

Redistricting Committee of 2012  
Wicomico County, Maryland

March 9, 2012

There being a quorum present, The Redistricting Committee of 2012 held its first meeting on Friday March 9, 2012. Chairman, Joe Collins called the meeting to order in room 300 of the Government Office Building at 9:00 a.m. with all members present, those being: Harry Basehart, Eddie Boyd, Joe Collins, Charlie Gray, G.A. Harrison, Deke Sheller and Stacey Weisner.

County support staff to the committee: Frank McKenzie, Edgar Baker and Matthew Creamer

Prior to convening the meeting Chairman Collins informally invited committee members to introduce themselves and all did so. The meeting was convened as aforesaid. Mr. Collins noted that the County Council had appointed a redistricting committee in compliance with the Wicomico County Charter, Section 201. He added that in the interest of bipartisanship the seven member committee consists of four members who are registered voters as Republicans and three members who are registered voters as Democrats. He emphasized that it is important that in all its work, the committee should keep in the forefront that its decisions or recommendations should be in the interest of the entire county, without respect to political parties. Mr. Collins then asked for discussion of the Rules of Order. **Mr. Harrison made a motion, seconded by Ms. Weisner that the committee follow Robert's Rules of Order. During discussion there were friendly amendments offered, by Dr. Boyd that the committee abide by all the laws of the United States of America, the State of Maryland and Wicomico County government. Mr. Harrison further added the US Constitution and all federal and state laws. Ms. Weisner seconded the amendments and the vote to approve was unanimous.**

Mr. Collins referred to the Charge to the Redistricting Committee established by the County Council he asked Mr. Creamer to read the Charge into the record; he read as follows:

Memorandum

Redistricting Committee: Joe Collins, Chairman; Harry Basehart; Eddie Boyd; Charles Grey; G.A. Harrison; Deke Sheeler; Stacey Weisner.

From: Matthew Creamer

March 8, 2012

Chairman Collins has called the initial meeting of the Redistricting Committee for 9:00 a.m. on Friday March 9<sup>th</sup> at 9:00 in room 300 of the Government Office Building. Following is a brief explanation of the Committee's charge from the County Council.

The Wicomico County Charter in Article II, Section 201 establishes that there shall be a Wicomico County Council; it shall consist of 7 members, with 5 members elected, one each, from 5 different councilmanic Districts and 2 members, each elected from the county at large. In a manner generally parallel in purpose and process to the U.S. and Maryland Constitutions, and the principle of "one man, one vote", councilmanic districts are substantially equal in population. Councilmanic districts are reasonably compact and contiguous. In essence, the County Council charges the Redistricting Committee to faithfully adhere to these principles. While the 5 councilmanic districts are substantially equal in population, the County Council also charges the committee with being diligent in recognizing and preserving District 1 as the traditional minority district. Therefore, in addition to the above mentioned criteria, the district boundaries of District 1 shall be so defined that the population of District 1 shall be at least fifty one percent African American and be as much more than 51% of the district population as can reasonably occur and the District boundaries remain within the other criteria of total population, of being compact and contiguous. The final charge to the Redistricting Committee is that in reviewing the growth and distribution of the county's population over the past decade, that any movement in district boundaries be made so that as few people as possible will be affected, by their being changed from one district to another.

Section 201 of the Charter also spells out the process of redefining councilmanic districts following each decennial census by the U.S.

Census Bureau. It begins with the County Council appointing a redistricting committee. The schedule in the Charter has been interpreted according to the year 2010 Census that a Redistricting Committee be appointed by February 14, 2012. By September 1, 2012 the Redistricting Committee shall prepare and make public, a plan of proposed councilmanic districts and it shall present that plan to the County Council. Once the redistricting plan is presented to the County Council the Redistricting Committee's charge will be completed.

Upon receipt of the committee' redistricting plan the County Council will hold a public hearing on the plan. Following the public hearing the Council may adopt the plan, or may make any modifications or amendments to the plan. Seventy days after the presentation of the Commission's plan, the plan as finally adopted shall become law.

While the time frame may seem short, the redistricting process need not be complicated, provided the Committee adheres to its charge. Mr. McKenzie has all the Census information computerized and he will be able to show the committee how district boundaries would change by including census blocks in one district or another. He will demonstrate to the committee what the ideal population of each district should be. District populations should not vary by more than +/- 5%. Closer is better.

Once again, the County Council appreciates your willingness to serve on the Redistricting Committee. County staff looks forward to assisting you with your charge. For your convenience a copy of Article II, Section 201 of the Charter will be provided to you at the meeting tomorrow.

Copy:           Wicomico County Council  
                  Richard M. Pollitt, Jr.  
                  Frank McKenzie

Dr. Basehart expressed concern that the charge not limit the committee so much as to consider only one plan. The committee could consider several plans. Mr. Collins added that he agreed in principle. He referred to the charge which calls for affecting "as few people as possible" noting that part of the charge is not taken from the Charter. He continued, referring to the beginning of the charge, saying

that it refers to the principle of "one man one vote", not one voter. He inferred from this that the committee should take the high road. He said as members of this committee we don't represent a political party and should be impartial to voters and potential voters. Concern was expressed that if the committee were to move large blocks of people around from one district to another, people would become upset with that. Mr. Harrison observed that the Council added a few things for the committee to consider and that is its prerogative. He suggested the committee begin with the old maps and population to see where the changes have occurred.

Mr. Creamer mentioned that Mr. McKenzie has a fact sheet which will help the committee as it lists all the population changes by district. There followed discussion acknowledging that the committee will recommend a plan to the County Council, as the Charter requires and it may consider different approaches before agreeing on what changes in district boundaries may be best. **Mr. Harrison made a motion that the committee accept the charge, with a second from Mr. Sheller and unanimously passed.** Mr. Collins asked Mr. McKenzie to distribute the fact sheet, which he did and he reviewed it with the committee. The text of the fact sheet follows:

Total population -initial release –Wicomico County 98,733

**Adjusted Population**

State law requires that Maryland use adjusted number for redistricting HB 496 & SB 400

Requires persons incarcerated be counted at their last place of residence before incarceration.

Total adjusted pop Wicomico County 99,183

Total Pop

|                             |                |
|-----------------------------|----------------|
| White                       | 67,875         |
| Black                       | 24,229 (24.4%) |
| Other (remaining-all races) | 7,079          |

Ideal pop- 5 districts 19,837

-You are permitted to a 5% deviation from ideal population

5% below to 5% above ideal  
18,846-20,829

- Districts must be contiguous
- Cannot split blocks

District 1-Minimum

Census established the database and defined the racial categories used in the database. Racial categories in the database that are analyzed for this project are –Black and White.

Minority Pop in District 1 must be greater than 50%.

(District 1 pop can be up to 5% below ideal, but black pop must be at greater than 50% of the pop of that district\_

|           |        |
|-----------|--------|
| Black 51% | 10,117 |
| White 49% | 9,720  |

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19,837

**Existing District Pop**

|        |        |   |
|--------|--------|---|
| Dist 1 | 19,176 | -661 below ideal.....-3.33% deviation   |
| Dist 2 | 21,636 | +1,799 above ideal.....+9.07% deviation |
| Dist 3 | 18,907 | -930 below ideal.....-4.69% deviation   |
| Dist 4 | 21,265 | +1,428 above ideal...+7.20% deviation   |
| Dist 5 | 18,199 | -1,638 below ideal...-8.26% deviation   |

**Racial Composition**

|         |                                     |
|---------|-------------------------------------|
| Dist 1  |                                     |
| White   | 8,837                               |
| Black   | 9,213                               |
| % Black | 48.04% (below minimum requirements) |

(End Fact Sheet)

Referring to the fact sheet, Mr. Harrison asked the meaning of Adjusted Population. Mr. Baker explained that Maryland passed a law the

persons incarcerated in correctional institutions shall be counted as part of the population of the jurisdiction where they lived at the time of their conviction, rather than being counted with the population of the jurisdiction where the correctional institution is located. By example Mr. Baker said inmates at Eastern Correctional Institution in Somerset County were not counted as part of the Somerset County population, but they were counted with the population of the jurisdiction from which they came.

Mr. Harrison asked whether there could be any conflict from the committee using the adjusted data rather than the Census data. Mr. Baker advised he would research the question and report back to the committee. Dr. Basehart said he believes state law mandates that counties use the adjusted population data. Mr. Collins observed that there is 9, 7 and 8% deviation in three districts. Mr. Harrison observed that District 4 is out of population range and District 1 is within population range, but not within population range to make it a minority district. Referring to the language in the charge that the districts be compact and contiguous, Mr. Harrison opined that compact is a word of art, while contiguous is a word of law.

Mr. Collins asked whether there is a legal definition of compact. Mr. Baker replied that the application of compactness concept would depend on the constitutional makeup of the district, such as with a minority population, the courts would be more lenient in assessing whether the compactness requirement is satisfied.

Mr. McKenzie asked the committee where it wants to start. There was discussion about beginning with District 1. Dr. Basehart asked Mr. Baker what percentage of a district population would need to be of a racial minority in order to pass judicial muster as a minority district in the event of a suit. Mr. Baker replied there is no set percentage; that again depends on the compactness achieved in order to obtain a minority majority. He added that is the reason the County Council used the language in the charge to the committee that the minority district have a minority population of at least 51% and as much more as can reasonably occur.

Mr. Collins asked committee members to familiarize themselves with the district maps and the fact sheet before the next meeting. Dr. Boyd asked Mr. McKenzie whether block data is available in printed form, to which Mr. McKenzie replied not in a usable sense. He said all the data is coded to be readable by the software. He added when the

committee begins using the maps and looking at census blocks in which minorities are the majority, it will be easy to visualize how district population numbers will change as well as will the minority population in a district. He said the software is very easy to understand visually. With discussion concluded, Ms. Weisner moved that the committee begin with District 1, seconded by Dr. Boyd and the motion was unanimously approved.

The committee next discussed when meetings will be held. There was consensus to continue with morning meetings. Due to preexisting commitments, and work schedules, it was agreed the next meeting will be held in the second half of April, on a date to be determined. There was discussion of the committee having a Vice Chair in the event the Chair is unavailable. On motion by Mr. Sheller, seconded by Mr. Gray and unanimously approved, Mr. Harrison was elected Vice Chairman. There being no further discussion and **on motion by Dr. Boyd, seconded by Mr. Gray and voted unanimously**, the meeting was adjourned at 10:10 a.m.

Matthew Creamer