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ORDER NO. _____

THE STATE OF TEXAS §
§
THE COUNTY OF WISE §

WISE COUNTY ORDER ADOPTING CRITERIA FOR USE IN REDISTRICTING 2021 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. (West 2006) and the Voting Rights Act, 42 U.S.C.A. §§ 1973 and 1973c (West 2010); article 5, section 18 of the Texas Constitution (Vernon 2007); and Tex. Gov't Code Ann. §§ 2058.001 and 2058.002 (Vernon 2008); and

WHEREAS, on review of the 2020 Census data, it appears that a population imbalance exists requiring redistricting of the County's 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 consideration of districting plans; and

WHEREAS, established criteria will provide the County a means by which to evaluate and measure 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 drawing district boundaries:

1. Where possible, easily identifiable geographic boundaries should be followed.

2. Communities of interest should be maintained in a single precinct, where possible, and attempts should be made to avoid splitting neighborhoods.

3. To the extent possible, precincts should be composed of whole voting precincts. Where this is not possible or practicable, precincts should be drawn in a way that permits the creation of practical voting precincts and that ensures that adequate facilities for polling places exist in each voting precinct.

4. Although it is recognized that existing precincts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing precincts.

5. 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 deviation between the largest and the smallest district exceed ten percent.

6. The 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 retrogression in the position of racial minorities and language minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise.

9. The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting so as to create liability under Section 2 of the Voting Rights Act, 42 U.S.C. § 1973.

The Commissioners Court will review all plans in light of 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 show the full number of 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.

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BE IT SO ORDERED.

Adopted on this 27th day of September, 2021.

WISE COUNTY, TEXAS

J.D. Clark, County Judge

Biff Hayes, Commissioner, Precinct 1

Kevin Burns, Commissioner, Precinct 2

Danny Lambert, Commissioner, Precinct 3

Gaylord Kennedy, Commissioner, Precinct 4

ATTEST:

Sherry Lemon, County Clerk

COMMISSIONERS COURT COUNTY OF WISE, TX