

ORDER NO. _____

THE STATE OF TEXAS §
 §
THE COUNTY OF SAN JACINTO §

**ORDER ADOPTING CRITERIA
FOR USE IN 2021 REDISTRICTING PROCESS**

WHEREAS, this Commissioners Court has certain responsibilities for redistricting under federal and state law including but not limited to Amendments 14 and 15 to the United States Constitution, U.S.C.A.; section 2 of the Voting Rights Act, 52 U.S.C.A. §10301; article 5, section 18 of the Texas Constitution; Texas Local Government Code §81.021; and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002; and

WHEREAS, a review of the 2020 census data reveals that a population imbalance exists among the County's commissioner precincts requiring redistricting of those commissioner precincts; and

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

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

WHEREAS, redistricting criteria will provide the County a means by which to evaluate proposed plans; and

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

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the County, in its adoption of a redistricting plan for commissioner precincts, will adhere to the following criteria to the greatest extent possible when establishing new commissioner precinct boundaries:

To the extent practicable:

1. Easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single commissioner precinct, and attempts should be made to avoid splitting neighborhoods.
3. Commissioner precincts should be composed of whole voting precincts. Where this is not possible or practicable, commissioner precincts should be drawn in a way that permits the creation of practical election precincts and that ensures (i) that adequate facilities for polling places exist in election

precincts; or, as applicable, (ii) that efficient ballot preparation be facilitated for elections conducted at vote centers in the County. Avoid splitting census blocks unless necessary.

4. Although it is recognized that existing commissioner precincts will have to be altered to reflect new population distribution in the County, any districting plan should be based on existing commissioner precincts.
5. Commissioner precincts must be configured so that they are relatively equal in total population according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest commissioner precinct exceed ten percent as compared to the ideal precinct size.
6. The commissioner precincts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical, dimension.
7. Consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
8. The plan should be narrowly tailored to avoid racial gerrymandering in violation of *Shaw v. Reno*.
9. The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting or otherwise discriminate against protected groups so as to create liability under the Voting Rights Act.

The Commissioners Court will review all plans considering these criteria and will evaluate how well each plan conforms to the criteria.

Any plan submitted to the Commissioners Court by a citizen for its consideration should be a complete plan—*i.e.*, it should all four commissioner precincts and should redistrict the entire County. The Court may decline to consider any plan that is not a complete plan.

All plans submitted by citizens, as well as plans submitted by staff, consultants, and members of the Commissioners Court should conform to these criteria.

This resolution shall be effective upon passage by the Commissioners Court.

BE IT SO ORDERED.

Adopted on this 6th day of October 2021.

SAN JACINTO COUNTY, TEXAS



Fritz Faulkner, County Judge

ATTEST:



Dawn Wright, County Clerk

