

Dr. David Damore, Brookings Mountain West, Interim Executive Director Testimony

Good evening, Chair Torres, Vice Chair Duran, and committee members. My name is Dr. David Damore. I am the Interim Executive Director of The Lincy Institute and Brookings Mountain West and a Professor and Chair of the Department of Political Science at UNLV. I am testifying in opposition to Senate Bill 184.

The deadlines created by SB184 will result in the creation of ward maps using data that may not reflect the population and demographic shifts caused by the COVID-19 pandemic. As a consequence, redistricting the North Las Vegas City Council wards using 2020 Census data could have a negative impact on the composition of existing wards that have historically elected diverse representatives and make it difficult to create new wards that ensure diversity.

As with any census data, the passage of time creates issues of reliability and validity. This is why redistricting and reapportionment happen immediately following the release of data from the decennial U.S. Census – a principles recognized by this body when the pandemic delayed the release of the 2020 Census data and prevented the Legislature from redistricting during the first biennial session following the census. Instead of moving the process to the next regular session, a special session was convened as the LCB stated “to ensure equal representation for voters as district populations shift over time.”¹

Even the American Community Survey (ACS) data traditionally used to augment and inform census data for drawing electoral districts² is currently unreliable. The Census Bureau itself questions the validity of their “data quality,”³ resulting in the bureau taking the extraordinary step of not releasing the standard ACS data products and 1-year update because these data “may not meet all our quality standards.”⁴

COVID-19 also had a tremendous impact on interstate population migration. Using migratory data from United Van Lines, the Federal Reserve concluded that the largest increases in outbound population shares during the pandemic compared to before the pandemic were in

¹ Nevada Legislative Counsel Bureau. (2021). Reapportionment and Redistricting in Nevada: An Overview. Available at <https://www.leg.state.nv.us/Division/Research/Documents/ReapportionmentRedistricting.pdf>.

² League of Women Voters (2021). League Joins Statement on Appropriate Data for Redistricting. Available at <https://www.lwv.org/census/league-joins-statement-appropriate-data-redistricting>.

³ U.S. Census Bureau (2021). An Assessment of the COVID-19 Pandemic’s Impact on the 2020 ACS 1-Year Data. Available at https://www.census.gov/content/dam/Census/library/working-papers/2021/acs/2021_CensusBureau_01.pdf.

⁴ U.S. Census Bureau (2021). Pandemic Impact on 2020 American Community Survey 1-Year Data. Available at <https://www.census.gov/newsroom/blogs/random-samplings/2021/10/pandemic-impact-on-2020-acs-1-year-data.html>.

Washington and Nevada.⁵ The population displacement created by the pandemic raises additional concerns about relying on census data to conduct a mid-decennial redistricting.

More generally, granular redistricting to protect the voting interests of minority communities is challenging in Southern Nevada. Based upon the dissimilarity index, Southern Nevada is one of the most racially and ethnically integrated metropolitan regions in the country.⁶ This high level of integration may make it difficult to identify the “sufficiently large and compact” minority populations as outlined in Section 2 of the Voting Rights Act of 1965.⁷

As a community, we celebrate being one of the least segregated major metropolitan regions in the U.S. Not only is this inherently the goal of fair and equal representation, this reality highlights the difficulty faced by local governments when tasked with trying to draw new ward boundaries to increase diversity of representation.

Thank you for your time and attention.

⁵ Lavelle, M. and Kepner, E. (2022). U.S. Migratory Patterns Before and After the Start of the Covid-19 Pandemic. Federal Reserve Bank of Chicago. Available at <https://www.chicagofed.org/publications/blogs/midwest-economy/2022/migration-before-and-during-pandemic#ftn1>.

⁶ Frey, W. (2020). A 2020 Census Portrait of America’s Largest Metro Areas: Population growth, diversity, segregation, and youth. 1-31. Available at https://digitalscholarship.unlv.edu/brookings_policybriefs_reports/11/.

⁷ *Thornburg v Gingles*, 478 U.S. 30 (1986).