%	8.3%
7	26,175	28,354	2,179	8.3%	7.5%
8	32,654	35,202	2,548	7.8%	8.7%
9	31,911	34,362	2,451	7.7%	8.4%
Boston	272,481	301,702	29,221	10.7%	

Reprecincting and Split Precincts

The Census Bureau also released 2020 Census P.L. 94-171 Summary File data tabulated by various geographies established and recognized by the Census Bureau, including by census tracts, block groups, individual blocks, and Voting Districts (VTD).

The Voting District Project of the Census Bureau’s Redistricting Data Program allows states to submit specifications on their voting district boundaries, such as wards and precincts, to include in the 2020 Census Redistricting Data tabulations. The Secretary of the Commonwealth is the statewide liaison for municipalities to submit details on precinct geographies for which they would like to receive data tabulations. VTD data for the City of Boston released by the Census Bureau in August 2021 were rendered obsolete for City Council redistricting purposes, given that the data reflected the 255 voting precinct boundaries existing at the time of the 2020 Census.

The Boston Board of Election Commissioners adjusted select voting precinct boundaries in conjunction with state legislative and congressional redistricting beginning in 2021, increasing the total number of precincts in the City from 255 to 275. As precincts are the building blocks of City Council districts, the redistricting process is inextricably contingent upon the reprecincting process which concluded in April 2022. The City Council did not receive 2020 Census P.L. 94-171 redistricting data for Boston aggregated to the new precinct boundaries until July 2022.²⁶

The reprecincting process is long overdue. Only the Board of Election Commissioners is authorized to redraw Boston’s voting precincts within ward lines, whenever in its judgment such “a new division of precincts is necessary for the proper conduct of primaries and elections” St. 1918 ch. 74, as amended by St. 1920 ch. 636. However, Boston’s enabling statute for drawing City Council electoral districts also exempts it from decennial reprecincting as mandated by M.G.L. ch.54 §2. In contrast, nearly all other municipalities of the Commonwealth have wards and precincts redrawn by their legislative bodies. Further, Boston’s current ward boundaries have been in effect since 1925 after being redrawn by a commission, but the Legislature provided no statutory authority for any future redivision of the wards. St. 1924 ch. 410.

Boston’s exemption from mandatory decennial reprecincting has long exacerbated tensions in cycles of both City Council and state legislative redistricting. This is evident in the 2002 report of the City Council’s Committee on Census and Redistricting [**emphasis added**]:

Added to the challenge is that when the precinct lines were drawn, they had ties to the community structure, neighborhood boundaries, and commonalities present at that time. Since then, housing patterns, neighborhood or community composition, definitions, and characteristics have changed radically. However, since the state has already completed its redistricting process, it is impossible for Boston to go back and re-precinct. Even if it were done, it would only be effective for the City elections, and voters would have to go back to the “old” precincts for state and federal elections – causing even greater confusion. **The Committee hopes that in the future, we can re-visit the re-precincting issue to explore options available before the next re-districting process.**²⁷

The issue was again raised in the initial 2012 Committee report, with the Chair noting that, “The Mayor and City Council have passed a Home Rule Petition to require decennial re-precincting beginning in 2020, which is awaiting action by the legislature.”²⁸ That petition to remove

²⁶ Precinct-level data has since been published on the Analyze Boston open data hub as of October 20, 2022 at <https://data.boston.gov/dataset/census-data-for-2022-redistricting>.

²⁷ Report of the Committee on Census and Redistricting, Docket #2002-0903. Boston City Council, October 2, 2002. https://www.documentcloud.org/documents/22278991-20021002_0903_orde7-redistricting-ordinance-passed-with-a-ddenda.

²⁸ Committee on Census and Redistricting Report, Docket #2012-0985. Boston City Council, August 20, 2012. https://documentcloud.org/documents/22309672-20120822_0985_redistricting_ordinance_passed_7-6_disapproved.

Boston's reprecincting exemption ahead of the 2020 Census was passed by the City Council and approved by the Mayor in 2011. However, as it turns out, it was refiled five times^{29,30,31,32,33} in every biennial session of the Legislature without being passed in time for the 2020 Census.

The 2012 Report from the Chairs of the Special Joint Committee on Redistricting of the Legislature explicitly references Boston in discussing the impact that municipalities exempt from reprecincting have on state redistricting [**emphasis added**]:

These exemptions have the potential to negatively impact the creation of future district boundaries when applying traditional redistricting principles due to the unequal sizes of the exempt precincts within the borders of the city or town and also relative to precinct sizes of neighboring communities. The idea that communities are exempt from reprecincting in perpetuity runs counter to the legislative intent of creating relatively equal population standards for each precinct within a municipality. **For example, the City of Boston has not gone through the reprecincting process in several decades and the city precincts now range in size from 535 to 8,557 people. Over that time the racial and ethnic make-up of those precincts has also changed; yet, the boundaries remain the same.** This population disparity and static boundaries could potentially impact the ability of future sessions of the General Court to adequately balance federal and state redistricting case law, equal voting opportunities established by the Voting Rights Act, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, the Massachusetts Constitution and traditional redistricting principles when creating new districts.³⁴

The City Council eventually passed, and the Mayor approved, chapter 2 of the Ordinances of 2019 to amend City of Boston Code, Ordinances, section 2-9.2 in order to provide that

The appropriate committee of the City Council and the Commissioner of the Election Department or designee shall conduct a review of city precincts every five years beginning in the year immediately following passage of this ordinance. The committee and the Commissioner's review shall include the following: population shifts; development in neighborhoods; impact of precinct size on polling locations, staffing, and election day operations; and other factors as necessary. The committee shall issue a report on its findings.

However, no Committee of the City Council appears to have initiated or conducted a review of precincts in conjunction with the Commissioner of Elections as referenced in the ordinance as intended. Rather, the Board of Election Commissioners engaged in reprecincting in coordination

²⁹ An Act regarding Decennial division of wards and precincts in the city of Boston, H.3819, 187th General Court of the Commonwealth of Massachusetts. (2011). <https://malegislature.gov/Bills/187/H3819>.

³⁰ An Act regarding Decennial division of wards and precincts in the city of Boston, H.612, 188th General Court of the Commonwealth of Massachusetts. (2013). <https://malegislature.gov/Bills/188/H612>.

³¹ An Act regarding Decennial division of wards and precincts in the city of Boston, H.3321, 189th General Court of the Commonwealth of Massachusetts. (2015). <https://malegislature.gov/Bills/189/H3321>.

³² An Act regarding decennial division of wards and precincts in the city of Boston, HD.2379, 190th General Court of the Commonwealth of Massachusetts. (2017). <https://malegislature.gov/Bills/190/HD2379>.

³³ An Act regarding decennial division of wards and precincts, HD.2318, 191st General Court of the Commonwealth of Massachusetts. (2019). <https://malegislature.gov/Bills/191/HD2318>.

³⁴ Special Joint Committee on Redistricting. Massachusetts General Court, December 12, 2012. <https://malegislature.gov/assets/redistricting/ChairFinalReport.pdf>.

with the state redistricting process, which itself was also impacted by the Census Bureau’s delays related to the COVID-19 pandemic. With chapter 59 of the Acts of 2021, the Legislature swapped the typical order to first draw new district boundaries, followed by municipalities drawing new precincts within 30 days. Usually, municipalities establish ward and precinct boundaries which the Legislature then uses to create congressional and legislative districts.

Guidelines used by the Board of Election Commissioners included identifying wards with precincts containing more than 3,000 registered voters; using census block groups within each ward to create precincts; aiming to keep precincts at 2,000 voters within a margin of 10 percent; adjusting to eliminate sub-precincts caused by state legislative redistricting; determining precinct boundaries using linear features such as roadways, railroads, waterways, and other easily identifiable features; and taking into consideration projected residential growth.³⁵

Reprecincting resulted in 16 “split precincts” drawn such that they crossed the boundaries of multiple current Council districts. The affected precincts were in Wards 3, 4, 8, and 9, impacting current Districts 1, 2, 3, 7, and 8. At the September 20, 2022 working session, Councilors tentatively assigned each split precinct to an adjacent district based on general consensus. This established a “baseline” map to initiate the redistricting process. The split precincts were assigned on the “baseline” map as follows:

Adjusted Precincts Split by Current City Council Districts

<i>Precinct</i>	<i>Current districts split between</i>	<i>“Baseline” district assigned to</i>	<i>Neighborhood</i>	<i>2020 Census Population</i>
3-6	1, 2	1	Downtown	1,844
3-10	1, 2, 8	8	West End	3,284
4-2	2, 7	2	Back Bay	1,964
4-4	2, 7	7	South End	2,360
4-6	2, 7	8	Back Bay	3,390
4-7	2, 7, 8	8	Fenway/Symphony	3,179
4-8	7, 8	7	Fenway/Symphony	5,832
4-9	7, 8	7	Mission Hill	4,863
4-10	7, 8	8	Longwood/Fenway	6,094
4-12	7, 8	8	Fenway	2,215
8-1	2, 3	3	South End	2,687
8-2	2, 3	3	South End	2,199
8-4	3, 7	7	Roxbury	2,826
8-5	3, 7	7	Roxbury	3,091
8-6	2, 3, 7	3	Roxbury/South Bay	1,700
9-1	2, 7	7	South End	2,698

³⁵ “City of Boston 2022 Precinct Adjustments as amended by the Board of Election Commissioners on April 6, 2022,” Boston Election Department. <https://www.boston.gov/sites/default/files/file/2022/07/Updated%202022%20Precinct%20Adjustments%20as%20Amended%20by%20the%20Board%20of%20Election%20Commissioners%20on%20April%206,%202022.pdf>.

As a result of assigning the split precincts to “baseline” districts, the total population deviation range from the most to least populous current districts was significantly reduced from 26.6 percent to 13.5 percent:

2020 Census Data on “Baseline” Districts

<i>District</i>	<i>Total Population</i>	<i>Deviation from Average of 75,072</i>		<i>Change from Actual District</i>	
1	75,117	+45	+0.1%	+1,066	+1.4%
2	76,706	+1,634	+2.2%	-11,847	-13.4%
3	69,638	-5,434	-7.2%	+1,077	+1.6%
4	71,811	-3,261	-4.3%	<i>No change</i>	
5	75,245	+173	+0.2%	<i>No change</i>	
6	74,914	-158	-0.2%	<i>No change</i>	
7	77,783	+2,711	+3.6%	+4,954	+6.8%
8	79,760	+4,688	+6.2%	+4,750	+6.3%
9	74,673	-399	-0.5%	<i>No change</i>	
Boston	675,647	<i>Dev. Range</i>	13.5%		

Subject Matter Experts

Given that the Chair assumed the role of leading the Committee with less than two months until the intended November 2, 2022 deadline, the need for adequate capacity support became abundantly clear. Over the past several weeks, the Law Department has assisted the Chair to engage the occasional consultation of redistricting experts, Attorney Jeffrey Wice and Dr. Lisa Handley, who have both presented to the City Council. Additionally, the office of the Chair invited Dr. Moon Duchin to present at a Committee working session and review proposed redistricting plans. Assistance the experts provided to the Committee are discussed further below.

Attorney Jeffrey M. Wice, Esq. is a Senior Fellow with the New York Census and Redistricting Institute at New York Law School. His legal scholarship and practice is focused on redistricting, voting rights and census law, and he has assisted numerous state legislative leaders, members of congress and other state and local officials on redistricting and voting rights matters.

Dr. Lisa Handley is president of Frontier International Electoral Consulting, which conducts election-related research and statistical analysis, offering tools for measuring voting patterns and evaluating redistricting plans. She has served as an expert in dozens of redistricting and voting rights court cases.

Dr. Moon Duchin is a Professor of Mathematics at Tufts University and runs the MGGG Redistricting Lab as one of the research groups at Tisch College of Civic Life, where the free browser-based interactive electoral redistricting tool Districtr was developed.

Principles and Criteria of Redistricting

On August 31, 2022, the Chair assumed leadership of the Committee and subsequently filed Docket #1098, Order for the adoption of City Council redistricting principles, informed in part by records of past redistricting cycles located with the assistance of the Office of the City Clerk and the City Archives.³⁶ These points included six areas of “basic agreement” and five subjects “deserving more investigation” referenced in a 1981 Interim Report of the Committee; four charges identified in the order establishing the Committee in 1991; five principles outlined in a resolution and an additional four principles identified by the Chair in 2002; and communications of Mayor Menino twice disapproving redistricting plans passed by the Council in 2012.

The Chair found it necessary for the Committee to gain clarity on the distinction between traditional redistricting principles and redistricting criteria under state and federal statute. Shortly after committees were readjusted, the office of the Chair identified and approached Attorney Wice to inquire about professional guidance and technical assistance in the redistricting process. Although in the 2002 and 2012 redistricting cycles the Committee expended funds to retain special outside counsel, such resources did not appear to have been available when the present Chair assumed the role. At the request of the Chair, Corporation Counsel expressed a willingness for the Law Department to retain Attorney Wice and answer questions of the Committee.

On October 11, 2022, at the request of the Chair, Corporation Counsel transmitted an informal memorandum prepared by Attorney Wice which briefly conveyed basic principles of redistricting criteria for consideration by the City Council. Attorney Wice appeared virtually at the Committee working session that day to provide a brief presentation on its content, covering five required criteria: population equality, minority voting rights, compactness, contiguity, and consideration toward the preservation of neighborhoods. Three additional non-required criteria, which can be considered but are not required by federal or local law, were also discussed: communities of interest, a ban on partisanship, and maintaining existing district boundaries.

In redistricting, a “community of interest” can be a neighborhood, community, or group of people with shared concerns, interests, and characteristics who would benefit from being in a single district. Considering communities of interest in the redistricting process is an important principle, particularly when taking into account communities traditionally disenfranchised or underserved by the political process. Definitions of communities of interest can be subjective and fluid, and their consideration should be balanced with other traditional districting principles.

Likewise, definitions of what constitutes a “neighborhood” does not always have broad consensus nor standardization in how their boundaries are identified. The City’s enabling statute for drawing electoral district boundaries specifies that districts be “drawn with a view toward preserving the integrity of existing neighborhoods” St. 1982, ch. 605, s. 3. While the City has recognized named neighborhoods and smaller geographic communities within those neighborhoods, there are not formally standardized definitions of their boundaries. That there are many constructions of what defines a neighborhood, let alone the feasibility of keeping larger neighborhoods whole, is another consideration when weighing redistricting principles.

At the City Council meeting of October 19, 2022, the Council passed an amended version of Docket #1098, Order for the adoption of City Council redistricting principles, adopting a series

³⁶ The Committee made past redistricting records available through the Committee website at <https://www.boston.gov/departments/city-council/2022-redistricting-boston#redistricting-records->.

of principles to guide and inform procedures led by the Committee on Redistricting. The principles, intended to be separate from criteria already established by statute or case law, generally covered Councilor decorum in debate and deliberation, public participation in and access to the redistricting process, compliance with the Voting Rights Act, and data necessary for comparison of proposed redistricting plans.

Boston is required by law to redistrict every 10 years following the release of the federal decennial census results. Judicial precedent has established that the acceptable population range to maintain “one person, one vote” is 10 percent, or 5 percent above or below the target population. Based on the 2020 Census figures reporting a total population of 675,647 in Boston, nine equally populous districts would ideally each have 75,071 residents. The acceptable variance range of 10 percent would then be from 71,318 to 78,825 residents. The Courts have used the term “substantial equality requirement” to allow for a total deviation of not more than 10 percent between the largest and smallest districts without constituting a Constitutional violation and requiring no justification. *Voinovich v. Quilter*, 507 U.S. 146 (1993); *White v. Regester*, 412 U.S. 755 (1973).

Districts must be reapportioned due to changes in population throughout the City of Boston. Thus, in order to comply with the “one person, one vote” standard articulated in *Reynolds v. Sims*, 377 U.S. 533 (1964), a redistricting plan must be recommended by the Committee and voted upon by the Council. In *Sims*, the Court determined that, under the Fourteenth Amendment’s equal protection clause, a “one person, one vote” standard must be achieved in any redistricting plan. While the federal cases originally imposed such plans on congressional and state-elected representative districts, the same reasoning and law applies to a municipality when redistricting its legislative body. The *Sims* Court stated that

While we do not intend to indicate that decennial reapportionment is a constitutional requisite, compliance with such an approach would clearly meet the minimal requirements for maintaining a reasonably current scheme of legislative representation. at 588.

The Council not only must comply with federal standards governing “one person, one vote,” it must also comply with similar standards imposed by the Massachusetts Constitution Amended Article 101 and section 3 of chapter 605 of the Acts of 1982. These provisions require that the electoral districts be as nearly equal in population as practical. Thus, an equal number of inhabitants as nearly as possible shall be composed of contiguous existing precincts, *Trustees of Boston University v. Board of Assessors of Brookline*, 11 Mass. App. Ct. 325, (importing “actual contact, something that adjoins... or touching along boundaries” at 328) and be drawn with a view toward preserving the integrity of existing neighborhoods (St. 1982, ch. 605, s. 3).

With respect to standards for local redistricting, it was stated above that the federal cases ought to be followed when determining “one person, one vote” principles and substantial equality. The Courts have stricken municipal plans with variances from one district to another including a maximum deviation of 132 percent. *Board of Estimate v. Morris*, 489 U.S. 688, 703 (1989) and upholding an 11.9 percent total maximum deviation for a county board of supervisors, *Abate v. Mundt*, 403 U.S. 182 (1971); and *Latino Political Action Committee, Inc. v. City of Boston*, 568 F.Supp. 1012 (1983) striking down a 23.6 percent total maximum deviation in Boston City Council districts. See also, *Black Political Task Force v. Connolly*, 679 F. Supp. 109, 114 (D. Mass. 1988, 3 Judge Court) where a plan that includes no districts with inhabitants no more nor less than 5 percent of the norm of inhabitants, the plan does not violate *Sims*.

Voting Rights Act

The Committee reviewed the guidance under the Voting Rights Act published by the Department of Justice on September 1, 2021. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, prohibits discrimination in voting on the basis of race, color, or membership in a language minority group. This permanent, nationwide prohibition applies to any voting qualification or prerequisite to voting or standard, practice, or procedure, including districting plans and methods of election for governmental bodies. *Grove v. Emison*, 507 U.S. 25, 39-40 (1993).

Analysis begins by considering whether three Gingles preconditions exist. First, the minority group must be sufficiently large and geographically compact to constitute a majority of the voting-age population in a single-member district. Second, the minority group must be politically cohesive. And third, the majority must vote sufficiently as a bloc to enable it—in the absence of special circumstances, such as the minority candidate running unopposed—usually to defeat the minority group’s preferred candidate.

If all three Gingles preconditions are present, consideration proceeds to an analysis of the totality of the circumstances in a jurisdiction. This analysis incorporates factors enumerated in the Senate Report that accompanied the 1982 Voting Rights Act Amendments, S. Rep. No. 97-417, at 28-29 (1982), which are generally known as the “Senate Factors” and are set forth in *Latino*, including:

1. the extent of any history of official discrimination in the state or political subdivision that touched the right of the members of the minority group to register, to vote, or otherwise to participate in the democratic process;
2. the extent to which voting in the elections of the state or political subdivision is racially polarized;
3. the extent to which the state or political subdivision has used unusually large election districts, majority vote requirements, anti-single shot provisions, or other voting practices or procedures that may enhance the opportunity for discrimination against the minority group;
4. if there is a candidate slating process, whether the members of the minority group have been denied access to that process;
5. the extent to which members of the minority group in the state or political subdivision bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process;
6. whether political campaigns have been characterized by overt or subtle racial appeals; and
7. the extent to which members of the minority group have been elected to public office in the jurisdiction.

Gingles describes a review of the totality of the circumstances that requires a “searching practical evaluation of the past and present reality” of a jurisdiction’s electoral system that is “intensely local,” “fact-intensive,” and “functional” in nature. 478 U.S. at 45-46, 62-63, 79. Liability depends on the unique factual circumstances of each case and the totality of the circumstances in the particular jurisdiction in question.

On October 19, 2022, the Committee received a response from Corporation Counsel responding to a set of questions. The following response was to a question seeking clarification on requirements of the Voting Rights Act:

The VRA requires the creation of an effective minority district where it can be demonstrated that the minority community (1) comprises at least 50% of an ideal, contiguous and reasonably compact district's voting age population; (2) minority voters vote cohesively for the same candidates; and (3) there is a significantly high level of racially polarized voting where the majority votes sufficiently as a bloc to prevent minority voters from electing their preferred candidates of choice.

In seeking compliance with the Voting Rights Act, the City Council should pay attention to ensuring that districts do not have the effect of creating unequal opportunity based on race, color, or language minority groups of American Indians, Asian Americans, Alaskan Natives, and Spanish-heritage populations.

Racial Bloc Voting Analysis

According to the presentation provided by Dr. Lisa Handley at the Committee working session of October 25, 2022, there are several statistical methods used to analyze voting patterns in order to determine whether electoral districts comply with the Voting Rights Act. District plans are in violation if the effect denies or dilutes minority voting strength.

A racial bloc voting analysis uses aggregate data of precinct election results and demographic composition for those precincts by voting age population in order to identify patterns. The patterns across precincts are then used to estimate White, Black, Hispanic, and Asian voter support for each of the candidates competing in an election contest. Due to the limited number of demographically homogeneous precincts in Boston, homogeneous precinct analysis is difficult to conduct. Instead, two statistical methods called ecological regression analysis (ER) and ecological inference analysis (EI) are used.

Dr. Handley discussed that Boston's 2020 Census enumeration for Black, Hispanic, and Asian populations are sizable enough to conduct a racial bloc voting analysis. As a result, Dr. Handley analyzed the voting patterns for White, Black, Hispanic, and Asian voters for all contested citywide preliminary and municipal elections from 2015 to 2021. EI and ER estimates were presented for each of the candidates in the 2021 Boston mayoral election.

Dr. Handley explained that while the September 2021 mayoral preliminary election was polarized between White voters and Black voters, it was not polarized between White voters and Hispanic or Asian voters. Further, minority groups were not cohesive in preferring the same candidate in the preliminary election. Meanwhile, in the November 2021 mayoral municipal election, the contest was no longer polarized as White, Black, Hispanic, and Asian voters preferred the same candidate, and minority groups were cohesive.

The summary table presented by Dr. Handley for each municipal election from 2015 to 2021 represented a district-specific, functional analysis demonstrating whether or not vote polarization existed. Dr. Handley's analysis found that voting is polarized in Boston, but the amount of polarized voting varies by district; some areas are more polarized than others. The polarization between White and Black voters with White and Hispanic voters are comparable, while there is

less polarization between White and Asian voters. In the six municipal elections analyzed that demonstrated polarization, the candidate preferred by Black or Hispanic voters lost four contests. It is also important to note that when voting is polarized, Black, Hispanic, and Asian minority voters are not always cohesive, particularly in preliminary elections.

Dr. Handley's presentation concluded that, "Because voting is often polarized, districts that offer minority voters an opportunity to elect their candidates of choice must be drawn or, if they already exist, these districts must be maintained in a manner that continues to provide minority voters with an opportunity to elect their preferred candidates," while exercising caution if combining Black, Hispanic, and Asian voters to create a "minority" district because the three groups of voters are not always cohesive in their voting patterns.

Target Date for Action

In order for an individual to run for a District City Council seat, they must have resided in the district for 12 months prior to the date of the upcoming municipal election. The next regular municipal election will be on Tuesday, November 7, 2023. Therefore, it would be ideal for the City Council to pass and for the Mayor to approve an ordinance before November 7, 2022. Failure to do so could result in a Court challenge based on any changes made to Council districts. By Charter, the Mayor has 15 days to review and sign or disapprove of ordinances passed by the City Council. In actuality, it would have been ideal for the Mayor to have received it earlier to provide for as much notice to residents contemplating running for office in the next municipal election, and time for the Council to make revisions in the event of the Mayor's disapproval.

On October 19, 2022, the Committee received a response from Corporation Counsel responding to a set of questions. The following response was received to a question requesting clarification on the City Council's deadline for action to redraw electoral districts [**emphasis added**]:

There is some ambiguity concerning the City Council's deadline for action because it involves the interplay of special acts related to Boston redistricting that were modified by the legislature without any systematic effort to address deadlines in the special acts related to Boston. However, the only explicit statutory deadline set forth in the Boston City Charter is that city council districts be redrawn by August 1, 2026. **That deadline is based on a provision in the City Charter requiring that districts be drawn by August every ten years starting in 1986, which was contemplated to be after the completion of the state census conducted in each year ending in five.** [St. 1982, c. 605, s. 3] The state census was abolished in 1993, and an act of the legislature provided that any reference to the state census in any special law or charter must now be read as a reference to the most recent federal census. [St. 1993, c. 403, s. 34] **Although that law impacted the City Charter by requiring that Boston redistricting be based on the federal census, it did not modify the deadline set forth in the City Charter.**

The City Council is appropriately engaged in redistricting in 2022 based on the 2020 federal census. Past redistricting has been conducted by the Council in 2002 and 2012, and not conducting redistricting within ten years would be constitutionally suspect because of the need to maintain approximately equal population in districts. *Reynolds v. Sims*, 377 U.S. 533, 584 (1964). Although there is no express statutory deadline in 2022, past redistricting has been

completed prior to one year before the next municipal election, and the special law creating Boston's redistricting process may be read to contemplate that redistricting should be accomplished by then because it provides that "every city councilor... who is elected to represent an individual district shall have been an inhabitant of a place within the district ... for at least one year immediately preceding" the election. [St. 1982, c. 605, s. 6.] **These contemplated timeframes avoid risking the type of informational problems that will increasingly burden candidates, voters, and election officials as the municipal election approaches. At this time, therefore, it remains prudent for the City Council to diligently continue its work toward drawing electoral districts with mayoral approval keeping the November 7, 2022 date for one year of candidate residency in mind.**

It is important to note, as Corporation Counsel explains in the response above, that the sole reason the present statutory deadline is August 1, 2026 is solely due to the fact that the relevant Boston City Charter provision was never brought into conformity with the General Laws following the constitutional amendment abolishing the state census. The 1986 amendment to Boston's enabling statute for drawing district boundaries provided that

The council shall redraw the districts for the purpose of city council and school committee representation as specified in this section on or before (a) ninety days from the date that the nineteen hundred and eighty-five state census, including census figures for the city of Boston, is properly certified by the state secretary; and (b) on or before August first, nineteen hundred and ninety-six and on or before said August first every subsequent tenth year. [St. 1986, c. 343]

Had the City's enabling statute been properly amended to shift the deadline for redistricting from August 1 in years ending in the number six, following the state census, and instead to years ending in the number two, following the federal census, then the deadline would most likely have been August 1, 2022. In reality, even if the Council were to complete our present task prior to November 7, 2022 in order to establish new district boundaries one year prior to the next municipal election, it would be unlikely for any potential candidate to establish residency in a new district within such a short period of time. Any thought of prolonging the present process would invite the risk of being characterized as incumbent protection.

It should also be cautioned that, should the Council not establish new district boundaries in time for the 2023 municipal election, the City could be at risk of a constitutional challenge under the 14th Amendment requiring each district to contain the same population. In fact, the inaugural district plan passed by the City Council was struck down due to its 23.6 percent total deviation between the most populous and least populous districts violating the "one person, one vote" standard. *Latino Political Action Committee, Inc. v. City of Boston*, 568 F.Supp. 1012 (1983). The current districts have a total deviation range of 26.6 percent and would be sure to invite a constitutional challenge should the Council neglect to draw new district boundaries in time.

Despite assuming the responsibility of facilitating the remainder of the redistricting process in two months, the Chair and staff have been determined to work within the given constraints to prevent further undue burdens which would arise by prolonging the already imperfect process.

Committee Process in 2021 and 2022

On September 28, 2021, the Committee on Census and Redistricting held a virtual hearing chaired by Councilor Ricardo Arroyo on Docket #0860 to discuss the redistricting process in the City of Boston. Mr. Tom Mortan, Assistant Chief of the Census Redistricting and Voting Rights Data Office for the U.S. Census Bureau, joined the hearing to present as an invited panelist.

The Committee was reestablished by the adoption of City Council rules for the municipal years 2022-2023 through a vote of the City Council on January 26, 2022, with the charge that the Committee “shall concern itself with issues relevant to city, state and federal redistricting of Boston. The committee shall concern itself with the redistricting for city council districts, including creating and facilitating process for community outreach; as well as assessing and selecting technology to be used to support city council redistricting efforts.”

The Committee held an initial series of virtual public meetings to hear testimony regarding redistricting from residents. On March 24, 2022, the virtual meeting was dedicated for residents of Districts 3, 7, and 8, and attendees offering public testimony included residents of Mission Hill and Dorchester. On March 31, 2022, the virtual meeting was dedicated for residents of Districts 4, 5, and 6, and attendees offering public testimony included residents of Hyde Park. On April 7, 2022, the virtual meeting was dedicated for residents for Districts 1, 2, and 9, and attendees offering public testimony included residents of Chinatown and Fort Point.

On August 4, 2022, the Committee held a public hearing in the Iannella Chamber to discuss the redistricting process. Councilors were joined by representatives of the Board of Election Commissioners and the Election Department, with particular attention paid to the reprecincting process. On August 29, 2022, communication (Docket #1021) was received from the Council President notifying the City Clerk of the temporary readjustment of committee assignments, including the Committee on Redistricting.

On September 14, 2022, the City Council voted for the passage of a Section 17F order under the City Charter requesting to receive demographic data from the BPDA in its capacity as planning board for the City of Boston. Until this point, detailed demographic data for the 2020 Census presented by current City Council district or new precinct boundaries had not been made publicly available through official reports, presentations, or datasets.

On September 16, 2022, the Committee held a virtual working session where the Chair and Vice Chair discussed the anticipated redistricting timeline and process. Given the abbreviated time remaining, Councilors were requested to assist in reaching out to community stakeholders and provide suggestions to the Chair for particular community organizations to reach out to directly.

On September 20, 2022, the Committee held a working session in the Piemonte Room focused on new precincts split between multiple current districts, coming to consensus on the assignment of each precinct so that they are entirely within a single district on a “baseline” map.

On September 23, 2022, a virtual working session was held. The Chair reviewed maps of past redistricting plans dating back from 1983 to 2012, as well as the “baseline” map with split precincts reconciled. Councilors discussed centers of population growth and took into consideration further growth to be anticipated. Councilors discussed various communities of interest they would like to focus on—including residents in Chinatown and the South End with

residents of the Cathedral and Villa Victoria housing developments. The Vietnamese community in Fields Corner was also identified as a community of interest to unify. The Chair and Vice Chair stressed the importance of outreach and community engagement, requesting that all Councilors assist in disseminating information to the public given the intended November 2, 2022 target deadline for final Council action on this matter.

On September 26, 2022, a working session was held in the Piemonte Room. District Councilors discussed their suggestions for communities of interest to be mindful of. Topics raised included residents in public housing, residents with disabilities, and the LGBTQ+ community. Particular neighborhoods were discussed, including Chinatown, the South End, Beacon Hill, Fields Corner, Mattapan, Mission Hill, Roslindale, and Grove Hall. Certain district Councilors announced their intentions to hold listening sessions with constituents through their respective offices.

On September 27, 2022, a working session was held in the Piemonte Room. The Chair reviewed the redistricting process thus far. Representatives of the BPDA were in attendance to answer questions about demographic data. The discussion turned toward precincts 8-1 and 9-1, which include the Villa Victoria and Cathedral housing developments and are presently in District 2 but were respectively allocated to District 3 and District 7 on the “baseline” map. Councilors discussed whether splitting the precincts into two separate districts would have a negative impact on the community, or if they should be paired together, and if so, which district they should be in. The consensus of the Councilors was that the two precincts should remain together. It was expressed that the Dorchester-based District 3 would no longer be considered “compact” if it were to extend further into the South End. Another sentiment expressed was that the Council should focus on shifting district boundaries northward where further population growth is anticipated, such as in Districts 1, 2, and 3, and that the districts in the southern part of the City should “absorb” more precincts, or more drastic changes would need to be made in ten years. Councilors discussed redistricting principles and the Chair requested the assistance of all Councilors to maximize public awareness and participation in the process. A request was made for future working sessions to be held in the Iannella Chamber and livestreamed.

A public hearing was held in the Iannella Chamber on September 29, 2022 to hear testimony from members of the public. Testimony generally focused on redistricting principles which residents would like to see reflected in maps to be proposed. Testimony also stressed transparency in order to ensure public confidence in the process and encourage community engagement. Testimony was received from residents who requested that attention be paid to their neighborhoods so as to not be split among districts—these included Chinatown, Fields Corner, Mission Hill, Roslindale, the South End, and the West End.

A working session was held in the Iannella Chamber on September 30, 2022, where Councilors presented and reviewed details for each of the maps filed and referred to the Committee thus far. On October 7, 2022, a working session was held in the Iannella Chamber to review three proposed redistricting plans filed and referred to the Committee. On October 11, 2022, a public meeting was held in the Iannella Chamber to hear public testimony regarding redistricting from residents, and a memorandum was received through the Law Department from Attorney Jeffrey Wice. Public testimony was received from residents of Dorchester in response to proposed redistricting plans, expressing their wishes for their community boundaries to be respected and maintained as whole.

On October 17, 2022, a working session was held in the Iannella Chamber, followed by the Council’s adoption of City Council redistricting principles in Docket #1098 at its meeting of

October 19, 2022. On the evening of October 20, 2022, the Committee held an off-site meeting in the Fields Corner area of Dorchester to hear public testimony on the redistricting process and on the proposed redistricting plans.

A working session was held in the Curley Room on October 21, 2022 where Dr. Moon Duchin presented a general overview of core and contested traditional districting principles. Dr. Duchin also reviewed various metrics to measure the contiguity and compactness of proposed district plans, which include the Polsby-Popper, Reock, and Cut Edges measures for compactness. Dr. Duchin discussed the concept of core retention as it relates to displacement, or the share of the population that would be moved to a different district under a proposed plan. Dr. Duchin discussed the nuance of balancing core retention with other optional or mandated redistricting principles. Dr. Duchin then provided a general overview of metrics for the five proposed redistricting plans, stating that all meet the standards of compactness and contiguity. Voting history was discussed as a measure for the ability of districts as drawn to allow voters to elect the candidates of their choice. The 2021 mayoral preliminary election results were used to demonstrate how the results may have changed per district under each of the proposals. Dr. Duchin stressed that demographic targets should not be relied on, but that effectiveness analyses should be conducted using the locality's electoral history to determine what is needed to draw effective districts for qualifying minorities to be provided an effective opportunity to elect their candidates of choice. The nuance of coalitional claims requiring cohesion among minority groups sharing their preferred candidates was also discussed.

A working session was held in the Piemonte Room on October 24, 2022 where Councilors discussed potential shifts to the district plans as proposed, as well as a general discussion on the use of electoral history to measure impacts of proposed districts. A public hearing was held in the Iannella Chamber later in the afternoon of October 24, 2022.

A final working session was held in the Iannella Chamber on October 25, 2022 where the Committee was joined virtually by Attorney Jeffrey Wice and Dr. Lisa Handley. Dr. Handley presented an overview of racial bloc voting analysis for the 2015 to 2021 Boston municipal election results, and reported her findings that voting is polarized in Boston, but the amount of polarization varies by district. Further, when polarized voting exists, Black, Hispanic, and Asian voters are not always cohesive in their voting patterns. Due to voting being polarized, districts which offer minority voters an opportunity to elect their candidates of choice must be drawn or maintained if they already exist.

In response to a question of whether the present District 4 is violative of the Voting Rights Act, Dr. Handley stated that the district as currently configured provides Black voters with an opportunity to elect their candidates of choice, and continuing to draw the district such as to provide Black voters with the opportunity to elect their candidates of choice would be in compliance with the Voting Rights Act.

Attorney Wice reminded Councilors to be sure not to violate the Voting Rights Act by diluting or packing minority voting strength among districts, and that how one community is configured within a district should also be viewed in relation to a neighboring district.

Overview of Submitted Plans

Information and feedback received from Councilors and members of the public through hearings, meetings, and working sessions informed the direction and multiple iterations of maps referred to

the Committee. Below are the five plans that have been formally submitted by Councilors and referred to the Committee on Redistricting as of the date of this report:

- **Docket #1186** was sponsored by Councilors Ricardo Arroyo and Tania Fernandes Anderson, and was referred to the Committee on September 28, 2022;
- **Docket #1215** was sponsored by Councilor Erin Murphy and referred to the Committee on October 5, 2022;
- **Docket #1216** was sponsored by Councilors Liz Breadon and Brian Worrell, and was referred to the Committee on October 5, 2022;
- **Docket #1273** was sponsored by Councilor Frank Baker, and was referred to the Committee on October 19, 2022;
- **Docket #1275** was sponsored by Councilors Liz Breadon and Ricardo Arroyo, and was referred to the Committee on October 19, 2022.

In **Docket #1186** as filed, District 1 would pick up precinct 3-10, a split precinct which had otherwise been allocated to District 8 in the “baseline” map; District 2 would maintain precinct 3-6, a split precinct which had otherwise been allocated to District 1 in the “baseline” map, while picking up precinct 7-7 from District 3; District 3 would pick up precincts 4-1, 4-2, 4-3, 4-4, 4-5, 5-14, 8-1, 8-2, 8-6, 9-1, and 9-2, inclusive of split precincts allocated to Districts 2 and 7 or maintained in District 3 in the “baseline” map, as well as pick up precinct 16-1 from District 4; District 4 would pick up precincts 15-7, 16-11, and 17-13 from District 3, and precincts 14-5 and 18-2 from District 5; District 5 would pick up precincts 14-8, 18-7, and 19-12 from District 4, and precinct 20-1 from District 6; District 6 would pick up precinct 20-8 from District 5; District 7 would pick up precincts 7-10, 13-5, and 15-1 from District 3; District 8 would pick up precinct 3-17 from District 2 and maintain precinct 4-6, both of which it had been allocated on the “baseline” map; and no changes would be made to District 9 from the “baseline” map.

In **Docket #1215** as filed, District 1 would maintain precinct 3-6 which had been allocated to it from District 2 on the “baseline” map; District 2 would retain precinct 8-1, a split precinct which had otherwise been allocated to District 3 in the “baseline” map; District 3 would maintain precincts 8-2 and 8-6, both of which it had been allocated on the “baseline” map, pick up precincts 7-5 and 7-6 from District 2, and precincts 16-1 and 17-14 from District 4; District 4 would pick up precincts 14-5, 14-14, and 18-2 from District 5, and precincts 13-1, 13-2, and 13-4 from District 7; District 5 would pick up precincts 14-8, 18-7, and 19-12 from District 4, and precinct 19-7 from District 6; District 6 would pick up precinct 20-8 from District 5; District 7 would maintain precincts 4-4 and 9-1, both split precincts which had been allocated to it on the “baseline” map, and pick up precinct 4-7, a split precinct which had been otherwise been allocated to District 8 on the “baseline” map; District 8 would pick up precinct 3-17 from District 2 and maintain precinct 4-6, both of which it had been allocated on the “baseline” map; and no changes would be made to District 9 from the “baseline” map.

In **Docket #1216** as filed, District 1 would maintain precinct 3-6 which had been allocated to it from District 2 on the “baseline” map, and pick up precinct 3-10, a split precinct which had otherwise been allocated to District 8 in the “baseline” map; District 2 would retain precincts 8-1 and 9-1, split precincts which had otherwise been allocated to Districts 3 and 7 on the “baseline” map, respectively; District 3 would maintain precincts 8-2 and 8-6, both of which it had been allocated on the “baseline” map, pick up precinct 7-6 from District 2, and precincts 16-1, 16-3, 17-2, 17-9, and 17-11 from District 4; District 4 would pick up precincts 16-8, 16-11, and 17-13

from District 3, and precincts 14-5 and 14-14 from District 5; District 5 would pick up precinct 19-12 from District 4 and precinct 20-1 from District 6; District 6 would pick up precinct 20-8 from District 5; District 7 would maintain precinct 4-4, a split precinct allocated to it on the “baseline” map; District 8 would pick up precinct 3-17 from District 2 and maintain precinct 4-6, both of which it had been allocated on the “baseline” map, as well as pick up precinct 4-2 from District 2; and no changes would be made to District 9 from the “baseline” map.

In *Docket #1273* as filed, District 1 would maintain precinct 3-6 which had been allocated to it from District 2 on the “baseline” map, and would pick up precinct 3-10, a split precinct which had otherwise been allocated to District 8 in the “baseline” map; District 2 would retain precincts 8-1 and 9-1, split precincts which had otherwise been allocated to Districts 3 and 7 on the “baseline” map, respectively; District 3 would maintain precincts 8-2 and 8-6, both of which it had been allocated on the “baseline” map, and pick up precincts 16-1 and 16-3 from District 4; District 4 would pick up precincts 14-5 and 14-14 from District 5, and precinct 19-7 from District 6; District 5 would pick up precinct 20-1 from District 6; District 6 would pick up precinct 20-8 from District 5; District 7 would maintain precinct 4-4, a split precinct which had been allocated to it on the “baseline” map, and would pick up precinct 4-7, a split precinct which had otherwise been allocated to District 8 on the “baseline” map; District 8 would pick up precinct 3-17 from District 2 and maintain precinct 4-6, both of which it had been allocated on the “baseline” map, in addition to picking up precincts 4-2 and 5-13 from District 2; and no changes would be made to District 9 from the “baseline” map.

In *Docket #1275* as filed, District 1 would maintain precinct 3-6 which had been allocated to it from District 2 on the “baseline” map, as well as pick up precinct 3-13 from District 2; District 2 would retain precincts 8-1 and 9-1, split precincts which had otherwise been allocated to Districts 3 and 7 on the “baseline” map, respectively, and District 2 would also pick up precinct 4-5 from District 7 and precinct 4-6 from District 8; District 3 would maintain precincts 8-2 and 8-6, both of which it had been allocated on the “baseline” map, and pick up precincts 6-1, 6-3, 7-5, and 7-6 from District 2, and precincts 16-1, 16-3, 17-2, and 17-6 from District 4; District 4 would pick up precincts 16-8, 16-9, 16-11, 16-12, and 17-13 from District 3, and pick up precinct 14-5 from District 5; District 5 would pick up precincts 18-7 and 19-12 from District 4; District 6 would pick up precinct 20-8 from District 5; District 7 would maintain precinct 4-4, a split precinct which had been allocated to it on the “baseline” map; District 8 would pick up precinct 3-17 from District 2, which it had been allocated on the “baseline” map; and no changes would be made to District 9 from the “baseline” map.

Context of Submitted Plans

Several precinct changes were common across most, if not all, of the proposed redistricting plans. Precinct 3-17 in Beacon Hill was newly created as a separation from the former precinct 3-6 through the reprecincting process. The allocation of the adjusted precinct 3-6 to District 1 on the “baseline” map required precinct 3-17 to be moved to either District 1 or District 8 in order to maintain the contiguity of District 2. All five proposals allocate precinct 3-17 to District 8, maintaining the cohesion of the Beacon Hill neighborhood. Additionally, four proposals maintain precinct 3-6 in District 1 as in the “baseline” map, and three proposals move precinct 3-10 in the West End from its location in District 8 on the “baseline” map to District 1. Early public testimony drew resident concerns of splitting the West End should precinct 3-10 be moved from District 8 to District 1.

At the September 20, 2022 working session where Councilors discussed the sixteen split precincts, particular consideration was paid to precincts 8-1 and 9-1 in the South End, both of which were split precincts mostly located in the present District 2. Precinct 8-1 largely contains the Villa Victoria affordable housing community with roots in the Puerto Rican and Latino communities, while precinct 9-1 contains the Cathedral (Ruth Barkley) public housing complex. Given that the population of the present District 2 is 13,481 residents (18.0%) over the ideal average population, Councilors agreed to tentatively place precinct 8-1 in District 3 and precinct 9-1 in District 7 for the purpose of establishing the “baseline” map, with the intention of further discussion on whether the two precincts should remain paired together. However, subsequent public testimony received from Chinatown and South End residents and community organizations, as well as review of Committee records containing written testimony received in 2012 redistricting, stressed the importance of pairing and maintaining these communities in District 2. As a result, despite its overpopulation, District 2 maintains precinct 8-1 in four of the proposed plans, as well as precinct 9-1 in three of the plans.

Discussion among Councilors in working sessions and testimony received at public hearings raised the desire to join precinct 16-1 in Fields Corner in Dorchester with the precincts presently in District 3 which have sizable concentrations of Asian residents and the Vietnamese American community comprising the Boston Little Saigon cultural district. This is reflected in all five proposals shifting precinct 16-1 from District 4 to District 3. Three of the plans also move precinct 16-3 together with precinct 16-1 from District 4 to District 3, which was the location of both precincts in the district plans of 1983, 1993, and 2002, prior to both being relocated to District 4 in the 2012 district plan.

There is a clear interest to reconfigure the southwest section of the City where the boundaries of Districts 4, 5, and 6 converge. In particular, all five proposed plans make an effort to more cohesively unite the Roslindale neighborhood, whether in whole or in part, but each varies in its approach. That Roslindale has been perennially split between City Council districts through the past several redistricting cycles—and is now split between the 6th Suffolk, 10th Suffolk, 14th Suffolk, and 15th Suffolk State Representative districts—a clear case is made to unite the neighborhood as much as possible in a single City Council electoral district. Four of the five proposed plans shift from District 4 to District 5 precinct 19-12; a precinct which was located in District 5 in the plans of 1983, 1987, and 1993, until it shifted to District 6 in 2002 and to District 4 in 2012. Three of the proposed plans also shift precinct 18-7 from District 4 to District 5; which was its prior location in the district plans of 1983, 1987, 1993, and 2002. Similarly, three of the proposed plans also shift precinct 20-1 from District 6 to District 5; which was its prior location in the district plans of 1983, 1987, 1993, and 2002. To balance the population shift of the aforementioned precincts, however configured, all five proposed plans would move precinct 20-8 from District 5 to District 6.

The configuration of precincts and Council districts in the southwest section of the City tended to trigger further shifts to adjacent districts in a counterclockwise direction. With the shifts made to Districts 5 and 6 intended to provide greater neighborhood cohesion in Roslindale by picking up precincts from District 4, several scenarios make up for the resulting population deficit in District 4. The precinct change common across all five proposed plans is shifting precinct 14-5 in Mattapan from District 5 back to District 4, where it was located in every district plan until 2012. Three of the plans would also shift precinct 14-14 in Mattapan from District 5 back to District 4, where it was also located until 2012. Another shift present in two plans is moving precinct 18-2 from District 5 to District 4, which was also its prior location until 2012.

If District 5 were not drawn with a view toward uniting more of Roslindale, District 4 could move northwestward to pick up precinct 19-7 in Jamaica Plain from District 6, as is the case in one proposed plan. Aside from picking up additional precincts in Mattapan, and refraining from moving westward in order to achieve a cohesive Roslindale, District 4 could shift northward or eastward. Such a northward shift into District 7 is proposed in one plan, with District 4 picking up precincts 13-1, 13-2, and 13-4 in Roxbury.

Alternatively, the resulting population deficit of District 4 could be addressed by picking up adjacent precincts to the east from District 3, as is the case to varying degrees in three of the five proposed plans. One plan has District 4 pick up precincts 16-11 and 17-13 in Dorchester from District 3, as is the case in a second plan, but with the addition of precinct 16-8. Both proposals generated public testimony regarding neighborhood cohesion should the two or three impacted precincts be moved from District 3 to District 4 as initially proposed. A third such plan sought to address concerns of maintaining neighborhood cohesion, as well as local historic and cultural affinity by identifying adjacent precincts encouraged to be relocated together. In the third plan, District 4 would pick up five precincts from District 3: 16-8, 16-9, 16-11, 16-12, and 17-13.

The boundaries of District 3 would then shift northward to pick up precincts from District 2, given its excess population above the ideal norm. The consensus to maintain precincts 8-1 and 9-1 in the South End limit alternatives for District 3 to pick up population from District 2 other than from South Boston, as three of the proposed plans do. One plan has District 3 pick up precinct 7-6; another plan picks up precincts 7-5 and 7-6; and the third plan picks up precincts 6-1, 6-3, 7-5, and 7-6. Excessive precinct sizes along the boundaries of districts at or near their population capacity, such as Districts 1 and 8, also jeopardize the extent to which other traditional redistricting principles such as neighborhood cohesion are weighed.

Analysis of Current and Proposed Districts

Compactness and contiguity are standard principles of redistricting. All districts in the proposed plans are contiguous, and two compactness measures demonstrate that the boundaries across the proposed districts are more alike than they are different.

Polsby-Popper score³⁷ is the ratio of the district area to the area of a circle with the same circumference as the perimeter of the district. The measure is always between 0 and 1, with 1 being the most compact. The Reock score³⁸ is the ratio of the area of the district to the area of the smallest circle that entirely encloses the district. The measure is always between 0 and 1, with 1 being the most compact. The Polsby-Popper and Reock scores for the proposed plans follow.

³⁷ Polsby, D. D., and R. D. Popper, 1991, The Third Criterion: Compactness as a Procedural Safeguard against Partisan Gerrymandering. *Yale Law and Policy Review*, 1991.

³⁸ Reock, E. C., Jr. Measuring Compactness as a Requirement of Legislative Apportionment. *Midwest Journal of Political Science*, 1961.

Compactness Scores for All Plans

District	Baseline Map		Docket #1186		Docket #1215		Docket #1216		Docket #1273		Docket #1275	
	Polsby-Popper	Reock	Polsby-Popper	Reock	Polsby-Popper	Reock	Polsby-Popper	Reock	Polsby-Popper	Reock	Polsby-Popper	Reock
1	0.29	0.36	0.29	0.36	0.29	0.36	0.29	0.37	0.29	0.37	0.28	0.37
2	0.33	0.31	0.35	0.37	0.31	0.30	0.31	0.32	0.30	0.32	0.25	0.27
3	0.16	0.14	0.16	0.15	0.16	0.14	0.16	0.15	0.16	0.14	0.17	0.15
4	0.20	0.47	0.30	0.46	0.30	0.34	0.20	0.43	0.24	0.52	0.19	0.47
5	0.26	0.43	0.30	0.45	0.35	0.42	0.25	0.41	0.27	0.40	0.29	0.46
6	0.27	0.34	0.25	0.34	0.29	0.33	0.25	0.34	0.26	0.32	0.27	0.34
7	0.35	0.34	0.33	0.38	0.31	0.31	0.36	0.33	0.34	0.32	0.35	0.33
8	0.24	0.27	0.25	0.30	0.23	0.27	0.25	0.31	0.23	0.32	0.23	0.26
9	0.54	0.46	0.54	0.46	0.54	0.46	0.54	0.46	0.54	0.46	0.54	0.46
Avg.	0.29	0.35	0.31	0.36	0.31	0.33	0.29	0.35	0.29	0.35	0.29	0.35

Additionally, Dr. Duchin’s lab used precinct-level results of past elections—approximated to the new precinct boundaries—in order to compare results of the mayoral and at-large preliminary elections from 2015, 2017, 2019, and 2021 if the elections were held in the new districts as proposed. For most of the elections, the results were close to identical on the proposed districts compared to the results on the “baseline” map, with only a few instances where the order of candidate ballot counts in the at-large races were slightly shuffled.

Finally, Dr. Duchin’s lab also assisted by generating the approximate total population which would be relocated to a new district under each of the five proposed plans. Across all five plans, the approximate average population that would move between districts would be 50,070 residents, or 7.4 percent of the City’s total population.

Summary of New Draft

Docket #1275 as recommended in its new draft makes five changes from the language initially filed, in large part due to feedback received from community members, neighborhood residents and organizations, and the respective District Councilors. Precinct 6-3, which was originally proposed to be moved to District 3 with precincts 6-1, 7-5, and 7-6, would remain in District 2. Instead, Precinct 3-15 would move from District 2 to District 3. Precinct 16-9, proposed to move to District 4 with precincts 16-8, 16-11, 16-12, and 17-13, would remain in District 3. Precincts 17-2 and 17-3, originally proposed to be moved to District 3, would remain in District 4.

This configuration of District 3 and District 4 results in South Dorchester maintaining its representation in two districts. Due consideration was contemplated in response to requests of community residents, civic associations, and Councilors representing the neighborhood who called for the six precincts of 16-8, 16-9, 16-10, 16-11, 16-12, and 17-13 to remain in District 3 or move in whole into District 4. The dilemma of long overdue reprecincting is demonstrated here as the population sizes for these six precincts range from 1,138 to 3,042, and the total population is 11,876 residents. Although this move results in the unification of Lower Mills, it does relocate Ashmont/Adams and Cedar Grove into District 4, while resulting in Adams Village spanning two Council districts. However, this change is proposed with a view toward generally

maintaining the historic Neponset/Port Norfolk and St. Ann's communities intact in District 3 by retaining precinct 16-9 together with precincts 16-5, 16-7, and 16-10.

The desire to unite long-splintered neighborhoods to the west of Dorchester, in tandem with the mandate to equalize excessive population deviation to the north, leave limited alternatives to entirely maintain precincts 16-8, 16-9, 16-10, 16-11, 16-12, and 17-13 together. In the new draft, District 3 has a population of 75,839 residents, while District 4 has a population of 72,917. Adding both precincts 16-9 and 16-10 to District 4 with precincts 16-8, 16-11, 16-12, and 17-13 would then prompt District 3 to gain population by moving even further into South Boston than is already proposed. With unresolved excess population in District 2 and limited options for the other adjacent districts to pick up precincts outside of South Boston, the most feasible option is for District 3's boundaries to shift further northward.

District 2 began the redistricting process with an excess population of 13,481 residents (18.0 percent) above the ideal average per district. Its population managed to be reduced by 11,847 residents (13.4 percent) on the "baseline" map. However, the clear consensus among Councilors and community members to maintain the South End housing developments of Villa Victoria and Cathedral of precincts 8-1 and 9-1 resulted in the return of 5,385 residents to District 2, bringing the district total up to 82,091 residents. The frustrating reality of overdue reprecincting has led to bloated precinct populations, essentially creating a deadlocked buffer of large precincts on the border between districts which cannot be moved without causing excessive deviation.

Further, it must be noted that of the neighborhoods experiencing the largest population growth from 2010 to 2020, half are generally located in District 2. While District 2 has a population of 13,481 above the ideal size, that growth is not proportional across its neighborhoods. The South Boston Waterfront grew by 3,690 residents (195.3 percent) and South Boston by 6,132 residents (19.3 percent), a combined population of 9,822 residents, or 72.9 percent, of District 2's excess population. Excess population from the ideal district size aside, District 2 itself experienced a population growth of 19,412 (28.1 percent), or a 33.4 percent share of the citywide growth.

In the 2012 cycle of redistricting, precincts 7-7, 7-8, 7-9, and 8-2 shifted to District 3 from District 2, where they had been since the first districts were drawn in 1983. This reflects the trajectory of district boundaries needing to shift toward centers of population growth. Further, not all neighborhoods have the same population density, meaning that in order to equalize population among districts—the primary mandate of redistricting—it may not be possible for every neighborhood to be kept whole within a single district. Recognizing and addressing this now will help limit the impact of future more drastic changes between districts in the next decade.

Recommendations for Future Redistricting Processes

Redistricting is a response to a decade of population change, and our building blocks for new districts should adjust with that change. The City's exemption from the decennial division of wards and precincts should be repealed. Being confined to overgrown precincts is unsustainable and adversely impacts the entire process by jeopardizing other traditional redistricting principles. Manageable precinct sizes would increase opportunities to maintain the integrity of existing neighborhoods. Lack of comprehensive reprecincting has been raised in multiple cycles of redistricting, and the Chair recommends that tangible solutions be pursued without waiting until the next decennial census. The City could petition the Legislature to authorize the Election Commissioners to draw new precincts without conflicting with state legislative and congressional district boundaries. The City could work with the Secretary of the Commonwealth

to incorporate the new precincts into the Voter Registry Information System to avoid discrepancies between precincts for municipal and statewide elections. It is the Chair's belief that more manageable precinct sizes would allow for less strenuous redistricting processes.

During the redistricting process, Councilors have pondered the necessity of creating additional district seats in future decades. However, altering the composition of the City's legislative body would possibly require the election of a Charter commission under the Home Rule Amendment to the Massachusetts Constitution. Boston continues to operate under the Charter established in 1951 without having exercised the home rule power to define its own governance. As the constitutional amendment passed in 1966, before district-based elections came into place for legislative bodies, the Charter commission process still requires the uncertainty of placing the responsibility to craft the City's entire government structure in the hands of a 13-member commission elected entirely at-large. If there is an interest in potentially expanding the size of the City Council, research should be conducted to identify the proper steps.

The Committee engaged the expertise of redistricting professionals too late in the process. Future redistricting should involve City demographers and cartographers shortly after census results become available. Funds should also be appropriated for outside legal counsel and election data analysts to conduct racially polarized voting analyses prior to proposed plans being drawn. Since this analysis requires the use of voting data, past election results should be approximated to the new precinct boundaries and all election data should be published in machine-readable formats. An amendment to the deadline established in the enabling statute is also necessary.

Finally, sufficient and meaningful community engagement in the redistricting process is essential, and this year's accelerated timeline was no exception. An independent advisory commission representative of the City should be established to support, inform, and monitor the Council. Standards should be put in place to ensure the future City Council tasked with redrawing district boundaries begins preparation for the community engagement process well in advance, shortly after the release of 2030 Census results in 2031. Many jurisdictions across the country begin their redistricting processes with a community of interest mapping drive, with resident input being taken into account and overlaid onto current and proposed districts. The City should formally recognize communities through resident engagement by using census blocks to establish smaller statistical areas for geographies whose demographic data can be disaggregated from the overall larger neighborhood. These recommendations would ensure that future redistricting processes are equitable and inclusive of all residents and communities in the City.

Committee Chair Recommended Action

As Chair of the Committee on Redistricting, I recommend moving the listed docket from the Committee to the full Council for discussion and formal action. At that time, my recommendation to the full Council will be that this matter **OUGHT TO PASS IN A NEW DRAFT**.

For the Committee:



Liz Breadon, Chair
Committee on Redistricting

Attachments

All Districts Summary Report-Docket 1275 Committee Report

District No. D1

Total Population 76,830

Total Population 18+ 64,257

Deviation 1,758

Dev. % 2.342

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	24,552	52,278	76,830	41,564	3,108	339	5,030	30	1,662	545
Total%	31.96	68.04	100.00	54.10	4.05	0.44	6.55	0.04	2.16	0.71
Total18+	18,296	45,961	76,830	37,306	2,366	287	4,334	24	1,272	372
Total18+%	28.47	71.53	119.57	58.06	3.68	0.45	6.74	0.04	1.98	0.58

District No. D2

Total Population 77,466

Total Population 18+ 70,183

Deviation 2,394

Dev. % 3.189

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	6,640	70,826	77,466	51,638	4,056	189	13,536	40	905	462
Total%	8.57	91.43	100.00	66.66	5.24	0.24	17.47	0.05	1.17	0.60
Total18+	5,314	64,869	77,466	48,094	3,367	159	12,076	37	781	355
Total18+%	7.57	92.43	110.38	68.53	4.80	0.23	17.21	0.05	1.11	0.51

District No.	D3
Total Population	73,285
Total Population 18+	60,834
Deviation	-1,787
Dev. %	-2.38

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	11,898	61,387	73,285	27,925	13,697	238	13,121	31	2,572	3,803
Total%	16.24	83.76	100.00	38.10	18.69	0.32	17.90	0.04	3.51	5.19
Total18+	8,735	52,099	73,285	25,470	10,606	203	10,834	29	2,081	2,876
Total18+%	14.36	85.64	120.47	41.87	17.43	0.33	17.81	0.05	3.42	4.73

District No.	D4

District No. D4

Total Population 72,917

Total Population 18+ 54,939

Deviation -2,155

Dev. % -2.871

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	17,409	55,508	72,917	9,190	37,534	332	3,005	25	1,642	3,780
Total%	23.88	76.12	100.00	12.60	51.47	0.46	4.12	0.03	2.25	5.18
Total18+	11,648	43,291	72,917	7,956	28,634	263	2,353	18	1,189	2,878
Total18+%	21.20	78.80	132.72	14.48	52.12	0.48	4.28	0.03	2.16	5.24

District No. D5

Total Population 75,436

Total Population 18+ 59,652

Deviation 364

Dev. % 0.485

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	18,191	57,245	75,436	18,543	33,775	224	1,975	29	1,097	1,602

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total%	24.11	75.89	100.00	24.58	44.77	0.30	2.62	0.04	1.45	2.12
Total18+	13,274	46,378	75,436	15,959	26,590	200	1,579	26	824	1,200
Total18+%	22.25	77.75	126.46	26.75	44.58	0.34	2.65	0.04	1.38	2.01

District No. D6

Total Population 76,523

Total Population 18+ 64,286

Deviation 1,451

Dev. % 1.933

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	12,660	63,863	76,523	46,579	7,839	245	7,194	36	1,237	733
Total%	16.54	83.46	100.00	60.87	10.24	0.32	9.40	0.05	1.62	0.96
Total18+	9,805	54,481	76,523	40,532	6,319	224	5,932	23	935	516
Total18+%	15.25	84.75	119.04	63.05	9.83	0.35	9.23	0.04	1.45	0.80

District No. D7

Total Population 72,147

District No.	D7
Total Population 18+	59,234
Deviation	-2,925
Dev. %	-3.896

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	18,703	53,444	72,147	16,551	25,657	245	6,491	54	1,673	2,773
Total%	25.92	74.08	100.00	22.94	35.56	0.34	9.00	0.07	2.32	3.84
Total18+	13,519	45,715	72,147	15,668	20,286	195	6,087	53	1,297	2,129
Total18+%	22.82	77.18	121.80	26.45	34.25	0.33	10.28	0.09	2.19	3.59

District No.	D8
Total Population	76,370
Total Population 18+	71,921
Deviation	1,298
Dev. %	1.729

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	7,633	68,737	76,370	45,468	5,078	233	16,327	47	1,114	470
Total%	9.99	90.01	100.00	59.54	6.65	0.31	21.38	0.06	1.46	0.62

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total18+	6,704	65,217	76,370	43,540	4,503	202	15,551	41	1,005	375
Total18+%	9.32	90.68	106.19	60.54	6.26	0.28	21.62	0.06	1.40	0.52

District No. D9

Total Population 74,673

Total Population 18+ 68,530

Deviation -399

Dev. % -0.531

	Total Hispanic	Total Non-Hispanic	Total	Non-Hispanic white	Non-Hispanic black	Non-Hispanic American Indian/Alaskan Native	Non-Hispanic Asian	Non-Hispanic Hawaiian or Other Pacific Islander	Non-Hispanic some other race	Non-Hispanic two or more minority race
Total	8,427	66,246	74,673	44,006	4,092	314	15,324	59	1,905	546
Total%	11.29	88.71	100.00	58.93	5.48	0.42	20.52	0.08	2.55	0.73
Total18+	6,912	61,618	74,673	41,506	3,538	285	14,247	55	1,568	419
Total18+%	10.09	89.91	108.96	60.57	5.16	0.42	20.79	0.08	2.29	0.61

B City Council Redistricting - Docket #1275 Committee Report

CITY OF BOSTON

