

COLORADO SUPREME COURT Ralph L. Carr Judicial Center 2 East 14th Avenue Denver, Colorado 80203	
Original Proceeding Pursuant to Article V, § 48.3 of the Colorado Constitution	
In Re: Colorado Independent Legislative Redistricting Commission	
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<p style="text-align: center;"> COLORADO LATINO LEADERSHIP, ADVOCACY & RESEARCH ORGANIZATION'S BRIEF IN SUPPORT OF THE PROPOSED LEGISLATIVE REDISTRICTING HOUSE PLAN AND MAP, AND REQUEST TO REMAND SENATE PLAN WITH REASONS FOR DISAPPROVAL </p> <p style="text-align: center;"> ORAL ARGUMENT REQUESTED </p>	

CERTIFICATE OF COMPLIANCE

I hereby certify that this brief complies with all requirements of C.A.R. 32 and this Court's July 26, 2021 order, including all formatting requirements set forth in these rules. Specifically, the undersigned certifies that:

The brief complies with the applicable word limits set forth in this Court's July 26, 2021 order.

It contains 5,787 words (brief does not exceed 9,500 words).

I acknowledge that my brief may be stricken if it fails to comply with any of the requirements of the July 26, 2021 order and C.A.R. 32.

Dated: October 22, 2021

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REQUEST FOR ORAL ARGUMENT

CLLARO requests to present oral argument on October 25, 2021.

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STATEMENT OF ISSUES PRESENTED

The Colorado Independent Legislative Redistricting Commission (the “Legislative Commission”) approved final maps and plans prioritizing communities of interest and otherwise applying the correct factors under Amendment Z. But, the Legislative Commission divided the City of Lakewood, resulting not only in the division of a city that presumptively should have remained whole within a single Senate district, but also dividing a community of interest.

This brief therefore raises the following issues:

Has the Legislative Commission prioritized communities of interest and otherwise applied the correct analysis under Amendment Z in its final House Plan and Map?

Has the Legislative Commission rebutted the presumption that the City of Lakewood be included within one Senate district?

The answer to the first question is yes, while the answer to the second question is no. This Court should therefore approve the final House Plan and Map, and remand the Senate Plan stating the failure to

create a Senate district containing the entirety of the City of Lakewood as the sole reason for disapproval. *See* Colo. Const. art. V, § 48.3.

IDENTITY OF INTERESTED PARTY

A. CLLARO’s history and mission.

The Colorado Latino Leadership, Advocacy, & Research Organization (“CLLARO”) is a non-partisan, non-profit organization created in 1964.¹ CLLARO’s board of directors is representative of its statewide presence. (App.², pp. 1–2.) Originally known as the Latin American Research & Service Agency, members of Colorado’s Latino³ community created CLLARO to take a stand against the institutional inequality Latinos had long endured in Denver and across the state.

CLLARO is presently a community-based organization that partners with other organizations to serve the Latino population

¹ Further information about CLLARO may be found at: www.cllaro.org.

² “App.” refers to CLLARO’s Appendix and the “p.” refers to the Appendix (not PDF) page cite in red.

³ For purposes of this brief, CLLARO uses the terms “Latino” and “Hispanic” interchangeably, as Census and other data is reported with the “Hispanic” label.

statewide. These organizations know the practical concerns and policy issues that affect Colorado Latino communities and are engaged in implementing solutions. Throughout its history, CLLARO has worked to educate Latinos about issues and promoted self-empowerment, both economically and through civic engagement. These efforts have included (1) training parents to advocate for better educational options for their children; (2) educating Latinos about the importance of registering to vote, participating in the political process, and (3) participating in redistricting conversations; and creating a fellowship program for college students to intern at the state level and learn about the process of creating public policy.⁴

CLLARO also advocates for additional community resources and helps the Latino community access existing resources. These efforts include helping affected Latinos experiencing food insecurity, housing eviction, physical and mental health, wage theft, or needs for protective

⁴ Further information on this program, known as the Capitol Fellows Program, is available at: <https://www.cllaro.org/cfp>.

services, by connecting them with trusted, culturally competent service providers.

It is because of its nearly sixty-year presence in Colorado and meaningful work with the Latino community that CLLARO speaks as an authentic voice for Colorado's Latino community and its supporters.

B. CLLARO's community-based redistricting efforts.

As an organization painfully aware of the undercounting of Latinos in prior federal Census work, CLLARO promoted the importance of the Census among Latinos and assisted with the 2020 Census. The organization's long-standing work on civic engagement and policy also led CLLARO to educate Latinos on the need to participate in the 2021 redistricting process.

CLLARO—and, by extension, Colorado's Latino community—deeply understands that this process will dramatically impact how Colorado Latinos' growing voices are heard, their votes counted, and their issues addressed. Accordingly, CLLARO sought views and advice from Latino organizations across Colorado and incorporated that

feedback in the maps and memos CLLARO submitted for the Commission's consideration. (*See generally* App., pp. 3–51.)

CLLARO is generally supportive of the final House and Senate Plans and Maps. The Legislative Commission properly prioritized and preserved communities of interest, and members of these same communities of interest took advantage of the opportunity to participate in the redistricting process as envisioned under Amendment Z. Nonetheless, CLLARO is disappointed with the final Senate Plan and Map in one respect: the Legislative Commission divided the City of Lakewood, failing to provide any evidence, much less sufficient evidence, to rebut the presumption that the city should remain wholly intact within one Senate district, while also unreasonably splitting a community of interest within Lakewood.

FACTUAL BACKGROUND

A. Colorado's historic Latino communities of interest.

The Latino community has historically been an integral part of Colorado's growth and development. Some families can trace their roots in Colorado to the 1600s. Colorado's oldest surviving municipality is the

town of San Lu s where, like the state in general, Spanish has been spoken since before the arrival of Colorado's English-speaking settlers.

A significant proportion of Colorado Latinos are descendants of former ranchers and farmers displaced from their land and forced to live as migrants in subsistence occupations after the 1848 Treaty of Guadalupe Hidalgo (in which the United States seized half the territory of M xico). Colorado settlers were historically intolerant of, and discriminated against, persons of Mexican descent—a still-present reality for Colorado Latinos.

B. Colorado's growing Latino communities of interest.

Today, Latino communities have powered Colorado's rapid growth, including immigrant-fueled growth in Greeley, Brighton, and Commerce City. Populations such as these encompass and represent the varied and distinctive nature of Latino communities across Colorado.

Despite the vibrancy of these communities and their myriad contributions to Colorado, there are multiple political and economic disparities between Coloradans in general and Colorado's historic and growing Latino communities. The costs to Latino health, education,

civic engagement, career opportunities, housing, safety, income security in old age, and dignity remain unacceptably high.

Viewed collectively, there are numerous historic and newly growing Latino communities across Colorado that should be preserved in the redistricting process.

C. Amendment Z prioritizes communities of interest.

In the spring 2018, the Colorado General Assembly unanimously passed SCR 18-005 (“Concurrent Resolution”). Previously, a reapportionment commission—appointed by officials within all three branches of government—drew state Senatorial and Representative district boundaries. Colo. Const. art. V, § 48 (2000); *see also Hall v. Moreno*, 270 P.3d 961, 964 n.2 (Colo. 2012) (explaining the previous process for drawing the state House and Senate maps). The Concurrent Resolution sought to revamp the legislative redistricting process by placing it in the hands of an independent commission. That independent commission would be responsible for drawing the boundaries for Colorado’s 35 state senators and 65 state representatives with public input from communities across Colorado.

The Concurrent Resolution, known as Amendment Z, was referred to Colorado voters. The Bluebook informed voters that while state law at the time required “communities of interest be preserved where possible” and that “the division of counties and cities among multiple districts be minimized,” Amendment Z “prioritizes the preservation of communities of interest and certain political subdivisions that, in their entirety, fit within a district.” (App., p. 53.) Specifically, “[i]t limits the splitting of cities, towns, and counties to those circumstances when a community of interest, which is a group sharing specific state legislative interests, has a reason for being kept together in a district that is more essential to the fair and effective representation of the voters.” (*Id.*) In short, the *only* appropriate basis for splitting a city, town, or county, is to *preserve* a community of interest.

Amendment Z, the Bluebook explained, would “prioritize the criteria the commission must use for adopting state legislative district maps.” (App., p. 52). In its “Arguments For” analysis, the Bluebook informed voters that Amendment Z “brings structure to the redistricting process by using clear, ordered, and fair criteria in the

drawing of districts.” (App., p. 54.) Furthermore, Amendment Z provides “specific direction to the commission about how it should evaluate proposed maps” by prioritizing communities of interest. (App., p. 55.)

With this information, Colorado voters approved Amendment Z. Colorado joined thirteen other states in vesting the power to draw state districts in a redistricting commission. Nine states, including Colorado, provide for non-politicians to serve on the commissions to ensure that legislative boundaries are not created for political advantage. (App., pp. 68–69.)

D. The Legislative Commission used public comment related to communities of interest in the adopted Final Plans and Maps.

The Legislative Commission noted in the Plans that it held 35 public hearings across the state to gather public comments about

communities of interest and how maps should be drawn, and received thousands of written public comments. (Final Plans, p. 11.)⁵

The House Map is a direct result of public testimony, written public comment and map submissions, as well as the Legislative Commission's directives resulting from formal motions approved by the Commissioners. Because it took all of these sources of information and direction into consideration, the Legislative Commission did not abuse its discretion in preserving communities of interest in constructing the House Map, particularly with respect to the Latino population.

For example, the Commission received testimony establishing communities of interest in, *inter alia*, Commerce City, Greeley, and Denver. In Commerce City, the needs of the growing Latino community

⁵ A record of the Legislative Commission's meetings is available on the Legislative Commission's website. Meeting summaries can be found at <https://redistricting.colorado.gov/content/meeting-summaries> (hereinafter cited as "Meeting summary"); meeting audio recordings can be found at <https://sg001-harmony.sliq.net/00327/Harmony/en/View/EventListView/20210401/155> (hereinafter cited as "Audio recording"). For the purpose of streamlining in-text citations, the web addresses to the Legislative Commission's record will only be located here.

were discussed by multiple members of the community. These members specifically addressed the need for affordable housing, and voiced concerns over environmental contamination, education, and healthcare. *See, e.g.*, Audio recording of Commerce City Public Hearing (Aug. 24, 2021, 7:40–7:43) (discussing the needs of the Latino community across the state); Audio recording of Commerce City Public Hearing (Aug. 24, 2021, 7:52–7:55) (discussing rapid Latino growth, gentrification, and the need for affordable housing); Audio recording of Commerce City Public Hearing (Aug. 24, 2021, 7:58–8:00) (discussing the Latino population and how they have the power to enact economic and political development for the community).

In Greeley, Latino community members spoke about agricultural, educational, and affordable housing concerns, and the specific needs of the Latino immigrant community. Audio recording of Greeley Public Hearing (Aug. 14, 2021, 1:04–1:07) (discussing agriculture, affordable housing, and different cultural groups in Greeley, particularly Latinos); Audio recording of Greeley Public Hearing (Aug. 14, 2021, 1:43–1:45) (discussing the cultural unity of the Latino community, the need to keep

Latinos together, and the need to focus on education in Greeley); Audio recording of Greeley Public Hearing (Aug. 14, 2021, 1:51–1:55) (discussing agriculture, gas, and oil industries, and stressing the importance of focusing on education for Latinos in Greeley).

In Denver, members of the Latino community discussed the needs of the historic Latino community in Southwest Denver, including its need for affordable housing amid gentrification in the area. Audio recording of Denver Public Hearing (July 14, 2021, 8:16–8:25) (stating that Southwest Denver has been historically Latino and voicing concern that those Latino voices could be diluted); Audio recording of Denver Public Hearing (July 14, 2021, 9:27–9:32) (expressing concern about gentrification and how Latinos are having a hard time buying homes in Denver); Audio recording of Denver Public Hearing (July 14, 2021, 9:33–9:43) (also voicing concern about gentrification in Denver and its effect on the Latino community); Audio recording of Green Valley Ranch Public Hearing (July 27, 2021, 9:08–9:11) (stating Latinos share an interest in the affordable housing issue and deal with gentrification and bad air quality in Commerce City).

As a result of those hearings and the submitted written public comments, a series of motions were made by the Legislative Commission to the nonpartisan staff directing how maps should be drawn for both the House and Senate. One directive that passed without objection stated, “Latino language and cultural interest specific to a region in the state of Colorado [should] be prioritized and balanced by the staff in every map they draw.” Audio recording of Commission Meeting (Sept. 7, 2021). The Legislative Commission also passed two more directives related to Latino communities of interest: 1) designating the Latino, African American, and other minority communities in Adams County and North Aurora as a community of interest, audio recording of Commission Meeting (September 10, 2021, 3:46–4:09), and 2) designating the Latino and African American communities in Colorado Springs as a community of interest, audio recording of Commission Meeting (September 10, 2021 4:09–4:15).

The Legislative Commission also preserved communities of interest and provided justification for how maps were to be drawn through formal written and verbal requests for maps and amendments

to maps. One example is a document supporting a successful amendment to the final Senate Map emphasizing the importance of “the emerging Latino citizen voter population” as reflected by “Latino communities of interest across the state” and “the constitution made it clear that communities of interest are to be prioritized and valued.” (App., pp. 72–73.)

E. The Legislative Commission engaged in a good faith effort to analyze potential violations of the Voting Rights Act in the House and Senate Maps.

Consistent with Section 48.1(b) the Legislative Commission considered compliance with the Voting Rights Act (“VRA”) when analyzing proposed maps. (App., pp. 132-42.) The commission hired an outside expert, Dr. Maria Handley, who guided the commission in this area. Counsel for the commission clearly stated during a commission meeting that “[the court] will want to know” how the Commission did its VRA analysis. Audio recording of Commission Meeting (Oct. 6, 2021, 7:30–7:32). After consulting with the VRA expert, the Legislative Commission adopted Commission Policy No. 9: Voting Rights Act Compliance. (Final Plans, Ex. 8.) The policy “outlines how the

commission's nonpartisan redistricting staff (staff) and the commission's outside counsel will review staff plans, amendments, and additional plans for compliance with the VRA.” (*Id.*) The policy also stated the methodology used to analyze compliance with the VRA: “The VRA expert was not able to identify a suitable recent statewide race that would allow her to analyze the entire state at once. Therefore, the expert analyzed State House and State Senate races from the 2018 and 2020 election cycles that occurred within areas of the state that were identified as potential areas of concern for VRA compliance by the members of the commission.” (Final Plans, Ex. 8, p. 3.) After this analysis of past elections was completed, commission staff used that analysis to conduct staff analysis as they drafted staff maps and to evaluate Commissioner requested plans and amendments. (*Id.*)⁶ Commissioners felt so strongly about creating public transparency with the VRA analysis that they asked staff to go over the policy during a

⁶ The adoption of a commission policy, hiring an expert to provide a report, and receiving a detailed written analysis from the nonpartisan staff, is in stark contrast with the Congressional Commission's lack of any meaningful VRA analysis.

public meeting for the commissioners and attendees. Audio recording of Commission Meeting (Oct. 6, 2021, 6:25–6:26).

Commissioners also requested VRA analysis in their requests for maps and amendments. One Commissioner commented, “VRA concerns created the change between Staff Map 2 and 3 that may have not come to fruition.” Audio recording of Commission Meeting (Oct. 12, 2021, 6:57–7:00). Counsel for the Legislative Commission even stated during deliberations on the final maps that “Dr. Handley initially was saying we had to watch out for VRA issues in Adams County, Greeley and other places around the state.” Audio recording of Commission Meeting (Oct. 12, 2021, 7:08–7:10).

F. The Legislative Commission correctly used citizen voting age population data to analyze whether minority vote dilution occurred in the House and Senate Maps.

The Legislative Commission separately considered Section 48.1(4)(b)’s requirement that there was no minority vote dilution. The Commissioners approached this issue correctly by discussing total population, voting age population (“VAP”), and citizen voting age population (“CVAP”). These data points determine an effective minority

district, which is defined as a district containing sufficient population to provide a minority community with an opportunity to elect a candidate of its choice. *Johnson v. De Grandy*, 512 U.S. 997, 1008 (1994). The percentage of minority voters necessary to provide minorities an opportunity to elect their candidate of choice varies by jurisdiction and minority group. National Conference on State Legislatures, *Redistricting Law 2020* (Oct. 2019), at 59.

When evaluating Adams County for the Senate Map, one Commissioner asked the difference between analyzing VAP and CVAP, while other Commissioners asked whether minority representation either improved or remained the same when conducting the analysis using total population versus CVAP. Audio recording of Commission Meeting (Oct. 12, 2021, 7:06–7:09). The nonpartisan staff even generated tables (including CVAP data) at the request of the Legislative Commission. (App., pp 100-31.) And, the use of CVAP data was incorporated via the House base map that was ultimately amended and approved by the Legislative Commission. Audio recording of Commission Meeting (Oct. 10, 2021, 6:50–6:57). In evaluating the final

House Map, one Commissioner submitted a request to the nonpartisan staff to consider creating “Latino-influence districts”, which were defined as having “a significant Latino citizen voting age population (CVAP)” (App., pp. 98-99.)

The record clearly demonstrates the Legislative Commission engaged in an extensive effort to comply with the VRA, but **also** conducted an independent analysis to ensure there was no minority vote dilution.

G. The Legislative Commission’s final Senate Map splits the City of Lakewood and a community of interest.

At a hearing held in the City of Lakewood, the Mayor of Lakewood testified and submitted a letter to the Legislative Commission stating that Lakewood should not be split because “[i]t is a well-knit, well-established, well-regarded community that has its own character and sense of civic pride.” (App., p. 82.) He cited numerous examples of issues, such as safety and affordable housing, and distinguished Lakewood from Jefferson County’s smaller suburban and unincorporated areas. (*Id.*). A public comment submission to the Legislative Commission addressing the improper split of Lakewood

explained a particular map “splits up this Latino community of interest that was a single district (SD22) in the CLLARO/ Plan and Staff Plan 1.” (App., p. 97.) Members of the community echoed this testimony and asked that Lakewood be kept whole. Audio recording of Commission Meeting (July 20, 2021, 8:54–8:55; 10:02–10:05). To the extent there was testimony addressing a Lakewood split, that testimony addressed an east-west split and not a north-south split as was done in the Final Senate Map.

There is a lack of public comment supporting the split of Lakewood in the approved Senate Map. Unlike other communities of interest, the Legislative Commission never provided a description of the community of interest it believed justified this split. Here, there is no record support to rebut the presumption that Lakewood remain whole, and public testimony established a community of interest that was unreasonably divided.

STANDARD OF REVIEW

This Court “shall review the submitted plans and determine whether the plans comply with the criteria listed in section 48.1[.]”

Colo. Const. art. V, § 48.3(1). Section 48.1 sets forth both criteria that the Legislative Commission must use in adopting the redistricting plans, along with two mandates with which any maps must comply.⁷

A. Whether the Legislative Commission reasonably preserved communities of interest is reviewed for an abuse of discretion.

Section 48.1 requires, “[a]s much as is reasonably possible” that the plans “preserve whole communities of interest and whole political subdivisions”. Colo. Const. art. V, § 48.1(2)(a). This Court may approve the plans only if it finds that the Legislative Commission did not abuse its discretion “in applying or failing to apply” section 48.1’s criteria. Colo. Const. art. V, § 48.3(2). This inquiry defers to the Legislative Commission’s discretion in evaluating the record before it, while at the same time ensuring that the Legislative Commission in fact applied and considered the factors. *See Beauprez v. Avalos*, 42 P.3d 642, 652 (Colo. 2002) (holding under prior constitutional provision that abuse of

⁷ CLLARO has already discussed the appropriate standard of review at length in its brief and at oral arguments with respect to the Congressional Commission map and plan. The same standard should apply under Amendment Z with respect to the factors not addressed in this brief.

discretion occurs where, “based on the particular circumstances confronting the court,” adoption of a redistricting plan would be “manifestly arbitrary, unreasonable, or unfair.” (citations omitted)); *Liebnow v. Boston Enters. Inc.*, 2013 CO 8, ¶ 14 (holding, under abuse of discretion, decision may not “exceed the bounds of rationally available choices” (internal citations and quotations omitted)).

This Court is permitted to consider the record before the Legislative Commission, as well as “any maps submitted to the commission.” Colo. Const. art. V, § 48.3(2).⁸

B. Counties, cities, and towns are presumptively contained within a single district unless the record establishes, by a preponderance of the evidence, the overriding interests of a community of interest.

The Legislative Commission is tasked with preserving whole political subdivisions, “as much as is reasonably possible.” Colo. Const. art. V, § 48.1(2)(a). When that political subdivisions population is “less than a district’s permitted population” there is a presumption that the

⁸ The Legislative Commission here has not provided a record in the traditional sense. Rather, it has inserted two URLs containing links to Zoom recordings and hundreds of documents.

political subdivision “be wholly contained within a district.” *Id.* The effect of that presumption is that a political subdivision may only be split if there is a preponderance of the evidence that “a community of interest’s legislative issues are more essential to the fair and effective representation of residents of the district.” *Id.*

SUMMARY

This Court should give effect to the Legislative Commission’s Final House Map and Plan because they properly preserved communities of interest and otherwise applied the correct factors under Amendment Z.

This Court should narrowly remand the Senate Plan, stating the failure to create a Senate district containing the entirety of the City of Lakewood as the sole reason for disapproval. The Legislative Commission is required to keep a city such as Lakewood wholly contained within a single Senate district, absent proof by a preponderance of the evidence in the record that a community of interest’s legislative interests justified the split. There is no evidence the City of Lakewood was split in the interest of preserving any

community of interest, in fact, the split only resulted in dividing a community of interest within Lakewood.

REASONS TO APPROVE THE LEGISLATIVE COMMISSION'S HOUSE PLAN

A. The Legislative Commission's House Plan reasonably preserves communities of interest.

The Colorado Constitution defines a community of interest as “any group in Colorado that shares one or more substantial interests that may be the subject of state legislative action, is composed of a reasonably proximate population, and thus should be considered for inclusions within a single district for purposes of ensuring its fair and effective representation.” Colo. Const. art. V, § 46(3)(b)(I). These interests “include but are not limited to matters reflecting” shared public policy concerns of “urban, rural, agricultural, industrial, or trade areas” and “education, employment, environment, public health, transportation, water needs and supplies, and issues of demonstrable regional significance.” *Id.* § 46(3)(b)(II)(A), (B); *see also Miller v. Johnson*, 515 U.S. 900, 916 (1995) (acknowledging the traditional race-neutral redistricting principle of “communities defined by actual shared

interests”). Such community of interest groups also include “racial, ethnic, and language minority groups”. *Id.* § 46(3)(b)(III); *see also Miller*, 515 U.S. at 916 (“Redistricting legislatures will, for example, almost always be aware of racial demographics; but it does not follow that race predominates in the redistricting process.”). This definition necessarily includes both old and emerging communities of interest “as [Colorado’s] demographics continue to shift and change.” *Hall*, 270 P.3d at 972 (analyzing communities of interest under the old statutory definition, but nonetheless instructive in understanding how communities of interest evolve over time).

As explained above, there was testimony with respect to numerous communities of interest across Colorado. The House Map and Plan are a direct result of this public testimony and the Legislative Commission did not abuse its discretion in preserving these communities of interest in the House Map.

B. The Legislative Commission's House Plan appropriately used citizen voting age population (CVAP) statistics.

The most accurate metric for evaluating voter dilution is CVAP.⁹

The reason is plain: “only eligible voters affect a group’s opportunity to elect candidates.” *Perry*, 548 U.S. at 429. (in the context of section 2 VRA analysis). This is most accurately measured by examining the CVAP (in other words, the citizens in a respective district who are old enough to vote).

This is because “it must be recognized that total population, even if absolutely accurate as to each district when counted, is nevertheless not a talismanic measure of the weight of a person's vote under a later adopted reapportionment plan.” *Gaffney v. Cummings*, 412 U.S. 735,

⁹ This is not to suggest, however, that the vote dilution inquiry is strictly numerical. This Court should consider a range of factors in analyzing dilution, including, among others, “the extent to which voting in the elections of the State or political subdivision is racially polarized” and “the extent to which minority group members bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process[.]” *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 426 (2006) (citing *Gingles*, 478 U.S. at 44-45).

746 (1973). Accordingly, Census, or population, numbers—which measure population at only a “single instant in time”—are ineffective. *Id.* (noting populations are “constantly changing, often at different rates in either direction, up or down. Substantial differentials in population growth rates are striking and well-known phenomena.”). So too are VAP numbers taken from the Census, as they fail to account for citizenship (counting only raw population by age).

It is “the weight of a person's vote that matters, total population—even if stable and accurately taken—may not actually reflect that body of voters whose votes must be counted and weighed for the purposes of reapportionment, because ‘census persons’ are not voters.” *Id.*; see e.g. *Reyes v. City of Farmers Branch, Tex.*, 586 F.3d 1019, 1025 (5th Cir. 2009) (holding *Gingles* requires an inquiry into citizenship for purposes of dilution analysis and affirming that “this court's rule requiring an inquiry into citizenship under the first *Gingles* test remains good law[.]”); *Barnett v. City of Chicago*, 141 F.3d 699, 704 (7th Cir. 1998) (holding citizen voting age population was proper basis for determining

whether distribution of effective majority status was proportional to population).

Again, as discussed above, the Legislative Commission appropriately evaluated voter dilution in the adopted final House Plan by relying on underlying CVAP data.

C. This Court should approve Senate Districts 13 and 21 as drawn because they do not dilute Latino electoral influence.

CVAP is the metric CLLARO's voting rights expert—Baodong Liu, Ph.D—used in his analysis of the final House and Senate maps.¹⁰ His report is attached as Exhibit A. His analysis examined racially polarized voting (“RPV”) and the dilution of minority vote influence in two proposed Senate districts—Senate Districts 13 and 21.

Specifically, Dr. Liu evaluated the CVAP in those districts to determine voter turnout and, of those voters who do turnout, their

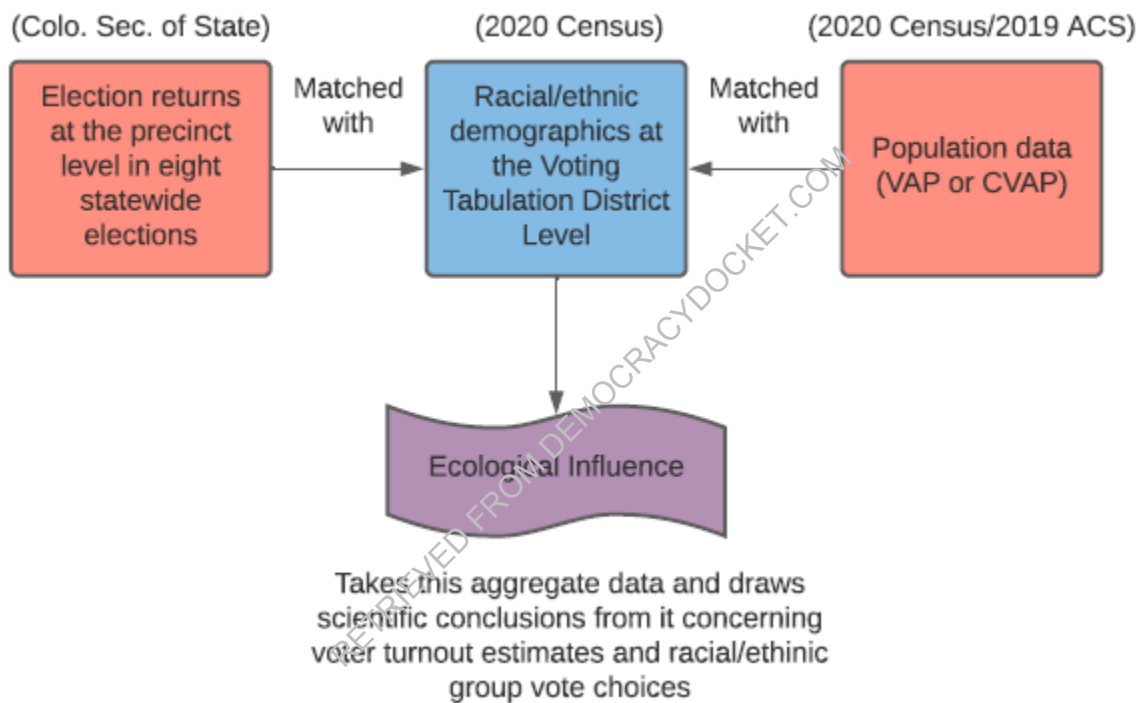
¹⁰ Dr. Liu is a nationally-recognized voting rights expert who has done extensive research into the relationship between election systems and the ability of minority voters to participate in the electoral process. (Ex. A, p. 2.) He is a tenured professor of political science at the University of Utah. His full qualifications are set forth on pages 2–3 of his report and in Appendix I and II.

ability to influence the vote in the respective districts. He noted, “the fact that Hispanic communities disproportionally have more residents who have not yet obtained citizenship to be eligible to vote and they have cohorts that are younger than 18 years old [which] points to the importance of using CVAP, instead of VAP (or worse just population counts) to estimate the impact of racial composition and RPV on the future electoral consequences in these two districts.” (Ex. A, p.8). His conclusions are on page 8 of his report and his analysis is explained below.

In reaching his conclusions, Dr. Liu relied on data from the Commission (VAP), the 2019 American Community Survey¹¹ (CVAP numbers), and precinct data obtained from the Colorado Secretary of State for the eight statewide elections the Commission identified as

¹¹ The United States Census Bureau conducts the American Community Survey based on random sampling of populations. Further information on the survey may be found here: <https://www.census.gov/programs-surveys/acs/about.html>.

relevant to its competitive analysis and used in its Final Plans.¹² Dr. Liu analyzed this data using the Ecological Inference technique.¹³ See *Sanchez v. Colorado*, 97 F.3d 1303, 1313 (10th Cir. 1996) (noting the United States Supreme Court approval of older version of similar



¹² The statewide elections selected: the 2016 Senate race, 2016 Presidential race, 2018 Attorney General race, 2018 Governor race, 2018 Treasurer race, 2018 Secretary of State race, 2018 CU Regent at Large race, and 2020 Senate race. (Final Plan, Ex. 13, App. B; Ex. A, p. 13.)

¹³ Stated very basically, “ecological inference” is the process of using aggregate (historically called “ecological”) data to draw conclusions about individual-level behavior when no individual-level data are available.

ecological regression analysis in assessing racially polarized voting). Dr. Liu looked for trends in racial support for the respective candidates. (Ex. A, p. 3). Dr. Liu's analysis revealed that the Legislative Commission's proposed Senate Districts 13 and 21 do not have the effect of diluting the impact of Latinos' electoral influence.

Dr. Liu's findings begin by explaining that RPV has taken place in Senate Districts 13 and 21. In both of these districts, the majority of non-Hispanic white voters support Republican candidates, while the majority of Hispanic voters support Democratic candidates. Before he evaluated whether there was RPV, Dr. Liu provided the statistics explaining why he uses CVAP as opposed to VAP or population in evaluating RPV and voter dilution. In Senate District 13 the total population is 162,191, VAP is 119,075, and CVAP is 106,579. Not only do these totals demonstrate each data point is measuring a different population, but also, when these numbers are broken down as between white and Hispanic individuals, the contrast is stark. Total white population is 45.8% versus 46% Hispanic, voting age white population is 50.8% versus 41.2% Hispanic, and the citizen voting age white

population is 62.2% versus 32% Hispanic. The statistics in Senate District 21 tell a similar story. Hispanics constitute a plurality of the total population in both Senate districts, but, when you look at CVAP, which is a more accurate measure of the ability to actually vote and influence elections, whites hold a clear majority.

Dr. Liu then determined based on CVAP in Senate District 13 turnout for whites was 55.6% versus 26.8% for Hispanics. Of the voters that turned out, 57.3% of whites voted for Republicans versus 64.9% of Hispanics voted for Democrats. Similarly, CVAP in Senate District 21 calculated high voter turnout for whites at 58.3% versus 32.4% for Hispanics. Of voters who turned out, 56.5% of whites voted for Republicans and 86.6% of Hispanics voted for Democrats.

The final step in the analysis is whether Latino voters had some opportunity to influence the elections. Dr. Liu's findings in Senate District 13 are that the Hispanic candidate of choice prevailed at least some of the time (twice in eight elections). In order to determine whether there was RPV, an analysis of the eight elections showed the data was inconclusive in six elections. As a result, he concluded "there

does not appear to be dilution of the Hispanic vote in ASD13.” In Senate District 21 the Hispanic candidate of choice prevailed every time, even though there was RPV in seven of the eight elections. Thus, Dr. Liu concluded, “ASD21 avoids any dilution of the Hispanic vote because the preferred Hispanic candidate wins all [eight] elections.” (Ex. A, p.8).

REASONS TO REMAND THE LEGISLATIVE COMMISSION’S SENATE PLAN AND MAP

The Legislative Commission’s Senate map currently divides the City of Lakewood between Senate District 20 and Senate District 22. The Senate Plan then makes the conclusory assertion that they “preserved whole political subdivisions as much as reasonably possible.” (Final Plans, p. 11). The Legislative Commission Senate Plan erroneously stated the basis for dividing political subdivisions, such as cities, was “to maintain equal population between districts[.]” (Final Plans, p. 12). The Senate Plan concludes by attaching a report “describing the political subdivision splits required[.]” (Final Plans, p. 12). But, the Senate Plan contains no statement that Lakewood was split in order to preserve a community of interest. To the extent the record from the Legislative Commission addresses splitting the City of

Lakewood, it only discussed an east-west split; no discussion was had with respect to the final north-south split. Audio recording of Commission Meeting (July 20, 2021).

As stated above, Amendment Z contains a presumption that cities such as the City of Lakewood “should be wholly contained within a district.” Colo. Const. art. V, § 48.1(2)(a). The Legislative Commission’s Senate Plan fails to acknowledge this Constitutional directive and assumes they must only preserve counties, cities, cities and counties, and towns, “as much as reasonably possible.” (Final Plans, p. 11). Because of this misunderstanding, the Legislative Commission wholly fails to satisfy the requirement that it prove by a preponderance of the evidence the reason for splitting Lakewood was to preserve communities of interest with overriding legislative issues. Colo. Const. art. V, § 48.1(2)(a).

CLLARO proposes a simple fix, keeping the City of Lakewood wholly contained in a revised Senate District 22. (App., p. 80.) This fix in the revised map provided, only impacts Senate Districts 20, 22, and a single precinct in 4. No other districts in the map are disturbed.

The entirety of the City of Lakewood is placed in Senate District 22. A single precinct is removed from Senate District 4 and placed into Senate District 20. Senate District 20 also receives Golden, Wheat Ridge, Edgewater, and Applewood from Senate District 22. The result preserves whole political subdivisions and remains within the allowed 5% population deviation.

CONCLUSION

For all the reasons set forth above, this Court should approve the Legislative Commission's Final House Plan and Map, but remand the Senate Plan stating the failure to create a Senate district containing the entirety of the City of Lakewood as the sole reason for disapproval.

Dated: October 22, 2021

BALLARD SPAHR LLP

s/ Chad Jimenez

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Alexia Chapman, # 55365

*Attorneys for Interested Party
Colorado Latino Leadership, Advocacy
& Research Organization*

CERTIFICATE OF SERVICE

I certify that on October 22, 2021, I filed the forgoing in the Colorado Supreme Court and served a true and accurate copy on the following parties via the Colorado E-file System:

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<p>COLORADO SUPREME COURT Ralph L. Carr Judicial Center 2 East 14th Avenue Denver, Colorado 80203</p>	<p>DATE FILED: October 22, 2021 11:54 AM</p>
<p>Original Proceeding Pursuant to Article V, § 48.3 of the Colorado Constitution</p>	
<p>In Re: Colorado Independent Legislative Redistricting Commission</p>	
<p>Attorneys for Interested Party Colorado Latino Leadership, Advocacy & Research Organization:</p> <p>Chad Jimenez, #45136 Patrick G. Compton, #34425 Alexia Chapman, # 55365 BALLARD SPAHR LLP 1225 17th Street, Suite 2300 Denver, Colorado 80202 Telephone: 303-292-2400 Fax: 303-296-3956 Email: jimenezc@ballardspahr.com comptonp@ballardspahr.com chapmana@ballardspahr.com</p>	<p>▲ COURT USE ONLY ▲</p> <p>Case No.: 2021SA208</p>
<p>APPENDIX</p>	



COLORADO LATINO LEADERSHIP,
ADVOCACY & RESEARCH ORGANIZATION

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UNIDOSUS
AFFILIATE



TO: Colorado Independent Congressional Redistricting Commissioners and Commission Staff

FROM: Colorado Latino Leadership, Advocacy & Research Organization (CLLARO)

SUBJECT: Proposed Congressional Redistricting Plan

Summary

This memorandum and attachments provide context and information about the Congressional map submitted by CLLARO to the Colorado Independent Congressional Redistricting Commission. The map was developed by centering and prioritizing Colorado's communities of interest, with particular focus on Latino/Hispanic communities across the state. CLLARO prioritized 2 Congressional Districts (CDs) in this plan that are centered on Latino communities across the state, CD3 and CD8. Of the 8 proposed districts, CD8 has the largest Latino population at 40.4 percent. CD3 also has a significant Latino population at 27.5 percent. Additionally, CLLARO is proposing three competitive congressional districts: CD2, CD3, and CD6.¹

For questions or conversations related to this map, please contact Alex Apodaca-Cobell at alex.apodaca.cobell@icloud.com or 303-359-8226.

Plan

Attachment A provides detailed maps of CLLARO's proposed Congressional district plan. Attachment B provides population summaries and the percentage by race and ethnicity in each district. Attachment C shows election results for the 2016 Presidential, 2020 Presidential, 2016 Senate, 2020 Senate, 2018 Governor, and 2018 Attorney General elections, as well as a composite of those election results.

Full Plan: <https://davesredistricting.org/join/b1fa173e-7e00-4c77-a393-24a1c17f2b10>

Data Overview

CLLARO has used 2020 census data to draw the districts in this plan. As required, there is minimal deviation in population, with 6 of the congressional districts containing exactly 721,714 people and the other two containing 721,715 people.

Constitutional Requirements

Section 44.3 of Article V of the Colorado Constitution requires the Commission to adopt a redistricting plan that satisfies the following criteria:

The Commission **shall**:

1. Make a good faith effort to achieve mathematical population equality between districts and justify each variance;
2. The districts must be composed of contiguous geographic areas;
3. The plan must be in compliance with the Voting Rights Act of 1965 as amended.

As much as is reasonably possible, the Commission Plan:

1. Must preserve whole communities of interest as defined in Art. V, Section 44 (3)(b);
2. Must preserve whole political subdivisions such as counties, cities and towns;
3. Districts must be compact.

After application of these first six criteria, **thereafter the Commission shall to the extent possible**,

4. Maximize the number of politically competitive districts

CLLARO believes the districts proposed in this plan comply with all constitutional criteria.

Latinos in Colorado are a community of interest based on this definition, and should be considered as such by the Commission. CLLARO focused especially on Latino communities of interest in Colorado in producing this map. Colorado's Latino communities each have unique needs, and they are not monolithic. Many Latino families in the San Luis Valley have centuries-old roots in the southwestern United States and in Southern Colorado. Many Latinos in other parts of the state are recent immigrants or first & second generation Americans. Latino communities throughout the state share significant public policy concerns, including educational issues, environmental issues, employment issues, and public health areas -- magnified in the last two years due to inequitable access to COVID-19 resources such as federal and state stimulus funding and the COVID-19 vaccine, for example. Latinos disproportionately bore the brunt of the COVID-19 pandemic and were overrepresented as essential and frontline workers.

CLLARO worked to preserve Latino communities of interest throughout Colorado in accordance with criteria outlined in the Colorado constitution, so that they have an opportunity to elect candidates who are most equipped to address their public policy issues, challenges, and needs. Generally, CLLARO tried to keep counties, cities, and towns together as as reasonably possible unless keeping a community of interest whole required a split in any counties, cities, and towns. CLLARO also considered compactness in drafting this plan. CLLARO prioritized competitiveness after preceding criteria, as required. The 2018 Attorney General election results show 3 districts leaning Democratic, 2 leaning Republican and 3 being competitive.¹ CLLARO prioritized 2 districts in this plan that are centered on the largest Latino communities across the state.

1. CLLARO referred to the 2018 Attorney General election as the closest approximation of the commission's formula and considered any margin closer than 7.5 percent to be competitive.

District Profiles

The following is an individual breakdown of each district pertaining to the criteria listed above:

CD1 (Central and East Denver, South Arapahoe County)

Congressional District 1 (CD1) takes in all of the City and County of Denver except for the neighborhoods west of I-25 and Globeville/Elyria-Swansea (GES). CD1 includes Denver's wealthiest neighborhoods, concentrated in the central and southern portions of the city, and the Central Park neighborhood to the northeast. Those areas traditionally carry much of the political and voting power in the city overall. In addition, CD1 contains the traditionally African-American neighborhoods on Denver's Eastside and in the far northeast, including: Five Points, Whittier, Northeast Park Hill, Montbello, and Green Valley Ranch. CD1 retains Denver International Airport (DEN), an important economic hub for the region and a major employer for those living in the northeast portion of the city. Glendale and Holly Hills are two Arapahoe County enclaves that must remain in CD1 to meet contiguity requirements. To the south, CD1 contains the southwest corner of Denver south of Hampden, as well as Sheridan, Englewood, Littleton, Cherry Hills Village, Greenwood Village, and all of Centennial west of I-25. CD1 is not competitive, with 69 percent of voters selecting the Democratic candidate and 28.4 percent choosing the Republican candidate.¹

CD2 (Grand Junction, NW Colorado, Larimer County, Longmont, Foothills Region)

Congressional District 2 (CD2) is based in northern and northwest Colorado. The district starts in Grand Junction, containing that entire city as well as Fruita, and follows I-70 to the east, taking part of Garfield County, largely west of Parachute. CD2 contains all of Moffat, Rio Blanco, Routt, Jackson, Grand, Larimer, Gilpin, and Clear Creek counties. In Boulder County, CD2 takes in the foothills towns as well as the City of Longmont to the east. CD2 also contains most of the foothills communities in Jeffco, all the way to Conifer in the south. The district stretches from agricultural and mining areas in the west to the major urban centers in the northern Front Range, and tourism-dependent communities in between. A significant portion of the district sits in the urban-wildlife interface and the increasing prevalence of wildfires threatens communities throughout the district. CD2 is highly competitive, voting 50.4 percent for the Democratic candidate and 46.3 percent for the Republican candidate.¹

CD3 (Pueblo, San Luis Valley, Roaring Fork Valley, Arkansas River Valley) - **CLLARO Priority**

Congressional District 3 (CD3) is based in southwest Colorado, stretching from the Roaring Fork Valley to Pueblo and the Arkansas River Valley. CD3 includes the entire counties of: Eagle, Lake, Pitkin, Delta, Gunnison, Chaffee, Summit, Montrose, Ouray, San Miguel, Dolores, Montezuma, San Juan, Hinsdale, Archuleta, Mineral, Saguache, Rio Grande, Alamosa, Costilla, Conejos, Huerfano, Custer, Pueblo, Las Animas, Otero, Crowley, Bent, Baca, and Prowers. The district also includes the Roaring Fork Valley portion of Garfield County, keeping that community of interest whole. CD3 includes several important Latino communities of interest, including Pueblo, the San Luis Valley, the Roaring Fork Valley, and the Arkansas River Valley. The district also includes Eagle, Summit and Lake, which contain tourism-based communities with large Latino populations. The communities in the Arkansas River Valley have close ties with Pueblo and the San Luis Valley, representing significant Latino populations as well. In the southwest, CD3 contains both Ute Nations, Durango, and Telluride, as well as several agricultural counties near the Utah border. The district maintains its traditional Latino/Hispano influence at 27.5 percent as well the greatest Native American influence at 5.2 percent. Much like the state overall, CD3 has a range of economic interests, from the ski industry to emerging recreation industries to older agriculture to mining communities and even Colorado's own steel town. The district also remains largely rural, with the City of Pueblo as the largest population center. The City of Pueblo well encapsulates the district overall, with large Latino/Hispano and even Native American populations. Many families in Pueblo have generations-long roots in the state going back to the San Luis Valley before Colorado was part of the United States, making the connection between these communities vital. Pueblo is also home to the Colorado State Fair, an incredibly important event for this part of the state that celebrates the area's agricultural heritage. The city, like much of CD3, is also dealing with the transition from more industrial

1. CLLARO referred to the 2018 Attorney General election as the closest approximation of the commission's formula and considered any margin closer than 7.5 percent to be competitive.

dependence to tourism and other emerging sectors. The Arkansas Riverwalk as an example of the changing face of the city. The Arkansas River Valley to the east is another of Colorado's oldest regions with traditional agricultural and mining communities that are now dealing with stagnant or shrinking populations. The City of Rocky Ford is home to the Arkansas Valley Fair, Colorado's longest-running fair. Many other smaller towns in this region have long histories and specific economic needs that require attention. CD3 is highly competitive with the Republican candidate winning 49 percent to 47.6 percent over the Democratic candidate.¹

CD4 (Castle Rock, Greeley, Eastern Plains)

Congressional District (CD4) is based in the eastern plains of Colorado, taking in exurban communities on the edges of the Denver metro area to the north, east, and south. To the north, the district includes all of Weld County. To the south, CD4 includes all of Douglas County outside of the Denver suburban communities, which are included in CD6. CD4 borders the Denver metro area to the east, taking in the rural portions of both Adams and Arapahoe counties. CD4 also includes the far southern portion of Jefferson County, containing mostly unincorporated communities along the foothills and along C-470. In El Paso County, CD4 takes in the Eastern plains portion as well as the northern county communities of Palmer Lake, Monument, Woodmoor, Gleneagle, and Black Forest. CD4 is non-competitive, voting for the Republican candidate 65.9 percent to 30.7 percent for the Democratic candidate.¹

CD5 (Colorado Springs, Teller Co., Fremont Co., Park Co.)

Congressional District 5 (CD5) contains nearly all of El Paso County, with the exception of the areas to the north and east that are included in CD4. To the west, CD5 contains all of the central mountain counties: Fremont, Teller, and Park. The district includes large military installations around Colorado Springs. CD5 also includes Cripple Creek, one of Colorado's few gambling towns. Much of the district also lies within the wildfire-urban interface and has recent experience with destructive wildfires. CD5 is non-competitive, voting for the Republican candidate by a 56.7 to 39.3 percent margin.¹

CD6 (Aurora, Centennial, Parker, Lone Tree, Highlands Ranch)

Congressional District 6 (CD6) remains centered on the City of Aurora and includes the eastern half of the City of Centennial, as well as the Douglas County communities of Lone Tree, Parker, and Highlands Ranch. The district is quite diverse, at 21.6 percent Latino, 13.1 percent Black, and 9.5 percent AAPI. In the City of Aurora, 33 percent of residents speak a language other than English at home. The city is also home to many different immigrant communities, with 20 percent of residents being born outside the United States. The significant AAPI community in Douglas County is also kept whole in this district, making up 9.9 percent of the population there. CD6 competitive, voting 51.2 percent for the Democratic candidate and 45.7 percent for the Republican candidate.¹

CD7 (Jeffco Suburbs, Boulder Suburbs, City of Boulder)

Congressional District 7 (CD7) is entirely within Jefferson and Boulder counties and contains all of the west Denver metro suburban cities, including: Lakewood, Edgewater, Golden, Wheat Ridge, Arvada, and the Jeffco portion of Westminster. To the south, CD7 also includes most of the unincorporated suburban communities along C-470. To the north, CD7 contains the City of Boulder as well as the nearby suburban communities of Superior, Louisville, Lafayette and the Boulder County portion of Erie. Boulder and Jefferson counties have similar median incomes at \$83,019 and \$82,969 respectively. Both counties have a larger White non-Hispanic population than the rest of the metro area at 77.7 percent in Jeffco and 77.4 percent in Boulder. Those communities are also much more linguistically homogeneous with 10.6 percent of households in Jeffco speaking a language other than English at home and 15.7 in Boulder. This part of the metro area has also seen a disproportionate share of battles over growth and transportation. The City of Boulder and the City of Lakewood now have restrictive growth caps on the number of new housing units that can be built. The region also has specific transportation issues, including the proposed Jefferson Parkway and Northwest Rail line. CD7 is not competitive, voting 61 percent for the Democratic candidate and 35.9 percent for the Republican candidate.¹

1. CLLARO referred to the 2018 Attorney General election as the closest approximation of the commission's formula and considered any margin closer than 7.5 percent to be competitive.

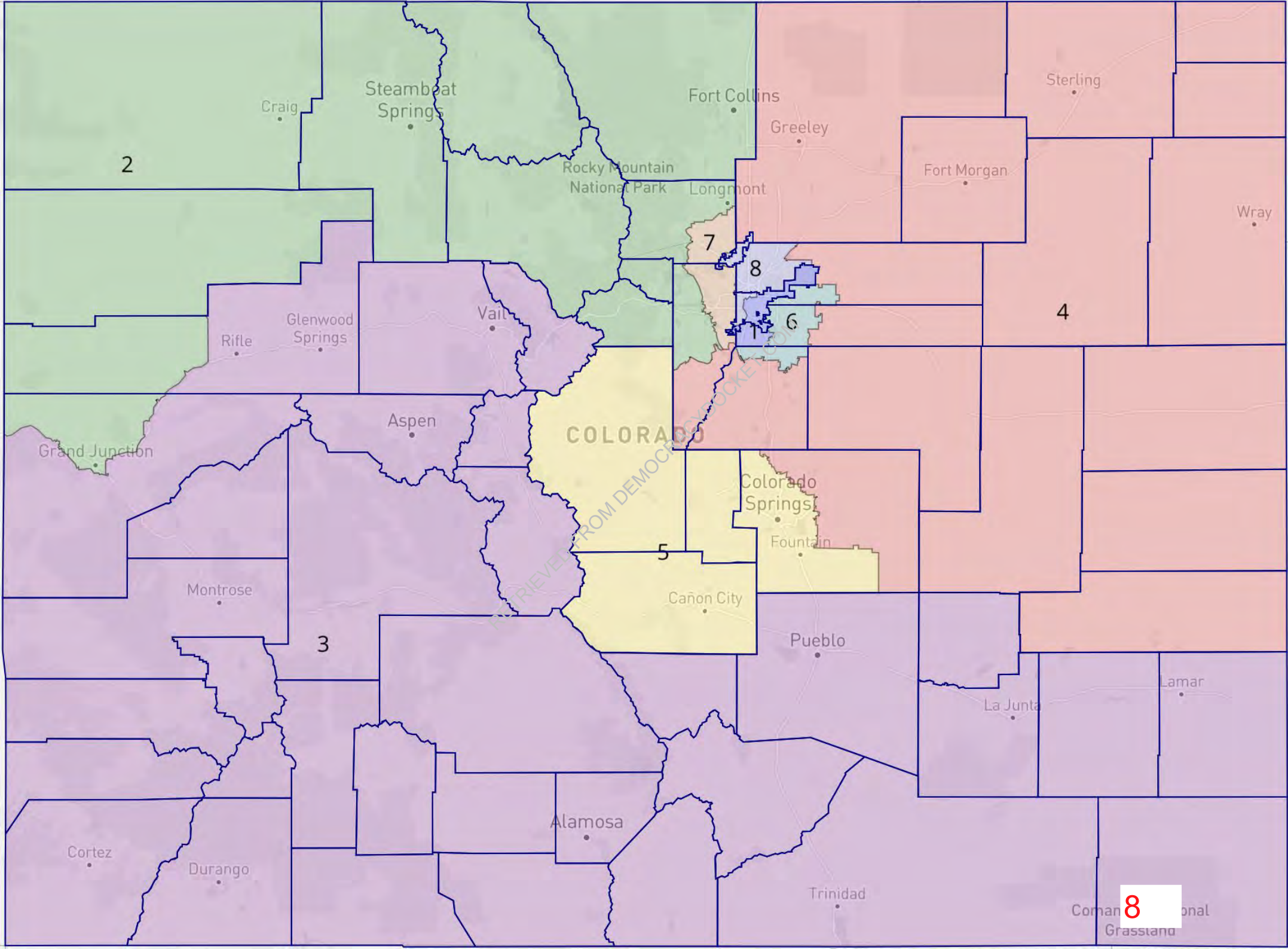
CD8 (Adams Co. Suburbs, Broomfield, North and West Denver) - **CLLARO Priority**

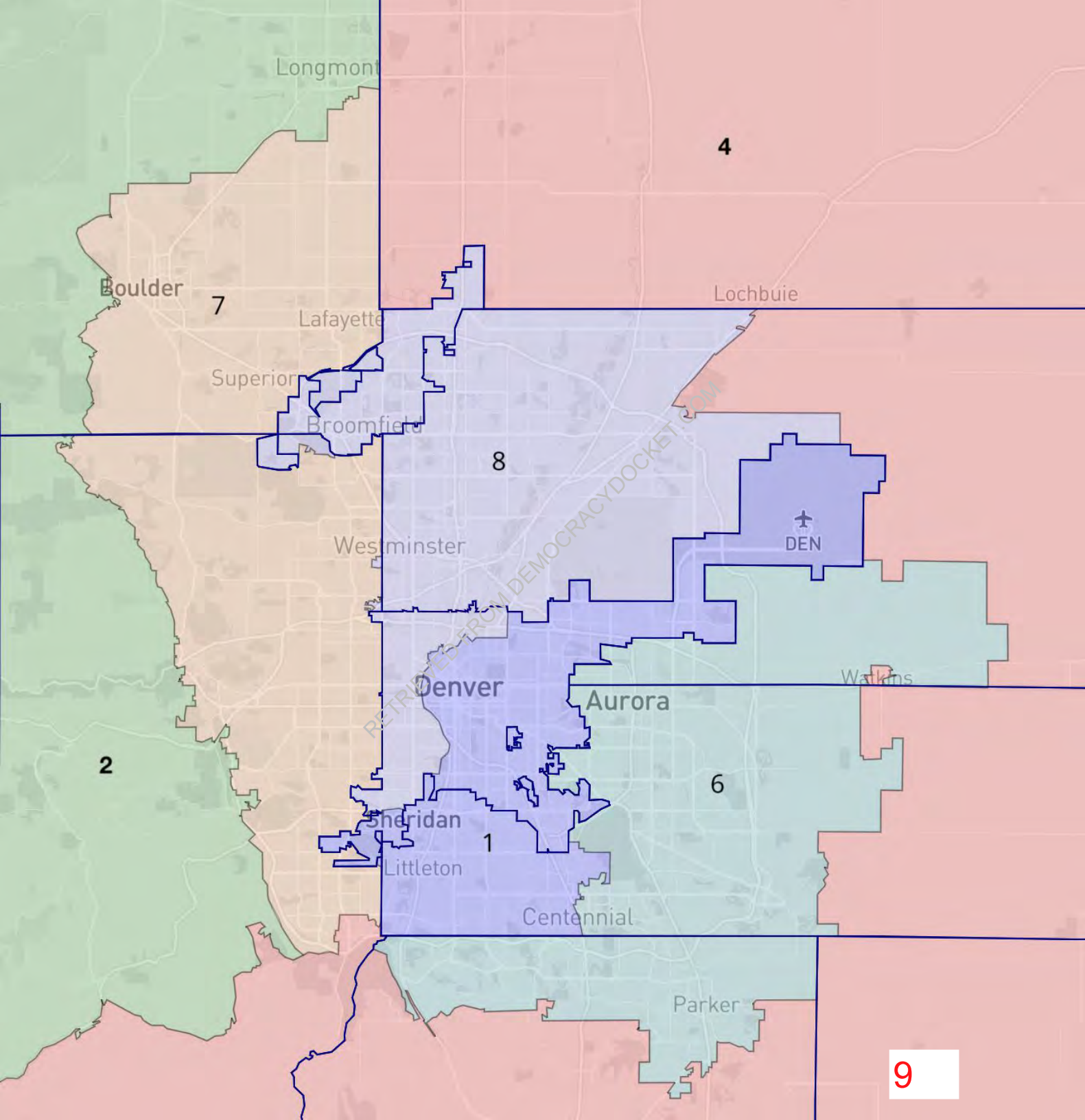
The new Congressional District 8 (CD8) is based in Adams County, which makes up 63.3 percent of the population. The north metro Denver cities of Commerce City, Northglenn, Federal Heights, Thornton, and Brighton are all entirely contained within the district as well as the Adams County portion of the City of Westminster. The urban unincorporated communities in southwest Adams County are also contained within CD8. To the northwest, the City and County of Broomfield is entirely within CD8. The district includes the Northside and Westside of Denver, traditionally the heart of the Latino community in the Denver metro area. Historically, the Chicano Movement in Colorado started here. That portion of Denver represents the western half of the famed “Upside-down L” stretching along the north and west ends of the city, representing neighborhoods marked by disinvestment in infrastructure and services and industrial zones. The Globeville and Elyria-Swansea (GES) area has historically borne the brunt of environmental contamination, air pollution, and highway building in ways many nearby Latino communities have faced to varying degrees. These environmental justice factors make GES a more similar community of interest to the communities on the other side of the Adams County line, including Commerce City, rather than those neighborhoods to the south that are far wealthier and carry far more voting power in Denver overall. Both Adams County and the portion of Denver in CD8 have overall lower educational attainment than the state or other nearby communities. Just 24.3 percent of Adams County residents 25 and older hold a Bachelor degree. The Denver neighborhoods entirely within CD8 range from 4.5 to 38.3 percent holding a Bachelor's degree, with most areas being well below 20 percent. This is vastly different from the city overall, where 49.4 percent hold a Bachelor's degree. COVID-19 has been another unfortunate similarity between the parts of Denver and Adams County included in CD8, with those areas being extremely hard hit compared to surrounding communities. Gentrification has also had a disproportionate impact on this part of Denver, causing many Latino residents to move to Adams County. The movement of many Latinos from the Northside and Westside of Denver to Adams County has resulted in strong cultural, economic, and familial ties between them. CD8 has the largest Latino population of the proposed Congressional districts at 40.4 percent and keeps the greater part of the Latino community in the Denver metro area together while following other political boundaries. CD8 is not competitive, voting 59.9 percent for the Democratic candidate compared to 36.4 percent for the Republican candidate.¹

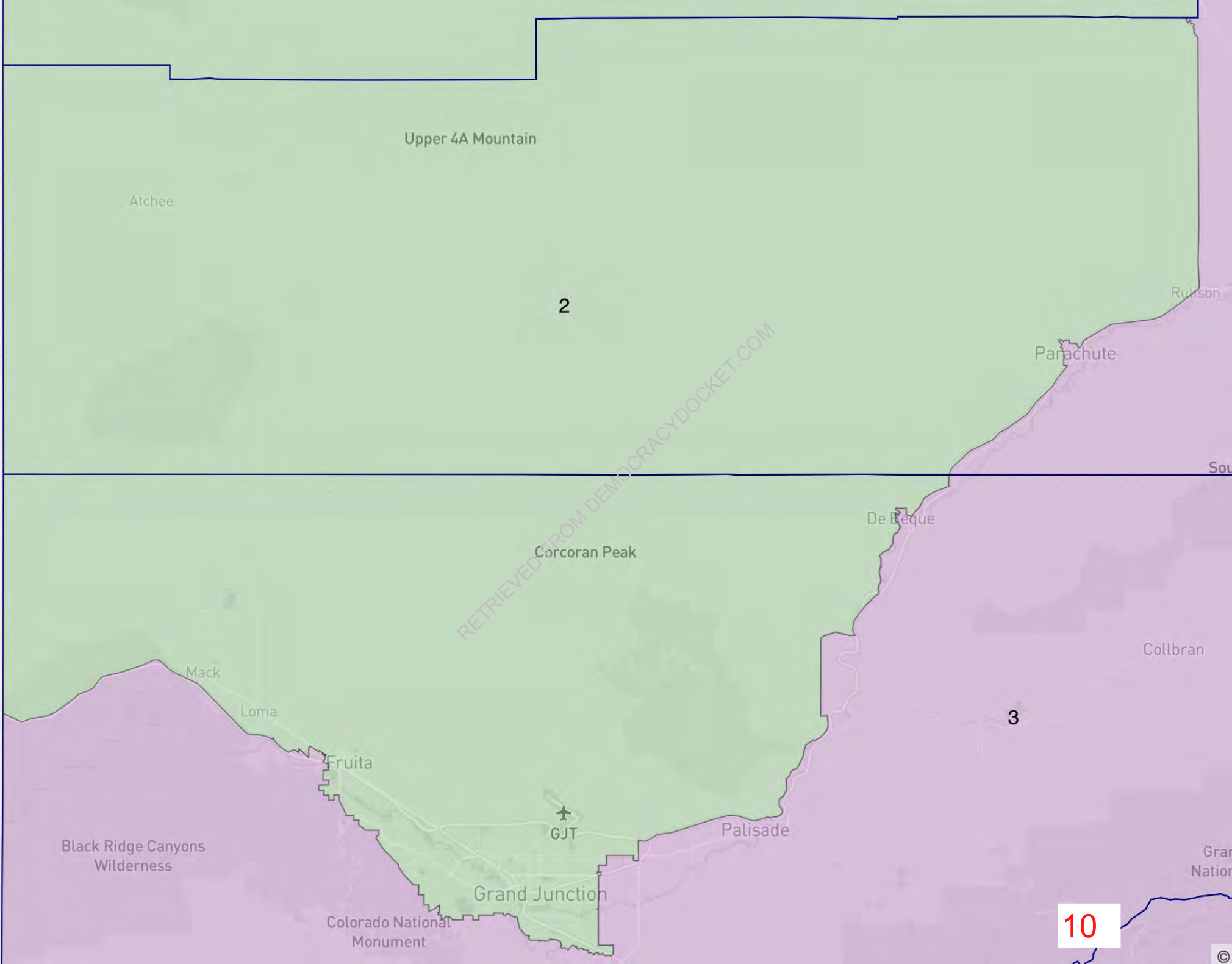
Attachments

CLLARO Colorado Congressional Map	Attachment A
Population Summary and Race and Ethnicity	Attachment B
Election Results (2016-2020)	Attachment C

1. CLLARO referred to the 2018 Attorney General election as the closest approximation of the commission's formula and considered any margin closer than 7.5 percent to be competitive.







Upper 4A Mountain

Atchee

2

Rulison

Parachute

Sou

De Beque

Corcoran Peak

Collbran

3

Mack

Loma

Fruita



GJT

Palisade

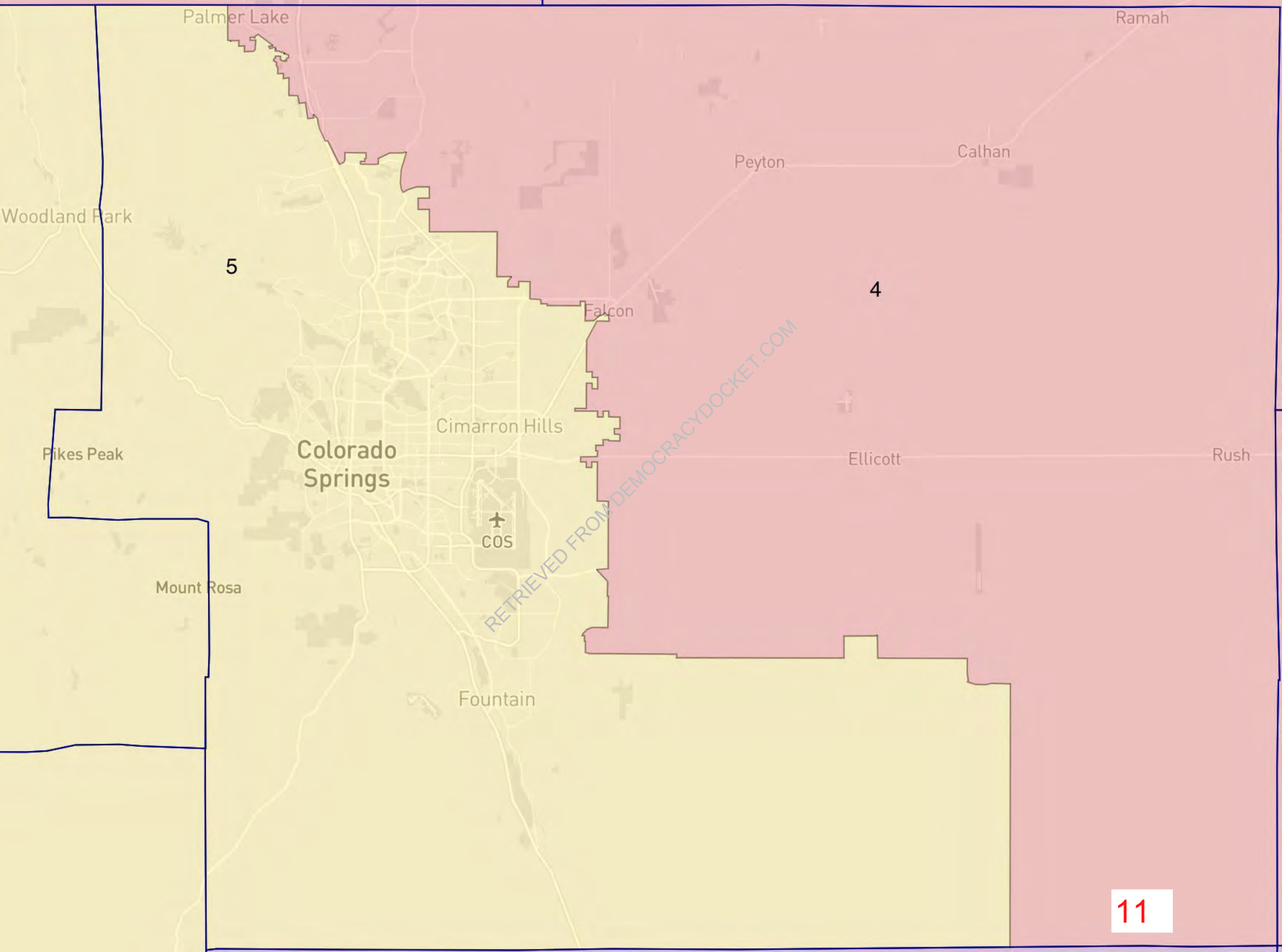
Black Ridge Canyons
Wilderness

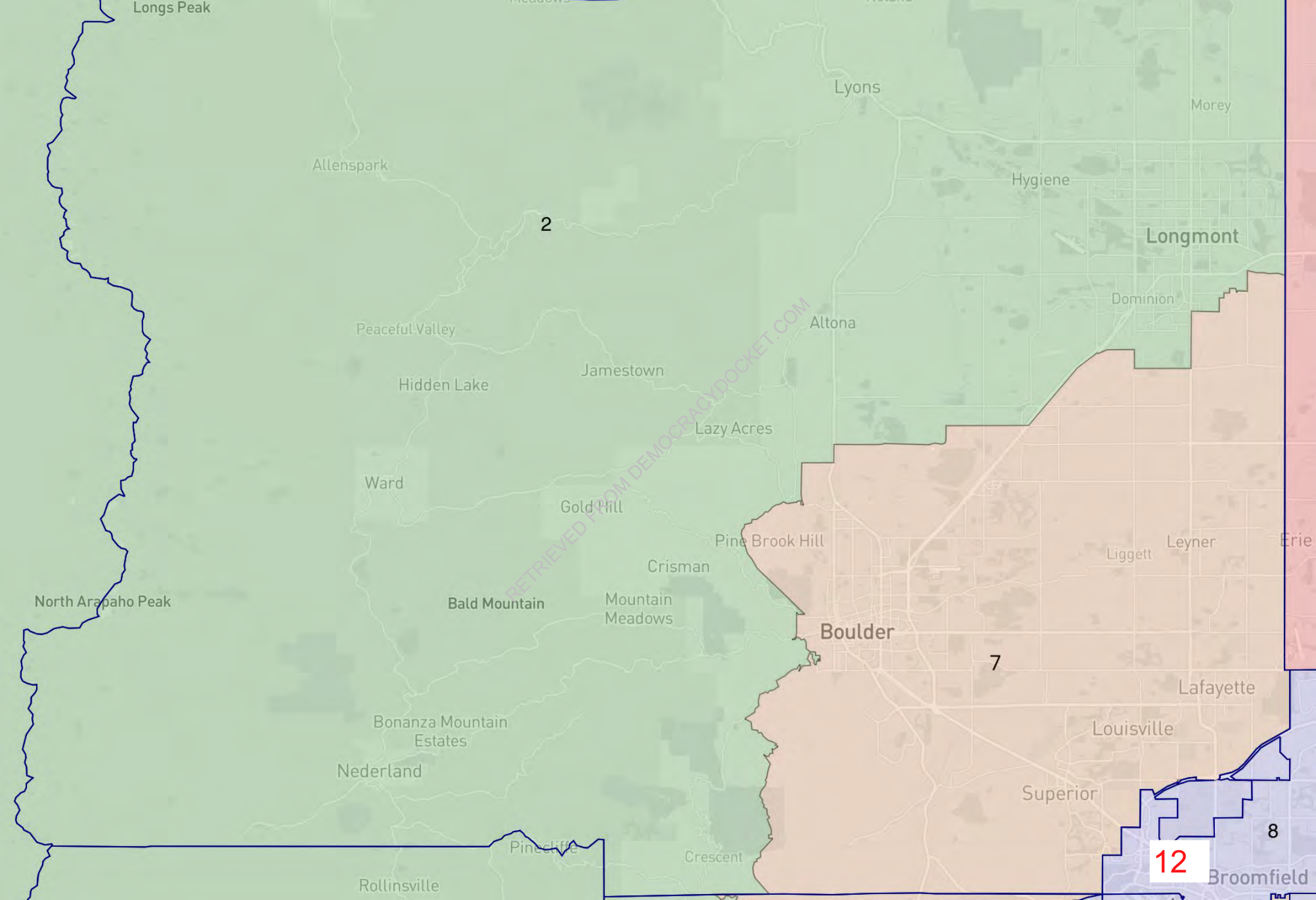
Grand Junction

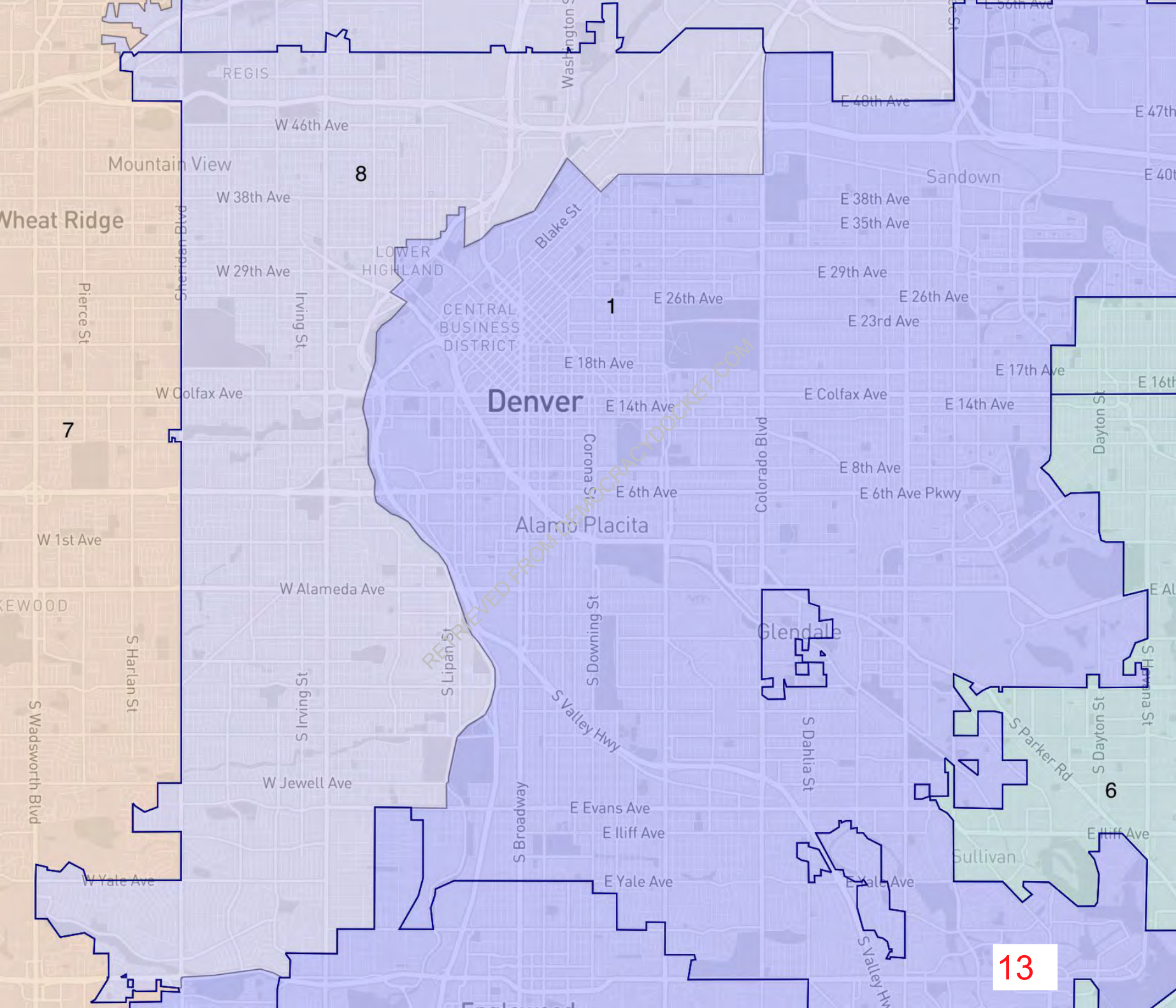
Colorado National
Monument

Gran
Nation

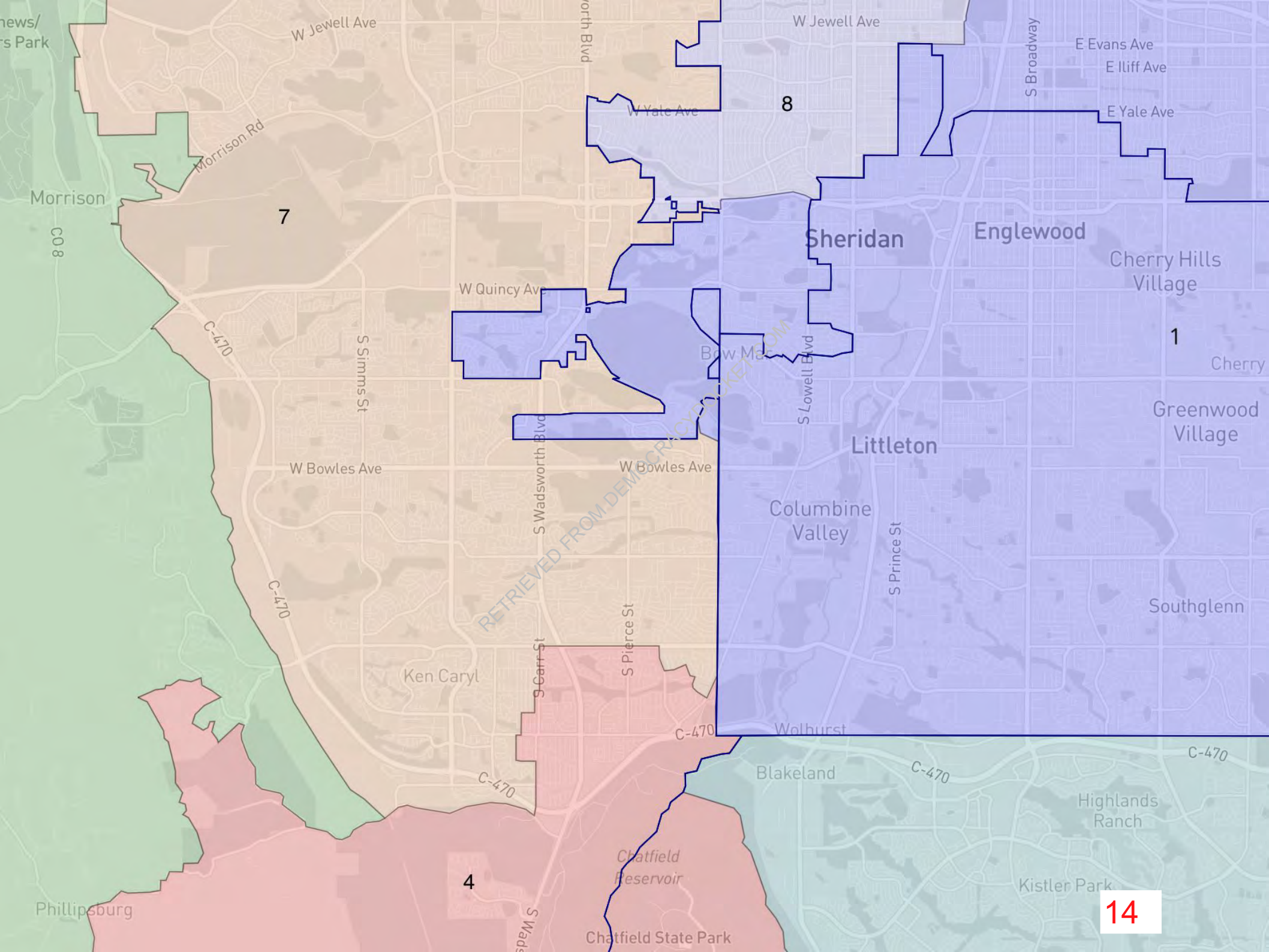
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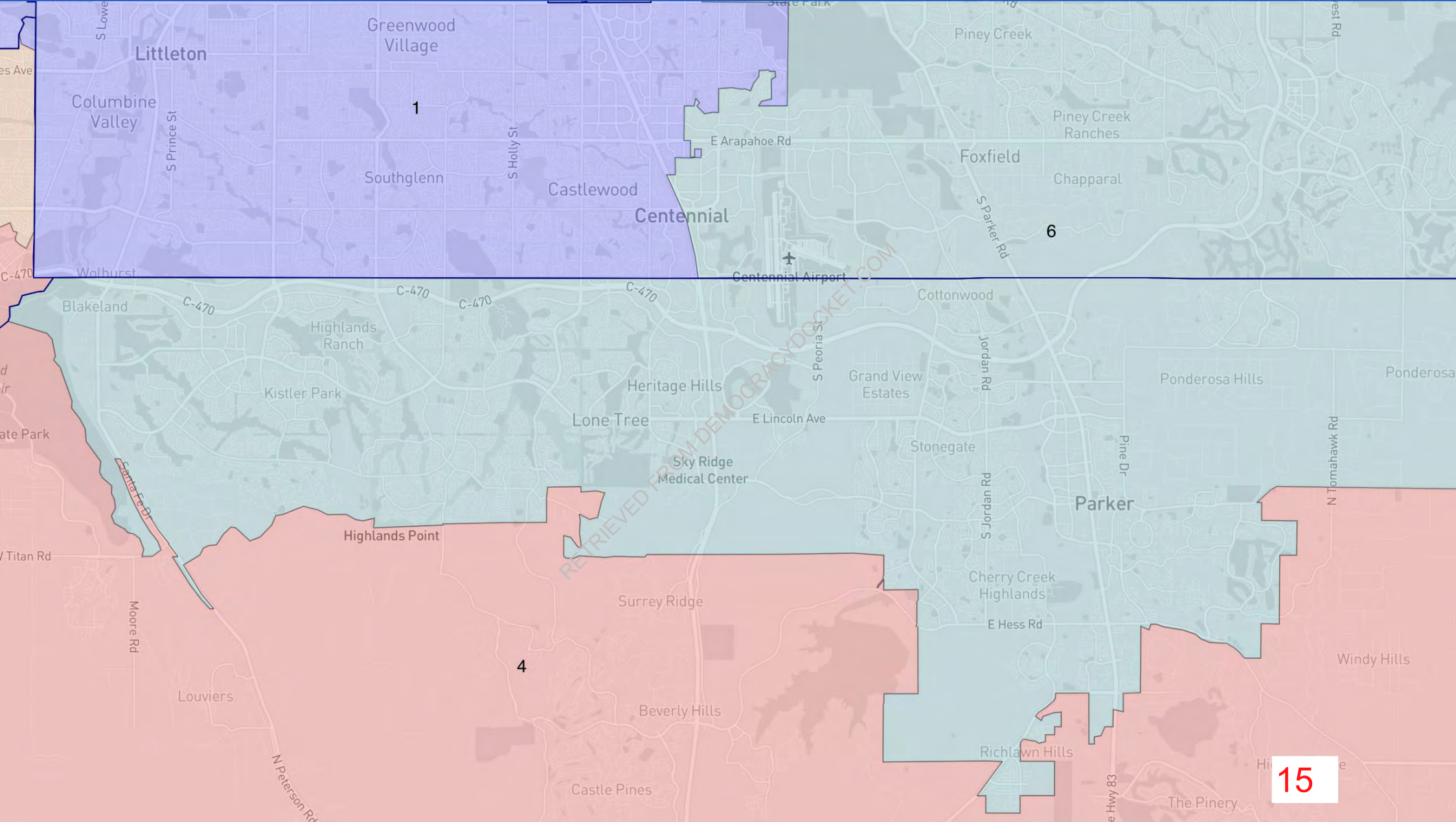


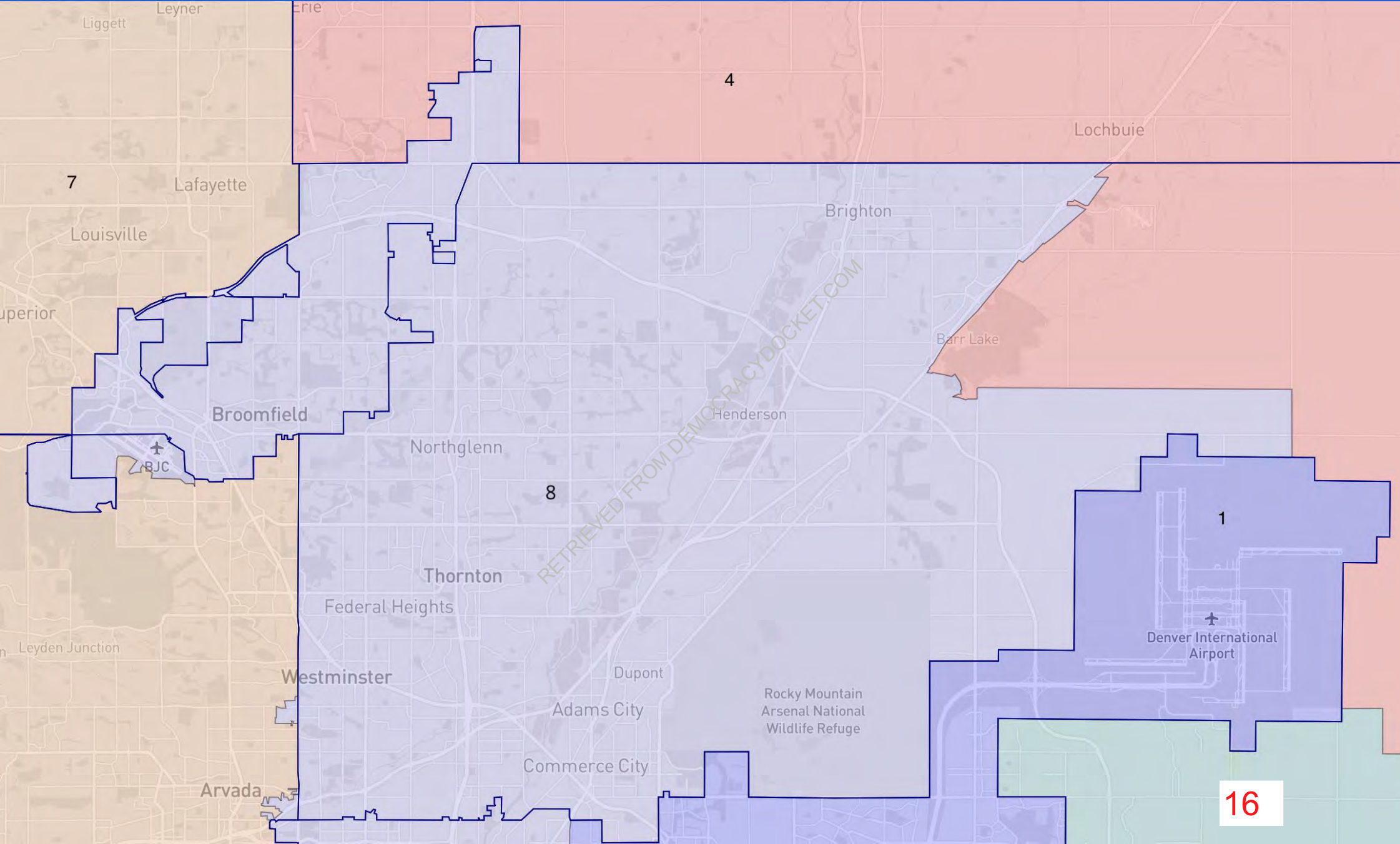




Denver







4

7

8

1

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2010 Total Population	2010 White Population	2010 Latino Population	2010 Black Population	2010 AAPI Population	2010 Native Population
1	600,067	399,676	104,653	68,004	28,248	11,247
2	638,734	535,352	74,892	7,568	16,427	10,225
3	689,424	473,429	186,175	10,285	8,773	23,070
4	584,988	449,314	108,979	10,491	12,450	9,964
5	630,716	454,331	95,860	50,637	30,123	15,221
6	606,554	370,861	119,434	74,845	44,702	10,166
7	651,650	517,391	90,107	10,711	30,060	10,971
8	626,292	319,768	258,564	17,209	29,994	16,962

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2010 Total VAP	2010 White VAP	2010 Latino VAP	2010 Black VAP	2010 AAPI VAP	2010 Native VAP
1	479,710	339,813	69,175	48,527	20,605	8,041
2	496,496	429,436	47,520	4,503	11,072	7,045
3	530,609	384,255	124,513	6,997	5,964	16,123
4	424,200	339,714	66,709	6,580	7,646	6,713
5	474,457	358,620	60,562	32,405	19,880	10,169
6	432,334	280,977	72,614	48,349	30,167	6,485
7	512,461	421,393	59,403	6,719	21,462	7,570
8	452,550	255,634	163,943	10,118	20,472	11,324

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2020 Total Population	2020 White Population	2020 Latino Population	2020 Black Population	2020 AAPI Population	2020 Native Population
1	721,714	460,075	132,065	74,524	48,711	20,678
2	721,714	566,292	95,963	12,464	27,727	22,112
3	721,714	470,315	198,486	13,708	15,495	37,193
4	721,714	511,865	151,374	17,515	26,105	23,676
5	721,715	475,657	128,671	62,279	49,567	28,253
6	721,714	392,491	155,832	94,854	76,623	21,919
7	721,715	534,971	109,178	16,439	45,159	21,936
8	721,714	348,997	291,821	26,396	45,825	32,020

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2020 Total VAP	2020 White VAP	2020 Latino VAP	2020 Black VAP	2020 AAPI VAP	2020 Native VAP
1	587,958	394,911	94,558	54,881	36,052	15,917
2	578,905	469,208	65,626	8,296	20,091	16,319
3	571,075	392,295	138,876	9,273	10,796	27,054
4	537,824	399,545	98,273	10,888	16,699	16,574
5	560,808	388,983	86,309	42,562	33,974	20,208
6	539,941	312,457	103,788	65,128	53,997	15,518
7	585,364	448,917	77,586	11,319	33,920	16,402
8	547,701	289,348	199,180	16,754	33,009	23,232

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2020 Latino Percentage	2020 Black Percentage	2020 AAPI Percentage	2020 Native Percentage	2020 White Percentage
1	18%	10%	7%	3%	64%
2	13%	2%	4%	3%	78%
3	28%	2%	2%	5%	65%
4	21%	2%	4%	3%	71%
5	18%	9%	7%	4%	66%
6	22%	13%	11%	3%	54%
7	15%	2%	6%	3%	74%
8	40%	4%	6%	4%	48%

Colorado Congressional Districts
Election Results (2016-2020)

Congressional District	2016 President (Total)	2016 President (Dem)	2016 President (Rep)	2016 Senate (Total)	2016 Senate (Dem)	2016 Senate (Rep)	2018 Governor (Total)
1	368,636	245,898	93,729	365,204	242,451	104,449	343,407
2	395,541	181,071	178,367	391,814	186,177	181,440	363,395
3	354,052	151,355	174,184	350,461	164,286	165,278	314,807
4	341,517	99,016	214,423	338,931	111,407	211,542	315,515
5	312,927	109,159	172,994	310,672	116,005	175,152	269,092
6	312,326	154,964	130,721	309,616	156,583	137,416	281,543
7	405,560	233,903	136,974	396,962	230,890	140,424	376,757
8	289,688	163,504	101,092	279,369	162,911	99,617	260,546

Colorado Congressional Districts
Election Results (2016-2020)

Congressional District	2018 Governor (Dem)	2018 Governor (Rep)	2020 President (Total)	2020 President (Dem)	2020 President (Rep)	2020 Senate (Total)	2020 Senate (Dem)	2020 Senate (Rep)
1	242,879	90,425	426,444	315,828	100,682	425,789	305,720	112,432
2	191,645	159,028	454,293	246,170	195,613	444,395	231,545	202,913
3	153,469	148,842	408,300	198,520	200,044	404,642	192,777	202,086
4	101,514	201,084	415,166	144,596	259,634	414,320	136,871	268,952
5	110,441	146,399	368,678	161,094	193,977	366,444	152,285	201,538
6	151,421	120,316	374,139	216,189	148,280	372,754	205,702	158,713
7	237,847	125,347	456,354	298,381	146,178	455,504	289,019	157,212
8	159,672	89,360	353,606	223,574	120,199	351,942	217,195	125,646

Colorado Congressional Districts
Election Results (2016-2020)

Congressional District	2016-2020 Composite (Total)	2016-2020 Composite (Dem)	2016-2020 Composite (Rep)	2018 Attorney General (Total)	2018 Attorney General (Dem)	2018 Attorney General (Rep)	2018 Attorney General Margin
1	378,221	264,520	99,712	339,906	234,563	96,633	42%
2	401,072	202,538	180,443	357,836	180,301	165,811	4%
3	356,742	167,508	173,184	310,126	147,653	152,044	-1%
4	355,873	114,519	226,351	311,553	95,666	205,273	-36%
5	315,730	125,419	173,582	266,989	104,963	151,297	-18%
6	321,393	171,180	137,092	278,190	142,385	127,192	6%
7	410,359	252,641	139,896	370,893	226,346	133,165	26%
8	298,645	180,023	104,810	256,461	153,587	93,342	24%
						Lean Dem	3
						Lean Rep	2
						Competitive	3

Alex Apodaca-Cobell

Commission: both

Zip: 80221

Submitted: August 28, 2021

Comment:

Members and Staff of the Independent Congressional Redistricting Commission -

Via the link below, please find memoranda and attachments providing context and information about the Colorado Congressional redistricting plan submitted by the Colorado Latino Leadership, Advocacy, and Research Organization (CLLARO) for the commission's consideration. The memoranda will describe Congressional districts centered on communities of interest, with particular focus on Latino communities. CLLARO has prioritized two Congressional districts: CD3 and CD8. Additionally, CLLARO has drawn three Congressional districts to be competitive: CD2, CD3, and CD6.

The full Congressional and previously submitted Legislative plans are available here:

https://drive.google.com/drive/folders/1v_WS3anWln25QYUf8hdg5cnHMj9Jf6FK?usp=sharing

Here is a direct link to the map: <https://davesredistricting.org/join/b1fa173e-7e00-4c77-a393-24a1c17f2b10>

Thank you for your consideration. Please feel free to contact me with any questions.

Sincerely,

Alex Apodaca-Cobell
alex.apodaca.cobell@icloud.com
c: 303-359-8226



Wednesday, September 22, 2021

TO: Members of the Colorado Independent Congressional Redistricting Commission and Commission Staff

FROM: Colorado Latino Leadership, Advocacy & Research Organization (CLARO)

SUBJECT: Response and Revised CLARO Map in reaction to the Second Staff Plan, *Released September 15, 2021*

Summary

This memorandum and attachments provide a response by CLARO to the Second Staff Plan released by the Independent Congressional Redistricting Commission on September 15, 2021. These comments supplement those CLARO submitted on August 28, 2021, in response to the Staff's preliminary redistricting plans.

Colorado's voters adopted Amendments Y and Z in 2018, which provide broader protections than the federal Voting Rights Act (VRA) for Colorado's large, but geographically dispersed, Latino population. Under § 44.3(4)(b) of the Colorado Constitution, the Commission is prohibited from adopting a plan that dilutes Latino voters' electoral influence. This language is an intentional departure from the VRA's text and a direct rejection of the numerical majority standard the United States Supreme Court adopted in *Bartlett v. Strickland*, 556 U.S. 1 (2009). Although there the Court held that federal law did not require the adoption of crossover districts—districts in which sizable minority populations coalesce with white crossover voters to elect minority-preferred candidates—it explained that states had other options to remedy voter dilution, including adopting crossover and influence districts. *See Bartlett*, 556 at 13 (defining a crossover district as one "in which the minority population, at least potentially, is large enough to elect the candidate of its choice with help from voters who are members of the majority and who cross over to support the minority's preferred candidate" and influence districts as one "in which a minority group can influence the outcome of an election even if its preferred candidate cannot be elected.")).

Colorado courts have similarly recognized the importance of preventing voter dilution in redistricting. *See Beauprez v. Avalos*, 42 P.3d 642, 650-51 (Colo. 2002) (“To prevail on a claim that a redistricting plan unconstitutionally dilutes minority voting strength, a claimant must show that the plan unconstitutionally denies the minority’s group’s chance to effectively influence the political process” and further providing factors to consider in determining whether voter dilution has in fact occurred). Importantly, Colorado courts recognize the need to prevent voter dilution as separate and apart from a VRA statutory claim. *Id.* at 650 (holding that while a claim fails under the VRA because the claimant “could not satisfy the specific requirements of the statute,” the Court is still able to assess the more “general constitutional claim of voter dilution, which is separate and apart from” the VRA claim).

Thus, while the method is varied, the message is consistent: a redistricting plan cannot dilute the Latino vote. *See* § 44.3(4)(b).

The staff’s September 3, 2021 memo disregards the plain text of § 44.3(4)(b). It instead notes that “[t]o the extent that section 44.4(4)(b) [sic] is a restatement of the federal Voting Rights Act, nonpartisan staff does not believe that there is an area in Colorado with sufficient citizen voting age population to form a majority-minority congressional district.” If § 44.3(4)(b) were a restatement of the VRA, it would use the same words as the VRA. It does not, and therefore is not. *Compare* 52 U.S.C. § 10301 with Colo. Const. art. V, § 44.3(4)(b). Rather, § 44.3(4)(b) was adopted to protect against minority vote dilution, as Colorado’s Latino voters cannot form a majority of a district, despite constituting over 15.6 percent of the state’s Citizen Voting Age Population (CVAP).

The memo accompanying the Second Staff Congressional Plan asserts that the staff “does not believe that the electoral influence of any . . . community [of interest] was diluted in this plan.” Section 44.3(4)(b) is separate from the “community of interest” provision in the State Constitution (§44.3(2)(a)). It expressly prohibits diluting the ability of minority voters to influence electoral outcomes. Moreover, the staff’s “belief” is an insufficient basis from which to make any redistricting decision. Whether a proposal complies with § 44.3(4)(b) is a question to be answered through expert analysis of demographic and electoral data. The First Staff Congressional Plan dilutes, rather than protects, Latino voters’ electoral influence. The new plan again contains three districts with sizable Latino populations making up 20 percent or more of the district’s CVAP: CD1, CD3, and CD8. But the electoral data reveal that Latino voters in CD3 could not reliably overcome white bloc voting in the general election. This violates the Colorado Constitution.

CLLARO has provided a Congressional plan on August 28, 2021 and is submitting a second map for consideration in an effort to demonstrate that there are multiple ways to draw Colorado’s Congressional districts in compliance with Colorado’s constitutional mandates (including adherence to political subdivisions, communities of interest, and competitiveness) that would result in Latino voters succeeding in electing candidates of their choice and prevent racially polarized voting. The map also addresses comments brought up by the Commission regarding the Second Staff Plan and other proposals.

In creating our original map and the revised map, CLLARO’s primary goals are to make adjustments to better reflect communities of interest and to prevent voter dilution. While CLLARO stands by the first map submitted on August 28, 2021, we add to it this second plan for consideration.

CLLARO believes the Commission is currently headed down a path that would result in voter dilution in Congressional District 3, largely because of its efforts to sort a handful of communities into a district that voters there would “prefer.” The public comments, especially regarding the northwest corner of the state and the City of Fort Collins appear to be more an expression of partisan preferences, which is not a community of interest under Amendment Y. Some Commissioners have even gone so far as to express a preference in the number of safe seats for each of the major parties and then identifying a preferred number of competitive seats. These are troubling signs as we near the

end of this process. The Commission is prohibited from creating seats with the express desire to benefit one party, however, **the Commission is required to prevent the dilution of minority voters in a way that prevents them from electing the candidate of their choice.** Therefore, CLLARO is offering this alternative to the Second Staff Plan that avoids these pitfalls while also better adhering to the constitutional criteria.

Results

The CLLARO revised map accomplishes the following:

1. Contains whole communities of interest within each district
2. Reduces the number of counties that are split
3. Prevents voter dilution in Congressional District 3 and Congressional District 8
4. Creates 4 competitive districts

The CLLARO revised map also addresses the following concerns as identified during Commission hearings where they would not have an adverse impact on CLLARO priorities or constitutional criteria:

1. The vote to keep as many of the communities in northern Douglas County in CD6 as much as possible.
2. Preventing the removal of a single community from its neighbors to be put in another district (Fort Collins).
3. Placing the central mountain counties in a district where they have more ties and community of interest than with Jefferson County.
4. Maintaining a district where the needs of southern Colorado will be adequately represented.
5. Keeping the City and County of Broomfield intact.
6. Keeping Greeley in Congressional District 8.
7. Keeping the northwest counties with similar communities along the Utah border.

CLLARO Revised Map

CLLARO's revised map used the Second Staff Plan map as the base with changes to districts indicated in explanations.

Full Plan: <https://davesredistricting.org/join/f4b1a8eb-a759-4e94-ab8d-f050505baac8>

Attachment A provides population summaries and the percentage by race and ethnicity in each district. Attachment B shows election results for the 2016 Presidential, 2020 Presidential, 2016 Senate, 2020 Senate, 2018 Governor, and 2018 Attorney General elections, as well as a composite of those results. CLLARO considers a district competitive if the margin between the two parties is 8.5% or less in one of those elections, with the exception of the 2020 Presidential election, which is not included in the Commission's own competitiveness metric.

Congressional District 1

Minor Changes

CLLARO's revised map only makes smaller changes to keep the City and County of Denver as whole as possible, removing only enough population for equal population. That population comes entirely from the Chaffee Park and Regis neighborhoods and is put in CD8. Those neighborhoods are strongly connected to the nearest neighborhoods in Adams County, where the dividing line is generally blurred, and it is easy to walk from one county to the other without noticing. This area has strong economic ties, with the nearest services and amenities for many residents of each county lying on the opposite side of the dividing line. These include transit stations and grocery stores.

Congressional District 2

Addition of I-25 corridor communities, Removal of Larimer County, Addition of Utah Border Counties

CLLARO attempted to keep the northwest counties along the Utah border, Moffatt, Rio Blanco, Mesa, and Delta, in a single district. Those counties have been identified as a community of interest focused on agricultural and extractive economies. As with other districts, there are multiple communities of interest within CD2, but CLLARO attempted to keep those communities of interest whole within the district. In addition, CD2 would include the Jefferson County foothills, which has been the case in the past as that area has common interest with similar communities in Boulder, Gilpin, and Clear Creek counties. CLLARO also added the nearby Carbon Valley communities of Firestone, Frederick, and Dacono to CD2 as they are in the same area along the I-25 corridor nearest Erie and Longmont, which remain in CD2. Keeping those communities together in the same district was important since it is an identified community of interest. The northeast corner of Boulder County where there are no municipalities is placed in CD4. This was to avoid splitting any municipalities in Weld County between the two districts.

Congressional District 3

Addition of central mountain counties, Unification of Arkansas River Basin, Removal of Utah Border Counties

CLLARO is concerned by the potential dilution of the Latino vote in this area of the state, and the “L-shape” configuration for this district has that effect. That’s because voting patterns in this area of the state are racially polarized as shown by LULAC in a public comment on 9/10/2021. Latinos strongly support Democratic candidates while white voters strongly support Republican candidates, with each voting as a bloc. The portion of the district proposed in the Second Staff Plan that CLLARO proposes removing from the district is made up of counties along the Utah border and has a white CVAP of 8.56 percent. That area voted against the candidate preferred by Latino voters by a 66.4 to 30.3 percent margin in the 2018 Attorney General race (See Image 1). Overall the Second Staff Plan creates a district that voted 53.1 to 43.5 percent for the Republican candidate in that same race. This district configuration dilutes the influence of Latino voters by combining them with rural white voters who vote as a bloc to oppose their candidate. So though the district has a Latino CVAP of 20.8 percent, that voting bloc could never hope to impact the outcome of an election here. In this area of the state, a district would need sufficient crossover white voters to maintain Latino influence. CLLARO’s proposal for CD3, both original and revised, attempts to create a district that follows communities of interest and gives Latino voters the ability to influence electoral outcomes in the district. In total, the counties CLLARO has added to the district have a white CVAP that is 83.9 percent white and voted 52.9 to 43.5 percent for the candidate opposed by Latino voters (See Image 2). Therefore, this area of the state exhibits significantly less bloc voting behavior among white voters in opposition to Latino voters. This would help prevent vote dilution in the district overall while also keeping the community of interest in the central mountain region whole. This CD3 splits Garfield County in order to include the entire Roaring Fork Valley within the district while removing the counties shown in Image 1. That is the only county split in this district, an improvement over CLLARO’s original submission on August 28, 2021. While CLLARO has identified the greater RFV region to include Rife, Parachute, and Battlement Mesa, those areas could not be contained in the district while also maintaining equal population given the necessary addition of the central mountain counties (Image 2). CLLARO also wanted to keep the transportation routes intact within CD2 to maintain contiguity. Garfield County (population 61, 685) would be the smallest county that is split under CLLARO’s revised map. CLLARO also proposes adding the 3 counties in the southeast corner of the state to better maintain the Arkansas River Valley. Overall, the district proposed by CLLARO would be 26.3 percent Latino by population and 20.8 percent by CVAP. This proposed CD3 would be competitive, voting for the Republican candidate 49 percent to 47.6 percent in the 2018 Attorney General race. **This does not constitute a full voting rights analysis, however, the Commission should seek such an analysis for this and other districts to ensure the plan they’re considering is free of voter dilution before sending a plan to the Colorado Supreme Court for approval.**

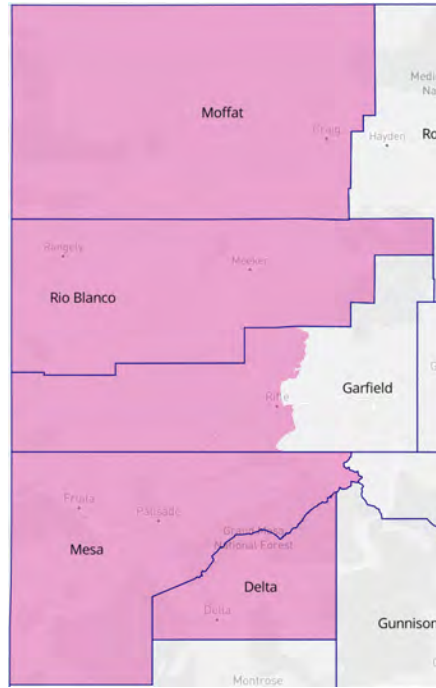


Image 1: Staff Plan 2 Areas Removed from CD3 in CLLARO Plan

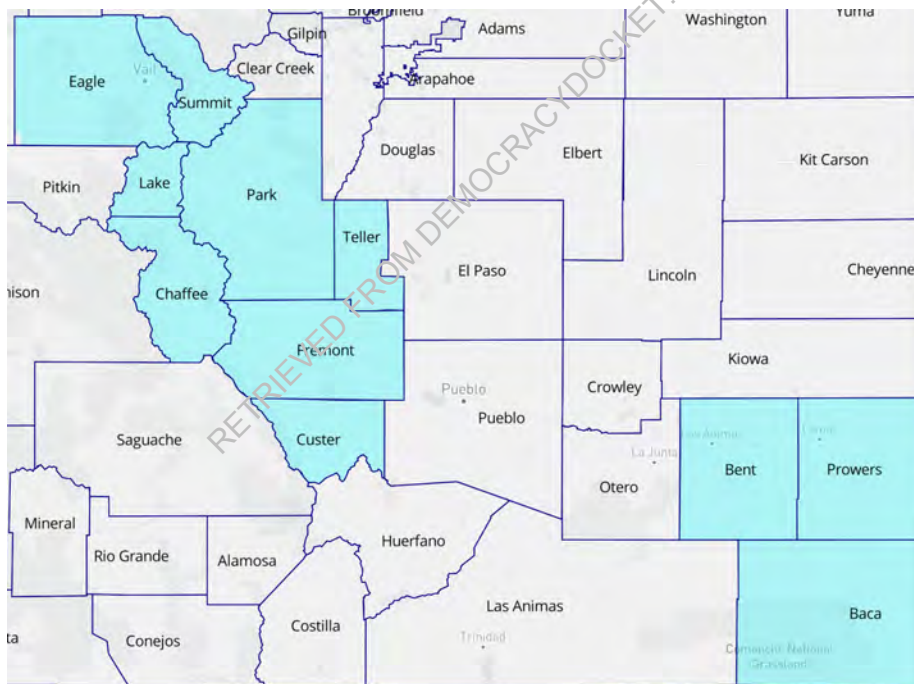


Image 2: Areas Added to CD3 in CLLARO Plan

Congressional District 4

Removal of Suburban DougCo, Addition of Larimer County, Addition of northern Weld communities

The Second Staff Plan creates a district with population centers in suburban Douglas County and the City of Loveland in Larimer County. Both of these actions divide cities from their broader region. As an alternative, CLLARO proposes adding all of Larimer County to CD4. While there is a stated preference to keep Fort Collins with Boulder, the Commission did not vote at the time of this submission to require that configuration in the Third Staff Plan. Overall, keeping Larimer and Boulder counties, with a combined population of 689,824, together in a single district creates significant issues in attempting to create other districts that also meet the constitutional criteria. CLLARO keeps Larimer County whole, placing it with the nearby communities of Windsor,

Mead, Berthoud, Johnstown, and Milliken. Those towns are more proximate to Fort Collins and this configuration prevents a single city from being plucked from the surrounding region for population balance.

Congressional District 5

Removal of Green Mountain Falls, Minor Adjustments

While the changes from the Staff Plan are relatively minor, this revised plan eliminates the additional county split that was caused by adding Green Mountain Falls to CD3. CLLARO's revised map keeps all the military installations in El Paso County within CD5 as well. This is not a priority area for CLLARO, but changes were made in response to Commissioner conversations during public meetings and public testimony.

Congressional District 6

Removal of JeffCo, Removal of southern Arapahoe communities, Addition of Suburban DougCo

As an alternative to the Second Staff Plan, CLLARO proposes the same CD6 as proposed in our original plan submitted on August 28, 2021. This district adds the Douglas County suburban communities of Parker, Lone Tree, and Highlands Ranch to the district as has been a request in testimony. Most notably, the AAPI community has asked this area to remain whole within a congressional district to keep their voice intact. To accomplish this, the City of Centennial is split around I-25, which is typically considered an obvious dividing point given differences between those areas to the west and to the east of that line. As in the staff plan, Aurora is kept whole within this district. CD6 would remain a highly diverse district where a coalition of voters of color can elect their preferred candidate with the help of crossover white voters. While 68 percent of the CVAP for this district is white, voters selected the Democratic candidate by 51.2 to 45.7 percent in the 2018 Attorney General race, indicating a high degree of crossover voting among white voters. With that margin, closely mirroring the statewide margin, this district would also be considered competitive.

Congressional District 7

Removal of central mountain counties, Removal of Jeffco Foothills, Addition of southern suburban communities

CLLARO believes CD7 should be a suburban-oriented district rather than attempting to put the "extra" from other areas into a district that would be dominated by suburban communities in Jefferson County. Therefore, rather than including the central mountain counties, CLLARO proposes adding the unincorporated communities of Ken Caryl and Columbine as well as the southern Arapahoe County communities of Littleton, Sheridan, Englewood, Cherry Hills Village, Greenwood Village, Bowmar, and the western half of Centennial. CD7 would also remain competitive in this configuration, voting for the Democratic candidate 52.2 percent to 44.6 percent in the 2018 Attorney General race.

Congressional District 8

Removal of I-25 corridor communities, Addition of Broomfield, Addition of I-76 communities, Minor adjustments

CLLARO proposes putting the entire City and County of Broomfield within the district as it is part of the north metro suburban community of interest. To make up for the population, CLLARO proposes removing the Weld County communities along the I-25 corridor, including the Carbon Valley communities. Importantly, this district maintains the north metro community of interest around Broomfield and Adams County, as well as the Hwy-85 corridor from Lochbuie to Greeley. There are concerns with voter dilution in Weld County and part of Adams County, so keeping the suburban communities, including Broomfield, within this district is important. In total, the portion of the district removed in CLLARO's proposal (see Image 3) has a white CVAP of 80.4 percent and voted 59.7 to 36.1 percent for the Republican candidate in the 2018 AG race. The area added to CD8 in the CLLARO proposal (see Image 4) has a white CVAP of 82.3 percent and voted for the Republican candidate by a 49.8 to 47 percent margin. Again, the area being added to the district has far more white crossover voters than what is being removed. CD8 would be 38 percent Latino and also highly competitive, voting for the Democratic candidate 49.8 percent to 46.3 percent in the 2018 Attorney General race.

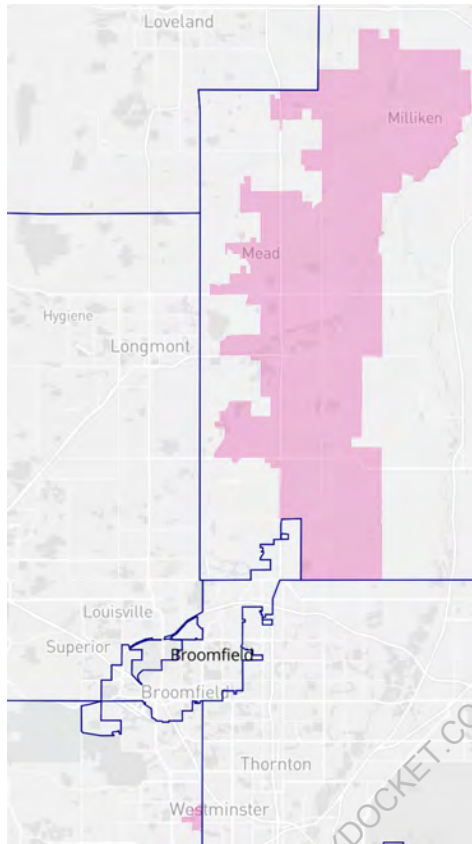


Image 3: Staff Plan 2 Areas Removed from CD8 in CLLARO Plan

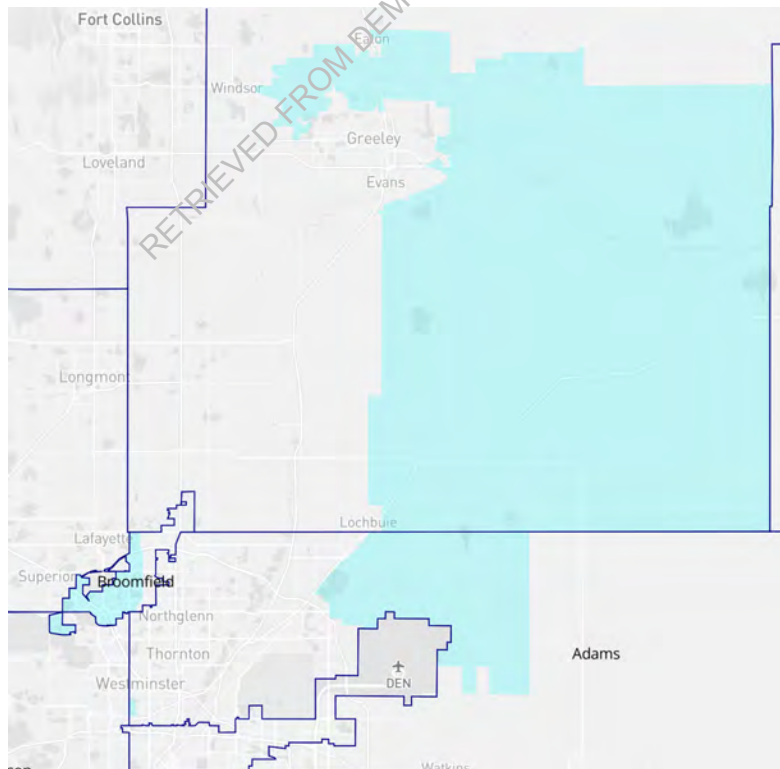


Image 4: Areas Added to CD8 in CLLARO Plan

Attachments

Population Summary and Race and Ethnicity

Attachment A

Election Results (2016-2020)

Attachment B

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Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2010 Total Population	2010 White Population	2010 Latino Population	2010 Black Population	2010 AAPI Population	2010 Native Population
1	605,120	316,292	191,871	70,364	28,139	15,047
2	646,495	531,272	81,627	7,355	21,659	10,326
3	688,248	477,228	179,205	11,701	8,851	23,050
4	597,478	499,795	70,179	9,359	14,134	9,040
5	614,347	441,117	92,944	50,094	31,522	14,242
6	606,388	371,129	119,375	74,801	44,383	10,155
7	660,730	525,661	93,418	12,132	26,040	11,788
8	609,619	357,628	210,045	13,944	26,049	14,178

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2010 Total VAP	2010 White VAP	2010 Latino VAP	2010 Black VAP	2010 AAPI VAP	2010 Native VAP
1	475,379	277,672	125,719	49,797	20,961	10,545
2	500,183	424,798	51,644	4,524	15,163	7,176
3	535,194	389,774	121,537	8,533	6,023	16,314
4	452,589	389,968	43,990	5,915	9,277	6,078
5	453,779	342,374	57,357	31,341	20,547	9,268
6	432,326	281,264	72,577	48,303	29,959	6,482
7	512,960	422,980	61,046	7,388	17,866	8,083
8	440,407	281,012	130,569	8,397	17,472	9,524

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2020 Total Population	2020 White Population	2020 Latino Population	2020 Black Population	2020 AAPI Population	2020 Native Population
1	721,715	393,180	200,286	77,871	42,755	25,575
2	721,714	552,501	103,828	11,460	33,057	21,144
3	721,714	476,768	189,656	15,175	13,539	37,133
4	721,714	564,428	98,358	14,945	24,512	21,507
5	721,714	473,908	128,665	63,022	45,815	27,477
6	721,714	392,382	155,864	94,913	72,489	21,911
7	721,715	535,217	112,357	18,031	38,272	23,452
8	721,714	372,279	274,376	22,762	40,059	29,588

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2020 Total VAP	2020 White VAP	2020 Latino VAP	2020 Black VAP	2020 AAPI VAP	2020 Native VAP
1	586,399	344,957	143,092	56,706	32,863	19,551
2	574,107	454,831	70,269	7,733	24,425	15,652
3	577,074	400,638	134,209	10,762	9,529	27,265
4	561,105	453,379	65,410	9,773	17,135	15,425
5	552,172	381,834	85,066	42,269	31,406	19,227
6	539,975	312,415	103,802	65,174	51,254	15,500
7	578,263	444,401	79,192	12,138	27,487	17,492
8	540,481	303,209	183,156	14,546	28,089	21,112

Colorado Congressional Districts
Population / Race Ethnicity Summary

Congressional District	2020 Latino Percentage	2020 Black Percentage	2020 AAPI Percentage	2020 Native Percentage	2020 White Percentage
1	28%	11%	6%	4%	54%
2	14%	2%	5%	3%	77%
3	26%	2%	2%	5%	66%
4	14%	2%	3%	3%	78%
5	18%	9%	6%	4%	66%
6	22%	13%	10%	3%	54%
7	16%	2%	5%	3%	74%
8	33%	3%	6%	4%	52%

Colorado Congressional Districts
Election Results (2016-2020)

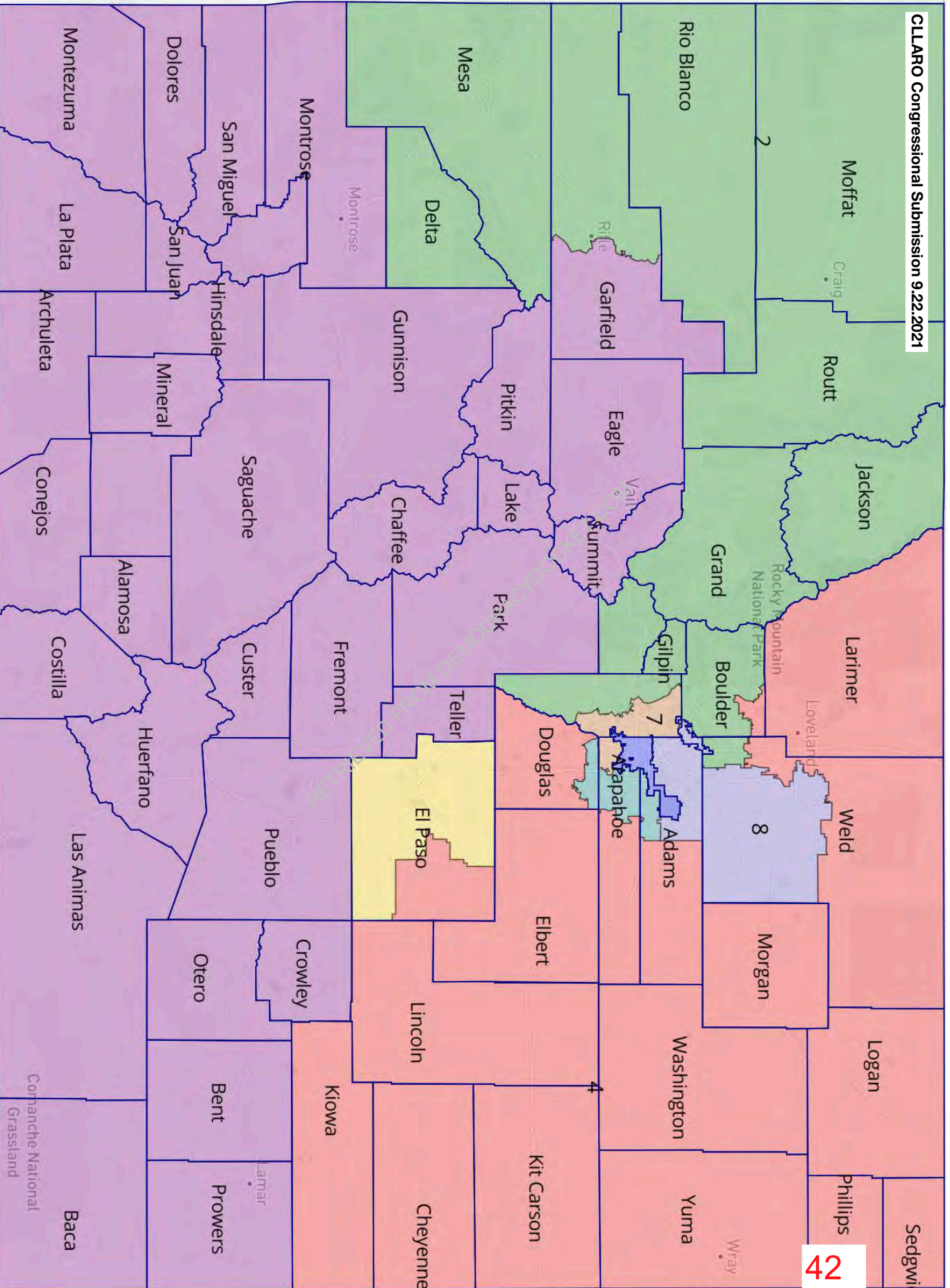
Congressional District	2016 President (Total)	2016 President (Dem)	2016 President (Rep)	2016 Senate (Total)	2016 Senate (Dem)	2016 Senate (Rep)	2018 Governor (Total)
1	368,636	245,898	93,729	365,204	242,451	104,449	311,394
2	395,541	181,071	178,367	391,814	186,177	181,440	357,784
3	354,052	151,355	174,184	350,461	164,286	165,278	319,437
4	341,517	99,016	214,423	338,931	111,407	211,542	348,800
5	312,927	109,159	172,994	310,672	116,005	175,152	272,713
6	312,326	154,964	130,721	309,616	156,583	137,416	281,300
7	405,560	233,903	136,974	396,962	230,890	140,424	375,323
8	289,688	163,504	101,092	279,369	162,911	99,617	258,311
RETRIEVED FROM DEMOCRACY.ORG							

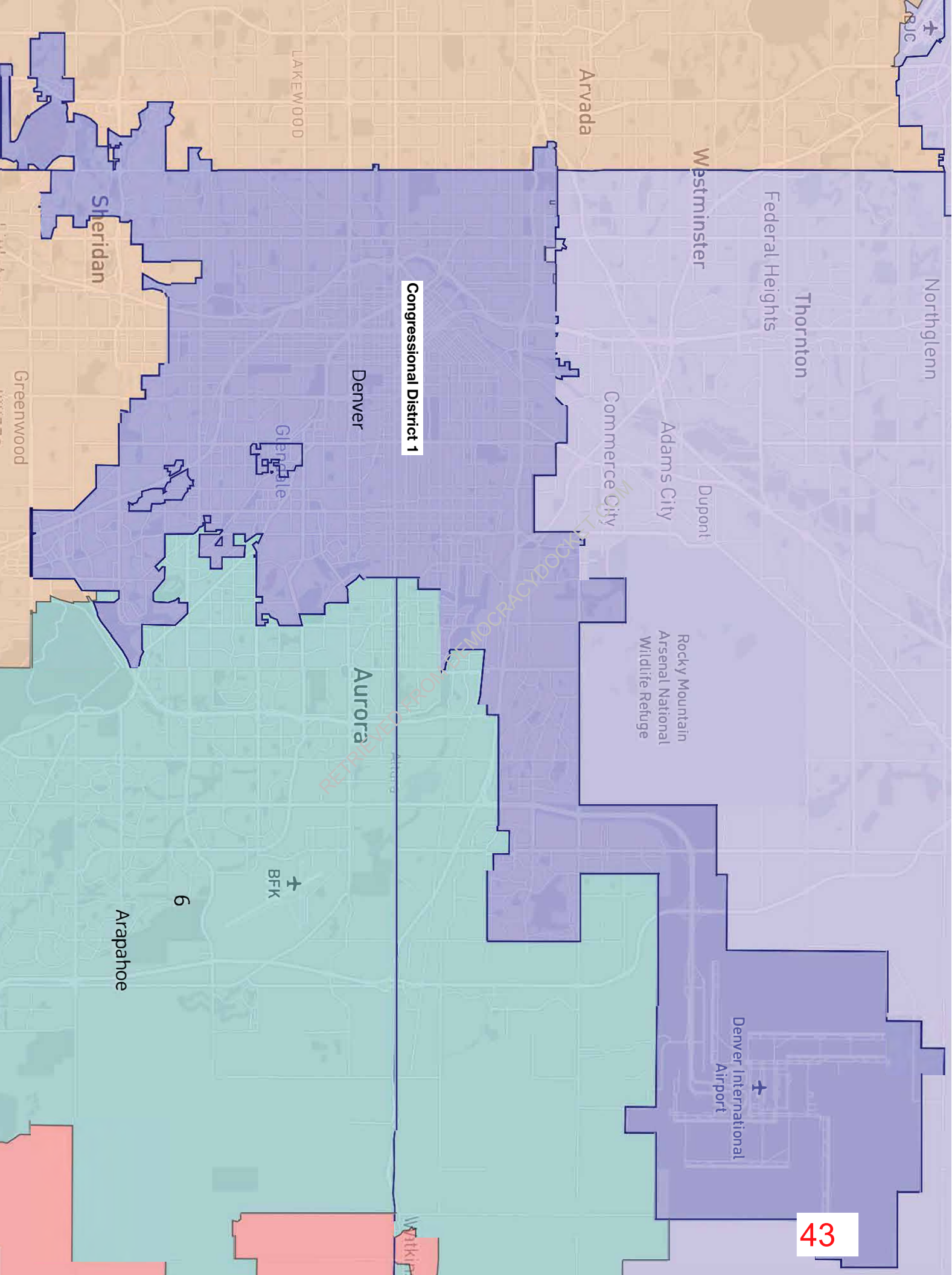
Colorado Congressional Districts
Election Results (2016-2020)

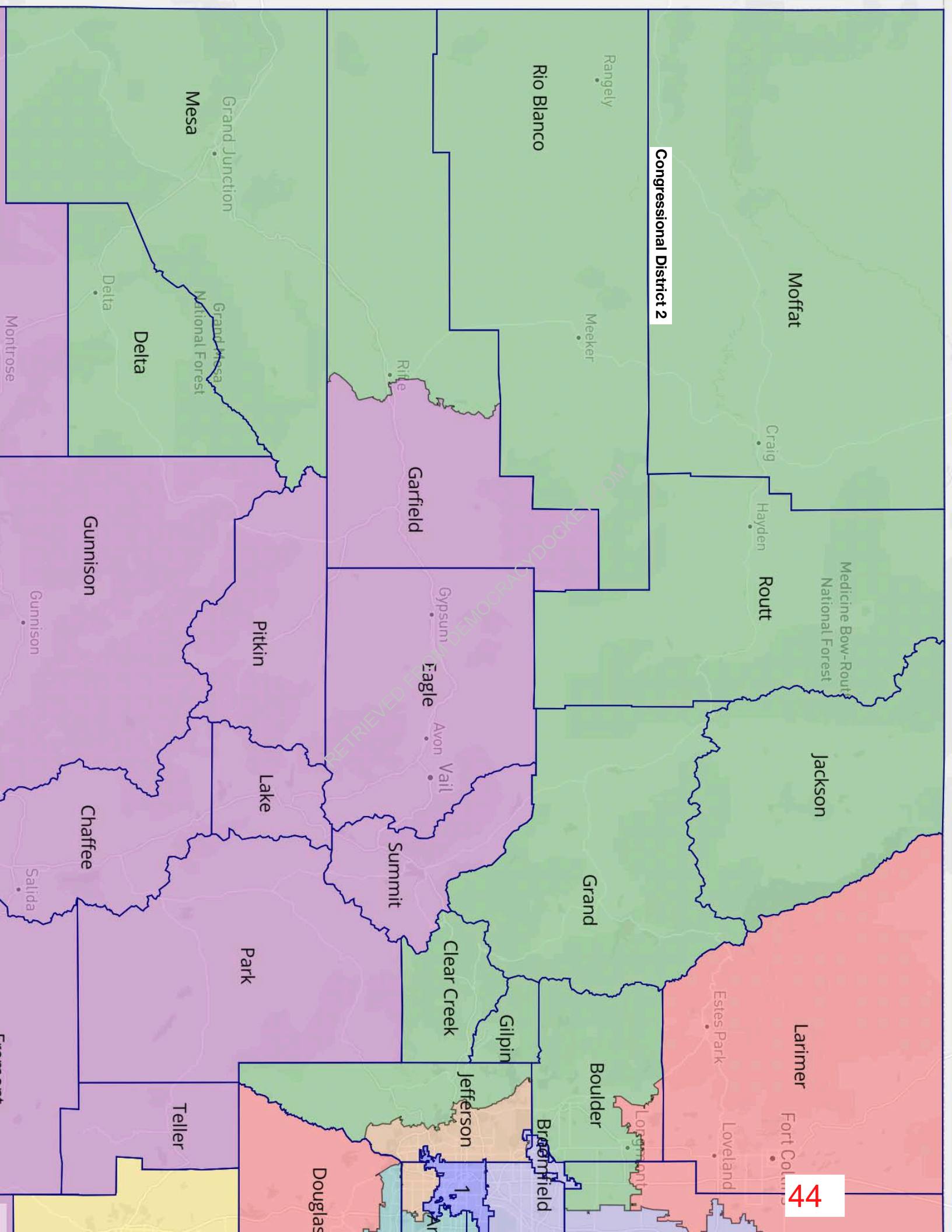
Congressional District	2018 Governor (Dem)	2018 Governor (Rep)	2020 President (Total)	2020 President (Dem)	2020 President (Rep)	2020 Senate (Total)	2020 Senate (Dem)	2020 Senate (Rep)
1	240,817	60,881	397,473	315,998	72,449	396,724	308,165	81,130
2	207,114	139,150	442,661	256,834	175,290	440,149	247,772	183,222
3	155,635	150,991	413,391	201,175	202,162	409,842	195,537	204,408
4	147,958	187,936	447,967	197,121	238,696	439,054	183,108	246,860
5	108,470	152,317	373,940	161,055	198,972	371,999	151,248	208,220
6	151,273	120,225	373,865	215,980	148,220	372,465	205,488	158,635
7	205,105	155,575	461,534	270,101	178,689	461,026	259,774	191,696
8	132,516	113,726	346,149	186,088	150,129	344,531	180,022	155,321

Colorado Congressional Districts
Election Results (2016-2020)

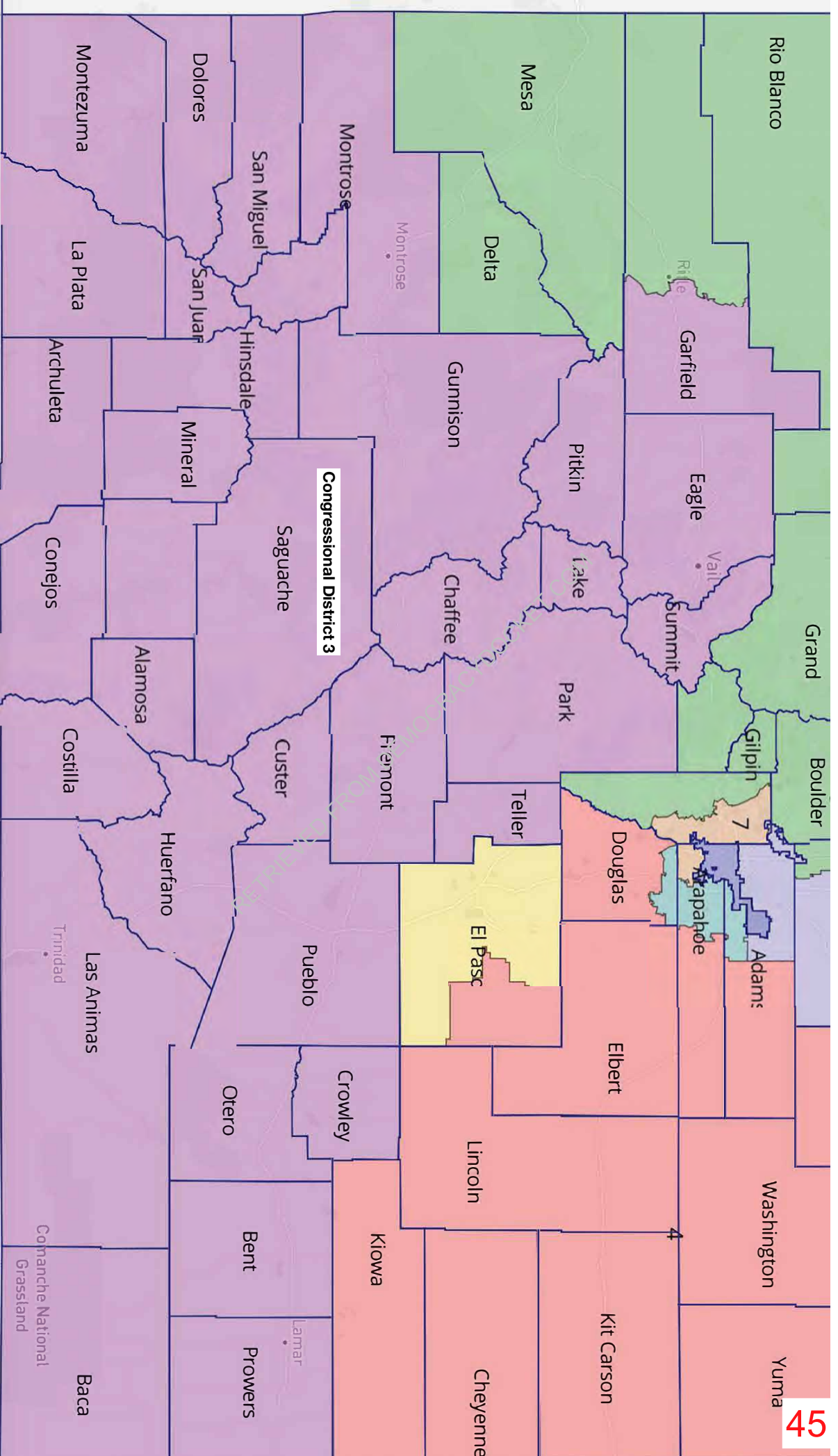
Congressional District	2016-2020 Composite (Total)	2016-2020 Composite (Dem)	2016-2020 Composite (Rep)	2018 Attorney General (Total)	2018 Attorney General (Dem)	2018 Attorney General (Rep)	2018 Attorney General Margin	
1	346,658	264,539	69,185	308,451	234,773	65,303	56%	
2	394,308	218,038	159,659	352,323	197,541	144,074	16%	
3	361,187	169,781	175,020	314,752	149,768	154,318	-1%	
4	388,432	159,279	212,284	344,170	138,859	194,261	-17%	
5	319,413	123,868	178,974	270,684	102,912	157,134	-21%	
6	321,136	170,999	137,011	277,947	142,270	127,066	6%	
7	411,826	221,888	171,872	369,801	192,917	164,955	8%	
8	295,075	149,956	131,065	253,826	126,424	117,646	4%	
							Lean Dem	2
							Lean Rep	2
							Competitive	4

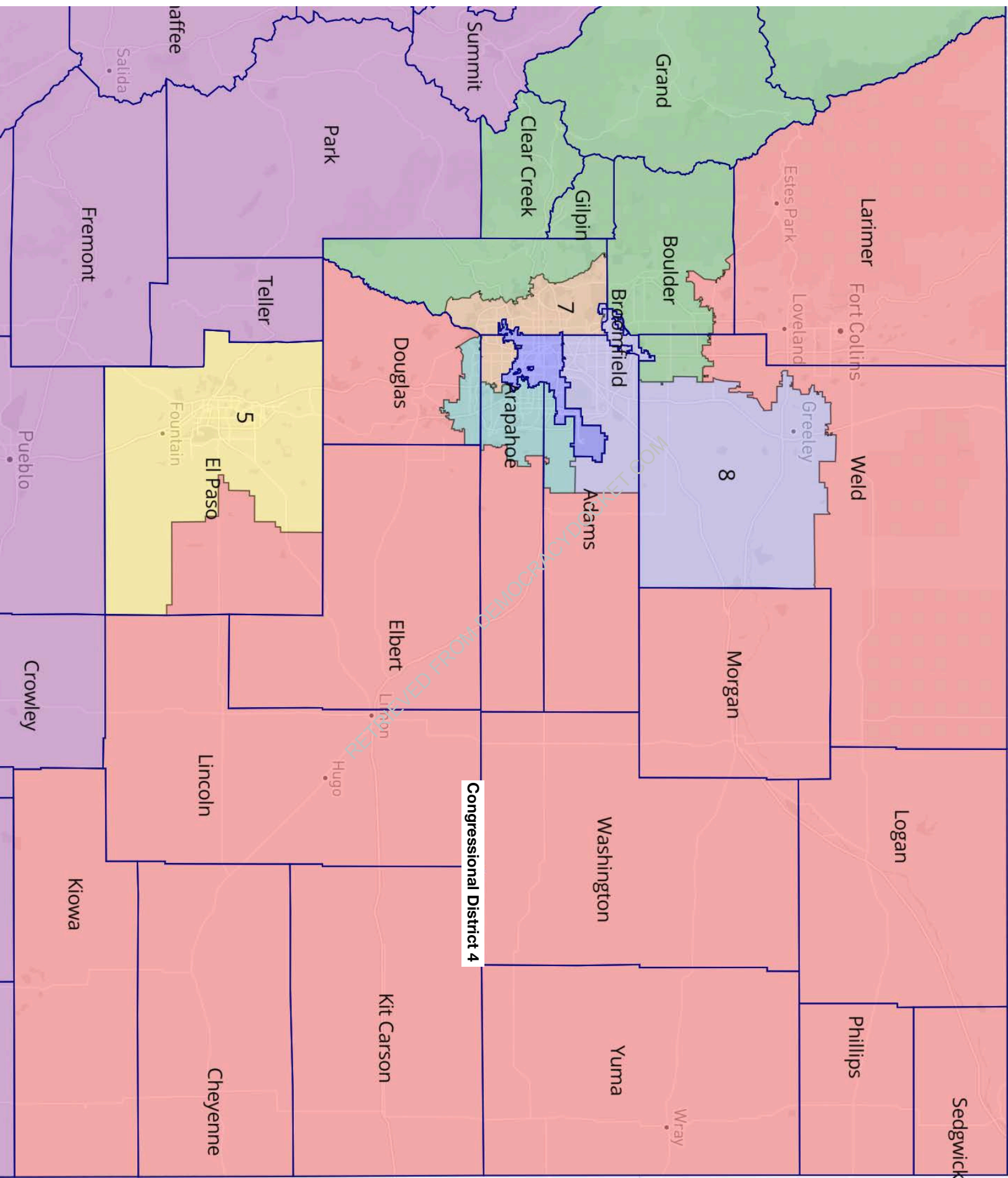


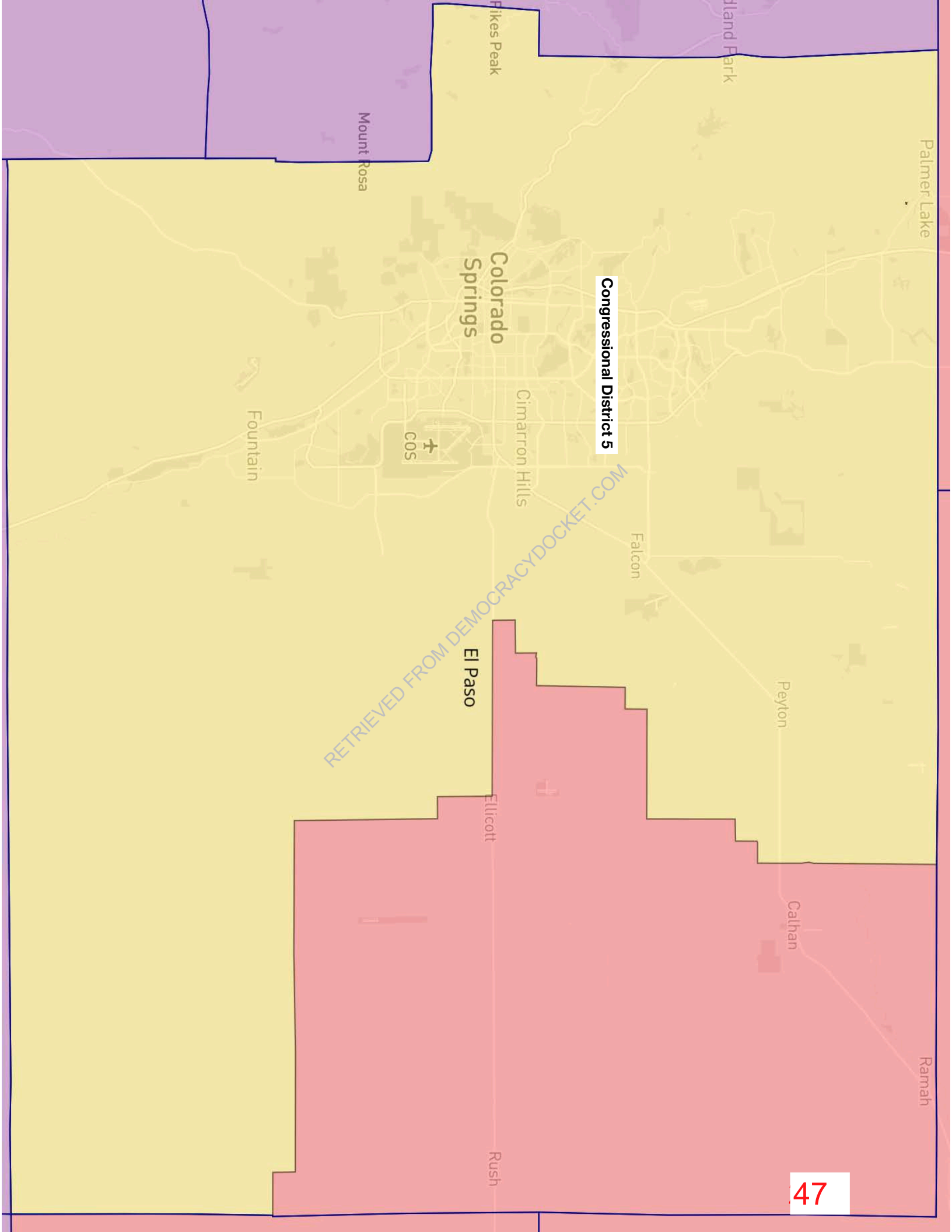




Congressional District 2







Palmer Lake

Highland Park

Pikes Peak

Mount Rosa

Congressional District 5

Colorado Springs

Cimarron Hills

COS

Fountain

Falcon

Peyton

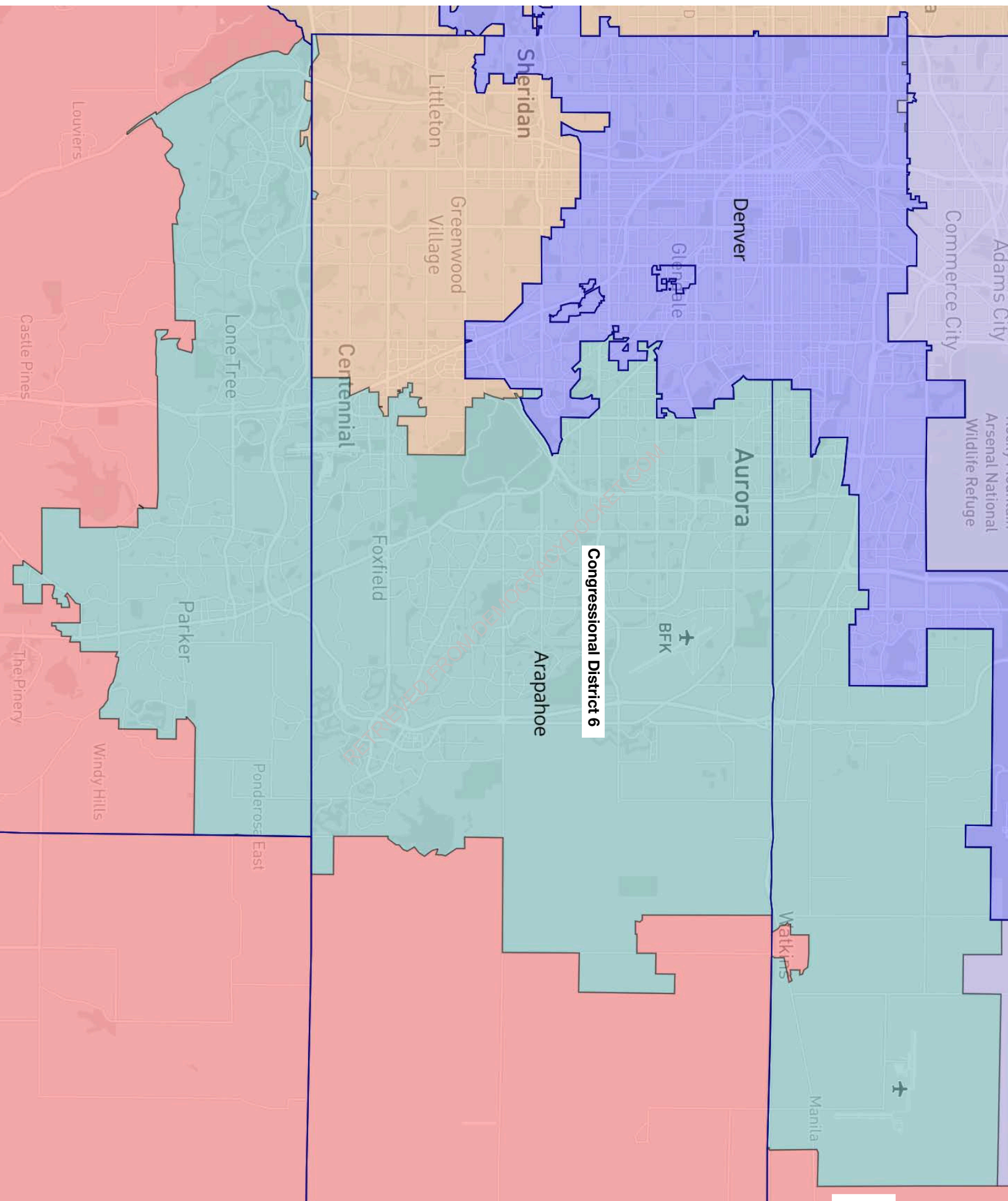
El Paso

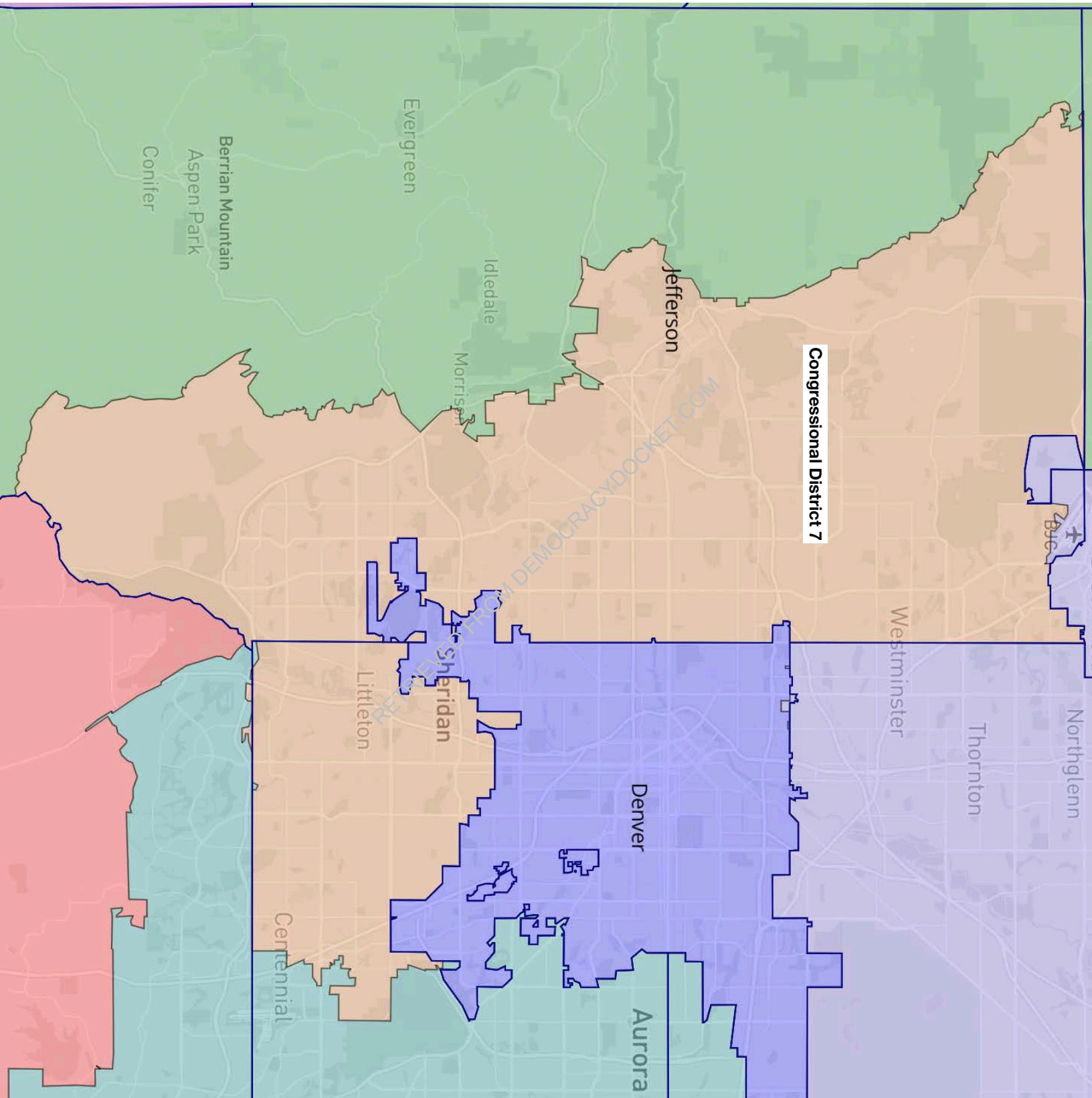
Ellicott

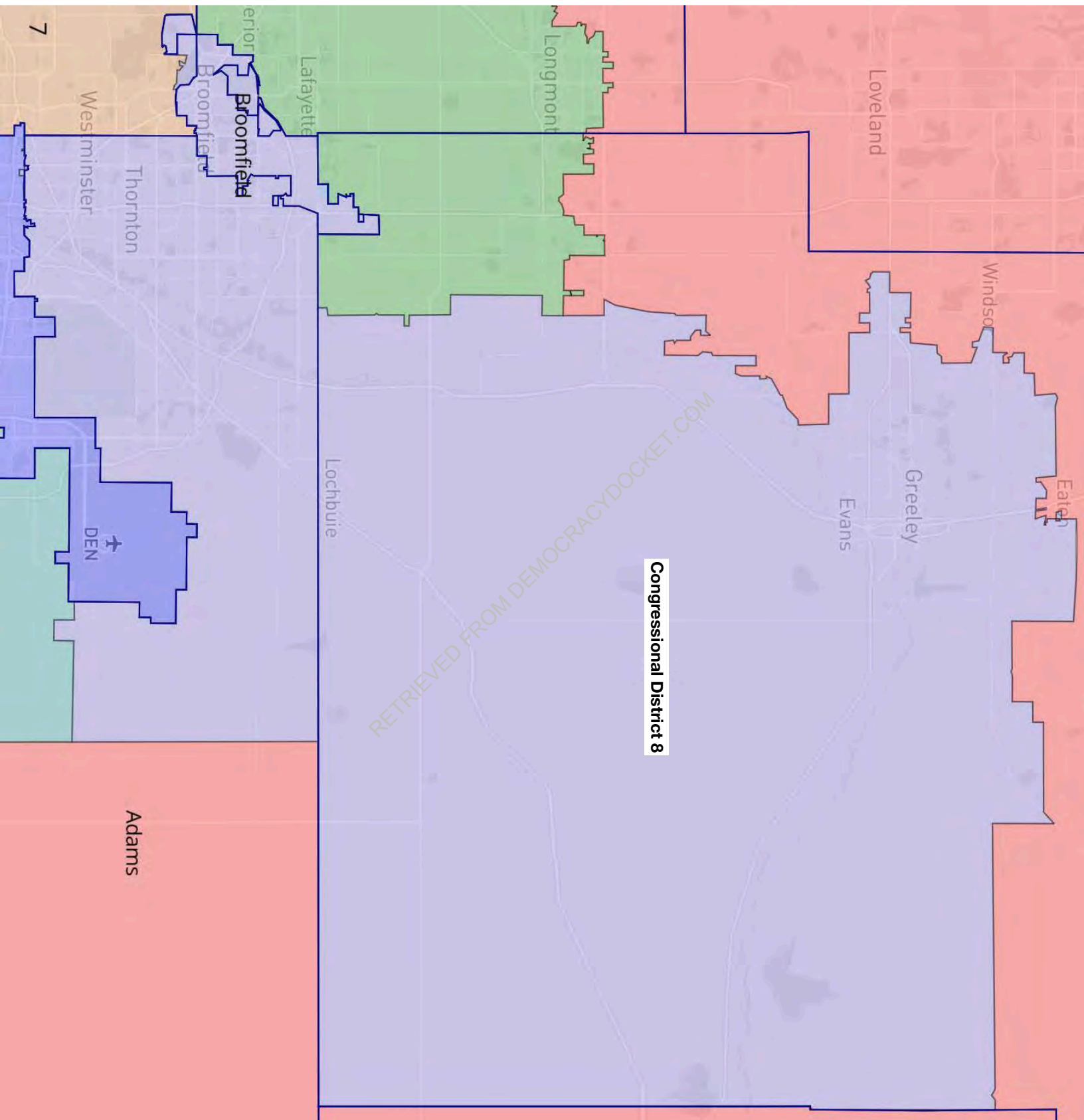
Calhan

Ramah

Rush







Alex Apodaca-Cobell

Commission: congressional

Zip: 80221

Submitted: September 22, 2021

Comment:

Members and Staff of the Independent Congressional Redistricting Commission -

Via the attachments or link below, please find memorandum and attachments providing a response to the Second Staff Plan from the Colorado Latino Leadership, Advocacy, and Research Organization (CLLARO).

CLLARO has provided a Congressional plan on August 28, 2021 and is submitting a second map for consideration in an effort to demonstrate that there are multiple ways to draw Colorado's Congressional districts in compliance with Colorado's constitutional mandates (including adherence to political subdivisions, communities of interest, and competitiveness) that would result in Latino voters succeeding in electing candidates of their choice and prevent racially polarized voting. The map also addresses comments brought up by the Commission regarding the Second Staff Plan and other proposals.

In creating our original map and the revised map, CLLARO's primary goals are to make adjustments to better reflect communities of interest and to prevent voter dilution. While CLLARO stands by the first map submitted on August 28, 2021, we add to it this second plan for consideration.

The Commission is required to prevent the dilution of minority voters in a way that prevents them from electing the candidate of their choice. Therefore, CLLARO is offering this alternative to the Second Staff Plan that avoids these pitfalls while also better adhering to the constitutional criteria.

Results

The CLLARO revised map accomplishes the following:

1. Contains whole communities of interest within each district
2. Reduces the number of counties that are split
3. Prevents voter dilution in Congressional District 3 and Congressional District 8
4. Creates 4 competitive districts

The full submission is available here: https://drive.google.com/drive/folders/14CuZaiHGrT4TrscYMkgOG563BNv_0mzx?usp=sharing

Interactive Map: <https://davesredistricting.org/join/f4b1a8eb-a759-4e94-ab8d-f050505baac8>

The teal boundary lines in the map reflect the Second Staff Plan to make changes easier to observe.

Thank you for your consideration. Please contact me with any questions.

Sincerely,

Alex Apodaca-Cobell

Amendment Z Legislative Redistricting

(This measure requires at least 55 percent of the vote to pass.)

ANALYSIS

Amendment Z proposes amending the Colorado Constitution to:

- ◆ replace the Colorado Reapportionment Commission with the Independent Legislative Redistricting Commission, consisting of an equal number of members from each of the state's two largest political parties and unaffiliated voters, to amend and approve state legislative district maps drawn by nonpartisan legislative staff;
- ◆ establish a process for selecting commissioners, new requirements for transparency and ethics, and a procedure for judicial review of commission maps; and
- ◆ expand and prioritize the criteria the commission must use for adopting state legislative district maps

Summary and Analysis

Amendment Z establishes a new process for state legislative redistricting. Amendment Y, which is also on the 2018 ballot, proposes a similar but separate process for congressional redistricting.

Redistricting. The state legislature has 35 state senators and 65 state representatives. The U.S. Census is conducted every ten years, and afterward state legislative districts are redrawn to have nearly equal populations.

Legislative redistricting process in Colorado. Since voters approved its creation in 1974, the Colorado Reapportionment Commission (reapportionment commission) has convened after each U.S. Census to draw new state legislative district maps. The reapportionment commission consists of 11 members appointed by legislative leaders, the Governor, and the Chief Justice of the Colorado Supreme Court. Up to 6 of the 11 members may be affiliated with the same political party. The state legislature provides the reapportionment commission with nonpartisan staff support. The reapportionment commission is required to draft preliminary maps for state senate and house districts and hold public hearings on the maps throughout the state. Its final maps must have the support of a simple majority of commissioners, and they are submitted to the Colorado Supreme Court for approval.

Amendment Z replaces the reapportionment commission with the Independent Legislative Redistricting Commission (commission), which is charged with drawing the state's legislative districts. The new commission must have 12 members, 4 from the state's largest political party, which is currently the Democratic Party, 4 from the state's second largest political party, which is currently the Republican Party, and 4 who are not affiliated with any political party. These members are appointed from a pool of applicants as described below.

Application and appointment process. Amendment Z sets minimum qualifications for commissioners. An applicant must be registered to vote and have voted in the previous two general elections in Colorado, and have been either affiliated with the same party or unaffiliated with any party for the last five consecutive years. An applicant may not be appointed to the commission if he or she has been a candidate for the state legislature within the last five years, or within the last three years been: a professional registered lobbyist; an elected public official; an elected political party official above the precinct level; or paid by a member of or candidate for the state legislature. Commissioners may not also serve on the Independent Congressional Redistricting Commission proposed in Amendment Y.

The measure requires nonpartisan legislative staff to prepare an application form for commissioners after receiving public input on the application at one or more public hearings. All applications submitted

must be posted on a public website. Nonpartisan legislative staff must review commission applications to ensure applicants meet the minimum qualifications.

The Chief Justice of the Colorado Supreme Court designates a panel of three of the most recently retired judges from the Colorado Supreme Court or Colorado Court of Appeals to facilitate the selection of commissioners. No more than one of the three judges may be registered with any one political party, and the panel's decisions must be unanimous. Selected judges may not also serve on the panel that facilitates the selection of the proposed Independent Congressional Redistricting Commission. From all of the qualified applicants, the panel of retired judges randomly selects a pool of 1,050 applicants. The panel then narrows the applicant pool to 150 applicants using criteria related to applicants' experience, analytical skills, and ability to be impartial and promote consensus.

From the 150-person applicant pool, the panel randomly chooses 2 commissioners affiliated with the state's largest political party, 2 commissioners affiliated with the state's second largest political party, and 2 commissioners who are not affiliated with a political party. For the remaining 6 commissioners, the panel selects 2 additional unaffiliated commissioners from the pool of 1,050 applicants, and 4 commissioners from applicant pools determined by legislative leaders. The final 12-member commission will have 4 Democrats, 4 Republicans, and 4 unaffiliated members, unless another political party becomes the largest or second largest political party in the state. The final composition of the commission should reflect Colorado's racial, ethnic, gender, and geographic diversity, and must include members from each congressional district, including at least one member from the Western Slope.

Commission operations. Under the measure, the commission is responsible for adopting rules to govern its administration and operation, and the commissioners are subject to open meeting laws. Staff for the commission must be assigned from nonpartisan legislative staff agencies. Commissioners are prohibited from communicating with nonpartisan legislative staff about any maps outside of a public meeting or hearing, and staff are prohibited from communicating with outside parties concerning the development of redistricting maps. Any commissioner who participates in prohibited communication must be removed from the commission. Any person who receives compensation for advocating to the commission, one or more commissioners, or staff is considered a lobbyist and must disclose his or her compensation and its source to the Secretary of State for publication.

Criteria for drawing legislative district maps. The U.S. and Colorado constitutions require state legislative districts to be as nearly equal in population as possible. Under the federal Voting Rights Act of 1965, the state cannot change voting standards, practices, or procedures in a way that denies or limits the right to vote based on race or color or membership in a language minority group. In particular, the act requires that a minority group's voting strength not be diluted under a redistricting map.

Additionally, current state law requires, when drawing state legislative maps, that:

- districts be contiguous and as compact in area as possible;
- the division of counties and cities among multiple districts be minimized; and
- communities of interest be preserved where possible.

Amendment Z maintains these criteria, but prioritizes the preservation of communities of interest and certain political subdivisions that, in their entirety, fit within a district. It limits the splitting of cities, towns, and counties to those circumstances when a community of interest, which is a group sharing specific state legislative interests, has a reason for being kept together in a district that is more essential to the fair and effective representation of voters. The measure also incorporates principles of the Voting Rights Act into state law and prohibits the approval of a map that violates these principles.

After these criteria are considered, Amendment Z requires the commission to maximize the number of politically competitive districts, which are defined as having the reasonable potential for the party affiliation of the district's representative to change at least once over the decade, to the extent possible. Maps cannot be drawn for the purpose of protecting incumbents, candidates, or political parties.

Map consideration and public involvement. The measure directs nonpartisan commission staff to create preliminary redistricting maps for the state senate and House of Representatives, and requires them to consider public comments while developing the maps. Members of the public may also present proposed redistricting maps and written comments for the commission's consideration. The commission must hold at least three public hearings in each congressional district to receive public input before approving redistricting maps. At least ten commissioners must attend each hearing, either in person or electronically. These hearings must be broadcast online, and the commission must maintain a website through which Colorado residents may submit maps or written comments. All written comments pertaining to redistricting must be published on the website. After the commission holds its hearings on the preliminary maps, staff must prepare additional maps. The commission can adopt standards and guidelines for staff to follow when developing staff maps. Any commissioner can request at a public hearing that staff prepare additional maps or amendments to maps. The commission can adopt final maps at any time after the presentation of the first staff maps.

Final maps. Under the measure, the commission must adopt final maps for state senate and house districts and submit them to the Colorado Supreme Court for review. At least 8 of the 12 commissioners, including at least 2 unaffiliated commissioners, must approve the final maps, and the maps must be made public before the commission votes on them. If the commission fails to submit the final maps, staff maps must be submitted, without amendments, to the Colorado Supreme Court for judicial review.

The Colorado Supreme Court must approve the final maps unless the court finds that the commission abused its discretion in applying or failing to apply required criteria, in which case the court must return them to the commission. If returned, the commission has 12 days to hold a hearing and submit the revised maps to the Colorado Supreme Court. If the commission fails to submit revised maps, nonpartisan staff have an additional three days to submit revised maps. The Colorado Supreme Court must approve the legislative redistricting maps by December 29 of the redistricting year.

For information on those issue committees that support or oppose the measures on the ballot at the **November 6, 2018**, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information: <http://www.sos.state.co.us/pubs/elections/Initiatives/InitiativesHome.html>

Arguments For

- 1) Amendment Z limits the role of partisan politics in the legislative redistricting process. Through the commissioner selection process, checks and balances are in place to ensure no one political party controls the commission. Applicants must be qualified to serve on the commission and, unlike the current reapportionment commission, lobbyists and politicians are prohibited from serving. The selection process limits the appointment power of party leaders by relying on retired judges and random selection. Republicans, Democrats, and unaffiliated voters must be appointed to the commission in equal numbers. Additionally, nonpartisan legislative staff draw the district maps, and each map's approval requires a supermajority vote of the commission, including at least two unaffiliated commissioners. These provisions encourage political compromise by keeping political parties and politicians with a vested interest in the outcome from controlling the redistricting process.
- 2) The measure makes the redistricting process more transparent and provides greater opportunity for public participation. Legislative redistricting is conducted by a more independent commission than currently exists, with safeguards against undue influence in the preparation and adoption of maps. The commission is subject to state open records and open meetings laws, and anyone paid to lobby the commission has 72 hours to disclose their lobbying activities. By requiring that map-related communications occur in public, Coloradans will be able to see exactly how the districts are drawn.
- 3) The measure brings structure to the redistricting process by using clear, ordered, and fair criteria in the drawing of districts. By prioritizing factors such as communities of interest, city and county

lines, and political competitiveness, it provides specific direction to the commission about how it should evaluate proposed maps. It also prevents the adoption of maps that protect incumbents, candidates, or political parties, or maps that dilute the electoral influence of racial or ethnic minorities.

Arguments Against

- 1) Amendment Z reduces accountability in the redistricting process. The selection process the measure proposes will result in a group of commissioners who are not only not elected, but are not even accountable to elected officials. This process relies on unelected retired judges to screen applicants and select half of the commissioners. Further, the commission is staffed by government employees who are not accountable to the voters, and they may end up drawing the final maps if the commission cannot agree. Legislative staff may have a vested interest in the outcome of legislative elections that could bias their work drawing district maps.
- 2) The commissioner selection process outlined in the measure is complex, and half of the members are determined by random chance. This complicated and random selection process may prevent individuals with important experience and knowledge from becoming commissioners. While the goal of the random selection may be to remove politics from redistricting, unaffiliated commissioners with partisan views could still be selected, and the selection process may not result in a commission that can be impartial and promote consensus.
- 3) The measure outlines criteria that may be difficult to apply in an objective manner. For example, the broad definition of communities of interest is vague and open to interpretation. The measure also leaves the commission to determine what a competitive district is without specifying what factors to consider. Additionally, the four unaffiliated commissioners will have political leanings that may be difficult to discern, but that could sway how they apply the criteria and influence the final maps, since many critical votes require their support. The resulting maps may serve to protect certain segments of the population at the expense of others and could result in districts that make no sense to voters.

Estimate of Fiscal Impact

State revenue. Beginning in FY 2020-21, Amendment Z may minimally increase Secretary of State cash fund revenue from fines collected from lobbyists who fail to disclose the required information.

State expenditures. Overall, Amendment Z increases state expenditures to fund the Independent Legislative Redistricting Commission by \$252,065 in FY 2020-21, and decreases state expenditures by \$65,977 in FY 2021-22, as compared with the expenses for the current Reapportionment Commission.

TITLE AND TEXT

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

Ballot Title:

Shall there be an amendment to the Colorado constitution concerning a change to the manner in which state senate and state house of representatives districts are drawn, and, in connection therewith, reforming the existing legislative reapportionment commission by expanding the commission to twelve members and authorizing the appointment of members who possess specified qualifications; prohibiting any one political party's control of the commission by requiring that one-third of commissioners will not be

affiliated with any political party, one-third of the commissioners will be affiliated with the state's largest political party, and one-third of the commissioners will be affiliated with the state's second largest political party; prohibiting certain persons, including professional lobbyists, federal campaign committee employees, and federal, state, and local elected officials, from serving on the commission; limiting judicial review of a map to a determination by the supreme court of whether the commission or its nonpartisan staff committed an abuse of discretion; requiring the commission to draw state legislative districts using communities of interest as well as political subdivisions, such as cities and counties, and then to maximize the number of competitive state legislative seats to the extent possible; and prohibiting maps from being drawn to dilute the electoral influence of any racial or ethnic group or to protect any incumbent, any political candidate, or any political party?

Text of Measure:

Be It Resolved by the Senate of the Seventy-first General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the election held on November 6, 2018, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, **amend** section 46 of article V as follows:

Section 46. Senatorial and representative districts - commission created. (1) **Declaration of the people.** THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT:

(a) THE PRACTICE OF POLITICAL GERRYMANDERING, WHEREBY LEGISLATIVE DISTRICTS ARE PURPOSEFULLY DRAWN TO FAVOR ONE POLITICAL PARTY OR INCUMBENT POLITICIAN OVER ANOTHER, MUST END;

(b) THE PUBLIC'S INTEREST IN PROHIBITING POLITICAL GERRYMANDERING IS BEST ACHIEVED BY CREATING A NEW AND INDEPENDENT COMMISSION THAT IS POLITICALLY BALANCED, PROVIDES REPRESENTATION TO VOTERS NOT AFFILIATED WITH EITHER OF THE STATE'S TWO LARGEST PARTIES, AND UTILIZES NONPARTISAN LEGISLATIVE STAFF TO DRAW MAPS;

(c) THE REDISTRICTING COMMISSION SHOULD SET DISTRICT LINES BY ENSURING CONSTITUTIONALLY GUARANTEED VOTING RIGHTS, INCLUDING THE PROTECTION OF MINORITY GROUP VOTING, AS WELL AS FAIR AND EFFECTIVE REPRESENTATION OF CONSTITUENTS USING POLITICALLY NEUTRAL CRITERIA;

(d) COMPETITIVE ELECTIONS FOR MEMBERS OF THE GENERAL ASSEMBLY PROVIDE VOTERS WITH A MEANINGFUL CHOICE AMONG CANDIDATES, PROMOTE A HEALTHY DEMOCRACY, HELP ENSURE THAT CONSTITUENTS RECEIVE FAIR AND EFFECTIVE REPRESENTATION, AND CONTRIBUTE TO THE POLITICAL WELL-BEING OF KEY COMMUNITIES OF INTEREST AND POLITICAL SUBDIVISIONS;

(e) FOR YEARS CERTAIN POLITICAL INTERESTS OPPOSED COMPETITIVE DISTRICTS IN COLORADO BECAUSE THEY ARE PRIMARILY CONCERNED ABOUT MAINTAINING THEIR OWN POLITICAL POWER AT THE EXPENSE OF FAIR AND EFFECTIVE REPRESENTATION; AND

(f) CITIZENS WANT AND DESERVE AN INCLUSIVE AND MEANINGFUL LEGISLATIVE REDISTRICTING PROCESS THAT PROVIDES THE PUBLIC WITH THE ABILITY TO BE HEARD AS REDISTRICTING MAPS ARE DRAWN, TO BE ABLE TO WATCH THE WITNESSES WHO DELIVER TESTIMONY AND THE REDISTRICTING COMMISSION'S DELIBERATIONS, AND TO HAVE THEIR WRITTEN COMMENTS CONSIDERED BEFORE ANY PROPOSED MAP IS VOTED UPON BY THE COMMISSION AS THE FINAL MAP.

(2) **Legislative districts - commission created.** THERE IS HEREBY CREATED THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION. The ~~state~~ COMMISSION shall ~~be divided~~ DIVIDE THE STATE into as many senatorial and representative districts as there are members of the senate and house of representatives respectively. ~~each district in each house having a population as nearly equal as may be, as required by the constitution of the United States, but in no event shall there be more than five percent~~

~~deviation between the most populous and the least populous district in each house.~~ AFTER EACH FEDERAL DECENNIAL CENSUS, THE SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS SHALL BE ESTABLISHED, REVISED, OR ALTERED, AND THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES APPORTIONED AMONG THEM, BY THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION.

(3) **Definitions.** AS USED IN THIS SECTION AND IN SECTIONS 47 THROUGH 48.4 OF THIS ARTICLE V, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COMMISSION" MEANS THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION CREATED IN SUBSECTION (2) OF THIS SECTION.

(b) (I) "COMMUNITY OF INTEREST" MEANS ANY GROUP IN COLORADO THAT SHARES ONE OR MORE SUBSTANTIAL INTERESTS THAT MAY BE THE SUBJECT OF STATE LEGISLATIVE ACTION, IS COMPOSED OF A REASONABLY PROXIMATE POPULATION, AND THUS SHOULD BE CONSIDERED FOR INCLUSION WITHIN A SINGLE DISTRICT FOR PURPOSES OF ENSURING ITS FAIR AND EFFECTIVE REPRESENTATION.

(II) SUCH INTERESTS INCLUDE BUT ARE NOT LIMITED TO MATTERS REFLECTING:

(A) SHARED PUBLIC POLICY CONCERNS OF URBAN, RURAL, AGRICULTURAL, INDUSTRIAL, OR TRADE AREAS;
AND

(B) SHARED PUBLIC POLICY CONCERNS SUCH AS EDUCATION, EMPLOYMENT, ENVIRONMENT, PUBLIC HEALTH, TRANSPORTATION, WATER NEEDS AND SUPPLIES, AND ISSUES OF DEMONSTRABLE REGIONAL SIGNIFICANCE.

(III) GROUPS THAT MAY COMPRISE A COMMUNITY OF INTEREST INCLUDE RACIAL, ETHNIC, AND LANGUAGE MINORITY GROUPS, SUBJECT TO COMPLIANCE WITH SUBSECTIONS (1)(b) AND (4)(b) OF SECTION 48.1 OF THIS ARTICLE V, WHICH SUBSECTIONS PROTECT AGAINST THE DENIAL OR ABRIDGEMENT OF THE RIGHT TO VOTE DUE TO A PERSON'S RACE OR LANGUAGE MINORITY GROUP.

(IV) "COMMUNITY OF INTEREST" DOES NOT INCLUDE RELATIONSHIPS WITH POLITICAL PARTIES, INCUMBENTS, OR POLITICAL CANDIDATES.

(c) "RACE" OR "RACIAL" MEANS A CATEGORY OF RACE OR ETHNIC ORIGIN DOCUMENTED IN THE FEDERAL DECENNIAL CENSUS.

(d) "REDISTRICTING YEAR" MEANS THE YEAR FOLLOWING THE YEAR IN WHICH THE FEDERAL DECENNIAL CENSUS IS TAKEN.

(e) "STAFF" OR "NONPARTISAN STAFF" MEANS THE STAFF OF THE GENERAL ASSEMBLY'S LEGISLATIVE COUNCIL AND OFFICE OF LEGISLATIVE LEGAL SERVICES, OR THEIR SUCCESSOR OFFICES, WHO ARE ASSIGNED TO ASSIST THE COMMISSION BY THE DIRECTORS OF THOSE OFFICES IN ACCORDANCE WITH SECTION 48 OF THIS ARTICLE V.

(4) **Adjustment of dates.** IF ANY DATE PRESCRIBED IN SECTIONS 47 THROUGH 48.3 OF THIS ARTICLE V FALLS ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THEN THE DATE IS EXTENDED TO THE NEXT DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY.

In the constitution of the state of Colorado, **repeal and reenact, with amendments**, section 47 of article V as follows:

Section 47. Commission composition and appointment - vacancies. (1) AFTER EACH FEDERAL DECENNIAL CENSUS OF THE UNITED STATES, THE MEMBERS OF THE COMMISSION SHALL BE APPOINTED AND CONVENED AS PRESCRIBED IN THIS SECTION.

(2) THE COMMISSION CONSISTS OF TWELVE MEMBERS WHO HAVE THE FOLLOWING QUALIFICATIONS:

(a) COMMISSIONERS MUST BE REGISTERED ELECTORS WHO VOTED IN BOTH OF THE PREVIOUS TWO GENERAL ELECTIONS IN COLORADO;

(b) COMMISSIONERS MUST EITHER HAVE BEEN UNAFFILIATED WITH ANY POLITICAL PARTY OR HAVE BEEN AFFILIATED WITH THE SAME POLITICAL PARTY FOR A CONSECUTIVE PERIOD OF NO LESS THAN FIVE YEARS AT THE TIME OF THE APPLICATION; AND

(c) NO PERSON MAY BE APPOINTED TO OR SERVE ON THE COMMISSION IF HE OR SHE:

(I) IS OR HAS BEEN A CANDIDATE FOR THE GENERAL ASSEMBLY WITHIN THE LAST FIVE YEARS PRECEDING THE DATE ON WHICH APPLICATIONS FOR APPOINTMENT TO THE COMMISSION ARE DUE UNDER SUBSECTION (4) OF THIS SECTION;

(II) IS OR HAS BEEN, WITHIN THE LAST THREE YEARS PRECEDING THE DATE ON WHICH APPLICATIONS FOR APPOINTMENT TO THE COMMISSION ARE DUE UNDER SUBSECTION (4) OF THIS SECTION, COMPENSATED BY A MEMBER OF, OR A CAMPAIGN COMMITTEE ADVOCATING THE ELECTION OF A CANDIDATE TO, THE GENERAL ASSEMBLY;

(III) IS OR HAS BEEN, WITHIN THE LAST THREE YEARS PRECEDING THE DATE ON WHICH APPLICATIONS FOR APPOINTMENT TO THE COMMISSION ARE DUE UNDER SUBSECTION (4) OF THIS SECTION, AN ELECTED PUBLIC OFFICIAL AT THE FEDERAL, STATE, COUNTY, OR MUNICIPAL LEVEL IN COLORADO;

(IV) IS OR HAS BEEN, WITHIN THE LAST THREE YEARS PRECEDING THE DATE ON WHICH APPLICATIONS FOR APPOINTMENT TO THE COMMISSION ARE DUE UNDER SUBSECTION (4) OF THIS SECTION, AN ELECTED POLITICAL PARTY OFFICIAL ABOVE THE PRECINCT LEVEL IN COLORADO OR AN EMPLOYEE OF A POLITICAL PARTY;

(V) IS A MEMBER OF THE COMMISSION RESPONSIBLE FOR DIVIDING THE STATE INTO CONGRESSIONAL DISTRICTS; OR

(VI) IS OR HAS BEEN A PROFESSIONAL LOBBYIST REGISTERED TO LOBBY WITH THE STATE OF COLORADO, WITH ANY MUNICIPALITY IN COLORADO, OR AT THE FEDERAL LEVEL WITHIN THE LAST THREE YEARS PRECEDING THE DATE ON WHICH APPLICATIONS FOR APPOINTMENT TO THE COMMISSION ARE DUE UNDER SUBSECTION (4) OF THIS SECTION.

(3) (a) BY AUGUST 10 OF THE YEAR PRIOR TO THE REDISTRICTING YEAR, NONPARTISAN STAFF SHALL, AFTER HOLDING ONE OR MORE PUBLIC HEARINGS, PREPARE AN APPLICATION FORM THAT WILL ALLOW APPOINTING AUTHORITIES TO EVALUATE A PERSON'S EXPERIENCE AND QUALIFICATIONS AND MAKE SUCH APPLICATION AVAILABLE ON THE GENERAL ASSEMBLY'S WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC.

(b) THE APPLICATION FORM MUST CLEARLY STATE THE LEGAL OBLIGATIONS AND EXPECTATIONS OF POTENTIAL APPOINTEES. INFORMATION REQUIRED OF APPLICANTS MUST INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, PROFESSIONAL BACKGROUND, PARTY AFFILIATION, A DESCRIPTION OF PAST POLITICAL ACTIVITY, A LIST OF ALL POLITICAL AND CIVIC ORGANIZATIONS TO WHICH THE APPLICANT HAS BELONGED WITHIN THE PREVIOUS FIVE YEARS, AND WHETHER THE APPLICANT MEETS THE QUALIFICATIONS STATED IN SUBSECTION (2) OF THIS SECTION. IN ADDITION, THE APPLICATION FORM MUST REQUIRE THE APPLICANT TO EXPLAIN WHY THEY WANT TO SERVE ON THE COMMISSION AND AFFORD THE APPLICANT AN OPPORTUNITY TO MAKE A STATEMENT ABOUT HOW THEY WILL PROMOTE CONSENSUS AMONG COMMISSIONERS IF APPOINTED TO THE COMMISSION. APPLICANTS MAY ALSO CHOOSE TO INCLUDE UP TO FOUR LETTERS OF RECOMMENDATION WITH THEIR APPLICATION.

(4) BY NOVEMBER 10 OF THE YEAR PRIOR TO THE REDISTRICTING YEAR, ANY PERSON WHO SEEKS TO SERVE ON THE COMMISSION MUST SUBMIT A COMPLETED APPLICATION TO NONPARTISAN STAFF. ALL APPLICATIONS ARE PUBLIC RECORDS AND MUST BE POSTED PROMPTLY AFTER RECEIPT ON THE GENERAL ASSEMBLY'S WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC.

(5) (a) NO LATER THAN JANUARY 5 OF THE REDISTRICTING YEAR, THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL DESIGNATE A PANEL TO REVIEW THE APPLICATIONS. THE PANEL MUST CONSIST OF THE THREE JUSTICES OR JUDGES WHO MOST RECENTLY RETIRED FROM THE COLORADO SUPREME COURT OR THE COLORADO COURT OF APPEALS, APPOINTED SEQUENTIALLY STARTING WITH THE MOST RECENT JUSTICE OR JUDGE TO RETIRE WHO HAS BEEN AFFILIATED WITH THE SAME POLITICAL PARTY OR UNAFFILIATED WITH ANY POLITICAL PARTY FOR THE TWO YEARS PRIOR TO APPOINTMENT; EXCEPT THAT NO APPOINTEE, WITHIN TWO YEARS PRIOR TO APPOINTMENT, SHALL HAVE BEEN AFFILIATED WITH THE SAME POLITICAL PARTY AS A JUSTICE OR JUDGE ALREADY APPOINTED TO THE PANEL. IF ANY OF THE THREE JUSTICES OR JUDGES WHO MOST RECENTLY RETIRED FROM THE COLORADO SUPREME COURT OR THE COLORADO COURT OF APPEALS IS UNABLE OR UNWILLING TO SERVE ON THE PANEL OR HAS BEEN AFFILIATED WITHIN TWO YEARS PRIOR TO APPOINTMENT WITH A POLITICAL PARTY ALREADY REPRESENTED ON THE PANEL, THEN THE CHIEF JUSTICE SHALL APPOINT THE NEXT JUSTICE OR JUDGE WHO MOST RECENTLY RETIRED FROM THE COLORADO SUPREME COURT OR THE COLORADO COURT OF APPEALS AND WHO HAS NOT BEEN AFFILIATED WITHIN TWO YEARS PRIOR TO APPOINTMENT WITH THE SAME POLITICAL PARTY AS ANY JUSTICE OR JUDGE ALREADY APPOINTED TO THE PANEL. IF, AFTER CONSIDERING ALL JUSTICES AND JUDGES WHO HAVE RETIRED FROM THE COLORADO SUPREME COURT AND THE COLORADO COURT OF APPEALS, FEWER THAN THREE ELIGIBLE PARTICIPANTS FOR THE PANEL HAVE BEEN IDENTIFIED WHO ARE ABLE AND WILLING TO SERVE, THE CHIEF JUSTICE SHALL APPOINT THE MOST RECENTLY RETIRED DISTRICT COURT JUDGE WHO HAS NOT BEEN AFFILIATED WITHIN TWO YEARS PRIOR TO APPOINTMENT WITH THE SAME POLITICAL PARTY AS ANY PREVIOUS APPOINTEE TO THE PANEL AND WHO ACCEPTS SUCH APPOINTMENT. NO JUSTICE OR JUDGE SHALL SERVE BOTH ON THIS PANEL AND THE PANEL ASSISTING IN THE PROCESS OF CHOOSING MEMBERS OF THE COMMISSION RESPONSIBLE FOR DIVIDING THE STATE INTO CONGRESSIONAL DISTRICTS.

(b) ALL DECISIONS OF THE PANEL REGARDING THE SELECTION OF APPLICANTS PURSUANT TO THIS SECTION REQUIRE THE AFFIRMATIVE APPROVAL OF ALL THREE MEMBERS OF THE PANEL.

(c) THE GENERAL ASSEMBLY SHALL PRESCRIBE BY LAW THE COMPENSATION OF MEMBERS OF THE PANEL. NONPARTISAN STAFF SHALL ASSIST THE PANEL IN CARRYING OUT ITS DUTIES.

(6) AFTER APPLICATIONS ARE SUBMITTED, NONPARTISAN STAFF, WITH THE COOPERATION AND ASSISTANCE OF THE SECRETARY OF STATE, SHALL MAKE AN OBJECTIVE AND FACTUAL FINDING BASED ON, TO THE EXTENT POSSIBLE, PUBLICLY AVAILABLE INFORMATION, INCLUDING INFORMATION CONTAINED IN THE APPLICATION AND INFORMATION CONTAINED WITHIN THE RECORDS MAINTAINED BY THE SECRETARY OF STATE, WHETHER EACH APPLICANT MEETS THE QUALIFICATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION. NO LATER THAN JANUARY 11 OF THE REDISTRICTING YEAR, NONPARTISAN STAFF SHALL MAKE ITS FINDINGS PUBLICLY AVAILABLE, AND NOTIFY THE APPLICANTS OF THE STAFF'S FINDING. IF THE STAFF FINDS THAT AN APPLICANT IS NOT ELIGIBLE, THEN THE STAFF SHALL INCLUDE THE REASONS IN ITS FINDING.

(7) BY JANUARY 25 OF THE REDISTRICTING YEAR, THE PANEL, IN A PUBLIC MEETING, SHALL RANDOMLY SELECT BY LOT FROM ALL OF THE APPLICANTS WHO WERE FOUND TO MEET THE QUALIFICATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION THE NAMES OF THREE HUNDRED APPLICANTS WHO ARE AFFILIATED WITH THE STATE'S LARGEST POLITICAL PARTY, THREE HUNDRED APPLICANTS WHO ARE AFFILIATED WITH THE STATE'S SECOND LARGEST POLITICAL PARTY, AND FOUR HUNDRED FIFTY APPLICANTS WHO ARE NOT AFFILIATED WITH ANY POLITICAL PARTY, OR SUCH LESSER NUMBER AS THERE ARE TOTAL APPLICANTS WHO MEET THE QUALIFICATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION FOR EACH OF THOSE GROUPS.

(8) (a) IN ONE OR MORE PUBLIC HEARINGS CONDUCTED ON OR BEFORE FEBRUARY 15 OF THE REDISTRICTING YEAR, AFTER REVIEWING THE APPLICATIONS OF THE APPLICANTS SELECTED IN ACCORDANCE WITH SUBSECTION (7) OF THIS SECTION, THE PANEL SHALL IDENTIFY FIFTY APPLICANTS WHO ARE AFFILIATED WITH THE STATE'S LARGEST POLITICAL PARTY, FIFTY APPLICANTS WHO ARE IDENTIFIED WITH THE STATE'S SECOND LARGEST POLITICAL PARTY, AND FIFTY APPLICANTS WHO ARE UNAFFILIATED WITH ANY POLITICAL PARTY AND WHO BEST DEMONSTRATE:

(I) EXPERIENCE IN ORGANIZING, REPRESENTING, ADVOCATING FOR, ADJUDICATING THE INTERESTS OF, OR ACTIVELY PARTICIPATING IN GROUPS, ORGANIZATIONS, OR ASSOCIATIONS IN COLORADO; AND

(II) RELEVANT ANALYTICAL SKILLS, THE ABILITY TO BE IMPARTIAL, AND THE ABILITY TO PROMOTE CONSENSUS ON THE COMMISSION.

(b) NO LATER THAN FEBRUARY 15 OF THE REDISTRICTING YEAR, FROM THE APPLICANTS IDENTIFIED IN SUBSECTION (8)(a) OF THIS SECTION, THE PANEL SHALL CHOOSE BY LOT SIX APPLICANTS TO SERVE ON THE COMMISSION AS FOLLOWS:

- (I) TWO COMMISSIONERS WHO ARE NOT AFFILIATED WITH ANY POLITICAL PARTY;
- (II) TWO COMMISSIONERS WHO ARE AFFILIATED WITH THE STATE'S LARGEST POLITICAL PARTY; AND
- (III) TWO COMMISSIONERS WHO ARE AFFILIATED WITH THE STATE'S SECOND LARGEST POLITICAL PARTY.

(c) IN THE PROCESS OF CHOOSING APPLICANTS BY LOT FOR APPOINTMENT TO THE COMMISSION, NO APPLICANT WHOSE NAME IS CHOSEN MAY BE APPOINTED IF HE OR SHE IS REGISTERED TO VOTE IN A CONGRESSIONAL DISTRICT THAT IS ALREADY REPRESENTED ON THE COMMISSION; EXCEPT THAT, WHEN ALL THEN-EXISTING CONGRESSIONAL DISTRICTS IN COLORADO ARE REPRESENTED ON THE COMMISSION, A CONGRESSIONAL DISTRICT MAY BE REPRESENTED BY A SECOND COMMISSIONER. NO CONGRESSIONAL DISTRICT MAY BE REPRESENTED BY MORE THAN TWO COMMISSIONERS. ANY PERSONS WHOSE NAMES ARE CHOSEN BUT DUPLICATE A CONGRESSIONAL DISTRICT'S REPRESENTATION ON THE COMMISSION AND ARE NOT APPOINTED TO THE COMMISSION SHALL BE ELIGIBLE FOR APPOINTMENT PURSUANT TO SUBSECTIONS (9) AND (10) OF THIS SECTION.

(9) (a) BY FEBRUARY 16 OF THE REDISTRICTING YEAR, THE MAJORITY LEADER OF THE STATE SENATE, THE MINORITY LEADER OF THE STATE SENATE, THE MAJORITY LEADER OF THE STATE HOUSE OF REPRESENTATIVES, AND THE MINORITY LEADER OF THE STATE HOUSE OF REPRESENTATIVES SHALL EACH SELECT A POOL OF TEN APPLICANTS WHO ARE AFFILIATED WITH ONE OF THE STATE'S TWO LARGEST POLITICAL PARTIES FROM ALL APPLICATIONS SUBMITTED TO NONPARTISAN STAFF AND NOTIFY THE PANEL OF THEIR SELECTIONS.

(b) AS DETERMINED BY THE LEGISLATIVE LEADERS IN SELECTING THEIR RESPECTIVE POOLS, THE APPLICANTS SELECTED FOR EACH POOL MUST MEET THE QUALIFICATIONS SET FORTH IN SUBSECTION (2) OF THIS SECTION AND DEMONSTRATE THE QUALITIES LISTED IN SUBSECTION (6)(a) OF THIS SECTION.

(c) FOR EACH CONGRESSIONAL DISTRICT NOT REPRESENTED BY A COMMISSIONER APPOINTED PURSUANT TO SUBSECTIONS (8)(b) AND (8)(c) OF THIS SECTION, EACH POOL MUST CONSIST OF AT LEAST ONE APPLICANT WHO IS REGISTERED TO VOTE IN THAT CONGRESSIONAL DISTRICT.

(d) IF THERE IS AN INSUFFICIENT NUMBER OF AVAILABLE APPLICANTS THAT MEET THE REQUIREMENTS OF SUBSECTION (9)(b) OF THIS SECTION TO SELECT ANY COMPLETE POOL, THEN THE POOL MUST CONSIST OF ONLY THOSE APPLICANTS WHO MEET THOSE REQUIREMENTS.

(10) BY MARCH 16 OF THE REDISTRICTING YEAR, THE PANEL OF JUDGES SHALL SELECT, IN SUCH ORDER AS THE PANEL DETERMINES, ONE COMMISSIONER FROM EACH LEGISLATIVE LEADER'S POOL OF APPLICANTS AND TWO COMMISSIONERS FROM THOSE APPLICANTS WHO ARE NOT AFFILIATED WITH ANY POLITICAL PARTY AND WHOSE NAMES WERE RANDOMLY SELECTED BY LOT PURSUANT TO SUBSECTION (7) OF THIS SECTION. THE PANEL OF JUDGES MUST ENSURE THAT THE COMMISSION INCLUDES FOUR COMMISSIONERS WHO ARE NOT AFFILIATED WITH ANY POLITICAL PARTY, FOUR COMMISSIONERS WHO ARE AFFILIATED WITH THE STATE'S LARGEST POLITICAL PARTY, AND FOUR COMMISSIONERS WHO ARE AFFILIATED WITH THE STATE'S SECOND LARGEST POLITICAL PARTY. THE PANEL OF JUDGES MAY INTERVIEW APPLICANTS BEFORE MAKING THE APPOINTMENTS. IN SELECTING APPLICANTS, THE PANEL SHALL, IN ADDITION TO CONSIDERING APPLICANTS' OTHER QUALIFICATIONS:

- (a) TO THE EXTENT POSSIBLE, ENSURE THAT THE COMMISSION REFLECTS COLORADO'S RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC DIVERSITY;
- (b) ENSURE THAT AT LEAST ONE COMMISSIONER IS REGISTERED TO VOTE IN EACH CONGRESSIONAL DISTRICT BUT NO MORE THAN TWO COMMISSIONERS ARE REGISTERED TO VOTE IN ANY SINGLE CONGRESSIONAL DISTRICT;
- (c) ENSURE THAT AT LEAST ONE COMMISSIONER RESIDES WEST OF THE CONTINENTAL DIVIDE; AND
- (d) ENSURE THAT ALL COMMISSIONERS MEET THE QUALIFICATIONS SET FORTH IN SUBSECTION (2) OF THIS SECTION AND DEMONSTRATE THE QUALITIES LISTED IN SUBSECTION (8)(a) OF THIS SECTION.

(11) (a) A COMMISSIONER'S POSITION ON THE COMMISSION WILL BE DEEMED VACANT IF HE OR SHE, HAVING BEEN APPOINTED AS A REGISTERED ELECTOR WHO IS NOT AFFILIATED WITH A POLITICAL PARTY, AFFILIATES WITH A POLITICAL PARTY BEFORE THE SUPREME COURT HAS APPROVED A PLAN PURSUANT TO SECTION 48.3 OF THIS ARTICLE V. A COMMISSIONER'S POSITION ON THE COMMISSION WILL ALSO BE DEEMED VACANT IF HE OR SHE, HAVING BEEN AFFILIATED WITH ONE OF THE STATE'S TWO LARGEST POLITICAL PARTIES AT THE TIME OF APPOINTMENT, AFFILIATES WITH A DIFFERENT POLITICAL PARTY OR BECOMES UNAFFILIATED WITH ANY POLITICAL PARTY BEFORE THE SUPREME COURT HAS APPROVED A PLAN PURSUANT TO SECTION 48.3 OF THIS ARTICLE V.

(b) ANY VACANCY ON THE COMMISSION, INCLUDING ONE THAT OCCURS DUE TO DEATH, RESIGNATION, REMOVAL, FAILURE TO MEET THE QUALIFICATIONS OF APPOINTMENT, REFUSAL OR INABILITY TO ACCEPT AN APPOINTMENT, OR OTHERWISE, MUST BE FILLED AS SOON AS POSSIBLE BY THE DESIGNATED APPOINTING AUTHORITY FROM THE DESIGNATED POOL OF ELIGIBLE APPLICANTS FOR THAT COMMISSIONER'S POSITION AND IN THE SAME MANNER AS THE ORIGINALLY CHOSEN COMMISSIONER; EXCEPT THAT NO COMMISSIONER CHOSEN TO FILL A VACANCY WILL BE BYPASSED FOR APPOINTMENT IF ALL CONGRESSIONAL DISTRICTS ARE ALREADY REPRESENTED ON THE COMMISSION.

(12) FOR PURPOSES OF THIS SECTION, THE STATE'S TWO LARGEST POLITICAL PARTIES SHALL BE DETERMINED BY THE NUMBER OF REGISTERED ELECTORS AFFILIATED WITH EACH POLITICAL PARTY IN THE STATE ACCORDING TO VOTER REGISTRATION DATA PUBLISHED BY THE SECRETARY OF STATE FOR THE EARLIEST DAY IN JANUARY OF THE REDISTRICTING YEAR FOR WHICH SUCH DATA IS PUBLISHED.

In the constitution of the state of Colorado, **repeal and reenact, with amendments**, section 48 of article V as follows:

Section 48. Commission organization - procedures - transparency - voting requirements.

(1) **Initial organization, officers, procedures, rules, and transparency.** (a) THE GOVERNOR SHALL CONVENE THE COMMISSION NO LATER THAN MARCH 30 OF THE REDISTRICTING YEAR AND APPOINT A TEMPORARY CHAIRPERSON FROM THE COMMISSION'S MEMBERS. UPON CONVENING, THE COMMISSION SHALL ELECT A CHAIR AND A VICE-CHAIR, WHO ARE NOT MEMBERS OF THE SAME POLITICAL PARTY, AND OTHER SUCH OFFICERS AS IT DETERMINES.

(b) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES, OR THE DIRECTORS OF SUCCESSOR NONPARTISAN OFFICES OF THE GENERAL ASSEMBLY, SHALL APPOINT NONPARTISAN STAFF FROM THEIR RESPECTIVE OFFICES AS NEEDED TO ASSIST THE COMMISSION AND THE PANEL OF JUDGES AS DESCRIBED IN SECTION 47 OF THIS ARTICLE V. NONPARTISAN STAFF SHALL ACQUIRE AND PREPARE ALL NECESSARY RESOURCES, INCLUDING COMPUTER HARDWARE, SOFTWARE, AND DEMOGRAPHIC, GEOGRAPHIC, AND POLITICAL DATABASES, AS FAR IN ADVANCE AS NECESSARY TO ENABLE THE COMMISSION TO BEGIN ITS WORK IMMEDIATELY UPON CONVENING.

(c) THE COMMISSION MAY RETAIN LEGAL COUNSEL IN ALL ACTIONS AND PROCEEDINGS IN CONNECTION WITH THE PERFORMANCE OF ITS POWERS, DUTIES, AND FUNCTIONS, INCLUDING REPRESENTATION OF THE COMMISSION BEFORE ANY COURT.

(d) THE GENERAL ASSEMBLY SHALL APPROPRIATE SUFFICIENT FUNDS FOR THE PAYMENT OF THE EXPENSES OF THE COMMISSION, THE COMPENSATION AND EXPENSES OF NONPARTISAN STAFF, AND THE COMPENSATION AND EXPENSES OF THE PANEL OF JUDGES AS DESCRIBED IN SECTION 47 OF THIS ARTICLE V. MEMBERS OF THE COMMISSION SHALL BE REIMBURSED FOR THEIR REASONABLE AND NECESSARY EXPENSES AND MAY ALSO RECEIVE SUCH PER DIEM ALLOWANCE AS MAY BE ESTABLISHED BY THE GENERAL ASSEMBLY. SUBJECT TO AVAILABLE APPROPRIATIONS, HARDWARE AND SOFTWARE NECESSARY FOR THE DEVELOPMENT OF PLANS MAY, AT THE REQUEST OF ANY COMMISSIONER, BE PROVIDED TO THE COMMISSIONER. THE COMMISSION AND ITS STAFF MUST HAVE ACCESS TO STATISTICAL INFORMATION COMPILED BY THE STATE AND ITS POLITICAL SUBDIVISIONS AS NECESSARY FOR ITS DUTIES. STATE AGENCIES AND POLITICAL SUBDIVISIONS SHALL COMPLY WITH REQUESTS FROM THE COMMISSION AND ITS STAFF FOR SUCH STATISTICAL INFORMATION.

(e) THE COMMISSION SHALL ADOPT RULES TO GOVERN ITS ADMINISTRATION AND OPERATION. THE COMMISSION MUST PROVIDE AT LEAST SEVENTY-TWO HOURS OF ADVANCE PUBLIC NOTICE OF ALL PROPOSED RULES PRIOR TO CONSIDERATION FOR ADOPTION; EXCEPT THAT PROPOSED RULES MAY BE AMENDED DURING

COMMISSION DELIBERATIONS WITHOUT SUCH ADVANCE NOTICE OF SPECIFIC, RELATED AMENDMENTS. NEITHER THE COMMISSION'S PROCEDURAL RULES NOR ITS MAPPING DECISIONS ARE SUBJECT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., OR ANY SUCCESSOR STATUTE. RULES MUST INCLUDE BUT NEED NOT BE LIMITED TO THE FOLLOWING:

- (I) THE HEARING PROCESS AND REVIEW OF MAPS SUBMITTED FOR ITS CONSIDERATION;
- (II) MAINTENANCE OF A RECORD OF THE COMMISSION'S ACTIVITIES AND PROCEEDINGS, INCLUDING A RECORD OF WRITTEN AND ORAL TESTIMONY RECEIVED, AND OF THE COMMISSION'S DIRECTIONS TO NONPARTISAN STAFF ON PROPOSED CHANGES TO ANY PLAN AND THE COMMISSION'S RATIONALE FOR SUCH CHANGES;
- (III) THE PROCESS FOR REMOVING COMMISSIONERS FOR PARTICIPATING IN COMMUNICATIONS PROHIBITED UNDER THIS SECTION;
- (IV) THE PROCESS FOR RECOMMENDING CHANGES TO PLANS SUBMITTED TO THE COMMISSION BY NONPARTISAN STAFF; AND
- (V) THE ADOPTION OF A STATEWIDE MEETING AND HEARING SCHEDULE, INCLUDING THE NECESSARY ELEMENTS OF ELECTRONIC ATTENDANCE AT A COMMISSION HEARING.

(2) Voting requirements. A SIMPLE MAJORITY OF THE APPOINTED COMMISSIONERS MAY APPROVE RULES AND PROCEDURAL DECISIONS. THE ELECTION OF THE COMMISSION'S CHAIR AND VICE-CHAIR REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST EIGHT COMMISSIONERS, INCLUDING THE AFFIRMATIVE VOTE OF AT LEAST ONE COMMISSIONER WHO IS UNAFFILIATED WITH ANY POLITICAL PARTY. REMOVAL OF ANY COMMISSIONER AS PROVIDED IN THIS SECTION REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST EIGHT COMMISSIONERS, INCLUDING THE AFFIRMATIVE VOTE OF AT LEAST TWO COMMISSIONERS WHO ARE UNAFFILIATED WITH ANY POLITICAL PARTY. ADOPTION OF THE FINAL PLAN FOR SUBMISSION TO THE SUPREME COURT AND THE ADOPTION OF A REVISED PLAN AFTER A PLAN IS RETURNED TO THE COMMISSION FROM THE SUPREME COURT REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST EIGHT COMMISSIONERS, INCLUDING THE AFFIRMATIVE VOTE OF AT LEAST TWO COMMISSIONERS WHO ARE UNAFFILIATED WITH ANY POLITICAL PARTY. THE COMMISSION SHALL NOT VOTE UPON A FINAL PLAN UNTIL AT LEAST SEVENTY-TWO HOURS AFTER IT HAS BEEN PROPOSED TO THE COMMISSION IN A PUBLIC MEETING OR AT LEAST SEVENTY-TWO HOURS AFTER IT HAS BEEN AMENDED BY THE COMMISSION IN A PUBLIC MEETING, WHICHEVER OCCURS LATER; EXCEPT THAT COMMISSIONERS MAY UNANIMOUSLY WAIVE THE SEVENTY-TWO HOUR REQUIREMENT.

(3) Public involvement - hearing process. (a) ALL COLORADO RESIDENTS, INCLUDING INDIVIDUAL COMMISSIONERS, MAY PRESENT PROPOSED REDISTRICTING MAPS OR WRITTEN COMMENTS, OR BOTH, FOR THE COMMISSION'S CONSIDERATION.

(b) THE COMMISSION MUST, TO THE MAXIMUM EXTENT PRACTICABLE, PROVIDE OPPORTUNITIES FOR COLORADO RESIDENTS TO PRESENT TESTIMONY AT HEARINGS HELD THROUGHOUT THE STATE. THE COMMISSION SHALL NOT APPROVE A REDISTRICTING MAP UNTIL AT LEAST THREE HEARINGS HAVE BEEN HELD IN EACH CONGRESSIONAL DISTRICT, INCLUDING AT LEAST ONE HEARING THAT IS HELD IN A LOCATION WEST OF THE CONTINENTAL DIVIDE AND AT LEAST ONE HEARING THAT IS HELD IN A LOCATION EAST OF THE CONTINENTAL DIVIDE AND EITHER SOUTH OF EL PASO COUNTY'S SOUTHERN BOUNDARY OR EAST OF ARAPAHOE COUNTY'S EASTERN BOUNDARY. NO GATHERING OF COMMISSIONERS CAN BE CONSIDERED A HEARING FOR THIS PURPOSE UNLESS IT IS ATTENDED, IN PERSON OR ELECTRONICALLY, BY AT LEAST TEN COMMISSIONERS. THE COMMISSION SHALL ESTABLISH BY RULE THE NECESSARY ELEMENTS OF ELECTRONIC ATTENDANCE AT A COMMISSION HEARING.

(c) THE COMMISSION SHALL MAINTAIN A WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC THROUGH WHICH ANY COLORADO RESIDENT MAY SUBMIT PROPOSED MAPS OR WRITTEN COMMENTS, OR BOTH, WITHOUT ATTENDING A HEARING OF THE COMMISSION.

(d) THE COMMISSION SHALL PUBLISH ALL WRITTEN COMMENTS PERTAINING TO REDISTRICTING ON ITS WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC AS WELL AS THE NAME OF THE COLORADO RESIDENT SUBMITTING SUCH COMMENTS. IF THE COMMISSION OR NONPARTISAN STAFF HAVE A

SUBSTANTIAL BASIS TO BELIEVE THAT THE PERSON SUBMITTING SUCH COMMENTS HAS NOT TRUTHFULLY OR ACCURATELY IDENTIFIED HIMSELF OR HERSELF, THE COMMISSION NEED NOT CONSIDER AND NEED NOT PUBLISH SUCH COMMENTS BUT MUST NOTIFY THE COMMENTER IN WRITING OF THIS FACT. THE COMMISSION MAY WITHHOLD COMMENTS, IN WHOLE OR IN PART, FROM THE WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC THAT DO NOT RELATE TO REDISTRICTING MAPS, POLICIES, OR COMMUNITIES OF INTEREST.

(e) THE COMMISSION SHALL PROVIDE SIMULTANEOUS ACCESS TO THE REGIONAL HEARINGS BY BROADCASTING THEM VIA ITS WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC AND MAINTAIN AN ARCHIVE OF SUCH HEARINGS FOR ONLINE PUBLIC REVIEW.

(4) Ethical obligations - transparency - lobbyist reporting. (a) COMMISSIONERS ARE GUARDIANS OF THE PUBLIC TRUST AND ARE SUBJECT TO ANTIBRIBERY AND ABUSE OF PUBLIC OFFICE REQUIREMENTS AS PROVIDED IN PARTS 3 AND 4 OF ARTICLE 8 OF TITLE 18, C.R.S., AS AMENDED, OR ANY SUCCESSOR STATUTE.

(b) TO ENSURE TRANSPARENCY IN THE REDISTRICTING PROCESS:

(I) (A) THE COMMISSION AND THE COMMISSIONERS ARE SUBJECT TO OPEN MEETINGS REQUIREMENTS AS PROVIDED IN PART 4 OF ARTICLE 6 OF TITLE 24, C.R.S., AS AMENDED, OR ANY SUCCESSOR STATUTE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (4)(b)(I)(D) OF THIS SECTION, A COMMISSIONER SHALL NOT COMMUNICATE WITH NONPARTISAN STAFF ON THE MAPPING OF LEGISLATIVE DISTRICTS UNLESS THE COMMUNICATION IS DURING A PUBLIC MEETING OR HEARING OF THE COMMISSION.

(C) EXCEPT FOR PUBLIC INPUT AND COMMENT, NONPARTISAN STAFF SHALL NOT HAVE ANY COMMUNICATIONS ABOUT THE CONTENT OR DEVELOPMENT OF ANY PLAN OUTSIDE OF PUBLIC HEARINGS WITH ANYONE EXCEPT OTHER STAFF MEMBERS. NONPARTISAN STAFF SHALL REPORT TO THE COMMISSION ANY ATTEMPT BY ANYONE TO EXERT INFLUENCE OVER THE STAFF'S ROLE IN THE DRAFTING OF PLANS.

(D) ONE OR MORE NONPARTISAN STAFF MAY BE DESIGNATED TO COMMUNICATE WITH COMMISSIONERS REGARDING ADMINISTRATIVE MATTERS, THE DEFINITION AND SCOPE OF WHICH SHALL BE DETERMINED BY THE COMMISSION.

(E) ANY COMMISSIONER WHO PARTICIPATES IN A COMMUNICATION PROHIBITED IN THIS SECTION MUST BE REMOVED FROM THE COMMISSION, AND SUCH VACANCY MUST BE FILLED WITHIN SEVEN DAYS.

(II) THE COMMISSION, EACH COMMISSIONER, AND NONPARTISAN STAFF ARE SUBJECT TO OPEN RECORDS REQUIREMENTS AS PROVIDED IN PART 1 OF ARTICLE 72 OF TITLE 24, C.R.S., AS AMENDED, OR ANY SUCCESSOR STATUTE; EXCEPT THAT MAPS IN DRAFT FORM AND NOT SUBMITTED TO THE COMMISSION ARE NOT PUBLIC RECORDS SUBJECT TO DISCLOSURE. WORK PRODUCT AND COMMUNICATIONS AMONG NONPARTISAN STAFF ARE SUBJECT TO DISCLOSURE ONCE A PLAN IS SUBMITTED TO THE SUPREME COURT.

(III) PERSONS WHO CONTRACT FOR OR RECEIVE COMPENSATION FOR ADVOCATING TO THE COMMISSION, TO ONE OR MORE COMMISSIONERS, OR TO NONPARTISAN STAFF FOR THE ADOPTION OR REJECTION OF ANY MAP, AMENDMENT TO A MAP, MAPPING APPROACH, OR MANNER OF COMPLIANCE WITH ANY OF THE MAPPING CRITERIA SPECIFIED IN SECTION 48.1 OF THIS ARTICLE V ARE LOBBYISTS WHO MUST DISCLOSE TO THE SECRETARY OF STATE ANY COMPENSATION CONTRACTED FOR, COMPENSATION RECEIVED, AND THE PERSON OR ENTITY CONTRACTING OR PAYING FOR THEIR LOBBYING SERVICES. SUCH DISCLOSURE MUST BE MADE NO LATER THAN SEVENTY-TWO HOURS AFTER THE EARLIER OF EACH INSTANCE OF SUCH LOBBYING OR ANY PAYMENT OF SUCH COMPENSATION. THE SECRETARY OF STATE SHALL PUBLISH ON THE SECRETARY OF STATE'S WEBSITE OR COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC THE NAMES OF SUCH LOBBYISTS, AS WELL AS THE COMPENSATION RECEIVED AND THE PERSONS OR ENTITIES FOR WHOM THEY WORK WITHIN TWENTY-FOUR HOURS OF RECEIVING SUCH INFORMATION. THE SECRETARY OF STATE SHALL ADOPT RULES TO FACILITATE THE COMPLETE AND PROMPT REPORTING REQUIRED BY THIS SUBSECTION (4)(b)(III) AS WELL AS A COMPLAINT PROCESS TO ADDRESS ANY LOBBYIST'S FAILURE TO REPORT A FULL AND ACCURATE DISCLOSURE, WHICH COMPLAINT MUST BE HEARD BY AN ADMINISTRATIVE LAW JUDGE, WHOSE DECISION MAY BE APPEALED TO THE COURT OF APPEALS.

In the constitution of the state of Colorado, **add** sections 48.1, 48.2, 48.3, and 48.4 to article V as follows:

Section 48.1. Criteria for determination of legislative districts - definition. (1) IN ADOPTING A LEGISLATIVE REDISTRICTING PLAN, THE COMMISSION SHALL:

(a) MAKE A GOOD-FAITH EFFORT TO ACHIEVE MATHEMATICAL POPULATION EQUALITY BETWEEN DISTRICTS, AS REQUIRED BY THE CONSTITUTION OF THE UNITED STATES, BUT IN NO EVENT SHALL THERE BE MORE THAN FIVE PERCENT DEVIATION BETWEEN THE MOST POPULOUS AND THE LEAST POPULOUS DISTRICT IN EACH HOUSE. DISTRICTS MUST BE COMPOSED OF CONTIGUOUS GEOGRAPHIC AREAS.

(b) COMPLY WITH THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC. 50301, AS AMENDED.

(2) (a) AS MUCH AS IS REASONABLY POSSIBLE, THE COMMISSION'S PLAN MUST PRESERVE WHOLE COMMUNITIES OF INTEREST AND WHOLE POLITICAL SUBDIVISIONS, SUCH AS COUNTIES, CITIES, AND TOWNS. TO FACILITATE THE EFFICIENT AND EFFECTIVE PROVISION OF GOVERNMENTAL SERVICES, WITH REGARD TO ANY COUNTY, CITY, CITY AND COUNTY, OR TOWN WHOSE POPULATION IS LESS THAN A DISTRICT'S PERMITTED POPULATION, THE COMMISSION SHALL PRESUME THAT SUCH COUNTY, CITY, CITY AND COUNTY, OR TOWN SHOULD BE WHOLLY CONTAINED WITHIN A DISTRICT; EXCEPT THAT A DIVISION OF SUCH COUNTY, CITY, CITY AND COUNTY, OR TOWN IS PERMITTED WHERE, BASED ON A PREPONDERANCE OF THE EVIDENCE IN THE RECORD, A COMMUNITY OF INTEREST'S LEGISLATIVE ISSUES ARE MORE ESSENTIAL TO THE FAIR AND EFFECTIVE REPRESENTATION OF RESIDENTS OF THE DISTRICT. WHEN THE COMMISSION DIVIDES A COUNTY, CITY, CITY AND COUNTY, OR TOWN, IT SHALL MINIMIZE THE NUMBER OF DIVISIONS OF THAT COUNTY, CITY, CITY AND COUNTY, OR TOWN.

(b) DISTRICTS MUST BE AS COMPACT AS IS REASONABLY POSSIBLE.

(3) (a) THEREAFTER, THE COMMISSION SHALL, TO THE EXTENT POSSIBLE, MAXIMIZE THE NUMBER OF POLITICALLY COMPETITIVE DISTRICTS.

(b) IN ITS HEARINGS IN VARIOUS LOCATIONS IN THE STATE, THE COMMISSION SHALL SOLICIT EVIDENCE RELEVANT TO COMPETITIVENESS OF ELECTIONS IN COLORADO AND SHALL ASSESS SUCH EVIDENCE IN EVALUATING PROPOSED MAPS.

(c) WHEN THE COMMISSION APPROVES A PLAN, OR WHEN NONPARTISAN STAFF SUBMITS A PLAN IN THE ABSENCE OF THE COMMISSION'S APPROVAL OF A PLAN AS PROVIDED IN SECTION 48.2 OF THIS ARTICLE V, THE NONPARTISAN STAFF SHALL, WITHIN SEVENTY-TWO HOURS OF SUCH ACTION, MAKE PUBLICLY AVAILABLE, AND INCLUDE IN THE COMMISSION'S RECORD, A REPORT TO DEMONSTRATE HOW THE PLAN REFLECTS THE EVIDENCE PRESENTED TO, AND THE FINDINGS CONCERNING, THE EXTENT TO WHICH COMPETITIVENESS IN DISTRICT ELECTIONS IS FOSTERED CONSISTENT WITH THE OTHER CRITERIA SET FORTH IN THIS SECTION.

(d) FOR PURPOSES OF THIS SUBSECTION (3), "COMPETITIVE" MEANS HAVING A REASONABLE POTENTIAL FOR THE PARTY AFFILIATION OF THE DISTRICT'S REPRESENTATIVE TO CHANGE AT LEAST ONCE BETWEEN FEDERAL DECENNIAL CENSUSES. COMPETITIVENESS MAY BE MEASURED BY FACTORS SUCH AS A PROPOSED DISTRICT'S PAST ELECTION RESULTS, A PROPOSED DISTRICT'S POLITICAL PARTY REGISTRATION DATA, AND EVIDENCE-BASED ANALYSES OF PROPOSED DISTRICTS.

(4) NO MAP MAY BE APPROVED BY THE COMMISSION OR GIVEN EFFECT BY THE SUPREME COURT IF:

(a) IT HAS BEEN DRAWN FOR THE PURPOSE OF PROTECTING ONE OR MORE INCUMBENT MEMBERS, OR ONE OR MORE DECLARED CANDIDATES, OF THE SENATE OR HOUSE OF REPRESENTATIVES, OR ANY POLITICAL PARTY; OR

(b) IT HAS BEEN DRAWN FOR THE PURPOSE OF OR RESULTS IN THE DENIAL OR ABRIDGEMENT OF THE RIGHT OF ANY CITIZEN TO VOTE ON ACCOUNT OF THAT PERSON'S RACE OR MEMBERSHIP IN A LANGUAGE MINORITY GROUP, INCLUDING DILUTING THE IMPACT OF THAT RACIAL OR LANGUAGE MINORITY GROUP'S ELECTORAL INFLUENCE.

Section 48.2. Preparation, amendment, and approval of plans - public hearings and participation. (1) THE COMMISSION SHALL BEGIN BY CONSIDERING A PLAN FOR THE STATE SENATE AND A PLAN FOR THE STATE HOUSE OF REPRESENTATIVES, CREATED BY ITS NONPARTISAN STAFF ALONE, TO BE KNOWN AS THE "PRELIMINARY SENATE PLAN" AND THE "PRELIMINARY HOUSE PLAN". SUCH PLANS MUST BE PRESENTED AND PUBLISHED NO EARLIER THAN THIRTY DAYS AND NO LATER THAN FORTY-FIVE DAYS AFTER THE COMMISSION HAS CONVENED OR THE NECESSARY CENSUS DATA ARE AVAILABLE, WHICHEVER IS LATER. WITHIN THE FIRST TWENTY DAYS AFTER THE COMMISSION HAS CONVENED, ANY MEMBER OF THE PUBLIC AND ANY MEMBER OF THE COMMISSION MAY SUBMIT WRITTEN COMMENTS TO NONPARTISAN STAFF ON THE CREATION OF THE PRELIMINARY PLANS AND ON COMMUNITIES OF INTEREST THAT REQUIRE REPRESENTATION IN ONE OR MORE SPECIFIC AREAS OF THE STATE. NONPARTISAN STAFF SHALL CONSIDER SUCH COMMENTS IN CREATING THE PRELIMINARY PLANS, AND SUCH COMMENTS SHALL BE PART OF THE RECORD OF THE COMMISSION'S ACTIVITIES AND PROCEEDINGS. AT THE FIRST PUBLIC HEARING AT WHICH THE PRELIMINARY PLANS ARE PRESENTED, NONPARTISAN STAFF SHALL EXPLAIN HOW THE PLANS WERE CREATED, HOW THE PLANS ADDRESS THE CATEGORIES OF PUBLIC COMMENTS RECEIVED, AND HOW THE PLANS COMPLY WITH THE CRITERIA PRESCRIBED IN SECTION 48.1 OF THIS ARTICLE V.

(2) BY JULY 21 OF THE REDISTRICTING YEAR, THE COMMISSION SHALL COMPLETE PUBLIC HEARINGS ON THE PRELIMINARY SENATE PLAN AND THE PRELIMINARY HOUSE PLAN IN SEVERAL PLACES THROUGHOUT THE STATE IN ACCORDANCE WITH SECTION 48 OF THIS ARTICLE V.

(3) SUBSEQUENT TO HEARINGS ON THE PRELIMINARY SENATE PLAN AND THE PRELIMINARY HOUSE PLAN, NONPARTISAN STAFF SHALL PREPARE, PUBLISH ONLINE, AND PRESENT TO THE COMMISSION NO FEWER THAN THREE PLANS FOR THE STATE SENATE AND THREE PLANS FOR THE STATE HOUSE OF REPRESENTATIVES, EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS SECTION. THESE PLANS WILL BE KNOWN AS THE "STAFF PLANS" AND MUST BE NAMED AND NUMBERED SEQUENTIALLY FOR PURPOSES OF SUBSECTION (6) OF THIS SECTION. STAFF PLANS MUST BE PREPARED, PUBLISHED ONLINE, AND PRESENTED IN ACCORDANCE WITH A TIMETABLE ESTABLISHED BY THE COMMISSION; EXCEPT THAT EACH STAFF PLAN MUST BE PRESENTED TO THE COMMISSION NO FEWER THAN TEN DAYS AFTER THE PRESENTATION OF ANY PREVIOUS STAFF PLAN, AND NO FEWER THAN TWENTY-FOUR HOURS AFTER IT HAS BEEN PUBLISHED ONLINE. IF THE COMMISSION FAILS TO ESTABLISH A TIMETABLE FOR THE PRESENTATION OF STAFF PLANS WITHIN TEN DAYS AFTER THE COMPLETION OF HEARINGS ON THE PRELIMINARY PLAN, NONPARTISAN STAFF SHALL ESTABLISH SUCH TIMETABLE. NONPARTISAN STAFF SHALL KEEP EACH PLAN CONFIDENTIAL UNTIL IT IS PUBLISHED ONLINE OR BY A COMPARABLE MEANS OF COMMUNICATING WITH THE PUBLIC USING GENERALLY AVAILABLE TECHNOLOGIES. THE COMMISSION MAY PROVIDE DIRECTION, IF APPROVED BY AT LEAST EIGHT COMMISSIONERS INCLUDING AT LEAST ONE COMMISSIONER UNAFFILIATED WITH ANY POLITICAL PARTY, FOR THE DEVELOPMENT OF STAFF PLANS THROUGH THE ADOPTION OF STANDARDS, GUIDELINES, OR METHODOLOGIES TO WHICH NONPARTISAN STAFF SHALL ADHERE, INCLUDING STANDARDS, GUIDELINES, OR METHODOLOGIES TO BE USED TO EVALUATE A PLAN'S COMPETITIVENESS, CONSISTENT WITH SUBSECTION (3)(d) OF SECTION 48.1 OF THIS ARTICLE V. IN PREPARING ALL STAFF PLANS, NONPARTISAN STAFF SHALL ALSO CONSIDER PUBLIC TESTIMONY AND PUBLIC COMMENTS RECEIVED BY THE COMMISSION THAT ARE CONSISTENT WITH THE CRITERIA SPECIFIED IN SECTION 48.1 OF THIS ARTICLE V.

(4) ANY COMMISSIONER OR GROUP OF COMMISSIONERS MAY REQUEST NONPARTISAN STAFF TO PREPARE ADDITIONAL PLANS OR AMENDMENTS TO PLANS. ANY SUCH REQUEST MUST BE MADE IN A PUBLIC HEARING OF THE COMMISSION BUT DOES NOT REQUIRE COMMISSION APPROVAL. PLANS OR AMENDMENTS DEVELOPED IN RESPONSE TO SUCH REQUESTS ARE SEPARATE FROM STAFF PLANS, FOR PURPOSES OF SUBSECTION (6) OF THIS SECTION.

(5) (a) THE COMMISSION MAY ADOPT A FINAL SENATE OR HOUSE PLAN AT ANY TIME AFTER PRESENTATION OF THE FIRST STAFF PLANS, IN WHICH CASE NONPARTISAN STAFF DOES NOT NEED TO PREPARE OR PRESENT ADDITIONAL STAFF PLANS FOR THE HOUSE FOR WHICH A MAP HAS BEEN ADOPTED.

(b) NO LATER THAN SEPTEMBER 15 OF THE REDISTRICTING YEAR, THE COMMISSION SHALL ADOPT FINAL SENATE AND HOUSE PLANS, WHICH MUST THEN BE SUBMITTED TO THE SUPREME COURT FOR ITS REVIEW AND DETERMINATION IN ACCORDANCE WITH SECTION 48.3 OF THIS ARTICLE V.

(c) THE COMMISSION MAY ADJUST THE DEADLINES SPECIFIED IN THIS SECTION IF CONDITIONS OUTSIDE OF THE COMMISSION'S CONTROL REQUIRE SUCH AN ADJUSTMENT TO ENSURE ADOPTING A FINAL PLAN AS REQUIRED BY THIS SUBSECTION (5).

(d) THE COMMISSION MAY GRANT ITS NONPARTISAN STAFF THE AUTHORITY TO MAKE TECHNICAL DE MINIMIS ADJUSTMENTS TO THE ADOPTED SENATE AND HOUSE PLANS PRIOR TO THEIR SUBMISSION TO THE SUPREME COURT.

(6) IF, FOR ANY REASON, THE COMMISSION DOES NOT ADOPT A FINAL PLAN FOR BOTH HOUSES OF THE GENERAL ASSEMBLY BY THE DATE SPECIFIED IN SUBSECTION (5) OF THIS SECTION, THEN NONPARTISAN STAFF SHALL SUBMIT THE UNAMENDED THIRD STAFF PLAN TO THE SUPREME COURT FOR REVIEW PURSUANT TO SECTION 48.3 OF THIS ARTICLE V. IF THE COMMISSION APPROVES A PLAN FOR ONE HOUSE OF THE GENERAL ASSEMBLY BUT NOT THE OTHER HOUSE, THEN THE PLAN FOR THE APPROVED HOUSE SHALL BE SUBMITTED TO THE SUPREME COURT AS THE FINAL PLAN FOR THAT HOUSE, AND THE UNAMENDED THIRD STAFF PLAN SHALL BE SUBMITTED TO THE SUPREME COURT AS THE FINAL PLAN FOR THE HOUSE FOR WHICH THE COMMISSION DID NOT APPROVE A PLAN.

Section 48.3. Supreme court review. (1) THE SUPREME COURT SHALL REVIEW THE SUBMITTED PLANS AND DETERMINE WHETHER THE PLANS COMPLY WITH THE CRITERIA LISTED IN SECTION 48.1 OF THIS ARTICLE V. THE COURT'S REVIEW AND DETERMINATION SHALL TAKE PRECEDENCE OVER OTHER MATTERS BEFORE THE COURT. THE SUPREME COURT SHALL ADOPT RULES FOR SUCH PROCEEDINGS AND FOR THE PRODUCTION AND PRESENTATION OF SUPPORTIVE EVIDENCE FOR SUCH PLANS. ANY LEGAL ARGUMENTS CONCERNING SUCH PLANS SHALL BE SUBMITTED TO THE SUPREME COURT PURSUANT TO THE SCHEDULE ESTABLISHED BY THE COURT.

(2) THE SUPREME COURT SHALL APPROVE THE PLANS SUBMITTED UNLESS IT FINDS THAT THE COMMISSION OR NONPARTISAN STAFF, IN THE CASE OF A STAFF PLAN SUBMITTED IN THE ABSENCE OF A COMMISSION-APPROVED PLAN, ABUSED ITS DISCRETION IN APPLYING OR FAILING TO APPLY THE CRITERIA LISTED IN SECTION 48.1 OF THIS ARTICLE V, IN LIGHT OF THE RECORD BEFORE THE COMMISSION. THE SUPREME COURT MAY CONSIDER ANY MAPS SUBMITTED TO THE COMMISSION IN ASSESSING WHETHER THE COMMISSION OR NONPARTISAN STAFF, IN THE CASE OF A STAFF PLAN SUBMITTED IN THE ABSENCE OF A COMMISSION-APPROVED PLAN, ABUSED ITS DISCRETION.

(3) IF THE SUPREME COURT DETERMINES THAT THE SUBMITTED STATE SENATE PLAN OR THE SUBMITTED STATE HOUSE OF REPRESENTATIVES PLAN CONSTITUTES AN ABUSE OF DISCRETION IN APPLYING OR FAILING TO APPLY THE CRITERIA LISTED IN SECTION 48.1 OF THIS ARTICLE V, IN LIGHT OF THE RECORD BEFORE THE COMMISSION, THE SUPREME COURT SHALL RETURN THE RESPECTIVE PLAN TO THE COMMISSION WITH THE COURT'S REASONS FOR DISAPPROVAL.

(4) (a) BY NOVEMBER 15 OF THE REDISTRICTING YEAR, THE SUPREME COURT SHALL APPROVE OR RETURN TO THE COMMISSION THE SUBMITTED STATE SENATE PLAN AND THE SUBMITTED STATE HOUSE OF REPRESENTATIVES PLAN.

(b) IF THE COURT RETURNS A PLAN TO THE COMMISSION, THE COMMISSION SHALL HAVE TWELVE DAYS TO HOLD A COMMISSION HEARING THAT INCLUDES PUBLIC TESTIMONY AND TO RETURN AN ADOPTED PLAN THAT RESOLVES THE COURT'S REASONS FOR DISAPPROVAL.

(c) IF THE COMMISSION FAILS TO ADOPT AND RETURN A PLAN TO THE COURT WITHIN TWELVE DAYS, NONPARTISAN STAFF SHALL HAVE AN ADDITIONAL THREE DAYS TO PREPARE A PLAN THAT RESOLVES THE COURT'S REASONS FOR DISAPPROVAL AND RETURN IT TO THE COURT FOR APPROVAL.

(d) THE SUPREME COURT SHALL REVIEW THE REVISED PLAN IN ACCORDANCE WITH SUBSECTIONS (1), (2), AND (3) OF THIS SECTION.

(5) THE SUPREME COURT SHALL APPROVE PLANS FOR THE REDRAWING OF STATE SENATE DISTRICTS AND STATE HOUSE OF REPRESENTATIVE DISTRICTS NO LATER THAN DECEMBER 29 OF THE REDISTRICTING YEAR. THE COURT SHALL ORDER THAT SUCH PLANS BE FILED WITH THE SECRETARY OF STATE NO LATER THAN SUCH DATE.

Section 48.4. Severability. IF ANY PROVISION OF SECTIONS 46 THROUGH 48.3 OF THIS ARTICLE V IS FOUND BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL, OR IF ANY APPLICATION OF THESE SECTIONS IS FOUND BY SUCH A COURT TO BE UNCONSTITUTIONAL, SUCH INVALIDITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THE REMAINING PROVISIONS OF THESE SECTIONS THAT CAN BE GIVEN EFFECT

WITHOUT THE INVALID PROVISION OR APPLICATION. THE PROVISIONS OF SECTIONS 46 THROUGH 48.3 OF THIS ARTICLE V ARE DEEMED AND DECLARED SEVERABLE.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning a change to the manner in which state senate and state house of representatives districts are drawn, and, in connection therewith, reforming the existing legislative reapportionment commission by expanding the commission to twelve members and authorizing the appointment of members who possess specified qualifications; prohibiting any one political party's control of the commission by requiring that one-third of commissioners will not be affiliated with any political party, one-third of the commissioners will be affiliated with the state's largest political party, and one-third of the commissioners will be affiliated with the state's second largest political party; prohibiting certain persons, including professional lobbyists, federal campaign committee employees, and federal, state, and local elected officials, from serving on the commission; limiting judicial review of a map to a determination by the supreme court of whether the commission or its nonpartisan staff committed an abuse of discretion; requiring the commission to draw state legislative districts using communities of interest as well as political subdivisions, such as cities and counties, and then to maximize the number of competitive state legislative seats to the extent possible; and prohibiting maps from being drawn to dilute the electoral influence of any racial or ethnic group or to protect any incumbent, any political candidate, or any political party?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution

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Redistricting commissions

A **redistricting commission** is a body vested with the authority to draft and implement [electoral district maps](#). The composition of commissions varies from state to state. In general, a redistricting commission can take one of two forms: a non-politician commission, whose members cannot hold political office, and a politician commission, whose members can hold office. In 2015, the [Supreme Court of the United States](#) issued its decision in [Arizona State Legislature v. Arizona Independent Redistricting Commission](#), ruling 5-4 that redistricting commissions do not violate the [United States Constitution](#).^{[1][2]}

HIGHLIGHTS

- **Congressional redistricting:** Eight states use commissions for congressional redistricting: Arizona, California, Colorado, Hawaii, Idaho, Michigan, New Jersey, and Washington. Seven of these are non-politician commissions. One (New Jersey's) is a politician commission.
- **State legislative redistricting:** Fourteen states use commissions for state legislative redistricting: Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Michigan, Missouri, Montana, New Jersey, Ohio, Pennsylvania, and Washington. Nine of these are non-politician commissions. The rest are politician commissions.



[Redistricting](#)
[State-by-state](#)
[redistricting procedures](#)
[Majority-minority districts](#)
[Congressional district](#)
[demographics](#)
[United States census,](#)
[2020](#)

PUBLICPOLICY

Use in congressional and state legislative redistricting

Details by state

Redistricting commissions [hide]		
State	Type	Number of commissioners
Alaska	Non-politician	5
Arizona	Non-politician	5
Arkansas	Politician	3
California	Non-politician	14
Colorado	Non-politician	12 (two separate commissions for congressional and state legislative redistricting, each with 12 members)
Hawaii	Non-politician	9
Idaho	Non-politician	6
Michigan	Non-politician	13
Missouri	Politician	18 (House); 10 (Senate)
Montana	Non-politician	5
New Jersey	Politician	13 (congressional); 10 (state legislative)
Ohio	Politician	7 (state legislative)
Pennsylvania	Politician	5 (state legislative)
Washington	Non-politician	5

Legal challenges

Arizona State Legislature v. Arizona Independent Redistricting Commission

See also: [Arizona State Legislature v. Arizona Independent Redistricting Commission](#)

Arizona State Legislature v. Arizona Independent Redistricting Commission, decided by the [Supreme Court of the United States](#) in 2015, established the constitutionality of the use of non-politician commissions in congressional redistricting. At issue was the constitutionality of the Arizona Independent Redistricting Commission, which was established by [state constitutional amendment](#) in 2000. According to Article 1, Section 4, of the [United States Constitution](#), "the Times, Places and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof." The state legislature argued that the use of the word *legislature* in this context

is literal; therefore, only a state legislature may draw congressional district lines. Meanwhile, the commission contended that the word *legislature* ought to be interpreted more broadly to encompass the legislative powers of the state, including voter initiatives and referenda.^{[3][4]}

On June 29, 2015, the [United States Supreme Court](#) ruled 5-4 in favor of the Arizona Independent Redistricting Commission. Justice [Ruth Bader Ginsburg](#) wrote the following in the court's majority opinion:^{[1][5]}

“ The people of Arizona turned to the initiative to curb the practice of gerrymandering and, thereby, to ensure that Members of Congress would have “an habitual recollection of their dependence on the people.” In so acting, Arizona voters sought to restore “the core principle of republican government,” namely, “that the voters should choose their representatives, not the other way around.” The Elections Clause does not hinder that endeavor.^[6] ”

—Ruth Bader Ginsburg

Justices [Anthony Kennedy](#), [Stephen Breyer](#), [Elena Kagan](#), and [Sonia Sotomayor](#) joined Ginsburg in the court's majority opinion. Chief Justice [John Roberts](#) and Justices [Antonin Scalia](#), [Clarence Thomas](#), and [Samuel Alito](#) dissented.^{[1][5]}



Ruth Bader Ginsburg

In his dissent, Roberts argued that the word *legislature* in Article 1, Section 4, of the [United States Constitution](#) ought to be interpreted narrowly to mean the “representative body which makes the laws of the people.”^[1]

“ The people of Arizona have concerns about the process of congressional redistricting in their State. For better or worse, the Elections Clause of the Constitution does not allow them to address those concerns by displacing their legislature. But it does allow them to seek relief from Congress, which can make or alter the regulations prescribed by the legislature.^[6] ”

—John Roberts

Support and opposition

Support

Proponents of redistricting commissions (particularly, non-politician commissions) contend that redistricting methods involving elected officials compromise the integrity of the electoral process by enabling politicians to draw boundaries to their benefit. The National Election Defense Coalition, arguing for the increased use of non-politician commissions, made this argument on its website:^[7]

“ Political power in America should flow from the people. But politicians often abuse their power to draw district boundaries, gerrymandering them for partisan and personal advantage. Elected officials end up choosing their voters, instead of the other way around. The result is stagnant and unaccountable incumbency, and unfair allocation of seats in Congress and state legislatures.^[6] ”

—National Election Defense Coalition

In December 2016, the [Center for American Progress](#) released a report supportive of non-politician redistricting commissions:^[8]

“Independent commissions offer several benefits, including eliminating the appearance of impropriety and making elections fairer. Legislators, for instance, are four times more likely than independent commissions to create congressional districts that 'deny voters choice in the primary' and two times more likely to do so for general elections. This is perhaps one of the reasons why maps drawn by independent commissions face fewer legal challenges than maps drawn by politicians.”^[6]

—Center for American Progress

Opposition

Opponents argue that non-politician commissions exclude state legislators from the redistricting process in violation of the [United States Constitution](#). The [National Conference of State Legislatures](#), in an amicus brief filed in support of the Arizona State Legislature in [Arizona State Legislature v. Arizona Independent Redistricting Commission](#), made the following argument:^[9]

“In 37 states, the legislature draws the congressional redistricting plan. The other thirteen states involve both the legislature and some form of redistricting commission. All but two of these thirteen states respect the Election Clause's delegation by maintaining a substantive role for the legislature. But Arizona and one other state provide the legislature no substantive involvement in redistricting. ... Excluding the legislature from substantive involvement in redistricting contravenes the Elections Clause.”^[6]

—National Conference of State Legislatures

Opponents also contend that non-politician commissions are less transparent in their methods and therefore less accountable to voters than elected officials. Susan Myrick, writing for the Civitas Institute in January 2017, made the following argument:

“The fact is, redistricting is and always had been an inherently partisan process. The best way to deal with that fact is to ensure the process is transparently implemented by the elected officials charged with the responsibility. ... They are the ones who the voters can hold accountable at the ballot box – not namely, faceless bureaucrats.”^[6]

—Susan Myrick

See also

- [Redistricting](#)
- [State-by-state redistricting procedures](#)

MMCARRERA

October 6, 2021

Mario M. Carrera
10460 Ladera Drive
Lone Tree, CO 80124

Carlos Perez, Chairman
Colorado Legislative Independent Redistricting Commission
200 East Colfax Avenue
Denver, CO 80202

Dear Chairman Perez and Members of the Colorado Legislative Independent Redistricting Commission:

As an unaffiliated voter and former Chair of the 2011 Redistricting Commission, I feel compelled to reach out to you today. I am not a registered lobbyist for the Commission. I have been following the deliberations and meetings of the Commission, and I commend you for your commitment to drawing maps that will benefit the state of Colorado for the next 10 years. I have been in your place and know the challenge of the task at hand and how difficult it can be to find consensus. I hope that I am able to share some lessons learned from my own personal experience that might guide you in your final days of this endeavor.

First, the process that you have undertaken as a result of Amendment Z to obtain public comment is one that was done with intention on your part and should not be forgotten. Having the public be able to share with you how they want to see representation in Colorado be drawn is one of the key provisions in our state constitution—one that didn't exist when I served on the Commission. While those hearings might feel like a long time ago, please don't forget what you heard and what you elevated as a result of those hearings.

Second, in 2011 and again now in 2021, I urge you to seriously consider the emerging Latino citizen voter population. The statewide growth is clearly demonstrated in the census data and no longer is the Latino population centered in the Denver area. Long gone are the days of redistricting when the members of color on the Commission were only expected to draw the city of Denver and leave the rest of the maps up to others. It is imperative that you recognize those Latino communities of interest across the state. As a Commission, you prioritized the Latino communities and voice in the drawing of every map. Do not forget that commitment that began in public comment and continued with this Commission elevating that priority.

Third, while the messaging and pressure will be intense, do not fall prey to comments and attempts to draw maps that have a partisan outcome. Look at those maps and letters of support with skepticism particularly when there is a combination of high Latino percentages based on total population combined with a competitive district. Latinos in Colorado are not a monolith nor are they affiliated with any one party consistently across the state. This is why I was an early supporter of the work CLLARO has undertaken as a nonpartisan organization. Look to Latinos to determine what is best for them and not to outside interests or partisan rhetoric. Latinos are a voting block in Colorado that both parties have an interest in focusing their efforts in the future due to the growing demographic trends.

Last, the constitution made it clear that communities of interest are to be prioritized and valued. I caution you against those who have attempted to fabricate communities of interest to justify a given map or who have invented communities of interest that are not about the actual people who make up those communities. Latinos and other racial minorities are long-standing and legitimately recognized communities of interest and are afforded increased protection by the language requiring any map adopted must not dilute the minority vote. Keeping communities of interest together is not where the Commission's obligation stops; rather ensuring that the Latino community's vote is valued and counts toward electing a representative of their choice is the second part of the Commission's responsibility. The Commission is prohibited from creating seats with the express desire to benefit one party, however, the Commission is constitutionally required to prevent the dilution of minority voters in a way that prevents them from electing the candidate of their choice. Simply claiming to have a certain percentage of Latinos or other minority groups in a district is only one metric in the analysis that the constitution requires the Commission to undertake in the protections provided to Latino and other minority voters. I agree with CLLARO's written comment submitted on September 30, 2021, as it related to the two pronged approach needed to determine effective minority districts in an analysis of two other maps currently under discussion by the Commission.

This analysis will protect the Commission from heading down a path that would result in diluting the votes of minority groups and preventing effective minority districts that are preventable at this point in the process.

As someone who has served on the previous commission, I wanted to offer some concrete suggestions and a set of maps that may help your discussion. These maps are an attempt to address issues expressed during full public commission meetings in a way that abides by the constitutional requirements and promises made to the voters when Amendment Z was adopted. This proposed Compromise Amendment Plan: 1) Abides by constitutional criteria 2) Does not protect incumbents and 3) Does not dilute the vote of minority communities. In developing this plan, I have worked with CLLARO to incorporate ideas found in staff maps and submissions from different commissioners. CLLARO is a non-partisan 501(c)3 organization that has worked to elevate the voices of communities of color in this process and is not advocating for the interests of any political party or candidate(s) so starting with their maps as a baseline makes the most sense in my opinion.

In closing, I want to thank you for your service and commitment to the redistricting process. Know that no good deed goes unpunished and even the best of intentions can be legally challenged or rejected by the Colorado Supreme Court. This is why I am submitting this compromise as an alternative to the Third Staff Map--to demonstrate that there is a way to draw additional competitive seats in Colorado after all the higher prioritized constitutional criteria have been met and does so without sacrificing the efficacy of the minority vote.

Sincerely,

Mario M Carrera

Mario M. Carrera

Attachments: CARRERA COMPROMISE PLAN: House and Senate Maps

CARRERA COMPROMISE PLAN: HOUSE MAP

The House map addresses the following comments or preferences voiced by the Commission in public meetings:

Map Link: <https://davesredistricting.org/join/b3e9321f-2908-48d8-a325-a8ae420c981e>

- Creates **15 total** competitive districts, on the more competitive side of the multiple plans before the commission.
- - Adds an additional competitive seat around the Carbon Valley as the Kottwitz et al Plan does (HD12)
- Creates **15 effective Latino-influence districts**, meaning they have a significant Latino citizen voting age population (CVAP) and ability to elect their preferred candidate.
- Creates **10 effective coalition districts**, meaning they have a significant number of eligible voters of color who have the ability to elect their preferred candidate, though no one group has a dominant population.
- Maintains communities of interest as expressed in public comment by groups representing Latinos, African-Americans, and the AAPI community.
- Incorporates district concepts, especially around Boulder, Fort Collins, and Colorado Springs, as workshopped, discussed and amended in the Kottwitz, et al Plans requested on September 26, October 1, and October 5
- Maintains a southeast Colorado Springs district as drawn by Commissioner Perez (HD17)
- Maintains 3 Eastern Plains districts as requested by Commissioner Hass (HD30, HD64, HD65)
- Incorporates the Longmont district requested by Commissioner Greenwich (HD11)
- Maintains a north-south split of Arvada as requested by Commissioner Fletcher (HD27, HD29)
- Minimizes municipal splits in Lakewood and Westminster (HD23, HD28, HD29)
- Maintains Louisville, Lafayette, Superior community of interest (HD13)
- Makes improvements for compactness, contiguity, and maintaining political subdivisions

Denver

The Denver districts maintain the configuration of the joint submission from CLLARO and the Colorado Black Leaders Coalition (CBLC), with adjustments to HD2, HD6, and HD9 that more closely reflect the Third Staff Plan and better represent communities of interest and neighborhoods in those districts. There are no competitive districts in Denver given the nature of the city's political geography.

Adams/North Metro

The Adams County districts drawn in this Amendment closely reflect what CLLARO has proposed in the past: a district around Commerce City (HD32), a district in southwest Adams that includes southern Westminster (HD35), and a district containing the remainder of Westminster (HD29). Additionally, this plan adopts HD31 and HD34 from the Second Staff Plan as they best reflect the Thornton/Northglenn community. Four districts here represent effective Latino-influence districts (HD31, HD32, HD34, HD35). The district centered on Brighton (HD63) also contains the Hwy-85 corridor community of interest. In order for Superior to be placed with Louisville and Lafayette, as public testimony has called for, HD33 adds the furthest northern portion of Thornton to this Broomfield district. There is one competitive district in this region (HD34).

South Metro

Districts in this region very closely follow the Second Staff Plan, with some minor adjustments reflecting the Kottwitz et al Plan, especially in Douglas County. This plan maintains the split of Denver in the southeast corner (HD3) to reflect public testimony that called for keeping southwest Denver whole. There are 4 competitive districts in this region (HD22, HD37, HD38, HD43).

Aurora/East Metro

The Aurora districts largely follow the Second Staff Plan, with adjustments to better keep the Adams County portion of Aurora together and keep HD36 from sprawling all the way to the Arapahoe-Douglas county line. The district ends at Quincy in this map. Maintaining districts like HD36, HD40, HD41, and HD42 are important as they are effective coalition districts where people of color can vote together to elect their preferred candidate with the assistance of cross-over white voters. Attempts to break up these communities to create more competitiveness are especially problematic as they would likely create voter dilution as well (see CLLARO memo, September 30, 2021). There is still one competitive district in this region, HD56 in southern Aurora.

Jeffco/West Metro

This region differs from the Second Staff Plan in two respects: 1) Arvada is split north-south as requested in public comment and by Commissioner Fletcher and 2) HD25 begins at Golden and follows I-70 to the north and picks up the nearest portion of Park County. The latter was a result of adding Grand County to a Western Slope-based district (HD61), but it also had the side-effect of making HD25 competitive. The same is true for the north-south split of Arvada (HD27). HD28 is an effective Latino-influenced district that maintains the Sheridan corridor community of interest. The remainder of Lakewood is in HD23. This configuration also helps avoid unnecessary city splits.

Boulder/North Front Range

This plan incorporates many ideas from the Kottwitz et al Plans in this area. First, the Fort Collins-Loveland area follows the configuration from that map almost exactly (HD51, HD52, HD53). The configuration of the I-25 corridor and Boulder districts were also inspired by those plans, including the creation of a district that includes the Carbon Valley and Erie (HD12). The Longmont-based HD11 follows the Kottwitz et al Plan exactly and the the Boulder-based districts (HD13, HD20) closely follow those plans as well. HD13 maintains the Louisville-Lafayette-Superior community of interest and HD20 maintains the CU Boulder campus area and downtown Boulder. To accommodate these changes, HD49 becomes a foothills-centered district, taking in those parts of Larimer and Boulder, as well as all of Gilpin and Clear Creek counties. The district also includes the northwest corner of Jeffco, thereby keeping Coal Creek whole. HD50 remains an effective Latino-influenced district, and is carefully drawn to prevent voter dilution. Both HD50 and HD12 are competitive.

El Paso County

The most recent Kottwitz et al Plan (October 5) followed CLLARO to a large extent while keeping neighborhoods intact. This proposal follows that plan. HD17 remains nearly the same as the Second Staff Plan. That district is an effective Latino and coalition district, containing the very diverse neighborhoods in southeast Colorado Springs. That area is also a legislative priority identified by the Commission. There are two competitive seats in this area: HD18 and HD16.

Southern Colorado

HD59 in the southwest corner largely follows the Kottwitz et al submission. HD62, maintains the same configuration as the Second Staff Plan and nearly all other plans, as required by the Voting Rights Act. This plan keeps Huerfano County whole within that district rather than splitting it as some other plans

have done. That difference actually makes it easier to maintain the Lower Arkansas River Valley together in HD64. HD10 includes the entire City of Pueblo that is not in HD62 as well Colorado City and Beula to the southwest. HD59 is also competitive.

Eastern Plains

Along with HD64, there are two districts that divide the Eastern Plains: HD65 and HD30. HD65 maintains the 5 northeast counties identified as a community of interest and provided in legislative direction by the Commission. HD30 includes the rural portions of Adams, Arapahoe, and El Paso counties, as well as all of Elbert, Lincoln, Kit Carson, and Cheyenne counties.

Western Slope

All plans draw HD58, HD54, and HD55 the same. This plan maintains the same configuration. HD57 and HD26 also match most other plans before the Commission, maintaining communities of interest around the Roaring Fork Valley and northwest Colorado respectively. HD26 also keeps the ski areas in Eagle and Routt counties together. HD61 in this plan stretches from Chaffee County to the south to Jackson County at the Wyoming border. This prevents any Western Slope counties from being included in a Front Range district. There are two competitive districts in this area: HD26 and HD61.

CARRERA COMPROMISE PLAN: SENATE MAP

The Senate map addresses the following comments or preferences voiced by the Commission in public meetings:

Map Link: <https://davesredistricting.org/join/768e46a4-4a54-4c1f-b31b-3001ccc928ab>

- Creates **14 total** competitive districts, as many as any plan before the commission
 - Creates two additional competitive districts on the Western Slope (SD5, SD8)
 - Maintains a competitive district along the I-25 corridor (SD23)
- Creates **10 effective Latino-influence districts**, meaning they have a significant Latino citizen voting age population (CVAP) and ability to elect their preferred candidate.
- Creates **4 effective coalition districts**, meaning they have a significant number of eligible voters of color who have the ability to elect their preferred candidate, though no one group has a dominant population.
- Maintains communities of interest as expressed in public comment by groups representing Latinos, African-Americans, and the AAPI community.
- Incorporated district concepts, especially in rural areas, as workshopped, discussed and amended in the two Barnett, et al maps requested on September 24 and October 1.
- Creates two Eastern Plains districts as requested by Commissioner Hass (SD1, SD3)
- Keeps Mesa County whole as desired by the Commission (SD7)
- Splits Lakewood east-west rather than north-south, as requested in public comment (SD20, SD22)
- Maintains a Greeley-based effective minority district as drawn by CLLARO (SD13)
- Maintains an Arvada/Westminster Senate district as requested by Commissioner Fletcher (SD19)
- Follows neighborhoods as much as possible without breaking holdover Senator policy in the Colorado Springs area. (SD9, SD10, SD11, SD12)
- Keeps Centennial and Littleton whole, creating two competitive seats in southern Arapahoe County (SD26, SD27)
- Keeps Loveland-Windsor-Western Greeley community of interest together (SD15)
- Makes improvements for compactness, contiguity, and maintaining political subdivisions

Denver

The Denver districts maintain the configuration of the joint submission from CLLARO and the Colorado Black Leaders Coalition (CBLC) for all districts. This plan also keeps the Sheridan corridor and southwest Denver intact in SD22, which is also an effective Latino-influenced district. Other plans divide this area as many as four ways, both splitting communities of interest and diminishing the Latino voice. The split of Denver in this plan is preferable as it enhances a community of interest rather than dividing it. SD34 is another effective Latino-influenced district. SD32 would be an effective coalition district given the diverse neighborhoods included. That area is largely more middle income than SD31 and so keeping this north-south configuration keeps this community of interest together.

Adams/North Metro

I have not seen any plan accurately reflect communities of interest in this area other than the CLLARO Plan. First, SD25 maintains the employment community of interest around Denver International Airport while keeping north Aurora whole. As an effective Latino-influence district, this configuration is also important in preventing voter dilution (see CLLARO memo dated September 30, 2021). The Barnett et al Plan dated September 24, 2021 appeared to cause voter dilution in the equivalent district. As of today, that error appears to be corrected, however, future changes need to be mindful of this issue. SD21 and SD24 are both effective Latino-influenced districts, with the former keeping the central Adams County communities together. SD24 maintains the Adams County portion of Westminster as well as the northern half of Thornton. This configuration keeps political jurisdictions intact while best representing the varying incomes across this part of Adams County, with neighborhoods generally becoming wealthier as one travels to the north. The City of Brighton is the southern anchor to SD13, which includes the Hwy-85 corridor and Evans/eastern Greeley communities of interest. SD13 is an effective Latino-influenced district and is vital as it gives Latino voters in this region the opportunity to elect their preferred candidate. Other district configurations that exclude Brighton in favor of keeping Greeley whole actually have the effect of diluting the votes of Latinos in the region given the racially polarized voting that exists. This region includes one competitive district, SD24.

South Metro

In this case, maintaining political jurisdictions actually enhances competitiveness. Both Centennial and Littleton remain whole in their respective districts (SD27 and SD26) and both of those districts are competitive. To the south, there are two more urban Douglas County districts (SD4, SD30) that largely reflect the Barnett et al Plans, while the rural areas in southern Jeffco and Douglas are in SD2, which includes the central mountain valley counties of Park, Teller, Custer, and Chaffee. That district also largely matches the Barnett et al Plans.

Aurora/East Metro

Aurora has too much population for two districts, and this plan intentionally maintains north Aurora in a separate district (SD25). Therefore, SD28 and SD29 contain nearly all of the rest of the city. SD28 contains the traditional inner neighborhoods that lack HOAs and are highly diverse. This district has the highest African-American population of any Senate district. SD29 contains the more southern suburban neighborhoods as well as Buckley Air Force Base. Both districts are effective coalition districts with highly diverse electorates that together can elect their preferred candidate with the help of white cross-over voters.

Jeffco/West Metro

Both SD19 and SD20 reflect communities of interest and are competitive. SD19 remains centered on Arada and the Jefferson County portion of Westminster, as requested both in public testimony and by Commissioner Fletcher. SD20 contains the western half of Lakewood, following the desire in public testimony for an east-west split. Golden and Wheat Ridge are kept together, also reflecting public testimony, and are added to the Foothills area in SD16. This district includes similar areas in Boulder and Larimer counties as well the Town of Berthoud. As mentioned, there are two competitive districts in this region, SD19 and SD20.

Boulder/North Front Range

This region tends to get very mixed up in other proposals. This proposal begins with keeping SD13 intact in eastern Greeley and the Hwy-85 corridor. Next, the I-25 corridor communities are kept together with Broomfield and Superior in SD23. SD17 and SD18 contain the urban Boulder County communities, largely leaving the Foothills areas in SD16. SD14 is based within Fort Collins. Finally, the Loveland-Windsor-Western Greeley area is kept together in SD15. This configuration makes the most sense for communities of interest in this area, and it also adds 2 competitive districts (SD13, SD23).

El Paso County

To a large extent, this plan follows the Barnett et al submission, with a few notable exceptions. First, SD12 splits Quail Lake as in the CLLARO Plan. Second, this plan better maintains neighborhoods to the north and east in SD11 while also maintaining the Commission policy on holdover Senators. To the north, the area put in the rural SD3 matches what is done in the House Map. SD9 then includes the northern El Paso County communities and the Falcon area. SD12 would be an effective coalition district, with a significant population of eligible Black and Latino voters. SD11 and SD12 are also both competitive.

Southern Colorado

As in the House, this plan maintains Huerfano County in the same district as the San Luis Valley (SD6). While the legislative direction from the Commission instructs otherwise, I believe this configuration is a better fit than the Eastern Plains-oriented SD3. Huerfano County is the gateway from the Front Range to the San Luis Valley and overlaps with the Sangre de Cristo Mountain Range, an important part of this community of interest. Additionally, adding Huerfano to SD6 would give the Latino voters there the opportunity to elect their preferred candidate, which they would not get in SD3 given the overwhelming white rural voting bloc that would dominate any election. This change also prevents an unnecessary county split in Montrose. SD35 remains the same, being entirely Pueblo County. SD6 would be an effective Latino-influenced district, pairing the Hispano population in the San Luis Valley with crossover white voters in southwest Colorado. SD6 and SD35 are competitive districts as well.

Eastern Plains

Matching Commissioner Hass' request for two districts on the Eastern Plains, this plan puts the northern plains in SD1 and southeast in SD3. Unlike the Barnett et al Submission, this plan puts Windsor in SD15 to maintain the Loveland-Windsor-Western Greeley area in a single district. Instead, the eastern portion of Larimer County is included, including an excess portion of Fort Collins.

Western Slope

In this plan, SD5 includes the Garfield County communities from Glenwood Springs to Parachute as well as the Roaring Fork Valley portion of Eagle County. Pitkin, Lake, Montrose, Gunnison, and Hinsdale are kept whole in this district. The district also includes the North Fork region of Delta County, while the City of Delta is paired with all of Mesa County in SD7. This proposal better keeps

political subdivisions intact and keeps the ski areas in Eagle, Summit, and Routt counties together (SD8). Together with Grand, Clear Creek, and Gilpin, tourism would be an important economic driver in this district. Along with better keeping political subdivisions intact, this plan creates 2 competitive districts in this region: SD5 and SD8.

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Adopted Senate Map

Golden, Wheat Ridge
Edgewater, and the
northern half of
Lakewood in SD22.
Total SD22 Pop: 162,618

SD4 in southern
Jefferson County.
Total SD4 Pop: 167,781

Southern half of
Lakewood in SD20.
Total SD20 Pop: 168,083

Filled in color indicates incorporated
municipality. Gray line indicates district
boundaries under adopted map.

Correction to Keep Lakewood Whole

Golden, Wheat Ridge, and Edgewater removed from SD22 and placed in SD20.

Total SD20 Pop: 163,695

SD20

Single precinct moved from SD4 into SD20 to improve contiguity.

Total SD4 Pop: 165,809

SD4

SD19

Wheat Ridge

Edgewater

SD22

Lakewood

Remainder of Lakewood placed in SD22.

Total SD22 Pop: 168,978

Filled in color indicates incorporated municipality. Dark blue line indicates district boundaries with Lakewood correction.

Only SD20, SD22, and SD4 are impacted. All districts remain within the allowed 5% deviation.

B

Members of the Independent Legislative Redistricting Commission,

The City of Lakewood is more than just a satellite political subdivision to Denver. It is a well-knit, well-established, well-regarded community that has its own character and sense of civic pride. More than that, Lakewood has state legislative priorities that are distinct from the smaller municipalities to the north and west and the unincorporated areas to the south. That should be a strong consideration in your decision making around our legislative representation.

Lakewood is the largest city in Jefferson County, a hub for new energy and technology companies and organizations. Our city is home to more than 150,000 residents and covers 44 square miles. Surrounded by several leading universities and research facilities, Lakewood has one of the most highly educated workforces in the country, with 36 percent of our residents holding a bachelor's degree or higher.

Lakewood is the fifth-largest city in Colorado. Our nearest neighboring cities and towns are far smaller with Wheat Ridge ranking 29th, Golden ranking 37th, Edgewater ranking 109th, and Morrison ranking 291st. Lakewood is also the most diverse city in Jeffco with nearly 1/4 of its population coming from the Latinx community and a small-but-growing Asian community.

The suburbs at the foot of the Rockies certainly have many things in common, and we collaborate to advocate for certain policies, especially at the federal level. But when it comes to state policy issues, we most frequently work directly with our own legislators. That's because Lakewood's issues look more like a big city's than a small town's. We have a far larger police force, as well as higher rates of law enforcement interactions and homelessness. Our police chief has been able to effectively communicate with our legislative delegation on everything from police accountability to arrest standards to broader criminal justice reform policies — all matters that are in our headlines and our state's lawmaking process. The issues our law enforcement officers face on the Sheridan and Colfax corridors are pretty different from what some of our neighboring suburban cities face.

Affordable housing has been a serious problem in Lakewood for as long as I've served in the city government. We have our own housing authority that works closely with our legislators on housing policy issues, whereas many other Jeffco cities rely on the Jefferson County Housing Authority.

While many Jeffco cities are thought of as bedroom communities, Lakewood is the home to a significant number of primary jobs. Not only is Lakewood home to 26 federal agencies on or near the Federal Center campus, making up the largest concentration of federal agencies outside of Washington, D.C., but we're also a growing hub for new energy and technology companies, like Terumo BCT, and other long-standing Lakewood companies like 1stBank.

In addition, Lakewood is home to the major commercial corridors of West Colfax Ave., West Alameda Ave. and Union Blvd, located entirely within the city. These corridors are important economic drivers for Lakewood and part of the city's unique identity, distinguishing it from smaller suburban communities and unincorporated areas.

I hope these numerous examples paint a picture of the many ways that Lakewood's issues are distinct from those of Jeffco's smaller suburban cities and unincorporated areas, and while we indeed work

together on many things, our work with the State Legislature is most often organized through the city's leaders talking directly with our legislators. As such, it is our request that you consider Lakewood to be a community of interest, not just a compact political subdivision. Lakewood should have Senators and Representatives who see themselves as Lakewood legislators because the majority of their constituents are Lakewood residents. Please don't fracture Lakewood such that some of our legislators only have small fractions of their districts in Lakewood.

Thank you for your consideration. We know there are many competing criteria and that there's no perfect way to meet every one of them, so we hope you prioritize Lakewood's community of interest when you approve maps later this year.

Sincerely,

Adam Paul, Lakewood Mayor

Steve Burkholder, Former Lakewood Mayor

Jacob LaBure, Lakewood Council Member

Tom Quinn, Executive Director, Alameda Connects

Bill Marino, CEO of the Lakewood West Colfax Business Improvement District; Board Chair of the

40W Arts District; Board Member of the West Colfax Community Association

Wednesday, September 29, 2021



TO: Members of the Colorado Independent Legislative Redistricting Commission and Commission Staff

FROM: Colorado Latino Leadership, Advocacy & Research Organization (CLARO)

SUBJECT: RE: Comparisons between CLARO / CBLC Plan submitted on September 18, 2021 and the Kottwitz House Plan (Hp. 005) and Barnett Senate Plan (Sp. 005) and the Impact of a Given Concentration of Minority Groups and the Ability to Elect a Candidate of their Choice

Terms (via National Conference of State Legislatures, 2019)

Effective Minority District: A district containing sufficient population to provide the minority community with an opportunity to elect a candidate of its choice. The minority percentage that is necessary to provide minorities an opportunity to elect their candidate of choice varies by jurisdiction and minority group.

Majority-Minority District: A district in which the majority of the population is a single minority racial, ethnicity, or language group. Colorado only has a handful of these currently.

Crossover District: A type of effective minority district in which the minority group is not a numerical majority of the voting-age population, but is potentially large enough to elect its preferred candidate by persuading enough majority voters to cross over to support the minority's preferred candidate.

Coalitional District: Another type of effective minority district in which more than one minority group, working in coalition, can form a majority to elect their preferred candidates.

Influence District: A district in which the minority community, although not sufficiently large to elect a candidate of its choice, is able to influence the outcome of an election and elect a candidate who will be responsive to the interests and concerns of the minority community.

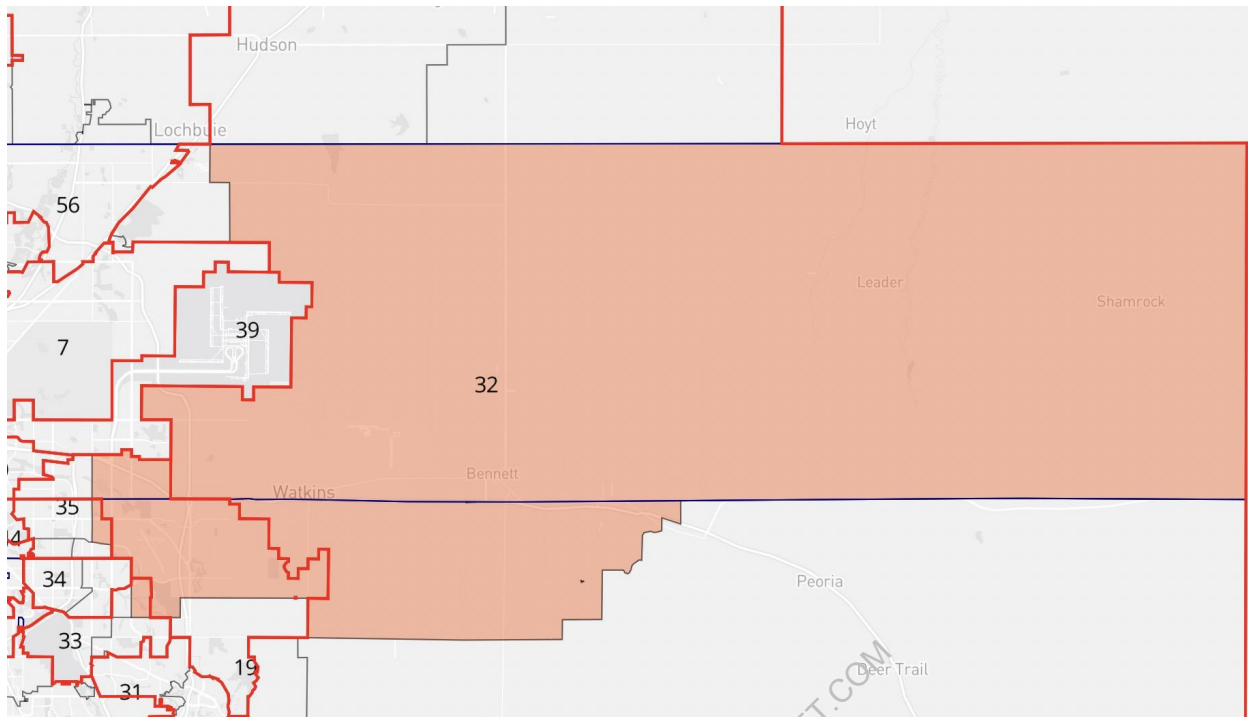
In Colorado, we have a history of electing candidates of color and candidates in House and Senate districts that are able to represent communities of color without having a set percentage of minority voters. This is why CLLARO and others have resisted advocating or accepting a set percentage. These districts have not required any set percentage of minority voters because the complimenting population for those districts have 'cross over' voters--those voters who vote with the contingency making up the community of color in a given district and provide the minority community with the ability to elect a candidate of their choice that will provide fair and effective representation. In order to have effective minority districts, we have to look at both the percentage of a single community of color, like Latinos for example, as well as a combination of other communities of color and white crossover within a given district. **This two-pronged approach goes beyond just stating a percentage of Latinos in a district as an effective representation of the Latino vote.**

A percentage approach is flawed because it fails to account for the nature of the Latinos within a particular district, historical turnout, and how they have voted in the past. For example, sometimes too high of a percentage of Latinos can result in impermissible "stacking". Stacking refers to combining a high percentage minority population with low turnout with a lower percentage white population with high turnout who turnout in greater numbers than the minority population to create a perceived voting majority, again to ultimately ensure that districts are majority white. "Packing" refers to concentrating as many minorities as possible in as few districts as possible to minimize the number of districts in which those minorities will influence the outcome.

This memo will lay out a number of deficiencies in the Kottwitz House Plan and Barnett Senate Plan respectively. The analysis in this memo will refer specifically to HD32, HD35, HD55, HD61, HD64, HD2 in the Kottwitz Plan and SD3, SD24, SD28 in the Barnett Plan. Many of those deficiencies are centered in a misplaced focus on reaching a specific percentage of Latinos or people of color more broadly without regard to whether those communities have sufficient voting power to elect their preferred candidate. When such errors are made, it can result in a district that is not an effective minority district, given the factors defined above. Maintaining effective minority districts is necessary to meet the constitutional requirements laid out in Amendment Z, which states: "No map may be approved by the Commission or given effect by the Supreme Court if it has been drawn for the purpose of or results in the denial or abridgement of the right of any citizen to vote on account of that person's race or membership in a language minority group, including diluting the impact of that racial or language minority group's electoral influence. Additionally, both the Kottwitz and Barnett plans appear to skip constitutional requirements to maintain communities of interest and political jurisdictions in favor of increasing competitiveness. While CLLARO submitted plans that have a large number of competitive districts, we did so after meeting all previous constitutional criteria. The following examples provided appear to show arbitrary splits of political jurisdictions and communities of interest in order to achieve competitiveness.

Note: In the maps in this memo, the district filled in with a solid color reflects the Kottwitz Plan or Barnett plan for its respective chamber. The red outline reflects the district boundary used in the CLLARO/CBLC map submission made on 9/18/2021.

Kottwitz Plan - House District 32



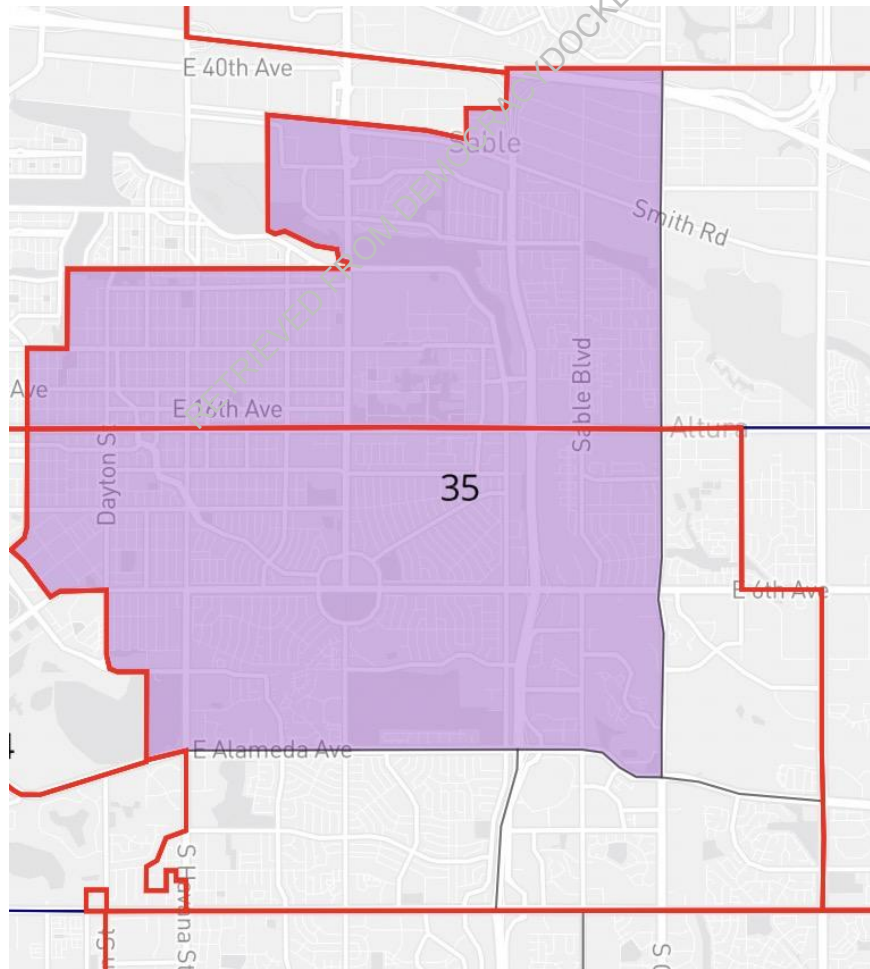
House District 32 in the Kottwitz Plan (shaded in orange)

The House District proposed northeast Aurora under the Kottwitz Plan (HD32) is an example of the dilution of minority votes via stacking. Compared to the CLLARO/CBLC Plan (HD36), which matches Staff Plan 1, this plan excludes just over 49,000 people. Of the people excluded, 22.4% of the Citizen Voting Age (CVAP) is Latino, 16.2% is Black, 5.9% is AAPI, and 53% is White. That area voted 62.4% for the Democratic candidate and 33.9% for the Republican candidate in the 2018 Attorney General (AG) race. In place of that population, the Kottwitz Plan includes just over 46,000 people with a CVAP that is 14.3% Latino, 12.5% Black, 5.6% AAPI, and 65.4% White. That area voted 53.7% for the Republican candidate and 42.8% for the Democratic candidate in the same election. This indicates far less crossover voting from this more rural white voting bloc. In total, while the percentage of people of color is higher in the Kottwitz Plan, their share of the CVAP is smaller. Additionally, the white voters included in the district are much more likely to vote as a bloc against the candidate preferred by voters of color. The result is a district in which Latino voters have been packed into a neighboring district so they can be stacked and their influence diluted in this district, which also has fewer white crossover voters. **This would severely hamper the ability of Latino voters to elect the candidate of their choice for effective representation by allying with other minority groups and crossover white voters.**

HD32 Comparisons	White CVAP	Latino CVAP	Black CVAP	AAPI CVAP	AG D%	AG R%
HD36 Excluded (CLLARO/CBLC)	53%	22.4%	16.2%	5.9%	62.4%	33.9%
HD32 Included (Kottwitz)	65.4%	14.3%	12.5%	5.6%	53.7%	42.8%
HD32 Total (Kottwitz)	58.8%	17.2%	16%	5.9%	48.4%	48.1%
HD36 Total (CLLARO/CBLC)	51.9%	21.5%	18.2%	6.1%	59.1%	37.3%

Table 1: Comparisons between HD32 in the Kottwitz Map and HD36 in the CLLARO/CBLC Map

Kottwitz Plan - House District 35



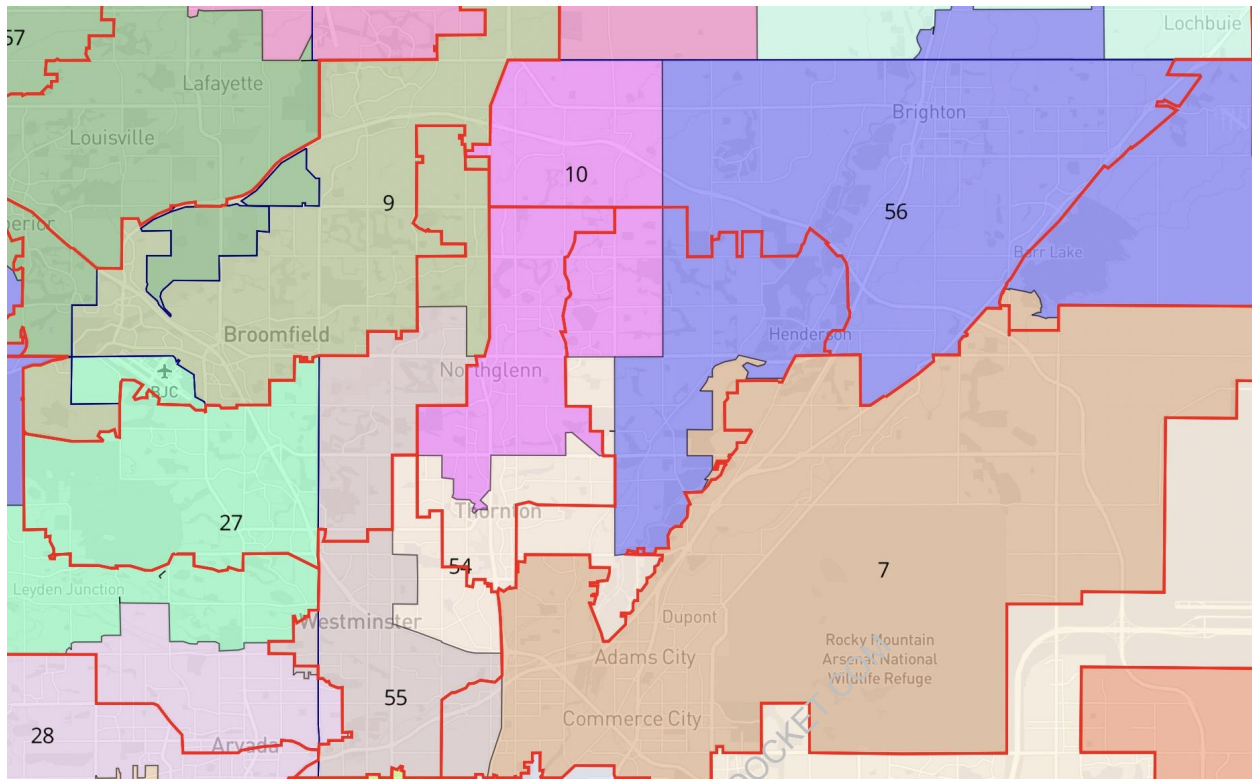
House District 35 in the Kottwitz Plan (shaded in purple)

The House District proposed in northwest Aurora under the Kottwitz Plan (HD35) is an example of 88 g of minority voters to dilute their influence in a neighboring district(s). Compared to the CLLARO/CBLC Plan, which matches Staff Plan 1, this plan excludes about 37,500 people. Of that population, 42% of the CVAP is White, 19% is Latino, 30.9% is Black, and 7.4% is AAPI. Those neighborhoods have a significant Black population. The area included in its place, Aurora in Adams County (north of Colfax), has a CVAP that is 44.4% White, 28.5% Latino, 18.1% Black, and 5.7% AAPI. The result is a district that diminishes Black influence in favor of Latino influence so it can be removed from a neighboring district, in this case HD32. This pattern is repeated in HD33 and HD34 in the Kottwitz Plan in an effort to pack minority voters into 3 districts and allow stacking in the neighboring HD32. This effect is hidden by the topline population percentages, which will show additional minority population, while simultaneously diluting their influence in one of the 4 districts because it both lowers the CVAP that its voters of color and also replaces the crossover white voters in the urban area for white bloc voters in rural areas who will oppose the candidate preferred by voters of color. This makes Commissioner Kottwitz's comments at the meeting on 9/24/2021, "I think we can get to 4" referring to majority-minority districts, more disturbing as the underlying result is to actually reduce the number of voters of color and thereby dilute their influence. Visually this can be observed as 3 districts in Aurora "cling" to the Denver border so they can contain minority voters and white crossover voters in those districts (see image below). The intent is clearly the creation of an additional competitive seat, but it comes at the cost of the influence of minority voters, which is a higher constitutional priority. **So while the Kottwitz Plan adds one "majority-minority" district in Aurora, it actually removes an effective minority district where it exists under other plans.**

HD35 Comparisons	White CVAP	Latino CVAP	Black CVAP	AAPI CVAP
HD42 Excluded (CLLARO/CBLC)	42%	19%	30.9%	7.4%
HD35 Included (Kottwitz)	44.4%	28.5%	18.1%	5.7%

Table 2: Comparisons between HD35 in the Kottwitz Map and HD42 in the CLLARO/CBLC Map

Kottwitz Plan - Westminster Districts (HD9, HD27, HD55)



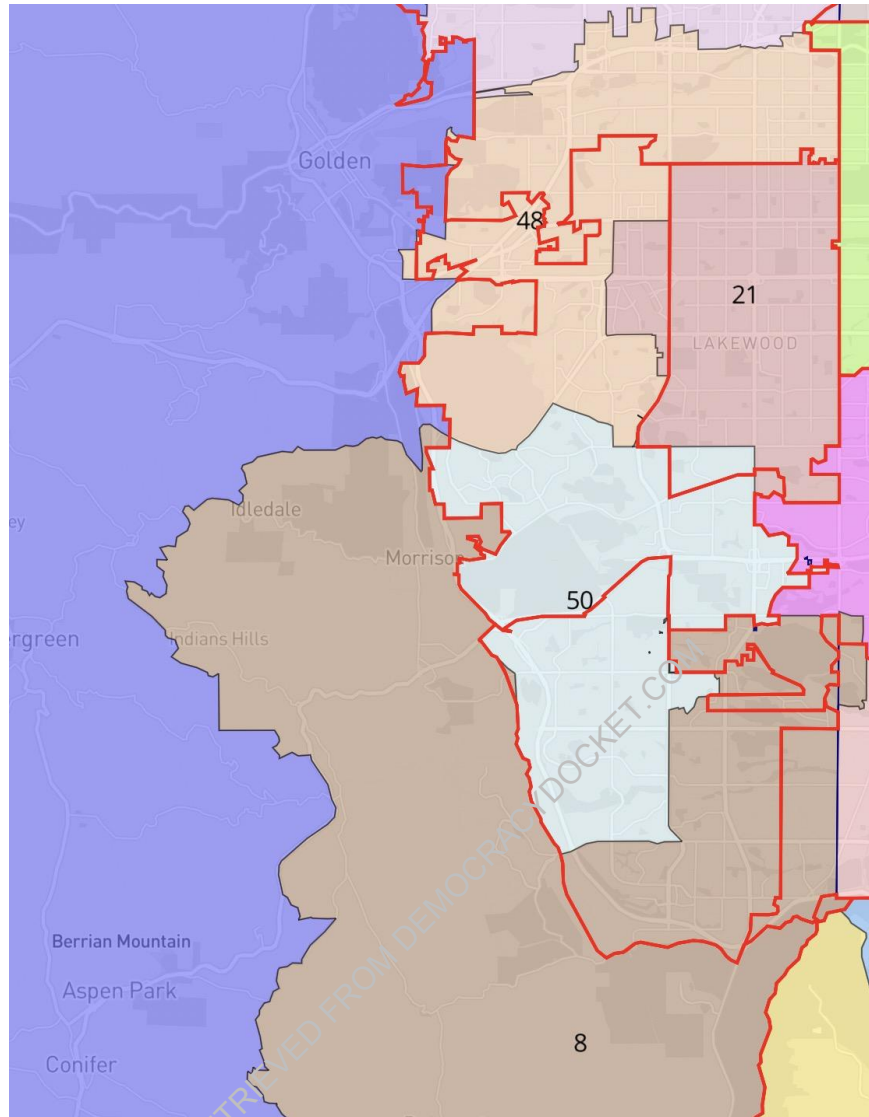
Westminster area in the Kottwitz Plan (Westminster contained within HD9, HD27, HD55)

The Kottwitz Plan adds several additional and unnecessary city splits. The City of Westminster is split 3 ways in the House map, whereas the CLLARO/CBLC Plan and both staff plans split it only 2 ways as is required by the city's size. Rather than pair the City and County of Broomfield with the entire City of Superior to create sufficient population for a House district (HD33 in CLLARO/CBLC Plan and Staff Map 2), the Kottwitz Plan takes the northernmost portion of Westminster (HD9 filled in olive green). The result is creating a district to the south (HD55 in gray) where the portion of Westminster outside the southern Westminster COI cast 16,912 votes in the 2018 AG race vs. 17,103 votes from southern Westminster and the southwest unincorporated neighborhoods. Southern Westminster was identified as a community of interest that is distinct from the rest of Westminster given its unique character and diminished political influence in the city at-large. **The goal of this configuration appears to be creating two competitive districts to the west in Jeffco, HD27 and HD28, but comes at the cost of breaking up a community of interest and splitting a municipality arbitrarily.** The CLLARO/CBLC Plan, which largely matches the First Staff Plan, has a competitive Arvada district (HD27), while the Westminster district (HD29) follows communities of interest by including all of northern Westminster and leaving southern Westminster in another district (HD32).

City Split Between Districts	Westminster	Arvada
Kottwitz Plan	3	2
CLLARO/CBLC Plan	2	2

Table 3: Comparisons between City Splits in the Kottwitz Map and in the CLLARO/CBLC Map

Kottwitz Plan - Lakewood (HD8, HD21, HD48, HD50)



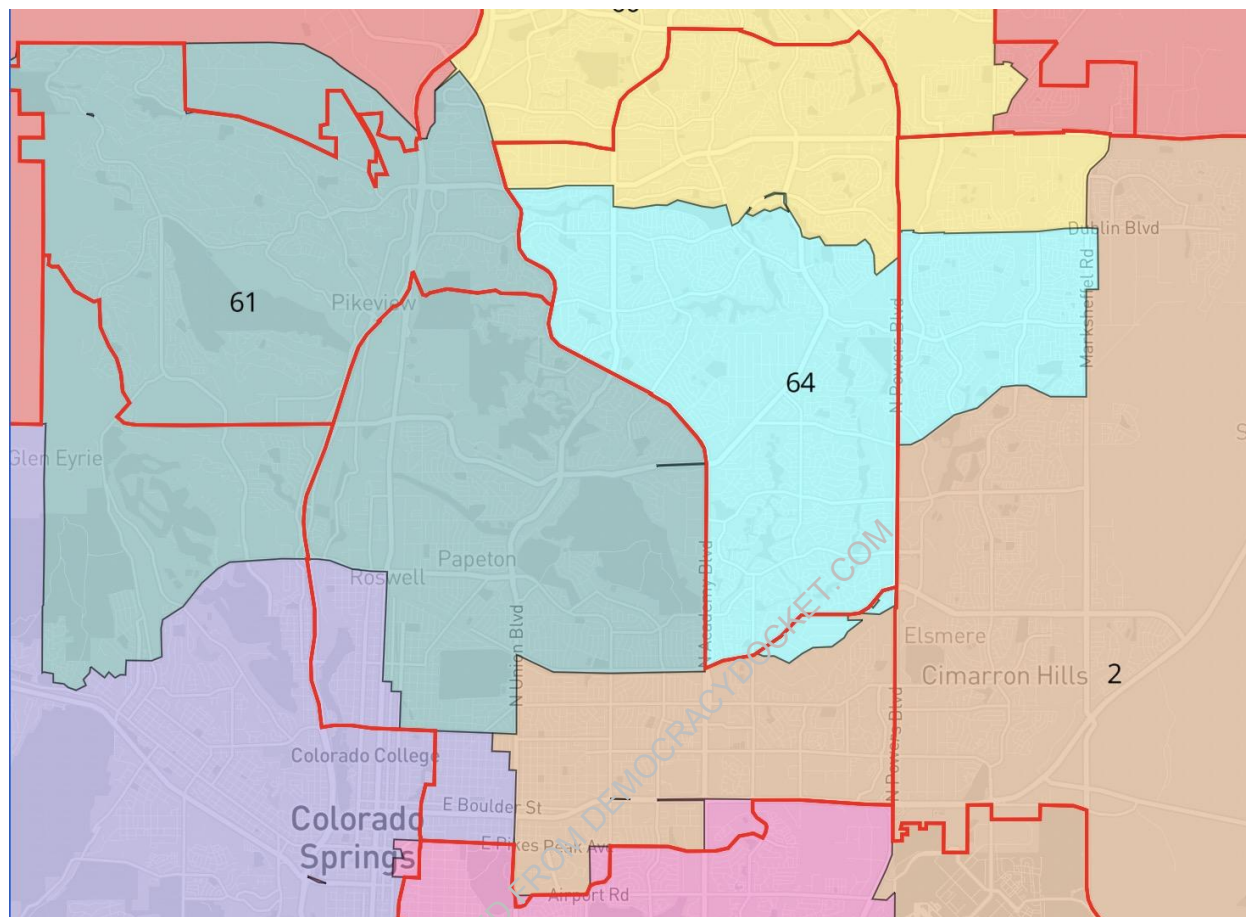
Lakewood area in the Kottwitz Plan (Lakewood contained within HD8, HD21, HD48, HD50)

Another place where the Kottwitz House Plan creates additional and unnecessary city splits is the City of Lakewood, which is split a total of four times between HD48, HD21, HD50, and HD8. The CLLARO/CBLC Plan and both staff plans split it only 2 ways as is required by population, following communities of interest and dividing it along Kipling Parkway, with an additional minor split where it would require maintaining contiguity via a Kipling Parkway and Bellvue Avenue, which is not desirable. Since this additional arbitrary split is avoided in other plans and does not reflect communities of interest identified in public comment, the only other justification would be the addition of another competitive district (HD50 under Kottwitz Plan). HD50 in the Kottwitz Plan voted for the Democratic candidate by a 48.7%-48.1% margin in the 2018 AG race.

City Split Between Districts	Lakewood
Kottwitz Plan	4
CLLARO/CBLC Plan	3

Table 4: Comparisons between City Splits in the Kottwitz Map and in the CLLARO/CBLC Map

Kottwitz Plan - El Paso County (HD2, HD61, HD63, HD64, HD65)



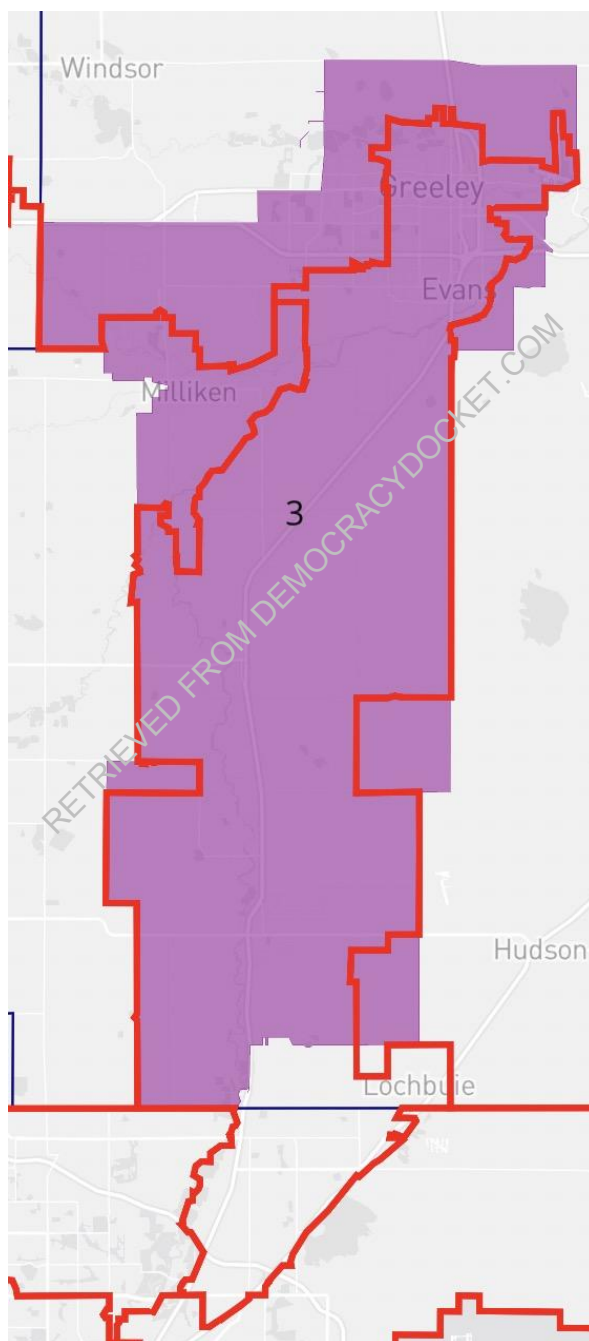
Central Colorado Springs in the Kottwitz Map (Contained within HD2, HD61, HD63, HD64, HD65)

While the Kottwitz Plan breaks up Communities of Interest, breaks up municipalities, and dilutes minority votes in order to create additional competitive districts in the Denver metro area, it appears to go out of its way to eliminate competitiveness in El Paso County. In the CLLARO/CBLC Plan, HD16 contains the central Colorado Springs neighborhoods outside of downtown. That district is competitive, voting for the Republican candidate by a 48.9%-47% margin in the 2018 AG race. The Kottwitz Plan breaks up that area between 5 House districts: HD2, HD61, HD63, HD64, and HD65. While HD63 and HD65 largely match the CLLARO/CBLC plan, with the former being competitive, HD61, HD64 and HD2 all remain non-competitive by breaking up the central Colorado Springs area. **The Kottwitz Plan specifically avoids a competitive district when it would not require breaking up a community of interest, an additional split of a municipality, or dilution of minority votes.**

2018 AG Margin Comparison	HD2 (HD19)	HD64 (HD15)	HD61 (HD16)	HD63 (HD18)	HD65 (HD17)
Kottwitz Plan	-15.1%	-26.8%	-14.7%	5%	13.3%
CLLARO/CBLC Plan	-26.4%	-27.1%	-1.9%	0.5%	13.1%

Table 5: Margin in the 2018 AG race - Colorado Springs House districts

Barnett Plan - Senate District 3



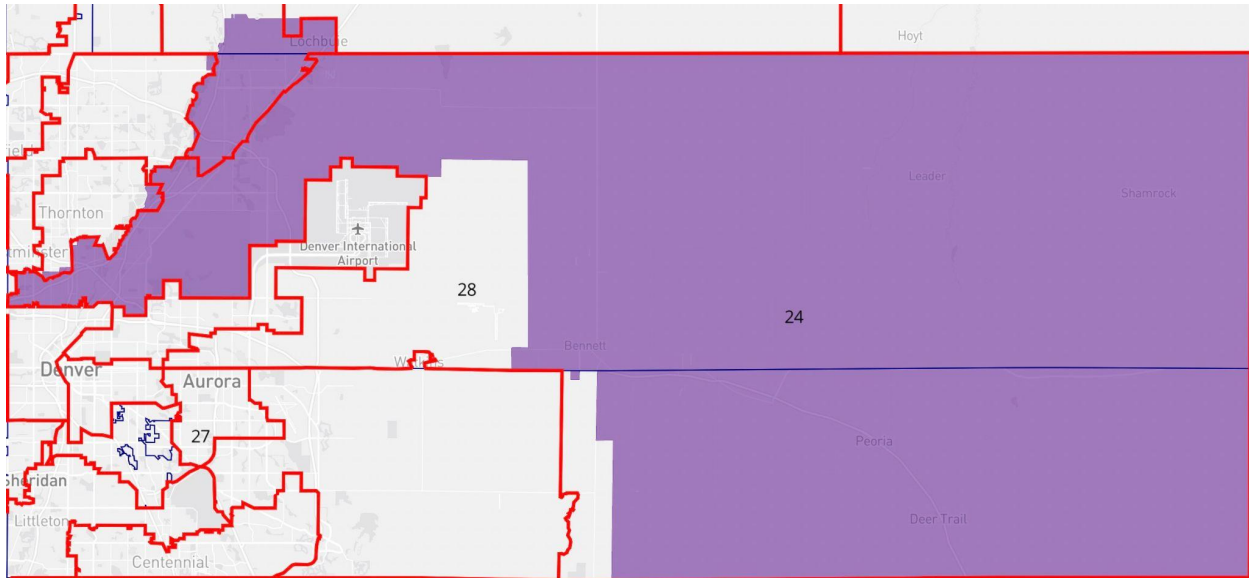
Senate District 3 in the Barnett Plan (shaded in grape)

Despite recent claims to the contrary, the Barnett Plan (SD3) does not follow the CLLARO/CBLC Plan (SD **03** Weld County. While the Barnett map does split Greeley, it does so in a way that does not reflect communities of interest, only taking a small portion of northeast Greeley. In fact, the additional areas the Barnett Plan includes to the district, largely from western Greeley and Milliken, have a CVAP of 77.9% White and 19.2% Latino, with all others being under 1%. Those areas voted for the Republican candidate by a 62.8% to 33.8% margin. The CLLARO/CBLC Plan follows the east Greeley community of interest and contains the entire Hwy-85 corridor south and includes all of the City of Brighton. This is the best way that CLLARO identified to give Latino voters enough voice to potentially elect their preferred candidate while maintaining communities of interest. Since the communities in Greeley and Brighton are proximate populations and more similar communities than others closer to Denver, this is the preferred option for meeting that constitutional criteria. **Under the CLLARO/CBLC Plan, SD13 voted for the Republican candidate by a 50.9% to 44.6% margin. Under the Barnett Plan and 2nd Staff Plan, the district voted for the Republican candidate by a 55% to 40.9% margin.** The reason is the Barnett Plan has a Latino CVAP of 29.2% vs. a white CVAP of 66.2% and the CLLARO/CBLC Plan has a Latino CVAP of 32.7% vs. a White CVAP of 61.6%. The white electorate in this part of Weld County votes as a bloc against the preferred candidate of Latinos. This was identified by the Commission's VRA analyst who said there was racially polarized voting in the current HD50, which comprises eastern Greeley, Garden City, and Evans. The CLLARO/CLBC configuration includes more white crossover voters from the metro area. **The CLLARO/CBLC configuration in Weld County is necessary from the constitutional criteria regarding communities of interest as well as prevention of minority dilution and it creates a competitive district in which Latino and other minority voters have the opportunity to elect their preferred candidate. The Barnett Plan does not come close to achieving this condition.**

SD3 Comparisons	White CVAP	Latino CVAP	Black CVAP	AAPI CVAP	AG D%	AG R%
SD3 Included (Barnett)	77.9%	19.2%	<1%	<1%	33.8%	62.8%
SD13 Excluded (CLLARO/CBLC)	63.4%	30.1%	2.2%	2.9%	42.2%	53.3%
SD3 Total (Barnett)	66.2%	29.2%	1.6%	1.2%	40.9%	55%
SD13 Total (CLLRO/CBLC)	61.6%	32.7%	2.9%	1.8%	44.6%	50.9%

Table 6: Comparisons between SD3 in the Barnett Map and SD13 in the CLLARO/CBLC Map

Barnett Plan - Senate District 24



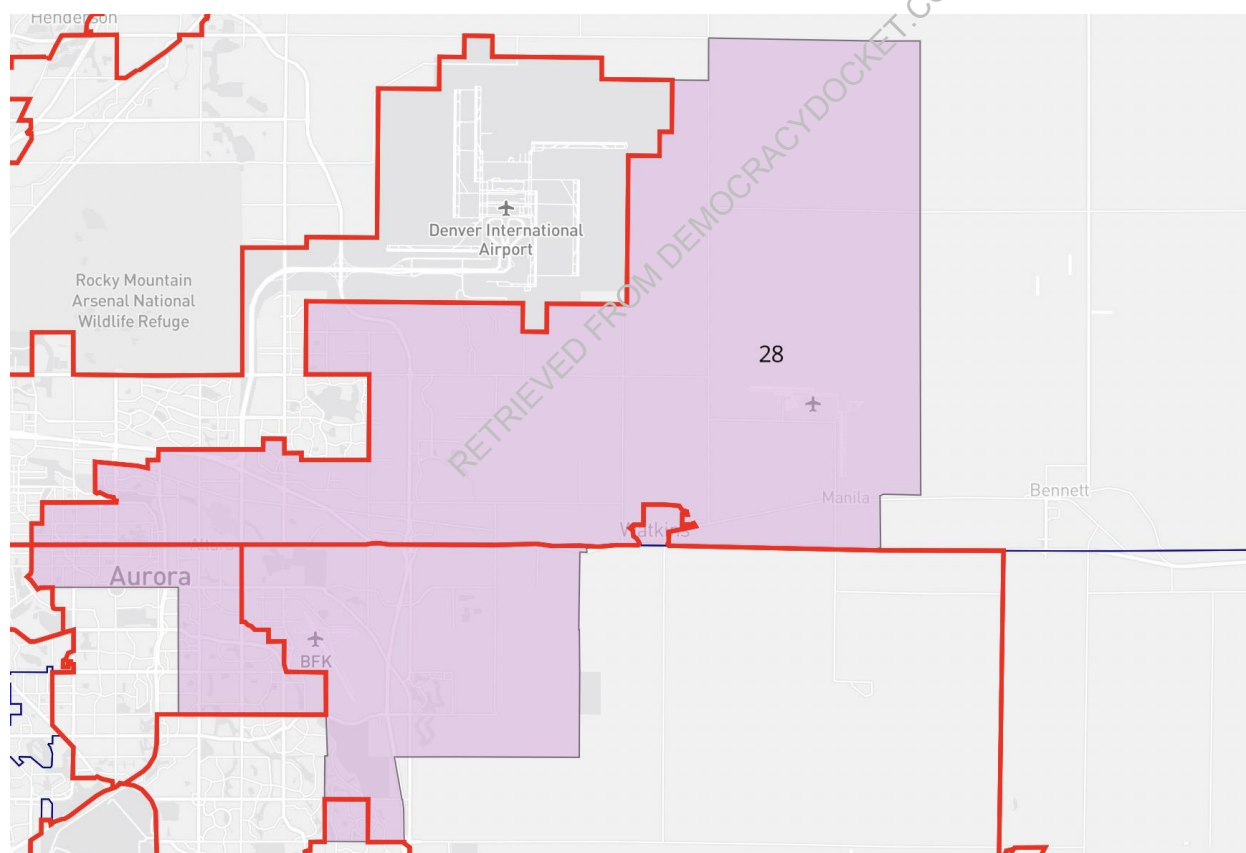
Senate District 24 in the Barnett Plan (shaded in dark purple)

The eastern Adams County Senate District proposed in the Barnett Plan (SD24) is another example of the dilution of minority votes via stacking. Compared to the CLLARO/CBLC Plan (SD25), this plan excludes 48,805 people. In the area removed, the Adams County portion of Aurora, the CVAP is 46.3% White, 28.8% Latino, 16.7% Black, and 5.2% AAPI. This is also an employment community of interest around Denver International Airport that was identified in testimony. That area voted 67.7% for the Democratic candidate and 28.3% for the Republican candidate in the 2018 Attorney General (AG) race. This indicates strong crossover voting from white voters in that area. The CLLARO/CBLC plan creates a coalition district that includes diverse communities in eastern Adams County, including: Latinos in Commerce City, southwest Adams, and Aurora; African-Americans in Aurora, and the AAPI community in Aurora. In place of north Aurora, the Barnett Plan includes just over 50,000 people from Brighton with a CVAP that is 63.4% White, 30.1% Latino 2.2% Black, and 2.9% AAPI. That area voted 53.3% for the Republican candidate and 42.4% for the Democratic candidate in the same election. This means there are far fewer crossover white voters in the area added to the district than the area removed from it. Additionally, the white CVAP in the area added is much higher than the white CVAP in the area removed. The Barnett Plan also excludes a large number of African-American voters from the district, dropping their percentage of CVAP from 6.7% total to 2.8% total. **This together results in a situation where Latino voters have been packed into a neighboring district (SD28 in the Barnett Plan) so they can be stacked and their influence diluted in this district, making SD24 a less effective minority district.** This district has the added effect of making it impossible to draw a district in Weld County that gives Latino voters adequate voice for effective representation since there is no other proximate population with any community of interest ties to eastern Greeley. **The overall effect of the Barnett Plan is to reduce the number of Latino-influenced districts by one in the eastern Adams County / Weld County area while maintaining the same number of competitive districts.**

SD24 Comparisons	White CVAP	Latino CVAP	Black CVAP	AAPI CVAP	AG D%	AG R%
SD25 Removal (CLLARO/CBLC)	46.3%	28.8%	16.7%	5.2%	67.7%	28.3%
SD24 Addition (Barnett)	63.4%	30.1%	2.2%	2.9%	42.2%	53.3%
SD25 Total (CLLARO/CBLC)	55.1%	33.1%	6.7%	3.1%	52.3%	43.7%
SD24 Total (Barnett)	59.8%	33.4%	2.8%	2.6%	46.2%	49.6%

Table 7: Comparisons between SD24 in the Barnett Map and SD25 in the CLLARO/CBLC Map

Barnett Plan - Senate District 28



Senate District 28 in the Barnett Plan (shaded in lavender)

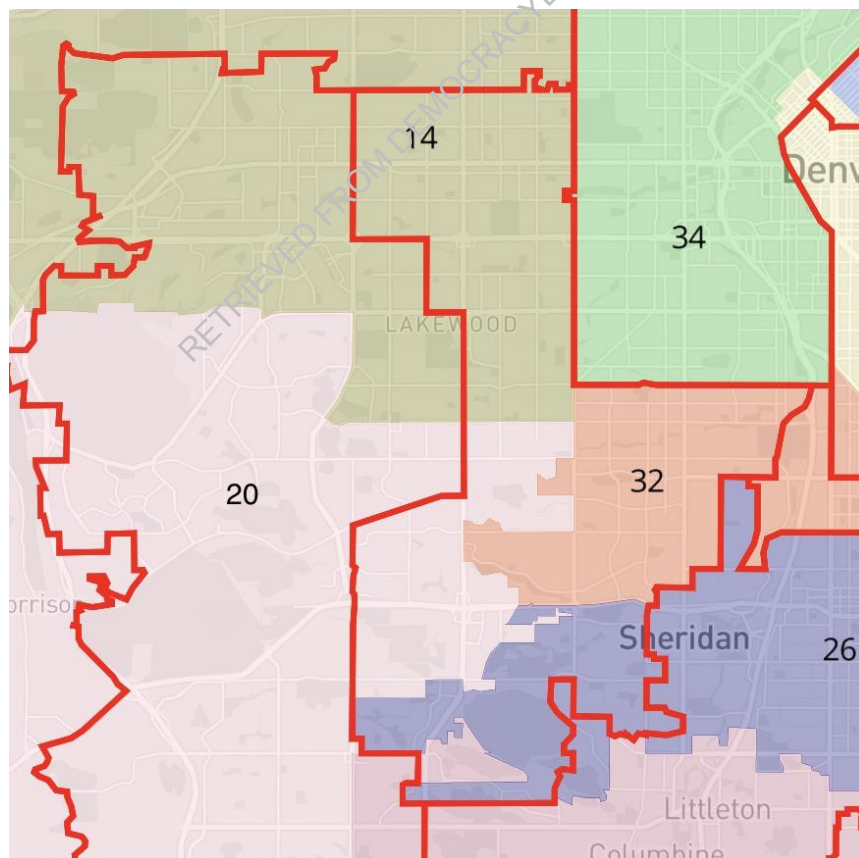
The Aurora Senate District proposed in the Barnett Plan (SD28) is an example of packing of minority voters to dilute their influence in a neighboring district(s). Compared to the CLLARO/CBLC Plan, which matches Staff Plan 1, this plan removes over 80,000 people. The areas removed, largely from central Aurora, have a CVAP that is 52.2% White,

16.3% Latino, 24.4% Black, and 5.4% AAPI. The area added to the district from the district in Adams County has a CVAP that is 46.3% White, 28.8% Latino, 16.7% Black, and 5.2% AAPI. Similar to the Kottwitz Plan in the House, the northern Aurora district diminishes the influence of Black voters so it can pack Latinos who would otherwise be in a neighboring district(s). **SD28 under the Barnett Plan allows the stacking of the neighboring SD24 by removing the heavily Latino neighborhoods of north Aurora.**

SD28 Comparisons	White CVAP	Latino CVAP	Black CVAP	AAPI CVAP
SD28 Excluded (CLLARO/CBLC)	52.2%	16.3%	24.4%	5.4%
SD28 Included (Barnett)	46.3%	28.8%	16.7%	5.2%
SD28 Total (CLLARO/CBLC)	48.4%	19.3%	25%	5.4%
SD28 Total (Barnett)	47.8%	23%	21%	6.1%

Table 8: Comparisons between SD28 in the Barnett Map and SD28 in the CLLARO/CBLC Map

Barnett Plan - Jefferson County (SD20, SD22, SD26, SD32)



Sheridan Corridor in the Barnett Plan (Split between SD14, SD20, SD26, SD32, SD24))

The Barnett Plan also divides communities of interest. The plan splits up the Sheridan corridor between Denver and Lakewood into 4 Senate districts (SD20, SD22, SD26, SD32). The Commission prioritized the Latino voice and communities as a priority in the drafting of any map and the Barnett Plan splits up this Latino community of interest that was in a single district (SD22) in the CLLARO/CBLC Plan and Staff Plan 1. This community of interest was specifically identified in testimony, including by the Mayor of Lakewood who wanted the city to remain as whole as possible, but preferred this east/west split if a split needed to occur. This configuration splits off Latino communities to add population to four separate senate districts rather than preserving their voice in a single district. While SD22 in the CLLARO/CBLC Plan has a Latino CVAP of 28.9% The 4 districts in the Barnett Plan go as high as 22.5% Latino CVAP in SD14 and as low as 10.3% Latino CVAP in SD20. **Again, the Barnett Plan removes a Latino-influenced district from the Senate. In this case, however, the plan produces fewer competitive seats from Jefferson County (SD19, SD20) than the CLLARO/CBLC Plan (SD16, SD19, SD20).**

Jeffco Senate District Comparisons	White CVAP	Latino CVAP	Black CVAP	AAP/ CVAP	AG D%	AG R%
SD22 (CLLARO/CBLC)	62.7%	28.9%	2.7%	4.2%	61.6%	34.6%
SD16 (CLLARO/CBLC)	88.2%	8.1%	1%	1.6%	49.7%	47%
SD19 (CLLARO/CBLC)	83.2%	11.9%	1.1%	2.6%	51%	45.4%
SD20 (CLLARO/CBLC)	83.7%	10.7%	1.2%	3.1%	50.7%	46.1%
SD14 (Barnett)	77.2%	17.5%	1.7%	2.4%	61%	35.2%
SD16 (Barnett)	86.5%	8.5%	2.3%	1.3%	35.7%	60.8%
SD19 (Barnett)	83.3%	11.9%	1.1%	2.5%	51%	45.5%
SD20 (Barnett)	84.1%	10.3%	1.4%	2.9%	50.1%	46.9%

Table 9: Comparisons between Jeffco districts in the Barnett Map and in the CLLARO/CBLC Map

For Staff Use Only	
<u>Assigned Additional Plan Number</u>	<u>Assigned Amendment Number</u>

Additional Plan & Amendment Request Form

I. General (Required)

Date of Request	10/7/21
Name(s)	Commissioner Amber McReynolds
Commission	<input type="checkbox"/> Congressional <input checked="" type="checkbox"/> Legislative
Request Type	<input checked="" type="checkbox"/> Additional Plan <input type="checkbox"/> Amendment

II. Request (Required)

I, Amber McReynolds, request, in accordance with article V, section 48.2 (4), that nonpartisan staff draft an additional House Plan to Staff Map 3.

The additional plan titled 'Carrera Compromise House Plan' can be found on Dave's Redistricting at this link: <https://davesredistricting.org/join/b3e9321f-2908-48d8-a325-a8ae420c981e>

III. Goal (Optional – but, must be read into the record at the public meeting if completed)

The goal of my request is to:

- 1) Meet the constitutional criteria outlined in Article 5, Sec. 44.3.
- 2) Build upon the previously released staff maps, while incorporating public testimony, commissioner suggestions, and referencing maps submitted by the public.
- 3) Acknowledges the statewide growth of the Latino population as evidenced by the 2020 Census data.
- 4) Creates effective minority districts and does not protect incumbents.

The Colorado Constitution (article V, sections 44.4 (4) and 48.2 (4)), requires commissioners to request additional plans or amendments in a public meeting. A commissioner requesting an additional plan or amendment must read the request into the record at a public meeting and send this completed form to the staff in the public meeting's chat function.

IV. Considerations

- Creates **15 total** competitive districts, on the more competitive side of the multiple plans before the commission.
 - Adds an additional competitive seat around the Carbon Valley as the Kottwitz et al Plan does (HD12).
- Creates **15 effective Latino-influence districts**, meaning they have a significant Latino citizen voting age population (CVAP) and ability to elect their preferred candidate.
- Creates **10 effective coalition districts**, meaning they have a significant number of eligible voters of color who have the ability to elect their preferred candidate, though no one group has a dominant population.
- Maintains communities of interest as expressed in public comment by groups representing Latinos, African-Americans, and the AAPI community.
- Incorporates district concepts, especially around Boulder, Fort Collins, and Colorado Springs, as workshopped, discussed and amended in the Kottwitz, et al Plans requested on September 26, October 1, October 5, and October 6.
- Maintains a southeast Colorado Springs district as drawn by Commissioner Perez (HD17).
- Maintains 3 Eastern Plains districts as requested by Commissioner Hass (HD30, HD64, HD65).
- Incorporates the Longmont district requested by Commissioner Greenwich (HD11).
- Maintains a north-south split of Arvada as requested by Commissioner Fletcher (HD27, HD29).
- Minimizes municipal splits in Lakewood and Westminster (HD23, HD28, HD29).
- Maintains Louisville, Lafayette, Superior community of interest (HD13).
- Keeps military bases in the Colorado Springs region together with communities of interest (HD15, HD21).
- Makes improvements for compactness, contiguity, and maintaining political subdivisions.
- Staff is instructed to make adjustments for commission district numbering, senator holdovers, and de minimis city changes where appropriate.
- Staff is instructed to conduct an analysis as it relates to the Commission's adopted VRA analysis policy.
- I believe this map meets all the constitutional criteria in rank order.

The Colorado Constitution (article V, sections 44.4 (4) and 48.2 (4)), requires commissioners to request additional plans or amendments in a public meeting. A commissioner requesting an additional plan or amendment must read the request into the record at a public meeting and send this completed form to the staff in the public meeting's chat function.

Houst Staff Plan #3

Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP
D1	87,969	69.05%	43.51%	1.59%
D2	89,314	77.30%	9.42%	2.94%
D3	87,524	73.30%	13.19%	2.01%
D4	87,718	68.20%	46.43%	1.95%
D5	86,960	69.75%	44.39%	4.85%
D6	88,182	81.90%	9.41%	9.88%
D7	90,537	52.50%	36.43%	28.30%
D8	90,282	72.76%	15.69%	20.16%
D9	88,418	71.13%	13.41%	8.92%
D10	89,364	83.40%	8.26%	1.24%
D11	87,606	73.95%	15.53%	0.76%
D12	87,441	64.82%	15.08%	0.88%
D13	89,063	69.24%	4.37%	0.64%
D14	88,758	57.15%	8.19%	3.81%
D15	89,157	60.11%	12.22%	6.79%
D16	88,645	72.99%	11.72%	4.45%
D17	90,498	64.75%	28.06%	14.65%
D18	88,789	79.09%	11.69%	4.26%
D19	89,190	74.88%	5.77%	1.71%
D20	89,050	77.87%	8.65%	3.47%
D21	88,512	68.45%	14.86%	10.21%
D22	87,429	76.05%	7.98%	0.77%
D23	87,529	78.85%	15.58%	1.48%
D24	89,895	77.56%	13.06%	1.06%
D25	87,293	79.76%	4.50%	0.48%
D26	91,084	69.78%	19.30%	0.56%
D27	88,707	71.15%	8.64%	0.71%
D28	86,793	73.97%	20.54%	1.59%
D29	88,813	73.07%	13.80%	1.15%
D30	90,146	63.52%	35.50%	9.26%
D31	87,132	60.88%	30.01%	1.75%
D32	88,894	53.80%	50.88%	1.86%
D33	87,277	66.42%	8.64%	1.01%
D34	90,595	68.16%	29.00%	1.93%
D35	90,672	60.83%	25.90%	1.49%
D36	89,622	54.89%	18.74%	15.90%
D37	87,806	72.58%	7.45%	5.31%
D38	89,101	80.01%	5.86%	1.09%
D39	89,070	72.04%	4.82%	0.73%
D40	88,644	68.43%	13.30%	11.51%
D41	89,054	68.88%	16.00%	15.55%
D42	90,864	54.20%	36.82%	19.80%
D43	88,172	71.96%	6.49%	1.28%
D44	87,372	61.67%	7.04%	1.75%

D45	91,001	59.16%	6.87%	1.18%
D46	87,757	84.45%	35.78%	1.76%
D47	87,406	76.52%	30.35%	1.77%
D48	89,677	67.75%	17.85%	0.50%
D49	86,731	67.65%	6.63%	0.42%
D50	87,932	63.53%	38.22%	1.85%
D51	87,441	80.34%	8.86%	0.51%
D52	91,002	72.00%	10.59%	0.93%
D53	90,798	78.29%	8.34%	1.48%
D54	89,970	74.43%	11.90%	0.64%
D55	87,598	73.96%	11.26%	0.74%
D56	86,752	69.69%	19.98%	2.25%
D57	88,370	66.04%	20.18%	0.53%
D58	90,206	74.44%	12.37%	0.30%
D59	90,903	79.82%	10.35%	0.45%
D60	90,179	80.68%	9.66%	3.26%
D61	88,319	76.80%	10.78%	0.57%
D62	90,428	72.61%	46.38%	0.78%
D63	86,796	71.19%	19.15%	0.69%
D64	88,468	63.85%	19.87%	2.81%
D65	91,039	62.16%	19.28%	2.73%

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Non-Hispanic White

VAP

Minority VAP

48.11%	51.89%
82.61%	17.39%
78.98%	21.02%
47.79%	52.21%
45.44%	54.56%
74.67%	25.33%
29.15%	70.85%
59.72%	40.28%
70.74%	29.26%
83.11%	16.89%
79.43%	20.57%
79.09%	20.91%
91.55%	8.45%
81.02%	18.98%
73.92%	26.08%
79.07%	20.93%
50.34%	49.66%
79.73%	20.27%
88.80%	11.20%
82.10%	17.90%
68.07%	31.93%
87.34%	12.66%
78.66%	21.34%
81.67%	18.33%
92.68%	7.32%
78.21%	21.79%
87.63%	12.37%
72.08%	27.92%
79.50%	20.50%
49.10%	50.90%
62.85%	37.15%
43.23%	56.77%
81.74%	18.26%
63.01%	36.99%
65.75%	34.25%
56.04%	43.96%
77.92%	22.08%
89.84%	10.16%
90.04%	9.96%
66.31%	33.69%
60.68%	39.32%
36.53%	63.47%
85.96%	14.04%
85.21%	14.79%

88.52%	11.48%
60.25%	39.75%
64.99%	35.01%
79.35%	20.65%
90.82%	9.18%
56.90%	43.10%
88.28%	11.72%
84.12%	15.88%
85.29%	14.71%
85.10%	14.90%
85.27%	14.73%
73.23%	26.77%
77.09%	22.91%
82.00%	18.00%
83.76%	16.24%
84.31%	15.69%
86.53%	13.47%
50.28%	49.72%
76.36%	23.64%
75.01%	24.99%
76.33%	23.67%

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HA.009 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP	
D1	87,969	69.05%	43.39%	2.77%	
D2	89,314	77.30%	7.63%	2.08%	
D3	87,524	73.30%	16.66%	7.00%	
D4	87,718	68.20%	35.36%	2.78%	
D5	86,960	69.75%	28.63%	4.85%	
D6	88,182	81.90%	11.26%	6.99%	
D7	90,537	52.50%	44.19%	23.04%	
D8	90,282	72.76%	16.67%	16.29%	
D9	88,418	71.13%	16.08%	14.03%	
D10	89,364	83.40%	9.03%	1.70%	
D11	87,606	73.95%	7.31%	0.99%	
D12	87,441	64.82%	10.96%	1.23%	
D13	89,063	69.24%	22.10%	1.27%	
D14	86,940	66.20%	8.91%	3.47%	
D15	90,087	62.51%	16.75%	7.96%	
D16	88,975	79.95%	16.13%	5.56%	
D17	90,118	64.98%	30.62%	13.13%	
D18	89,026	77.91%	11.22%	3.91%	
D19	89,764	72.20%	13.00%	5.16%	
D20	87,955	63.10%	8.46%	3.02%	
D21	88,721	68.48%	19.71%	11.25%	
D22	86,793	73.97%	26.14%	2.40%	
D23	87,524	80.41%	15.38%	1.77%	
D24	90,850	74.58%	13.51%	1.22%	
D25	88,920	78.55%	6.37%	0.72%	
D26	91,084	69.78%	17.71%	0.77%	
D27	87,902	73.78%	9.88%	1.15%	
D28	86,701	76.09%	12.35%	1.48%	
D29	88,612	72.59%	15.12%	1.86%	
D30	90,146	63.52%	10.88%	8.13%	
D31	87,132	60.88%	42.55%	2.39%	
D32	88,894	53.80%	48.90%	3.57%	
D33	87,277	66.32%	11.07%	1.65%	
D34	90,595	68.16%	25.71%	2.17%	
D35	89,829	61.34%	46.87%	1.87%	
D36	89,622	54.82%	35.16%	14.23%	
D37	87,806	72.58%	8.00%	3.60%	
D38	89,101	79.88%	9.86%	1.55%	
D39	89,070	72.04%	7.21%	1.74%	
D40	88,644	68.43%	17.35%	12.56%	
D41	89,054	68.88%	21.28%	17.63%	
D42	90,864	54.20%	39.39%	21.06%	
D43	88,172	71.96%	8.01%	1.54%	
D44	87,372	61.67%	9.01%	2.31%	

D45	91,001	59.16%	9.22%	1.74%
D46	87,757	84.45%	10.02%	2.75%
D47	87,406	76.52%	29.61%	2.13%
D48	89,677	67.75%	34.98%	1.29%
D49	86,731	67.65%	8.73%	0.69%
D50	87,932	63.53%	44.08%	3.16%
D51	87,441	80.34%	10.69%	1.00%
D52	91,002	72.00%	9.99%	1.56%
D53	90,798	78.29%	12.69%	2.07%
D54	89,970	74.43%	12.78%	0.75%
D55	87,598	73.96%	12.93%	0.99%
D56	87,765	69.61%	12.69%	2.63%
D57	88,370	66.04%	24.05%	0.71%
D58	90,206	74.44%	12.38%	0.55%
D59	90,903	79.82%	11.28%	0.52%
D60	90,179	80.68%	11.80%	1.02%
D61	88,319	76.80%	38.38%	2.50%
D62	90,428	72.61%	46.56%	1.55%
D63	86,796	71.19%	21.41%	2.18%
D64	88,468	63.85%	17.49%	0.90%
D65	91,039	62.16%	17.69%	1.08%

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Non-Hispanic White

VAP

Minority VAP

44.81%	55.19%
82.98%	17.02%
67.16%	32.84%
55.55%	44.45%
58.95%	41.05%
73.64%	26.36%
22.08%	77.92%
59.75%	40.25%
61.08%	38.92%
78.13%	21.87%
83.54%	16.46%
79.04%	20.96%
69.64%	30.36%
77.43%	22.57%
64.41%	35.59%
70.81%	29.19%
47.00%	53.00%
76.97%	23.03%
73.20%	26.80%
80.88%	19.12%
58.97%	41.03%
63.25%	36.75%
75.53%	24.47%
78.64%	21.36%
86.86%	13.14%
77.22%	22.78%
81.86%	18.14%
77.80%	22.20%
73.03%	26.97%
66.02%	33.98%
46.29%	53.71%
41.11%	58.89%
74.98%	25.02%
62.06%	37.94%
43.19%	56.81%
39.33%	60.67%
75.62%	24.38%
82.14%	17.86%
80.79%	19.21%
57.31%	42.69%
50.50%	49.50%
30.01%	69.99%
80.04%	19.96%
77.51%	22.49%

82.35%	17.65%
81.17%	18.83%
63.06%	36.94%
58.40%	41.60%
84.99%	15.01%
47.25%	52.75%
82.72%	17.28%
80.36%	19.64%
77.33%	22.67%
80.86%	19.14%
79.68%	20.32%
78.72%	21.28%
70.52%	29.48%
81.87%	18.13%
77.37%	22.63%
82.15%	17.85%
53.87%	46.13%
47.11%	52.89%
72.71%	27.29%
74.93%	25.07%
76.21%	23.79%

RETRIEVED FROM DEMOCRACYDOCKET.COM

HA.010 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP	Hispanic VAP	Non-Hispanic Black VAP
D1	87,969	60745	43.39%	2.77%
D2	88,172	67923	7.37%	2.03%
D3	87,504	64159	16.66%	7.00%
D4	87,718	60051	35.36%	2.78%
D5	86,960	60503	28.63%	4.85%
D6	87,264	69448	12.52%	9.14%
D7	90,537	47582	44.19%	23.04%
D8	90,282	65580	16.67%	16.29%
D9	90,478	66786	14.94%	11.72%
D10	90,286	74081	10.17%	1.77%
D11	88,055	59189	22.16%	1.32%
D12	87,784	61231	9.94%	1.28%
D13	87,334	69197	12.03%	1.03%
D14	90,615	60583	9.11%	3.50%
D15	90,074	55848	16.75%	7.96%
D16	88,844	71071	16.48%	5.60%
D17	88,286	57441	30.46%	13.20%
D18	87,518	68298	11.29%	3.97%
D19	89,266	53396	14.90%	1.01%
D20	88,807	56074	8.49%	3.00%
D21	88,817	60566	19.70%	11.24%
D22	87,705	67184	10.69%	1.17%
D23	87,523	68518	13.49%	1.91%
D24	87,471	66223	14.08%	1.39%
D25	89,333	72154	5.41%	0.73%
D26	90,678	63948	17.48%	0.78%
D27	89,341	65536	13.57%	1.15%
D28	86,742	64185	26.14%	2.40%
D29	88,781	64907	15.12%	1.86%
D30	89,747	64705	12.99%	5.16%
D31	87,110	53470	42.55%	2.39%
D32	88,894	47728	48.90%	3.57%
D33	87,638	59213	12.25%	1.65%
D34	87,386	59304	25.76%	2.19%
D35	90,732	55216	47.18%	1.86%
D36	87,839	48429	37.21%	15.42%
D37	87,805	63735	8.00%	3.60%
D38	88,827	71084	9.87%	1.55%
D39	87,164	62018	7.20%	1.74%
D40	90,235	60123	17.18%	12.41%
D41	89,053	61097	21.28%	17.63%
D42	90,864	49252	39.39%	21.06%
D43	88,172	63447	8.01%	1.54%
D44	90,502	56845	8.87%	2.30%

D45	89,291	52827	9.36%	1.74%
D46	88,882	69372	37.20%	2.50%
D47	87,431	67243	29.87%	2.08%
D48	88,861	60843	35.18%	1.30%
D49	89,555	72543	5.31%	0.65%
D50	87,914	55731	44.10%	3.16%
D51	87,862	70992	10.66%	1.00%
D52	90,787	65079	9.97%	1.56%
D53	90,404	70889	12.78%	2.09%
D54	90,836	67804	12.90%	0.76%
D55	87,599	64827	12.93%	0.99%
D56	88,074	60579	11.12%	1.76%
D57	88,776	57968	24.26%	0.71%
D58	89,836	66710	12.18%	0.54%
D59	90,406	72123	11.35%	0.52%
D60	87,211	72313	10.61%	2.81%
D61	90,064	51071	10.87%	0.85%
D62	90,362	65513	46.58%	1.55%
D63	87,186	62136	21.42%	2.17%
D64	90,265	58811	10.84%	7.97%
D65	90,000	60484	19.13%	0.97%

RETRIEVED FROM DEMOCRACYDOCKET.COM

Non-Hispanic White

VAP

Minority VAP

44.81%	55.19%
83.29%	16.71%
67.16%	32.84%
55.55%	44.45%
58.95%	41.05%
70.38%	29.62%
22.08%	77.92%
59.75%	40.25%
64.40%	35.60%
76.70%	23.30%
68.84%	31.16%
79.11%	20.89%
81.95%	18.05%
77.33%	22.67%
64.41%	35.59%
70.50%	29.50%
46.98%	53.02%
76.82%	23.18%
76.08%	23.92%
80.86%	19.14%
59.02%	40.98%
80.59%	19.41%
76.16%	23.84%
77.91%	22.09%
87.66%	12.34%
77.45%	22.55%
78.55%	21.45%
63.25%	36.75%
73.04%	26.96%
73.20%	26.80%
46.28%	53.72%
41.11%	58.89%
74.89%	25.11%
62.06%	37.94%
42.96%	57.04%
36.46%	63.54%
75.64%	24.36%
82.14%	17.86%
80.68%	19.32%
57.37%	42.63%
50.50%	49.50%
30.01%	69.99%
80.04%	19.96%
77.87%	22.13%

82.21%	17.79%
55.05%	44.95%
62.97%	37.03%
58.19%	41.81%
87.90%	12.10%
47.25%	52.75%
82.77%	17.23%
80.35%	19.65%
77.24%	22.76%
80.75%	19.25%
79.68%	20.32%
80.79%	19.21%
70.31%	29.69%
82.07%	17.93%
77.26%	22.74%
80.41%	19.59%
82.79%	17.21%
47.10%	52.90%
72.70%	27.30%
66.56%	33.44%
74.68%	25.32%

RETRIEVED FROM DEMOCRACYDOCKET.COM

HA.011 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP
D1	87,969	69.05%	43.39%	2.77%
D2	88,172	77.03%	7.37%	2.03%
D3	87,504	73.32%	16.66%	7.00%
D4	87,718	68.46%	35.36%	2.78%
D5	86,960	69.58%	28.63%	4.85%
D6	90,478	73.82%	14.94%	11.72%
D7	90,537	52.55%	44.19%	23.04%
D8	90,282	72.64%	16.67%	16.29%
D9	87,264	79.58%	12.52%	9.14%
D10	90,684	79.18%	36.10%	2.35%
D11	88,055	67.22%	22.16%	1.32%
D12	89,266	59.82%	14.90%	1.01%
D13	86,766	69.55%	10.02%	1.29%
D14	90,615	66.86%	9.11%	3.50%
D15	90,074	62.00%	16.75%	7.96%
D16	88,844	80.00%	16.48%	5.60%
D17	88,286	65.06%	30.46%	13.20%
D18	87,518	78.04%	11.29%	3.97%
D19	89,747	72.10%	12.99%	5.16%
D20	90,286	82.05%	10.17%	1.77%
D21	88,817	68.19%	19.70%	11.24%
D22	86,975	76.02%	12.34%	1.48%
D23	87,524	80.41%	15.38%	1.77%
D24	87,902	73.78%	9.88%	1.15%
D25	88,924	78.55%	6.37%	0.72%
D26	90,678	70.52%	17.48%	0.78%
D27	90,850	74.58%	13.51%	1.22%
D28	86,793	73.97%	26.14%	2.40%
D29	88,580	72.57%	15.12%	1.86%
D30	88,074	68.78%	11.12%	1.76%
D31	87,221	65.61%	27.07%	1.98%
D32	88,894	53.69%	48.90%	3.57%
D33	87,638	67.46%	12.25%	1.65%
D34	87,275	63.65%	40.87%	2.59%
D35	89,889	61.36%	46.86%	1.87%
D36	87,839	55.13%	37.21%	15.42%
D37	87,805	72.59%	8.00%	3.60%
D38	88,827	80.03%	9.87%	1.55%
D39	87,164	71.15%	7.20%	1.74%
D40	90,235	66.63%	17.18%	12.41%
D41	89,053	68.61%	21.28%	17.63%
D42	90,864	54.20%	39.39%	21.06%
D43	88,172	71.96%	8.01%	1.54%
D44	90,502	62.81%	8.87%	2.30%

D45	89,291	59.16%	9.36%	1.74%
D46	90,000	67.20%	19.13%	0.97%
D47	88,807	63.14%	8.49%	3.00%
D48	90,064	56.70%	10.87%	0.85%
D49	86,538	81.14%	5.37%	0.66%
D50	87,914	63.39%	44.10%	3.16%
D51	87,862	80.80%	10.66%	1.00%
D52	90,787	71.68%	9.97%	1.56%
D53	90,404	78.41%	12.78%	2.09%
D54	90,836	74.64%	12.90%	0.76%
D55	87,599	74.00%	12.93%	0.99%
D56	90,265	65.15%	10.84%	7.97%
D57	88,776	65.30%	24.26%	0.71%
D58	89,836	74.26%	12.18%	0.54%
D59	90,406	79.78%	11.35%	0.52%
D60	87,237	83.17%	10.31%	2.76%
D61	90,252	80.40%	11.82%	1.02%
D62	89,181	72.26%	48.00%	1.68%
D63	88,861	68.47%	35.18%	1.30%
D64	88,092	75.93%	29.82%	2.11%
D65	87,186	71.27%	21.42%	2.17%

RETRIEVED FROM DEMOCRACYDOCKET.COM

Non-Hispanic White

VAP

Minority VAP

44.81%	55.19%
83.29%	16.71%
67.16%	32.84%
55.55%	44.45%
58.95%	41.05%
64.40%	35.60%
22.08%	77.92%
59.75%	40.25%
70.38%	29.62%
56.35%	43.65%
68.84%	31.16%
76.08%	23.92%
78.97%	21.03%
77.33%	22.67%
64.41%	35.59%
70.50%	29.50%
46.98%	53.02%
76.82%	23.18%
73.20%	26.80%
76.70%	23.30%
59.02%	40.98%
77.81%	22.19%
75.53%	24.47%
81.86%	18.14%
86.86%	13.14%
77.45%	22.55%
78.64%	21.36%
63.25%	36.75%
73.03%	26.97%
80.79%	19.21%
60.64%	39.36%
41.11%	58.89%
74.89%	25.11%
48.05%	51.95%
43.20%	56.80%
36.46%	63.54%
75.64%	24.36%
82.14%	17.86%
80.68%	19.32%
57.37%	42.63%
50.50%	49.50%
30.01%	69.99%
80.04%	19.96%
77.87%	22.13%

82.21%	17.79%
74.68%	25.32%
80.86%	19.14%
82.79%	17.21%
87.84%	12.16%
47.25%	52.75%
82.77%	17.23%
80.35%	19.65%
77.24%	22.76%
80.75%	19.25%
79.68%	20.32%
66.56%	33.44%
70.31%	29.69%
82.07%	17.93%
77.26%	22.74%
80.80%	19.20%
82.11%	17.89%
45.61%	54.39%
58.19%	41.81%
62.85%	37.15%
72.70%	27.30%

RETRIEVED FROM DEMOCRACYDOCKET.COM

HP.008 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP
D1	89,173	70.30%	39.21%	2.70%
D2	87,264	79.58%	12.52%	9.14%
D3	91,008	74.61%	6.90%	1.74%
D4	90,348	68.74%	39.11%	2.82%
D5	87,303	68.79%	25.53%	5.09%
D6	87,273	75.71%	8.35%	3.97%
D7	90,537	52.44%	44.19%	23.04%
D8	89,830	72.52%	16.80%	16.16%
D9	87,427	76.35%	14.93%	9.14%
D10	90,881	80.92%	8.81%	1.66%
D11	88,055	67.22%	22.16%	1.32%
D12	90,939	70.91%	11.21%	1.37%
D13	88,574	80.65%	11.36%	0.75%
D14	88,382	66.52%	9.17%	3.57%
D15	88,680	62.39%	16.74%	8.00%
D16	88,846	79.72%	16.48%	5.60%
D17	88,286	65.14%	30.46%	13.20%
D18	89,580	77.54%	11.20%	3.89%
D19	87,427	73.93%	12.74%	1.35%
D20	86,841	62.77%	8.53%	3.03%
D21	87,477	68.30%	19.71%	11.39%
D22	86,890	76.60%	9.12%	1.06%
D23	89,505	79.35%	14.76%	1.69%
D24	86,798	73.54%	26.39%	2.51%
D25	87,344	82.86%	5.27%	0.73%
D26	90,678	70.50%	17.48%	0.78%
D27	90,808	74.08%	13.51%	1.22%
D28	87,233	78.29%	13.47%	1.63%
D29	89,643	71.09%	12.42%	1.34%
D30	87,763	63.22%	20.64%	11.76%
D31	90,368	55.88%	52.88%	2.26%
D32	89,014	53.58%	48.85%	3.57%
D33	86,992	66.81%	12.86%	1.74%
D34	89,382	69.01%	25.12%	2.20%
D35	89,864	68.38%	31.61%	2.00%
D36	87,008	61.77%	14.13%	9.56%
D37	90,295	67.19%	10.91%	7.71%
D38	87,936	80.63%	15.30%	2.48%
D39	87,806	71.05%	7.41%	1.79%
D40	88,732	48.83%	47.97%	15.45%
D41	87,632	68.38%	19.42%	16.47%
D42	88,592	61.19%	27.10%	23.38%
D43	86,750	71.21%	7.83%	1.50%
D44	86,794	62.17%	9.09%	2.35%

D45	88,870	59.37%	9.38%	1.75%
D46	88,848	79.74%	36.27%	2.33%
D47	87,490	76.99%	28.39%	2.11%
D48	89,354	67.72%	28.27%	1.09%
D49	90,957	73.45%	8.10%	0.70%
D50	89,807	63.01%	43.54%	3.14%
D51	87,862	80.80%	10.66%	1.00%
D52	90,874	71.48%	9.99%	1.57%
D53	90,355	77.98%	12.76%	2.09%
D54	88,152	73.19%	12.28%	0.70%
D55	90,307	75.50%	13.51%	1.03%
D56	90,024	70.08%	30.51%	1.69%
D57	88,776	65.32%	24.26%	0.71%
D58	89,699	74.55%	12.17%	0.54%
D59	90,519	79.42%	11.35%	0.52%
D60	86,958	84.37%	9.43%	2.95%
D61	89,767	72.49%	12.99%	5.16%
D62	89,523	71.38%	47.80%	1.73%
D63	90,064	70.63%	22.16%	2.16%
D64	89,360	60.17%	14.90%	1.01%
D65	88,190	57.22%	11.12%	0.78%

RETRIEVED FROM DEMOCRACYPOCKET.COM

Non-Hispanic White

VAP

Minority VAP

49.30%	50.70%
70.38%	29.62%
82.02%	17.98%
51.84%	48.16%
61.55%	38.45%
80.49%	19.51%
22.08%	77.92%
59.75%	40.25%
66.72%	33.28%
78.63%	21.37%
68.84%	31.16%
77.16%	22.84%
82.78%	17.22%
77.12%	22.88%
64.35%	35.65%
70.50%	29.50%
46.98%	53.02%
77.01%	22.99%
80.24%	19.76%
80.75%	19.25%
58.76%	41.24%
82.87%	17.13%
76.16%	23.84%
62.80%	37.20%
87.82%	12.18%
77.45%	22.55%
78.65%	21.35%
76.37%	23.63%
78.05%	21.95%
56.72%	43.28%
37.40%	62.60%
41.17%	58.83%
74.22%	25.78%
62.80%	37.20%
57.06%	42.94%
63.64%	36.36%
65.32%	34.68%
75.26%	24.74%
80.89%	19.11%
26.93%	73.07%
52.69%	47.31%
39.33%	60.67%
79.75%	20.25%
77.34%	22.66%

REMOVED FROM DEMOCRACYDOCKET.COM

82.20%	17.80%
56.32%	43.68%
64.15%	35.85%
65.79%	34.21%
85.45%	14.55%
47.78%	52.22%
82.77%	17.23%
80.33%	19.67%
77.26%	22.74%
81.36%	18.64%
79.12%	20.88%
59.54%	40.46%
70.31%	29.69%
82.09%	17.91%
77.25%	22.75%
81.59%	18.41%
73.20%	26.80%
45.59%	54.41%
72.01%	27.99%
76.09%	23.91%
82.68%	17.32%

RETRIEVED FROM DEMOCRACYDOCKET.COM

HP.004 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP
D1	87,969	69.05%	43.39%	2.77%
D2	89,314	77.13%	7.63%	2.08%
D3	87,530	73.35%	16.66%	7.00%
D4	87,718	68.46%	35.36%	2.78%
D5	86,960	69.58%	28.63%	4.85%
D6	88,182	81.90%	11.26%	6.99%
D7	90,537	52.48%	44.19%	23.04%
D8	90,282	72.71%	16.67%	16.29%
D9	88,418	71.31%	16.08%	14.03%
D10	88,008	80.74%	10.12%	1.70%
D11	90,019	78.39%	5.96%	0.94%
D12	87,308	64.82%	10.97%	1.23%
D13	87,943	67.47%	22.69%	1.34%
D14	87,664	63.88%	9.47%	3.75%
D15	88,612	63.48%	16.59%	7.80%
D16	87,992	80.00%	16.78%	5.69%
D17	88,286	64.91%	30.46%	13.20%
D18	89,554	77.88%	11.20%	3.90%
D19	90,333	73.14%	12.96%	5.15%
D20	90,710	63.76%	8.15%	2.93%
D21	89,103	68.13%	19.65%	11.23%
D22	87,429	76.77%	10.69%	1.17%
D23	87,603	77.38%	13.49%	1.90%
D24	90,666	75.39%	13.79%	1.34%
D25	87,303	80.08%	5.30%	0.74%
D26	90,378	69.50%	17.47%	0.78%
D27	87,981	73.50%	13.73%	1.17%
D28	86,668	74.33%	26.15%	2.40%
D29	90,732	60.85%	47.18%	1.86%
D30	90,241	63.14%	10.87%	8.13%
D31	89,550	66.05%	30.81%	1.99%
D32	88,979	53.76%	48.86%	3.57%
D33	87,438	66.44%	11.06%	1.65%
D34	88,300	63.40%	36.86%	2.56%
D35	88,778	73.06%	15.12%	1.86%
D36	89,622	55.02%	35.16%	14.23%
D37	87,800	72.62%	8.00%	3.60%
D38	89,741	79.87%	9.90%	1.56%
D39	88,459	71.31%	7.39%	1.51%
D40	88,645	68.54%	17.35%	12.56%
D41	89,053	68.61%	21.28%	17.63%
D42	90,864	54.20%	39.39%	21.06%
D43	87,004	69.45%	7.76%	1.58%
D44	89,141	65.14%	8.95%	2.48%

D45	90,272	59.22%	9.25%	1.73%
D46	88,145	83.98%	9.90%	2.73%
D47	87,769	75.88%	29.59%	2.13%
D48	90,540	62.55%	18.02%	1.07%
D49	88,395	68.43%	10.36%	0.69%
D50	87,906	63.31%	44.09%	3.16%
D51	87,246	80.24%	10.71%	1.01%
D52	89,936	70.43%	11.21%	1.61%
D53	88,795	79.65%	11.81%	2.08%
D54	89,502	74.76%	12.88%	0.74%
D55	90,835	74.02%	12.81%	0.98%
D56	89,001	69.67%	13.87%	2.30%
D57	89,076	66.36%	24.25%	0.71%
D58	89,180	74.45%	12.24%	0.54%
D59	89,160	79.55%	11.40%	0.52%
D60	90,179	80.68%	11.80%	1.02%
D61	87,584	78.05%	38.66%	2.53%
D62	90,412	72.45%	46.55%	1.55%
D63	87,880	66.68%	34.44%	1.40%
D64	87,076	63.00%	15.20%	0.76%
D65	90,008	72.27%	20.84%	2.49%

RETRIEVED FROM DEMOCRACYDOCKET.COM

Non-Hispanic White

VAP

Minority VAP

44.81%	55.19%
82.98%	17.02%
67.16%	32.84%
55.55%	44.45%
58.95%	41.05%
73.64%	26.36%
22.08%	77.92%
59.75%	40.25%
61.08%	38.92%
76.68%	23.32%
85.38%	14.62%
79.04%	20.96%
68.82%	31.18%
76.87%	23.13%
64.87%	35.13%
70.12%	29.88%
46.98%	53.02%
77.00%	23.00%
73.23%	26.77%
80.99%	19.01%
59.05%	40.95%
80.58%	19.42%
76.16%	23.84%
78.33%	21.67%
87.73%	12.27%
77.45%	22.55%
78.34%	21.66%
63.24%	36.76%
42.96%	57.04%
66.04%	33.96%
57.48%	42.52%
41.16%	58.84%
74.99%	25.01%
51.42%	48.58%
73.04%	26.96%
39.33%	60.67%
75.62%	24.38%
82.09%	17.91%
80.71%	19.29%
57.31%	42.69%
50.50%	49.50%
30.01%	69.99%
79.10%	20.90%
78.87%	21.13%

82.16%	17.84%
81.31%	18.69%
63.09%	36.91%
75.82%	24.18%
83.50%	16.50%
47.25%	52.75%
82.70%	17.30%
79.08%	20.92%
78.11%	21.89%
80.74%	19.26%
79.88%	20.12%
77.93%	22.07%
70.33%	29.67%
81.89%	18.11%
77.26%	22.74%
82.15%	17.85%
53.54%	46.46%
47.12%	52.88%
58.04%	41.96%
77.87%	22.13%
72.97%	27.03%

RETRIEVED FROM DEMOCRACYDOCKET.COM

HA.013 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP	
D1	87,969	69.05%	43.39%	2.77%	
D2	88,172	77.03%	7.37%	2.03%	
D3	87,504	73.32%	16.66%	7.00%	
D4	87,718	68.46%	35.36%	2.78%	
D5	86,960	69.58%	28.63%	4.85%	
D6	90,478	73.82%	14.94%	11.72%	
D7	90,537	52.55%	44.19%	23.04%	
D8	90,282	72.64%	16.67%	16.29%	
D9	87,264	79.58%	12.52%	9.14%	
D10	90,684	79.18%	36.10%	2.35%	
D11	88,055	67.22%	22.10%	1.31%	
D12	89,266	59.82%	14.90%	1.01%	
D13	86,766	69.55%	10.04%	1.29%	
D14	90,615	66.86%	9.11%	3.50%	
D15	90,074	62.00%	16.75%	7.96%	
D16	88,844	80.00%	16.48%	5.60%	
D17	88,286	65.06%	30.46%	13.20%	
D18	87,518	78.04%	11.29%	3.97%	
D19	89,747	72.10%	12.99%	5.16%	
D20	90,286	82.05%	10.17%	1.77%	
D21	88,817	68.19%	19.70%	11.24%	
D22	86,975	76.02%	10.69%	1.17%	
D23	87,524	80.41%	13.37%	1.87%	
D24	87,902	73.78%	13.60%	1.28%	
D25	88,924	78.55%	5.69%	0.82%	
D26	90,678	70.52%	17.48%	0.78%	
D27	90,850	74.58%	13.88%	1.23%	
D28	86,793	73.97%	26.14%	2.40%	
D29	88,580	72.33%	15.12%	1.86%	
D30	88,074	68.78%	11.12%	1.76%	
D31	87,110	61.39%	42.54%	2.40%	
D32	88,894	53.68%	48.90%	3.57%	
D33	87,638	67.46%	12.25%	1.65%	
D34	87,386	68.11%	25.76%	2.19%	
D35	89,889	61.36%	47.18%	1.85%	
D36	87,839	55.13%	37.21%	15.42%	
D37	87,805	72.59%	8.00%	3.60%	
D38	88,827	80.03%	9.87%	1.55%	
D39	87,164	71.15%	7.20%	1.74%	
D40	90,235	66.63%	17.18%	12.41%	
D41	89,053	68.61%	21.28%	17.63%	
D42	90,864	54.20%	39.39%	21.06%	
D43	88,172	71.96%	8.01%	1.54%	
D44	90,502	62.81%	8.87%	2.30%	

D45	89,291	59.16%	9.36%	1.74%
D46	90,000	67.20%	19.13%	0.97%
D47	88,807	63.14%	8.49%	3.00%
D48	90,064	56.70%	10.87%	0.85%
D49	86,538	81.14%	5.36%	0.65%
D50	87,914	63.39%	44.10%	3.16%
D51	87,862	80.80%	10.66%	1.00%
D52	90,787	71.68%	9.97%	1.56%
D53	90,404	78.41%	12.78%	2.09%
D54	90,836	74.64%	12.90%	0.76%
D55	87,599	74.00%	12.93%	0.99%
D56	90,265	65.15%	10.84%	7.97%
D57	88,776	65.30%	24.26%	0.71%
D58	89,836	74.26%	12.18%	0.54%
D59	90,406	79.78%	11.35%	0.52%
D60	87,237	83.17%	10.31%	2.76%
D61	90,252	80.40%	11.82%	1.02%
D62	89,181	72.26%	48.00%	1.68%
D63	88,861	68.47%	35.18%	1.30%
D64	88,092	75.93%	29.82%	2.11%
D65	87,186	71.27%	21.42%	2.17%

RETRIEVED FROM DEMOCRACYPOCKET.COM

Non-Hispanic White

VAP

Minority VAP

44.81%	55.19%
83.29%	16.71%
67.16%	32.84%
55.55%	44.45%
58.95%	41.05%
64.40%	35.60%
22.08%	77.92%
59.75%	40.25%
70.38%	29.62%
56.35%	43.65%
68.90%	31.10%
76.08%	23.92%
78.95%	21.05%
77.33%	22.67%
64.41%	35.59%
70.50%	29.50%
46.98%	53.02%
76.82%	23.18%
73.20%	26.80%
76.70%	23.30%
59.02%	40.98%
80.59%	19.41%
76.33%	23.67%
78.27%	21.73%
87.24%	12.76%
77.45%	22.55%
78.45%	21.55%
63.25%	36.75%
73.04%	26.96%
80.79%	19.21%
46.28%	53.72%
41.11%	58.89%
74.89%	25.11%
62.06%	37.94%
42.96%	57.04%
36.46%	63.54%
75.64%	24.36%
82.14%	17.86%
80.68%	19.32%
57.37%	42.63%
50.50%	49.50%
30.01%	69.99%
80.04%	19.96%
77.87%	22.13%

REMOVED FROM DEMOCRACYDOCKET.COM

82.21%	17.79%
74.68%	25.32%
80.86%	19.14%
82.79%	17.21%
87.84%	12.16%
47.25%	52.75%
82.77%	17.23%
80.35%	19.65%
77.24%	22.76%
80.75%	19.25%
79.68%	20.32%
66.56%	33.44%
70.31%	29.69%
82.07%	17.93%
77.26%	22.74%
80.80%	19.20%
82.11%	17.89%
45.61%	54.39%
58.19%	41.81%
62.85%	37.15%
72.70%	27.30%

RETRIEVED FROM DEMOCRACYDOCKET.COM

HA.014 Proposed District Number	Total Population Adjusted Per Policy 2	Total CVAP/Total Adjusted	Hispanic VAP	Non-Hispanic Black VAP	
D1	87,969	69.05%	43.39%	2.77%	
D2	88,172	77.03%	7.37%	2.03%	
D3	87,504	73.32%	16.66%	7.00%	
D4	87,718	68.46%	35.36%	2.78%	
D5	86,960	69.58%	28.63%	4.85%	
D6	90,478	73.82%	14.94%	11.72%	
D7	90,537	52.55%	44.19%	23.04%	
D8	90,282	72.64%	16.67%	16.29%	
D9	87,264	79.58%	12.52%	9.14%	
D10	90,684	79.18%	36.10%	2.35%	
D11	88,358	67.39%	22.10%	1.31%	
D12	89,266	59.82%	14.90%	1.01%	
D13	86,540	69.89%	10.04%	1.29%	
D14	90,615	66.86%	9.11%	3.50%	
D15	90,074	62.00%	16.75%	7.96%	
D16	88,844	80.00%	16.48%	5.60%	
D17	88,286	65.06%	30.46%	13.20%	
D18	87,518	78.04%	11.29%	3.97%	
D19	89,747	72.10%	12.99%	5.16%	
D20	90,286	82.05%	10.17%	1.77%	
D21	88,817	68.19%	19.70%	11.24%	
D22	87,705	76.60%	10.69%	1.17%	
D23	86,808	77.70%	13.37%	1.87%	
D24	88,801	71.68%	13.60%	1.28%	
D25	89,246	80.12%	5.69%	0.82%	
D26	90,678	70.52%	17.48%	0.78%	
D27	88,622	77.21%	13.88%	1.23%	
D28	86,742	74.00%	26.14%	2.40%	
D29	88,781	73.11%	15.12%	1.86%	
D30	88,074	68.78%	11.12%	1.76%	
D31	87,124	61.44%	42.54%	2.40%	
D32	88,894	53.68%	48.90%	3.57%	
D33	87,638	67.57%	12.25%	1.65%	
D34	87,386	67.86%	25.76%	2.19%	
D35	90,718	60.81%	47.18%	1.85%	
D36	87,839	55.13%	37.21%	15.42%	
D37	87,805	72.59%	8.00%	3.60%	
D38	88,827	80.03%	9.87%	1.55%	
D39	87,164	71.15%	7.20%	1.74%	
D40	90,235	66.63%	17.18%	12.41%	
D41	89,053	68.61%	21.28%	17.63%	
D42	90,864	54.20%	39.39%	21.06%	
D43	88,172	71.96%	8.01%	1.54%	
D44	90,502	62.81%	8.87%	2.30%	

D45	89,291	59.16%	9.36%	1.74%
D46	90,000	67.20%	19.13%	0.97%
D47	88,807	63.14%	8.49%	3.00%
D48	90,064	56.70%	10.87%	0.85%
D49	86,461	80.65%	5.36%	0.65%
D50	87,914	63.39%	44.10%	3.16%
D51	87,862	80.80%	10.66%	1.00%
D52	90,787	71.68%	9.97%	1.56%
D53	90,404	78.41%	12.78%	2.09%
D54	90,836	74.64%	12.90%	0.76%
D55	87,599	74.00%	12.93%	0.99%
D56	90,265	65.15%	10.84%	7.97%
D57	88,776	65.30%	24.26%	0.71%
D58	89,836	74.26%	12.18%	0.54%
D59	90,406	79.78%	11.35%	0.52%
D60	87,237	83.17%	10.31%	2.76%
D61	90,252	80.40%	11.82%	1.02%
D62	89,181	72.26%	48.00%	1.68%
D63	88,861	68.47%	35.18%	1.30%
D64	88,092	75.93%	29.82%	2.11%
D65	87,186	71.27%	21.42%	2.17%

RETRIEVED FROM DEMOCRACYPOCKET.COM

Non-Hispanic White

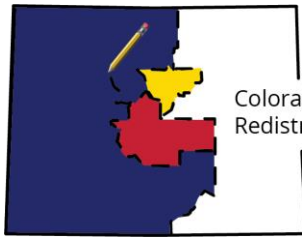
VAP

Minority VAP

44.81%	55.19%
83.29%	16.71%
67.16%	32.84%
55.55%	44.45%
58.95%	41.05%
64.40%	35.60%
22.08%	77.92%
59.75%	40.25%
70.38%	29.62%
56.35%	43.65%
68.90%	31.10%
76.08%	23.92%
78.95%	21.05%
77.33%	22.67%
64.41%	35.59%
70.50%	29.50%
46.98%	53.02%
76.82%	23.18%
73.20%	26.80%
76.70%	23.30%
59.02%	40.98%
80.59%	19.41%
76.33%	23.67%
78.27%	21.73%
87.24%	12.76%
77.45%	22.55%
78.45%	21.55%
63.25%	36.75%
73.04%	26.96%
80.79%	19.21%
46.28%	53.72%
41.11%	58.89%
74.89%	25.11%
62.06%	37.94%
42.96%	57.04%
36.46%	63.54%
75.64%	24.36%
82.14%	17.86%
80.68%	19.32%
57.37%	42.63%
50.50%	49.50%
30.01%	69.99%
80.04%	19.96%
77.87%	22.13%

82.21%	17.79%
74.68%	25.32%
80.86%	19.14%
82.79%	17.21%
87.84%	12.16%
47.25%	52.75%
82.77%	17.23%
80.35%	19.65%
77.24%	22.76%
80.75%	19.25%
79.68%	20.32%
66.56%	33.44%
70.31%	29.69%
82.07%	17.93%
77.26%	22.74%
80.80%	19.20%
82.11%	17.89%
45.61%	54.39%
58.19%	41.81%
62.85%	37.15%
72.70%	27.30%

RETRIEVED FROM DEMOCRACYDOCKET.COM



Colorado Independent
Redistricting Commissions

Colorado Independent Redistricting Commissions

1580 Logan Street, Suite 430
Denver, CO 80203
303-866-2652

colorado.redistricting2020@state.co.us

MEMORANDUM

October 10, 2021

TO: Colorado Independent Legislative Redistricting Commission

FROM: Coalition Senate Map Working Group

SUBJECT: In support of the Coalition Senate Map (SP.009) for Adoption as the Final Senate Map

The Coalition Senate Map (SP.009) is a bi-partisan, commissioner-led effort to attain the best senate map possible for Colorado. Legislative Commissioners Hunter Barnett (R, CD-6), Kevin Fletcher (U, CD-7), Samuel Greenidge (U, CD-4), Gary Horvath (D, CD-2), Constance Hass (R, CD-4), and Aislinn Kottwitz (R, CD-2) voluntarily formed a “working group” to create a senate map that could ultimately attain at least 8 votes by the commission. From the beginning and throughout the process, all commissioners were invited to join the working group.

As detailed in the Constitution, requirements for mathematical population equality, compliance with the Voting Rights Act of 1965 (VRA), preserving whole communities of interest and whole political subdivisions, compactness of districts, and maximizing competitiveness were considered and to the best of our ability achieved.

Nonpartisan staff in collaboration with the commission’s outside VRA expert performed a VRA analysis on the map. Nonpartisan staff believes that the Coalition Senate Map complies with the federal VRA because there are no districts that meet all three of the preconditions described in *Gingles*.

The Coalition Senate Map’s VRA Report can be found on the redistricting portal: [Here](#)

The Coalition Senate Map as presented is an amalgamation of public testimony learned from across the state this summer, continued written public comment submitted via the redistricting portal, maps submitted by the public, and commissioners’ own perspectives and requests.

The following maps were primarily referenced (in addition to others submitted via the redistricting public comment portal not listed below) while building towards the final Coalition Senate Map:

- [Staff Preliminary Map](#)
- [Staff Map 1](#)
- Colorado Latino Leadership, Advocacy, and Research Organization (CLLARO) and the Colorado Black Leadership Coalition (CLBC)
 - Original map:
 - https://drive.google.com/drive/folders/1v_WS3anWIn25QYUf8hdg5cnHMj9Jf6FK?usp=sharing
 - <https://drive.google.com/drive/folders/1nM6n1Gta9orxOG29EcK8rC8RULFyd6Vr?usp=sharing>
 - Updated: <https://davesredistricting.org/maps#viewmap::1c930a22-71f1-4fce-bc92-5f70cd0f2131>
 - Joint: <https://davesredistricting.org/maps#viewmap::1c683e70-bd40-4d96-9a66-69a9f5f66bf6>
- Colorado Farm Bureau (CFB)
 - Original: <https://davesredistricting.org/maps#viewmap::741a47a5-0b5c-4427-845f-894f5ab6ef9e>
 - Updated: <https://davesredistricting.org/maps#viewmap::567da258-3803-46e9-84f7-5ece80f9d8f7>
- [Better Jobs Coalition](#) (BJC)
- [Nicolais et al - Common Sense](#) (N+)

When building districts, a regional approach was taken by referencing the number of hypothetical districts-per-county and grouping accordingly. Cities were used as population centers or population "anchors" to help build out districts. City integrity was prioritized over county integrity where appropriate however every effort was made to avoid unnecessary county splits.

The starting point for this map, as advised by fellow commissioners and proposed (but not adopted) commission policy, was the City and County of Denver. Subsequently, districts were drawn in a manner consistent with addressing and incorporating the communities of interest as defined by this commission and therefore were not drawn sequentially.

The Coalition Senate Map (SP.009) can be found on the redistricting website: [Here](#)

Non-partisan staff supporting materials can be found on the redistricting website: [Here](#)

The population demographics are summarized below:

- 18 minority-influence districts ($\geq 30\%$ non-white population)
- 7 minority-majority districts ($\geq 50\%$ non-white population)
 - 2 additional districts are within 1% of 50% non-white population)

The election results are summarized below:

- 13 competitive districts ($\leq 8.5\%$ difference between the Democrat and Republican candidates)
 - 9 very competitive districts ($\leq 5.0\%$ difference between the Democrat and Republican candidates)
- 13 Democrat-leaning districts
- 9 Republican-leaning districts

The following is an overview of how the 35 state senate districts were drawn by region:

The Front Range

- Northern Colorado / Larimer County: Districts 14 and 15
 - Larimer County can be drawn to accommodate 2.2 districts, which is accomplished with Fort Collins in SD-14 and the majority of Larimer County in SD-15; the remainder is split between SD-25 to keep Windsor whole and in SD-23 due to population requirements
 - Staff Map 1, CFB, and BJC maps were referenced for this area
- Western Weld County: Districts 13 and 23
 - The commission identified COI of East Greeley, Evans and Garden City are kept together in SD-13
 - SD-13 is drawn based on commissioner comment, public testimony, and the CLLARO/CBLC map configuration, which excludes the west side of Greeley and includes Brighton, which is kept whole, in western Adams County, to properly address minority, particularly Hispanic, representation in this region
 - The commission identified COI of the Carbon Valley communities of Firestone, Frederick, and Dacono are kept whole and together in SD-23
 - Commissioner and public comment identified economic, historical, and cultural interests resulting in the Boulder County portion of Erie to be included in SD-17 instead of remaining whole in SD-23
 - The CLLARO/CBLC map was also referenced for SD-23
- Boulder County: Districts 17 and 18
 - Boulder County can accommodate 2.0 districts, which is accomplished with SD-17, which includes the entirety of Longmont, Lafayette, Louisville, and

- western Erie; and SD-18 that includes Boulder, Superior, Niwot, and Gunbarrel
 - Staff Preliminary Map, Staff Map 1, CFB, BJC, and N+ maps were referenced for this area
- Western Adams County: Districts 2, 21, and 24
 - The commission identified COI of Latinos, African Americans, and other minority communities in Adams County were carefully considered
 - Additionally, public testimony and commissioner comment to keep Broomfield and Northglenn whole in SD-2, Commerce City whole in SD-21, and Thornton whole in SD-24 were considered and adopted
 - The result is that all three districts are considered minority-influence and SD-21 as minority-majority; additionally, SD-21 and SD-24 have strong Hispanic influence with 52.6% and 36.6% of the population, respectively.
 - Staff Map 1, CLLARO/CBLC and CFB maps were referenced for this area
- Northern Jefferson County: Districts 19, 20, and 22
 - Maintaining city integrity was prioritized to draw compact, city-centered, and competitively responsive districts
 - Arvada and western Westminster are used as population centers for SD-19
 - Southern and southwestern Lakewood, Dakota Ridge, Evergreen, Genesee, and Fairmont are used as population centers for SD-20
 - Golden, Wheat Ridge, Applewood, and northern Lakewood are used as population centers for SD-22; minority COI concerns are also incorporated in this district as it is minority-influenced at 33.0% minority and 22.6% Hispanic
 - Staff Preliminary Map, Staff Map 1, CFB, and commissioner comment were referenced for this area
- City and County of Denver: Districts 31, 32, 33, and 34
 - The commission identified COI of the Latino language and cultural interests specific to a region in the state of Colorado be prioritized and balanced is especially applied among these districts
 - The CLLARO/CLBC map was referenced to build districts 31, 32, and 34 acknowledging the economic, historical, and cultural interests of the area
 - An amendment submitted by Ms. Khadija Haynes via written public comment was referenced to build district 33 due to similar economic, historical, and cultural interests in the area
- Greater Aurora and Western Arapaho County: Districts 27, 28, and 29
 - The commission identified COI of Latinos, African Americans, and other minority communities in North Aurora was carefully considered
 - SD-27 is drawn to incorporate southern Aurora, eastern Centennial, and unincorporated areas of western Arapahoe County; minority COI concerns are also incorporated in this district as it is minority-influenced with a 37.0%

- minority population; CLLARO/CBLC, CFB, and N+ maps were referenced for this district
- SD-28 is drawn as a fully encompassing Aurora district and also incorporates minority COI considerations; the result of which is a heavily minority-influenced district (25.4% Hispanic and 17.4% African American) as well as a minority-majority district (55.3% minority); Staff Map 1 and CLLARO/CBLC were referenced for this district
 - SD-29 is drawn to incorporate public testimony during the Aurora public meeting and written public testimony from Aurora Mayor Michael Coffman to 1) maintain Aurora's municipal integrity as much as possible per an Aurora City Council resolution and 2) keep north Aurora whole as much as possible to address the identified minority communities and better serve their interests in the area
 - SD-29's northern boundaries follow SD-33 rather than the county dividing line of Colfax Ave. of past redistricting maps; the result is that SD-29 is highly minority-influenced with 41.7% Hispanic and 16.1% African American; this district is also considered minority-majority as it is 69.6% minority
 - Preliminary Staff Map, BJC, N+, and public comment were referenced for SD-29
- South Metro Denver: Districts 16 and 26
 - Maintaining city integrity was prioritized to draw compact, city-centered, and competitively responsive districts
 - Littleton, western Centennial, Columbine, Columbine Valley, and Ken Caryl are used as population centers for SD-16
 - Southern Denver, Sheridan, Englewood, Four Square Mile, Cherry Hills Village, Greenwood Village, and Cherry Creek are used as population centers for SD-26; additional SD-26 incorporates minority COI considerations, the result of which is a minority-influenced district of 37.7% minority
 - Staff Map 1, CLLARO/CBLC, and CFB were referenced for this area
 - Northern Douglas County: Districts 1 and 30
 - Maintaining city integrity was prioritized to draw compact, city-centered, and competitively responsive districts
 - Parker, Castle Rock, and The Pinery are used as population centers for SD-1
 - Highlands Ranch, Lone Tree, Castle Pines, Castle Pines Village, Meridian, Meridian Village, Sterling Ranch, Grand View Estates, Sierra Ridge, Stepping Stone, and Roxborough Park are used as population centers for SD-30
 - The commission identified COI of the Windcrest retirement community is kept whole in SD-30
 - The balance of population in southern Douglas County is incorporated into SD-4

- Staff Map 1, CLLARO/CBLC, and public comment were referenced for this area
- Lower Arkansas Valley: District 4
 - The commission identified COI of lower Arkansas River Valley is kept whole with Lake, Chaffee, and Fremont counties
 - Per public testimony and commissioner comment, southern Jefferson and Douglas counties are included in this district due to their shared economic, historical, and cultural interests
 - Staff Map 1 and CLLARO/CLBC were referenced for this district
- Colorado Springs / El Paso County: Districts 9, 10, 11, and 12
 - Citizens during public comment expressed their desire to keep El Paso County as whole as possible; this is achieved as there is population for 4.4 districts; the balance of the county population as well as the city of Fountain are joined with eastern plains district 35 due to shared economic, historical, and cultural interests
 - The commission identified COI of the Latino and African American community in southeast Colorado Springs is also addressed in the drawing of SD-11, which follows closely to nearly all referenced maps
 - Nearly all reference maps and commissioner comment were used for this area
- Pueblo County: District 35
 - Citizens during public comment expressed their desire to keep Pueblo County whole within a single district; population requirements align with county population to achieve this
 - Nearly all maps referenced kept Pueblo County whole and within a single district

The Eastern Plains

- The Staff Preliminary Map and CFB map were primarily referenced for this region; two eastern plains districts were created that are responsive to public testimony and the commission identified COI of agricultural and rural communities; in addition, some commissioners expressed concern over the proposed single eastern plains district as found in Staff Map 1 and CLLARO/CBLC
- Northeast Colorado: District 25
 - Sedgwick, Phillips, Yuma, Washington, Logan, and Morgan Counties are kept together per the commission identified COI of the NE plains
 - To reach population requirements, Windsor is included and kept whole in SD-25; per commissioner comment this decision aligns with shared economic, historical, and cultural interests in the area

- Southeast Colorado: District 35
 - SD-35 follows Staff Map 1, keeping the commission identified COI of Las Animas and Huerfano counties together
 - Eastern El Paso County is brought into the region to attain population requirements and because of its similar economic, historical, and cultural interests
 - Fountain, due to its cultural heritage and economic history related to farming and ranching, has been included in this eastern plains district instead of with the Colorado Springs districts 11 or 12
 - The commission identified COI of Otero County is kept whole and included in SD-35, which is similar to that in all referenced maps

The Western Slope

- Greater Aspen: District 5
 - The commission identified COI of the Roaring Fork Valley is kept whole as much as possible; Garfield County is split in an east-west configuration due to the transportation corridors that run north-south in the area
 - Hinsdale County is included in SD-5 based on public testimony identifying the transportation corridor that connects this region through the county
 - Staff Preliminary Map, CFB map, and commissioner comments were referenced for this region
- Southwest Colorado and San Luis Valley: District 6
 - The commission identified COI of San Luis Valley, which includes Saguache, Alamosa, Rio Grande, Conejos, Costilla, and Mineral counties, is kept whole and together
 - The commission identified COI of Southwest Colorado, which includes Archuleta, La Plata, San Juan, and Montezuma counties, is kept whole and together
 - Public testimony regarding the Ute Tribal Lands was considered and those areas in Montezuma and La Plata counties are kept whole and together
 - Nearly all referenced maps had a similar configuration for this region
- Grand Junction / Mesa County: District 7
 - Mesa County has capacity for 0.9 senate districts, which means SD-7 must include population from neighboring counties
 - Staff Preliminary Map, which incorporates Cedaredge and unincorporated areas of Delta County, due to its similar economic, historical, and social interests to Mesa County, was referenced for this region
- Northwest Colorado and Ski Resorts: District 8
 - The commission identified COI of keeping ski areas together as much as possible was considered and adopted

- Major ski resorts such as Breckenridge, Keystone, Vail, Steamboat Springs, and similar high mountain areas such as Idaho Springs, Frisco, Silverthorne, Eagle, and Granby are kept whole and together
- Due to population constraints among the counties of northwest Colorado, Moffat, Rio Blanco, Routt, and western Garfield are included in this district; their shared economic, historical, and cultural interests necessitate keeping these counties together and in SD-8
- The eastern border of this district is the continental divide, which was suggested during public comment and serves as a natural boundary
- Nearly all referenced maps had a similar configuration for this region

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ADDENDUM

Additional Coalition senate plans and amendments presented as eligible plans:

In consideration for Coalition Senate Map SP.008

Coalition Senate Map SP.008 is the predecessor version of the final Coalition Senate Map version, SP.009.

The only mapping difference between the two versions is that SP.008 keeps the city of Erie entirely within SD-23. The final version, SP.009, incorporates commissioner feedback to split western Erie that is part of Boulder County into SD-17.

The effect of this change to population demographics is summarized below:

- SD 15: No material changes between the two maps
- SD 17: Minority influence decreases from 30.1% to 29.8%
- SD 18: No material changes between the two maps
- SD 23: No material changes between the two maps
- All other districts: No change

The effect of this change to election results is summarized below:

- SD 15: Maintains competitiveness but decreases from 4.3% to 5.9%
- SD 17: Maintains safe Democrat-lean
- SD 18: Maintains safe Democrat-lean
- SD 23: Maintains safe Republican-lean but decreases from 21.2% to 17.1%
- All other districts: No change

In consideration for Coalition Senate Map SP.005 (as amended by SA.012)

Coalition Senate Map SP.005 (as amended by SA.012) is a predecessor version of the final Coalition Senate Map version, SP.009.

The main difference between SP.005 and SP.009 is that SP.005 includes a configuration that keeps Greeley whole rather than carving off the west side and keeps Brighton in the Adams County SD-24, which wraps around SD-33, 28, and 29 through eastern Adams and Arapahoe counties. The subsequent change and final configuration was based on potential VRA concerns for not splitting Greeley and not including Brighton within a single district. The VRA analysis of Senate Staff Map 2, which includes the same configuration as SP.005, ultimately resulted in no VRA issues.

Additionally, Broomfield is included with Erie, Firestone, Frederick, And Dacono in SD-23 (SP.005), while in SP.009, Broomfield is kept with Northglenn and part of Westminster in SD-2.

Lastly, Boulder County SD-18 includes Estes Park and parts of unincorporated southwest Larimer County. Estes Park and southwest Larimer county is incorporated into SD-15 in SP.009.

SA.012 amends SP.005 to include several coalition working group changes that are included in the final Coalition Senate Plan. The changes include incorporating Hinsdale County into SD-5, reconfiguring southwest Colorado Springs (SD-11 in SP.005) to match the same district configuration in SP.009 (SD-12), and northern Douglas County (SD-9, 16, and 30 in SP.005) to match the same district configuration in SP.009 (SD-1, 4, and 30)

The population demographics are summarized below:

- 16 minority-influence districts ($\geq 30\%$ non-white population)
- 6 minority-majority districts ($\geq 50\%$ non-white population)
 - 3 additional districts are within 1% of 50% non-white population

The election results are summarized below:

- 14 competitive districts ($\leq 8.5\%$ difference between the Democrat and Republican candidates)
 - 8 very competitive districts ($\leq 5.0\%$ difference between the Democrat and Republican candidates)
- 12 Democrat-leaning districts
- 9 Republican-leaning districts

In consideration for SM3 amendment SA.006 (The Adams County Amendment)

SA.006, which amends the senate Staff Map 3, focuses on three western Adams County districts. The new configuration changes only SD-21, 24, and 25 to clean up the boundaries by making them more compact and reflect more natural boundaries along city lines, major roads, etc.

The population demographics are summarized below:

- Compared to SM3, SD-21 maintains a strong Hispanic (41.7%) and strong minority representation overall (52.3%)
- Compared to SM3, SD-24 improves Hispanic (from 38.5% to 42.3%) and total minority representation overall (from 50.5% to 53.7%)
- Compared to SM3, SD-25 improves Hispanic (from 21.0% to 25.4%) and total minority representation overall (from 34.5% to 38.1%)

The election results are summarized below:

- Compared to SM3, SD-21 changes from a safe Democrat-lean of 9.7% to very competitive at 2.5%
- Compared to SM3, SD-24 maintains its safe Democrat-lean (from 12.6% to 17.4%)
- Compared to SM3, SD-25 maintains its safe Democrat-lean (from 15.8% to 18.0%)

In consideration for SM3 amendment SA.010 (The Erie Amendment)

SA.010, which amends SA.006 and therefore the senate Staff Map 3, focuses on the city Erie. Based on commissioner feedback, Erie is kept whole and together with Longmont in SD-17. Western Larimer and Boulder counties are joined due to population constraints.

The new SD-17 configuration primarily impacts SD-14, 15, 17, 18, 20, and 23.

The population demographics are summarized below:

- Compared to SM3, SD-14 has no material changes to minority population changing from 24.1% to 23.0%
- Compared to SM3, SD-15 has no material changes to minority population changing from 19.3% to 18.3%
- Compared to SM3, SD-17 has no material changes to minority population changing from 30.0% to 30.6%
- Compared to SM3, SD-18 has no material changes to minority population changing from 21.9% to 22.6%
- Compared to SM3, SD-20 has no material changes to minority population changing from 21.4% to 21.8%
- Compared to SM3, SD-23 has no material changes to minority population changing from 23.0% to 23.9%

The election results are summarized below:

- Compared to SM3, SD-14 maintains its safe Democrat-lean (from 29.1% to 33.3%)
- Compared to SM3, SD-15 maintains its very competitive lean (from 3.3% to 0.0%)
- Compared to SM3, SD-17 maintains its safe Democrat-lean (from 36.5% to 29.6%)
- Compared to SM3, SD-18 maintains its safe Democrat-lean (from 62.4% to 65.0%)
- Compared to SM3, SD-20 maintains its competitive lean (from 7.4% to 7.1%)
- Compared to SM3, SD-23 maintains its safe Republican-lean (from 18.6% to 21.5%)

<p>COLORADO SUPREME COURT Ralph L. Carr Judicial Center 2 East 14th Avenue Denver, Colorado 80203</p>	<p>DATE FILED: October 22, 2021 11:54 AM</p>
<p>Original Proceeding Pursuant to Article V, § 48.3 of the Colorado Constitution</p>	
<p>In Re: Colorado Independent Legislative Redistricting Commission</p>	
<p>Attorneys for Interested Party Colorado Latino Leadership, Advocacy & Research Organization:</p> <p>Chad Jimenez, #45136 Patrick G. Compton, #34425 Alexia Chapman, # 55365 BALLARD SPAHR LLP 1225 17th Street, Suite 2300 Denver, Colorado 80202 Telephone: 303-292-2400 Fax: 303-296-3956 Email: jimenezc@ballardspahr.com comptonp@ballardspahr.com chapmana@ballardspahr.com</p>	<p>▲ COURT USE ONLY ▲</p> <p>Case No.: 2021SA305</p>
<p>EXHIBIT A</p>	

Expert Report on the Final Approved State Senate Districts 13 and 21 of Colorado

Baodong Liu, Ph.D.
Professor of Political Science
The University of Utah

October 19, 2021

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Introduction

I have been retained as an expert by Colorado Latino Leadership, Advocacy and Research Organization (CLLARO) to examine the impact of the 2020-round redistricting in Colorado. This report provides a summary of the findings concerning racially polarized voting (RPV) in Colorado and its effect on the opportunity of Hispanic voters to exercise electoral influence in the Final Approved State Senate Districts 13 and 21 in Colorado.

Summary of Professional Qualifications

I am a tenured professor of political science in the Department of Political Science at the University of Utah. I have done extensive research regarding the relationship between election systems and the ability of minority voters to participate fully in the political process and to elect representatives of their choice.

My research has won the Byran Jackson Award for the best study/dissertation about racial voting from the Urban Politics Section of the American Political Science Association, and the Ted Robinson Award from the Southwest Political Science Association. The results of my research have been published in Social Science Quarterly, American Politics Research, Sociological Methods and Research, PS: Political Science and Politics, Urban Affairs Review, Political Behavior, Journal of Urban Affairs, Southeastern Political Review, and American Review of Politics, among other journals. I am also an author or editor of eight scholarly books including the forthcoming Political Volatility in the United States, and Solving the Mystery of the Model Minority; The Election of Barack Obama: How He Won, and Race Rules: Electoral Politics in New Orleans, 1965-2006. I have also served as a member of the Board of Directors/Advisors on many national and international organizations such as the National Association for Ethnic Studies, Urban Affairs Review, Journal of Behavioral and Social Sciences, and International Encyclopedia of Political Science (CQ Press).

As an expert on RPV analysis, I have published peer-reviewed journal articles and books on the cutting-edge techniques used by academic professionals and supported by courts concerning voting rights cases and the electoral history in the South. I have served as an expert witness for minority plaintiffs in dilution cases in states such as Alabama, Arkansas, New York, Louisiana, Utah, and Tennessee. Furthermore, I have provided my expertise to Native American Rights Fund, Navajo Nation, the US Department of Justice, the Lawyers' Committee for Civil Rights Under Law in Washington D.C., and NAACP LDF on the 2020 census differential privacy policy and methodological issues concerning RPV. I have also been invited to be an instructor of RPV analysis in expert training programs, organized by such organizations as Native American Rights Fund, Ford Foundation and Southern Coalition for Social Justice, concerning both the 2010 and 2020 rounds of redistricting. I have also been retained as RPV expert by Florida State Legislature (the Senate), and the Republican Minority Leader of Illinois State Senate for legal disputes on redistricting.

My applied research and grants have included analyses of ranked choice voting, economic development, racial voting patterns, public school science education, school districts' economic impact on local economy, and various citizen surveys. My grants have come from New America,

the National Science Foundation, American Political Science Association, the National Humanities Center, Wisconsin Security Research Consortium, Fond du Lac School District, Johnson Controls, Inc, City of Waupaca (WI), the League of Women Voters, American Democracy Project, and Wisconsin Public Service. I also served as the editor of Urban News for the American Political Science Association's Urban Politics Section, and I was elected as a co-chair of the Asian Pacific American Caucus of the American Political Science Association.

Attached as Appendix 1 is a curriculum vitae setting forth my professional background, which includes a list of all publications I have authored or co-authored, including forthcoming publications. Appendix II lists the voting rights cases in which I served as an expert witness.

Main Findings on Approved State Senate Districts 13 and 21

Voters in both Approved Senate District 13 (ASD13 thereafter) and District 21 (ASD21) have displayed a racially polarized voting (RPV) pattern. In both districts, the majority of non-Hispanic white voters support Republican candidates, whereas the majority of Hispanic voters support Democratic candidates.

This RPV pattern was clear based on my analysis of eight state-wide elections between 2016 and 2020. These eight elections include two US Senate elections in Colorado (2016 and 2020), the 2016 Presidential election, and five state-wide elections in 2018 (Governor, Attorney General, Secretary of State, Treasurer, and Registrar). The election returns at the precinct level in these eight elections are matched with the racial/ethnic demographics at the Voting Tabulation District (VTD) level based on the 2020 census. I relied on the award-winning Ecological Inference (EI) technique and its R-Packages originally developed by Professor Gary King of Harvard University which has been widely adopted by quantitative experts in federal voting rights litigations and redistricting data analyses and supported by courts as the most cutting-edge and advanced scientific tool to estimate accurately the racial/ethnic bloc voting patterns commonly seen in the United States. The EI technique can provide us with the estimates of voting participation (i.e., turnout) as well as vote choice of racial/ethnic groups. In the following pages, I will refer non-Hispanic whites as whites.

Based on my EI estimations of racial bloc voting, on average, white support for the Republican candidates in the eight elections was 57.3% in ASD13 whereas the Hispanic support for the Republican candidates was only 34.2%. Similarly, in ASD21 the white support for the Republican candidates was 56.5% and Hispanic only 12.4%. On the contrary, the Hispanic support for the Democratic candidates was, on average, as high as 64.9% in ASD13 and 86.6% in ASD21. In comparison, the white support for the Democratic candidates was, on average, 42.0% in ASD13 and 42.9% in ASD21.

In order to measure the effect of this clear pattern of RPV on voter dilution of the Hispanic vote in both districts, one needs to pay close attention to the racial makeup of the districts. In ASD13, the white voters are about 50.8% of the voting age population (VAP) and Hispanic voters only about 41.2%. In ASD21, the Hispanic voters are 44.9%, and about 45.5% of the VAP there are whites. However, by examining only the VAP data one does not have the complete and accurate picture of how the actual elections indeed play out in Colorado.

It is important to note Hispanic voting strength may be diluted by two important factors. First, Hispanics have a disproportionately larger non-citizen segment as compared with non-Hispanic populations, especially whites. Second, the turnout rate among Hispanic voters (who indeed have the citizenship to be eligible to vote) is lower than that of the white voters. Let's take a look at the empirical evidence.

The 2020 census provides us with the overall picture of total populations in ASD13 and ASD21. But more importantly, we need to compare the data based on the VAP from the 2020 census with the data from the American Community Survey (ACS) in 2019, which asked the question about citizenship and allowed researchers to compute the citizen voting age population (CVAP) for each VTD in Colorado. The detailed population, VAP, and CVAP data in ASD13 and ASD21 are displayed in Figure 1 below.

Figure 1
Racial/ethnic Compositions based on Population, VAP and CVAP in ASD13 and ASD21

	Senate District 13											
	Total	White	White %	Hispanic	Hispanic %	Black	Black %	Asian	Asian %	Other	Other %	
Total Population	162,191	74,322	45.8%	74,658	46.0%	5,197	3.2%	4,317	2.7%	6,559	4.0%	
Voting Age Population	119,075	60,536	50.8%	49,107	41.2%	3,417	2.9%	3,045	2.6%	5,426	4.5%	
Citizen Voting Age Population	106,579	66,335	62.2%	34,151	32.0%	2,161	2.0%	1,753	1.6%	1,694	1.6%	
	Senate District 21											
	Total	White	White %	Hispanic	Hispanic %	Black	Black %	Asian	Asian %	Other	Other %	
Total Population	169,028	69,649	41.2%	83,169	49.2%	6,172	3.7%	6,702	4.0%	7,518	4.4%	
Voting Age Population	123,302	56,125	45.5%	55,410	44.9%	4,067	3.3%	4,868	3.9%	6,122	5.0%	
Citizen Voting Age Population	100,420	55,517	55.3%	37,983	37.8%	2,811	2.8%	2,467	2.5%	1,427	1.4%	

Figure 1 shows the racial/ethnic makeup of the ASD13 and ASD21. As we compare the total population figures for each group with the voting age population, and then with the citizen voting population, we see a clear increase in the White %. With respect to ASD13, it increases from 45.8% to 50.8% and finally to 62.2%. In contrast, the Hispanic % decreases, from 46.0% to 41.2% and finally to 32.0%. We see the same pattern in ASD21. The White % increases from 41.2% to 45.5% to 55.3%, while the Hispanic % decreases from 49.2% to 44.9% to 37.8%. These patterns clearly indicate Hispanics, in comparison with whites, are more likely to be non-citizen and have greater age groups that are younger than 18 years old—the minimum eligible voting age.

ASD13

Because only U.S. citizens 18 years and older can vote, any racial bloc voting analysis should not use the raw population data. Let us focus on ASD13 first. As indicated in Figure 1, whites are 50.8% of the total VAP and Hispanics are 41.2%. If we compare the white share based on VAP with CVAP, however, we see a much greater gap in the CVAP data: whites are 62.2% of the CVAP electorate, rather than 50.8% of VAP. Hispanics became much smaller in CVAP to just about 32%. In other words, there is a significant segment of the Hispanic residents in ASD13 that do not have the citizenship required to vote.

Table 1
Approved SD13, based on VAP

	Voter group	Of the voters that turned out voted for	
Group	Turnout	DEM	REP
White	62.5%	41.6%	57.4%
Hispanic	17.3%	65.9%	33.2%
other	37.8%	58.3%	41.0%
Total	41.9%	47.5%	51.5%

Table 2
Approved SD13, based on CVAP

	Voter group	Of the voters that turned out voted for	
Group	Turnout	DEM	REP
White	55.6%	42.0%	57.3%
Hispanic	26.8%	64.9%	34.2%
other	60.1%	55.1%	43.9%
Total	46.7%	47.6%	51.4%

Tables 1 and 2 provide the estimates of racial/ethnic support for the Democratic and Republican candidates in the eight state-wide elections in ASD13 (See the columns marked as DEM, representing the Democratic vote share and REP indicating the Republican vote share with respect to a specific racial/ethnic group). The white support for the Republican candidates was consistently captured by VAP and CVAP data at about 57% because white residents in Colorado rarely have the citizenship barrier, thus, VAP and CVAP did not produce any tangible difference for white voters. The overwhelming Hispanic support for the Democratic candidates was also captured by the VAP and CVAP data at about 65% level. Again, the white majority and Hispanic voters voted differently, both as a voting bloc.

Furthermore, it is also important to note that the VAP data inflated Hispanic support for the Democratic candidates by about 1%, compared to the more appropriate CVAP estimation. This is clearly due to VAP data containing Hispanic residents who are non-citizens. Once again, an accurate read of the actual voting pattern in ASD13 should be based on CVAP data.

Last but not the least, Tables 1 and 2 also show the estimates of racial turnout levels in ASD13. The second column in both Tables shows that whites voted at a much greater level than Hispanic voters. The turnout gap between whites and Hispanics was about 45% based on VAP data in Table 1 and 30% based on CVAP data in Table 2. In short, using VAP or CVAP for redistricting purposes without taking into consideration the turnout gap between whites and Hispanics results in a flawed analysis of whether the Hispanic vote was diluted and whether the Hispanic community's opportunity to elect the candidate of their choice in ASD13 was limited. Next, we turn to ASD21.

ASD21

First, we look at the racial makeup of ASD21. According to the VAP data (*see* Figure 1), whites constitute 45.5% of the district, and Hispanics 44.9%, not a major difference. But the actual CVAP shows the inflated Hispanic share in the VAP data. Taking consideration of citizenship Hispanic share shrinks to 37.8%, a decline of 7%. Once again, using VAP alone leads to an inaccurate assessment of whether the Hispanic vote is being diluted in ASD21.

Table 3
Approved SD21, based on VAP

Group	Voter group Turnout	Of the voters that turned out voted for	
		DEM	REP
White	55.4%	40.2%	58.9%
Hispanic	23.4%	88.9%	10.4%
other	52.0%	67.7%	31.6%
Total	40.8%	56.5%	42.6%

Table 4
Approved SD21, based on CVAP

Group	Voter group Turnout	Of the voters that turned out voted for	
		DEM	REP
White	58.3%	42.9%	56.5%
Hispanic	32.4%	86.6%	12.4%
other	74.0%	68.6%	30.4%
Total	49.6%	56.6%	42.5%

The white support for the Republican candidates was consistent in ASD21 across the eight state-wide elections analyzed by this report, and clearly the majority of white voters (about 57% to 58%) voted for the Republican candidates in the eight elections. On the contrary, the Hispanic support for the Democratic candidate was as high as 86% or above. In other words, there is a racially polarized voting pattern in ASD21 as well. Moreover, the VAP data overestimated such Hispanic support by about 2%.

The turnout gap between whites and Hispanics is also sizable in ASD21. The VAP data shows a turnout gap of 32%, while CVAP data revealed a turnout gap of 26%. Regardless, to limit the dilution of the Hispanic vote in this community, the redistricting process must factor in the significant voting participation gap between whites and Hispanic voters.

Tables 5 and 6 further summarize the RPV findings based on the VAP and CVAP. They list the categories and details for elections that were racially polarized between two racial/ethnic groups (out of 8 elections) and the election outcomes. Table 5 provides the comparison of the RPV results based on VAP and CVAP for ASD13 while Table 6 shows the comparison for ASD21.

Table 5

Summary of ASD13 Findings on Performances
based on 8 elections

Category	Detailed	VAP	CVAP
times of defeat for	DEM	6	6
times of RPV between	Hispanic_White	4	2
times of RPV between	Hispanic_Other	0	0
times of RPV between	White_Other	2	2
inconclusive RPV between	Hispanic_White	4	6
inconclusive RPV between	Hispanic_Other	7	7
inconclusive RPV between	White_Other	6	5
No RPV between	Hispanic_White	0	0
No RPV between	Hispanic_Other	1	1
No RPV between	White_Other	0	1

Both VAP and CVAP data showed that the Democratic candidates lost 6 out of 8 times in ASD13, providing Hispanic voters with some opportunity to influence the elections and elect the candidate of their choice. The CVAP data outperformed the VAP data because there are smaller counts of racially polarized voting between whites and Hispanics, and larger counts of No RPV or Inconclusive RPV (which means that no statistically significant evidence to conclude RPV or lack of). Most importantly, the CVAP data showed 6 times of inconclusive RPV findings between whites and Hispanics and only two times of RPV between these two groups which are the two largest racial/ethnic groups in ASD13. Given the fact that the CVAP data is mostly inconclusive with respect to RPV, there does not appear to be dilution of the Hispanic vote in ASD13.

Table 6

Summary of ASD21 Findings on Performances
based on 8 elections

Category	Detailed	VAP	CVAP
times of defeat for	DEM	0	0
times of RPV between	Hispanic_White	7	7
times of RPV between	Hispanic_Other	0	0
times of RPV between	White_Other	4	5
inconclusive RPV between	Hispanic_White	1	1
inconclusive RPV between	Hispanic_Other	3	3
inconclusive RPV between	White_Other	4	3
No RPV between	Hispanic_White	0	0
No RPV between	Hispanic_Other	5	5
No RPV between	White_Other	0	0

The most important finding in Table 6, which summarizes the RPV findings concerning ASD21, is that both VAP and CVAP recorded the same number of RPV between whites and Hispanic voters (7 times). This high level of RPV clearly shows the need to protect Hispanic voting strength to avoid vote dilution. And ASD21 avoids any dilution of the Hispanic vote because Hispanics had the opportunity to influence the election of the candidates that ultimately won all 8 elections.

Conclusion

Based on the results of my analyses of ASD13 and ASD21 voting patterns, the Final Approved Plans for both districts include voters who have demonstrated repeatedly racially polarized voting patterns. White voters in both districts favored the Republican candidates whereas the Hispanic voters voted much more enthusiastically for the Democratic candidates. Nonetheless, there does not appear to be any significant dilution of the Hispanic vote.

The RPV patterns reported above point to the need to protect Hispanic voters from being diluted in their voting strength which limits their opportunity to influence the election outcomes in the future. To protect the Hispanic voting strength, one has to pay close attention to the turnout disparities between white voters and Hispanic voters. More importantly, the fact that Hispanic communities disproportionately have more residents who have not yet obtained the citizenship to be eligible to vote and they have cohorts that are younger than 18 years old points to the importance in using CVAP, instead of VAP (or worse just population counts) to estimate the impact of racial composition and RPV on the future electoral consequences in these two districts.

Appendix I

Curriculum Vitae

Baodong Liu, Ph.D.

Professor (with Tenure) in Political Science and Ethnic Studies

University of Utah

260 S. Central Campus Drive, Room 3231, Salt Lake City, UT 84112

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Updated September 2021

PROFESSIONAL EXPERIENCE

Professor of Political Science and Ethnic Studies, affiliated with Asian Studies, 2008-present

Associate Chair, Political Science Department, 2015-2017

Interim Director, Ethnic Studies Program, 2011-2013

University of Utah

Courses taught: Advanced Quantitative Methods (graduate), American Political Behavior (graduate), Race and Political Volatility in the US (graduate/undergraduate), Voting, Election and Public Opinion, Racial and Ethnic Politics, Political Analysis, Asian American Contemporary Issues, Social Justice and Inequality, Asian Pacific American Experiences, Methodology in Ethnic Studies.

TRISS Endowed Professor in Political Science, 2007-8

Associate Professor (early promotion to associate professor 2005, early tenure 2006)

Assistant Professor, 2002-2005

Department of Political Science

University of Wisconsin-Oshkosh

Courses taught: Race and Ethnicity in American Politics, Politics of Urban Growth, Political Method, State and Local Government, Political Analysis, American Government, National, state and Local Government.

Assistant Professor of Political Science

Department of Political Science

Stephens College, Columbia, Missouri, 1999 - 2002

Courses taught: Urban and Minority Politics, Legislative Process, American Presidency, Campaigning and Lobbying, Macroeconomics, American Government, and Introduction to Statistics.

Consultant, Expert Witness, Principal Investigator, 2000-present

Provided research services to New America, NAACP, the US Department of Justice, Navajo Nation, Southern Coalition for Social Justice, National Science Foundation, Lawyers' Committee for Civil Rights Under Law, Florida State Legislature, Illinois State Legislature, Wisconsin Security Research Consortium, Fond du Lac School District, Johnson Controls, Inc, City of Waupaca (WI), and Wisconsin Public Service, among others.

EDUCATION

Ph.D. in Political Science (1999), University of New Orleans, Louisiana

Dissertation: *Black Candidates, White Voters and Racial Context*

Winner of Byran Jackson Award, Urban Politics Section, American Political Science Association, and

Winner of Ted Robinson Award for the best research in race and ethnicity, Southwestern Political Science Association

Master of Arts in Political Science (1995), Oklahoma State University, Stillwater, Oklahoma

Bachelor of Laws (1987), The East China University of Political Science and Law, Shanghai, China

Post-Doctoral Educational Program Participant

National Science Foundation's "Local Elections in America Project Workshop," Macalester College, Saint Paul, MN (2009)

Methodological Issues in Quantitative Research on Race and Ethnicity, Inter-University Consortium for Political and Social Research (ICPSR), University of Michigan (2006)

Mapping Your City with GIS Workshop, New Urban Research, Madison, Wisconsin (2005)

Jessie Ball duPont Summer Seminars for Liberal Arts College Faculty, the National Humanities Center, Research Triangle, North Carolina (2001)

PROFESSIONAL PUBLICATIONS (contribution is in the order of authors for publications with multiple authors).

A) Books

Liu, Baodong. *Political Volatility in the United States: How Racial and Religious Groups Win and Lose*. Lexington Books. (forthcoming)

Liu, Baodong. Ed. (2018). *Solving the Mystery of the Model Minority: The Journey of Asian Americans in America*. Cognella Academic Publishing.

Liu, Baodong. (2016). *Race, Ethnicity and Religion in the American Political Arena*. University Readers.

Liu, Baodong. (2015). *Social Research: Integrating Mathematical Foundations and Modern Statistical Computing*. Cognella Academic Publishing.

Liu, Baodong. (2013). *Understanding the Scientific Method: A Social Science Approach*. University Readers.

Liu, Baodong. (2010). *The Election of Barack Obama: How He Won*. Palgrave Macmillan. Reviewed by Hanes Walton, Jr. (2012) for *The American Review of Politics*.

Liu, Baodong and James Vanderleeuw. (2007). *Race Rules: Electoral Politics in New Orleans, 1965-2006*. Lexington Books. Paperback and Hardback. Reviewed by Peter Burns (2008) for *Urban Affairs Review*; also reviewed by Robert Dupont (2008) for *H-Urban*.

Liu, Baodong. (2002). *Making American Democracy Work: Reforms and Debates*. The McGraw-Hill, Inc.

B) Blind-Reviewed Journal Articles (*denotes publications with my Ph.D. students)

*Liu, Baodong, Porter Morgan and Dimitri Kokoromytis. (forthcoming) "Immigration, Nation-State Contexts and Value Changes of Ethnic Chinese." *Athens Journal of Social Sciences*.

*Liu, Baodong, Zachary Stickney, and Nicole Batt. (2020). "Authoritarianism for and against Trump," *Journal of Behavioral and Social Sciences* 7(3): 218-238.

Liu, Baodong. (2018). "The Haitian and Cuban American Electorates in South Florida: Evidence from Ten Federal, State and Local Elections, 2008-2014." *National Political Science Review* 19 (1): 51-60.

Wei, Dennis, Weiyi Xiao, Christopher Simon, Baodong Liu, Yongmei Ni. (2018). "Neighborhood, Race and Educational Inequality." *Cities* 73: 1-13.

Simon, Christopher A., Nicholas P. Lovrich, Baodong Liu, and Dennis Wei. (2017). "Citizen Support for Military Expenditure Post 9/11: Exploring the Role of Place of Birth and Location of Upbringing." *Arm Forces and Society* 44 (4): 688-706.

Liu, Baodong, Dennis Wei, and Christopher A. Simon. (2017). "Social Capital, Race, and Income Inequality in the United States." *Sustainability* 9 (2): 1-14.

Liu, Baodong. (2014). "Post-Racial Politics? Counterevidence from the Presidential Elections, 2004-2012." *Du Bois Review: Social Science Research on Race* 11(2): 443-463.

Liu, Baodong. (2014). "Racial Context and the 2008 and 2012 US Presidential Elections." *Athens Journal of Social Sciences* 1(1): 21-33.

Liu, Baodong. (2011). "Demythifying the "Dark Side" of Social Capital: A Comparative Bayesian Analysis of White, Black, Latino, and Asian American Voting Behavior." *The American Review of Politics* 32 (Spring): 31-56.

Byron D'Andra Orey, L. Marvin Overby, Pete Hatemi and Baodong Liu. (2011). "White Support for Racial Referenda in the Deep-South." *Politics & Policy* 39 (4): 539-558.

Geoffrey M. Draper, Baodong Liu, and Richard F. Riesenfeld. (2011). "Integrating Statistical Visualization Research into the Political Science Classroom." *Information Systems Education Journal* 9 (3): 83-94.

Liu, Baodong. (2011). "Obama's Local Connection: Racial Conflict or Solidarity?" *PS: Political Science and Politics* 44 (1): 103-105.

Liu, Baodong. (2011). "State Political Geography and the Obama White Vote." *World Regional Studies* 20 (4): 1-15. (in Chinese)

Liu, Baodong, Sharon D. Wright Austin, and Byron D'Andrá Orey. (2009). "Church Attendance, Social Capital, and Black Voting Participation" *Social Science Quarterly* 90 (3): 576-92.

Vanderleeuw, James, Baodong Liu, and Erica Nicole Williams. (2008). "The 2006 New Orleans Mayoral Election: The Political Ramifications of a Large-Scale Natural Disaster." *PS: Political Science and Politics* 41 (4): 795-801.

Liu, Baodong and Robert Darcy. (2008) "Race, Immigration, and Party Strategies in the US Elections," *Íslenska Leiðin*: 33-39.

Liu, Baodong. (2007). "EI Extended Model and the Fear of Ecological Fallacy," *Sociological Methods and Research* 36 (1): 3-25.

Liu, Baodong. (2006). "Whites as a Minority and the New Biracial Coalition in New Orleans and Memphis," *PS: Political Science and Politics* 40 (1): 69-76.

Vanderleeuw, James, and Baodong Liu. (2006). "Racial Polarization or Biracial Coalition? An Empirical Analysis of the Electoral Coalition of Winning Candidates in Urban Elections," *American Review of Politics* 27 (Winter): 319-344.

Liu, Baodong, and James Vanderleeuw. (2004). "Economic Development Priorities and Central City/Suburb Differences," *American Politics Research* 32 (6): 698-721.

Vanderleeuw, James, Baodong Liu, and Greg Marsh. (2004). "Applying Black Threat Theory, Urban Regime Theory, and Deracialization: The Memphis Mayoral Elections of 1991, 1995, and 1999," *Journal of Urban Affairs* 26 (4): 505-519

Liu, Baodong, and James Vanderleeuw. (2003). "Growth Imperative, Postmaterialism and Local Decision-Makers," *Journal of Political Science* 31: 173-96.

Liu, Baodong. (2003). "Deracialization and Urban Racial Context," *Urban Affairs Review* 38 (4): 572-591.

Vanderleeuw, James and Baodong Liu. (2002) "Political Empowerment, Mobilization, and Black-Voter Rolloff," *Urban Affairs Review* 37 (3): 380-96.

Liu, Baodong. (2001). "The Positive Effect of Black Density on White Crossover Voting: Reconsidering the Social Interaction Theory," *Social Science Quarterly* 82 (3): 602-615.

Liu, Baodong. (2001). "Racial Context and White Interests: Beyond Black Threat and Racial Tolerance," *Political Behavior* 23 (2): 157-80.

Liu, Baodong, and James Vanderleeuw. (2001). "Racial Transition and White-Voter Support for Black Candidates in Urban Elections," *Journal of Urban Affairs* 23 (3/4): 309-22.

Liu, Baodong. (2001). "Interests and Opinions among African-Americans: A Test of Three Theories," *the Texas Journal of Political Studies* 21 (2): 113-24.

Liu, Baodong, and James Vanderleeuw. (1999). "White Response to Black Political Power: the Case of New Orleans, 1980-1994." *Southeastern Political Review* 27 (1): 175-188.

C) Peer-Reviewed or Blind-Reviewed Grant/Research Papers, Proceedings, Book Chapters and Encyclopedia Entries (* denotes publications with my Ph.D. Students)

* Liu, Baodong, Nadia Mahallati, and Charles Turner. (2021). "Ranked-Choice Voting Delivers Representation and Consensus in Presidential Primaries" Available at SSRN: <https://ssrn.com/abstract=3822879> or <http://dx.doi.org/10.2139/ssrn.3822879>

Liu, Baodong. (2021). "The Growth of Scientific Knowledge through Social Computing Networks" (2021). *The 19th International E-Society Conference Proceedings*. Pp. 109-116. ISBN: 978-989-8704-26-9.

Liu, Baodong. (2014). "Racial Context and the 2008 and 2012 US Presidential Elections" in Yannis A. Stivachtis and Stefanie Georgakis Abbott, ed. *Addressing the Politics of Integration and Exclusion: Democracy, Human Rights and Humanitarian Intervention*. Athens: Atiner publications.

Liu, Baodong. (2011). "Mayor" in *International Encyclopedia of Political Science*. CQ Press.

Liu, Baodong. (2011). "Roll-off" in *International Encyclopedia of Political Science*. CQ Press.

Liu, Baodong and Carolyn Kirchhoff. (2009) "Mayor", *Encyclopedia of American Government and Civics*, eds. Michael A. Genovese and Lori Cox Han. New York: Facts on File.

Liu, Baodong and Robert Darcy. (2006). "The Rising Power of Minorities and the Deracialization of U.S. Politics" in Gillian Peele, Christopher J. Bailey, Bruce E. Cain, and B. Guy Peters, ed. *Developments in American Politics 5*. Hampshire, UK: Palgrave Macmillan/Macmillan Publishers.

D) Book Reviews

Liu, Baodong. (2010). Review of Zoltan L. Hajnal, *America's Uneven Democracy: Race, Turnout, and Representation in City Politics* in *American Review of Politics* 31 (summer): 157-160.

Liu, Baodong. (2008). Review of Rodney E. Hero, *Racial Diversity and Social Capital*, in *Urban Affairs Review* 44 (1):146-149.

Liu, Baodong. (2006). Review of Peter Burns, *Electoral Politics Is Not Enough*, in *American Review of Politics* 27 (Spring): 186-189.

Liu, Baodong. (1999). Review of Terry Nichols Clark and Vincent Hoffmann-Martinot (ed), *The New Political Culture*, in *American Review of Politics* 20: 99-102.

E). Other Publications/Editorials

Liu, Baodong. (2021). "Why Did Trump Lose Arizona? An Analysis of Politics in the American Pacific West". *EToday*. January 8, 2021. (in Chinese/Taiwanese)

Liu, Baodong. (2021). "Asian Americans and Minority Voters: The New Destination of Partisan Competitions?". *EToday*. January 8, 2021. (in Chinese/Taiwanese)

Liu, Baodong. (2020). "Identifying States with Strict and Lenient Voting Rights Laws". *NewsWise*. Oct. 28, 2020.

- Liu, Baodong. (2020). "Checks and Balances and the End of Trump Legal Battles". *ETtoday*. Dec. 29, 2020. (in Chinese/Taiwanese)
- Liu, Baodong. (2020). "Trump's Legal Battles and the New Beginning of the Electoral Laws?". *ETtoday*. Nov. 10, 2020. (in Chinese/Taiwanese)
- Liu, Baodong and Feng Ling. (2018). "Liberalism or Conservatism: Which One Contributes to America More?" *Chinese Americans*, No. 1565. (in Chinese).
- Liu, Baodong. (2018). "The Lawsuit against Harvard and Asian-American Attitude toward Affirmative Action," *Chinese Americans*, No. 1207. (in Chinese).
- Liu, Baodong. (2016). "Lu Xun's Attack on Old Chinese Regime and St. Augustine's Self Examination," *Overseas Campus* (in Chinese).
- Liu, Baodong. (2015). "Will Christianity Bring about Democracy?" *Overseas Campus* 130 (June): 40-43. (in Chinese)
- Liu, Baodong. (2011). "New Ethnic Studies Major at the U: Education for the 21st Century" *Diversity News* 2011 (Fall). <http://diversity.utah.edu/newsletter/fall-2011/ethnic-studies-degree.php>.
- Liu, Baodong (2008). "The Urban Politics Field as We Know It." *Urban News* 22 (1): 1-2.
- Liu, Baodong. (2008). "Negative Campaigning a Desperate Strategy," *The Daily Utah Chronicle*. Guest Column. October 20, 2008.
- Liu, Baodong. (2007). "The 2006 Midterm Election: Angry Voters? Yes! Clear Vision? No!" *Wisconsin Political Scientist* XIII (2): 9-10.
- Liu, Baodong. (2006). "Midterm Election Results Show No Clear Future Vision." Guest Column, *Advance-Titan*. Nov. 9, 2006: A5.
- Liu, Baodong and James Vanderleeuw. (2003). "Local Policymakers and Their Perceptions of Economic Development: Suburbs, Central Cities and Rural Areas Compared" *Wisconsin Political Scientist* IX (1): 4-7.

SOFTWARE DEVELOPMENT/GRANTS

diaglm, the author of the R software statistical package for diagnosing and visualization of violations of linear and nonlinear statistical modeling, published at GitHub (bblpo/diaglm). 2019.

diagglm, the author of the R software statistical package for diagnosing and visualization of violations of nonlinear statistical modeling, published at github (bblpo/diagglm). 2019.

Principal Investigator, "Authoritarianism in the Global Ethnic Chinese Communities", a grant proposal supported by University Sabbatical Leave and Asia Center Travel Award. 2020. \$1500

Principal Investigator, with Co-Pi, Mike Cobbs (North Carolina State University) and Richard Engstrom (University of Houston). "Understanding the Support for Ranked-Choice Voting," initial grant proposal supported by Political Reform Program, New America. Washington D.C. 2020.

\$40,000

Co-PI, with Dennis Wei (PI) and Reid Ewing. “Urban Form, Amenity, and Upward Mobility in the United States,” initial grant proposal submitted to Russell Sage Foundation, 2017. (rejected)

Co-PI, with Annie Isabel Fukushima (PI). “Victimhood, Human Trafficking and Immigration: Victimhood in the Face of Criminal Charges.” American Council of Learned Societies Collaborative Research Program. 2015-16. (rejected)

Co-PI, with Dennis Wei (PI) and Chris Simon. “Amenity, Neighborhood and Spatial Inequality: A Study of Salt Lake County,” Interdisciplinary Research Pilot Program (IRPP), College of Social and Behavioral Science, the University of Utah, 2015. \$10,000.

Co-PI, with Annie Isabel Fukushima (PI). “Victimization, Human Trafficking and Immigrants: Mixed Methods analysis of the Perceptions of Victimhood in U.S. Courts (2000 – 2015)”, submitted to National Institute of Justice, 2015. \$997,407. (rejected)

Co-PI, with Daniel McCool. “The Efficacy of American Indian Voting: A Pilot Project” Research Incentive Grant, College of Social and Behavioral Science, the University of Utah. (2014-). \$7500.

I have provided my Expert Witness Opinions on federal voting rights cases such as *Traci Jones et al vs. Jefferson County Board of Education et al*, (Alabama, 2019); *CMA v. Arkansas* (Arkansas, 2019); *Navajo Nation, et al, vs. San Juan County, et al*, (Utah District, 2012); *League of Women Voters of Florida, et al v. Detzner, et al*, (Florida, 2012); *Anne Pope et. al. v. County of Albany and the Albany County Board of Elections* (N.D., NY 2011); *Radogno, et al v. State Board of Elections, et al*, (N.D., IL, 2011); *NAACP v. St. Landry Parish et al*, (W.D. LA 2003); *Arbor Hill Concerned Citizens Neighborhood Association et al v. County of Albany* (N.D. NY 2003); *Hardemon County Branch of NAACP v. Frost* (2003).

Expert Instructor, Racially Polarized Voting and Political Participation: EI and EZI. Expert Preparation Program, Community Census and Districting Institute. A grant supported by Ford Foundation and Southern Coalition for Social Justice, Duke University, Durham, North Carolina. 2010.

Principal Investigator, 2010-2012. A Multi-level Analysis of Obama Racial Coalition in 2008 and 2012. A project funded by the PIG grant of College of Social and Behavior Sciences, the University of Utah.

Co-PI. Educational Succession Movements in U.S. Metropolitan Areas, proposal submitted to Seed Grants, the University of Utah. 2009. Rejected.

Recipient, Faculty Sabbatical Grant, 2008. University of Wisconsin Oshkosh, grant offered, but finally declined the offer due to job change.

Grant Director/Faculty Advisor, 2008. The WiscAMP program, National Science Foundation.

Principal Investigator, 2007. Wisconsin Research and Development Capacity Study. A project funded by Wisconsin Security Research Consortium.

Principal Investigator, 2007. The Impact of Industrial Involvement on Science Education in Wisconsin. A project funded by Johnson Control, Inc.

Principal Investigator, 2007. The Impact of Fond du Lac School District on Local Economic Development. A project funded by Fond du Lac School District.

EI Methodologist, 2007. Retrogressive Effects of H.B. No. 1565 on Latino Voters in the Bexar County Metropolitan Water District, TX.

Principal Investigator, 2006. The Impact of Economic Development on Citizen Opinions. A project funded by City of Waupaca, Wisconsin Public Services.

Principal Investigator, 2006. Leading the Big Easy: Will the Biracial Coalition Sustain Katrina? Institute on Race and Ethnicity, University of Wisconsin System. 2006.

Methodological Issues in Quantitative Research on Race and Ethnicity, Inter-University Consortium for Political and Social Research (ICPSR), Institute of Social Research, University of Michigan, 2006.

Off-Campus Program Grant, Faculty Development, the University of Wisconsin-Oshkosh, 2006.

GIS and Social Research, Small Research Grant, Faculty Development Program, the University of Wisconsin-Oshkosh, 2005.

Principal Investigator, Getting the White Votes. American Political Science Association Research Grant, Washington D.C., 2003.

Principal Investigator, A Comparative Study of Urban Elections. Faculty Research Development Grant, the University of Wisconsin-Oshkosh, Oshkosh, Wisconsin, 2004.

Principal Investigator, Getting the White Votes. Faculty Research Development Grant, the University of Wisconsin-Oshkosh, Oshkosh, Wisconsin, 2003.

Advanced Graduate Student Travel Grant, the American Political Science Association, 1999

AWARDS AND HONORS

Nominee for the Career & Professional Development Center, Faculty Recognition Program, University of Utah. 2018.

Winner of A Showcase of Extraordinary Faculty Achievements (for publication of my book, Social Research: Integrating Mathematical Foundations and Modern Statistical Computing. San Diego: Cognella Academic Publishing), With commendation from the J. Willard Marriott Library and the Office of the Vice President for Research. University of Utah. 2016

Nominee for the Social and Behavior Science College Superior Research Award (senior scholar category), nominated by the political science department in both 2011 and 2012.

Professor of Political Science (National 985-Plan Supported Foreign Scholar), Taught Summer Class at School of Government, Nanjing University, Nanjing, China. 2012.

TRISS Endowed Professorship for Excellence, University of Wisconsin Oshkosh, 2007-8

Artinian Award for Professional Development, Southern Political Science Association, 2004

Byran Jackson Award for the best research/dissertation in racial and ethnic politics in an urban setting, Urban Politics Section, the American Political Science Association, 1999

Ted Robinson Award for the best research in race and ethnicity, Southwestern Political Science Association, 1999

Who's Who in America, 2001-2006, Marquis, USA.

Davis Summer Research Grant, Stephens College, 2001

Firestone Baars Grant for Faculty Development, Stephens College, 1999-2001

Vice President Discretion Grant for Research, Stephens College, 2001, 2000

Advanced Graduate Student Travel Grant, the American Political Science Association, 1999

Graduate Student Travel Grant, University of New Orleans, 1997

The Best Graduate Student Paper Award, Department of Political Science, Oklahoma State University, 1993

Pi Sigma Alpha, National Political Science Honor Society, 1994

PROFESSIONAL POSITIONS

Member, Review Board, Journal of Behavioral and Social Sciences, 2019-

Member, Board of Directors, National Association for Ethnic Studies, 2013-2015

Editorial Board, Urban Affairs Review, 2008-2011

Editorial Advisor, International Encyclopedia of Political Science, CQ Press, 2005-2011

Editor, Urban News, Urban Politics Section, American Political Science Association, 2004-2010

Chair, Urban Politics Program, Southern Political Science Association Annual Convention, 2008

Co-Chair, Asian Pacific American Caucus, American Political Science Association, 2004-2006

Member, American Political Science Association Small Research Grant Committee, 2005

AS A JUDGE OR REVIEWER OF WORKS OF OTHER SCHOLARS FOR ACADEMIC JOURNALS OR PRESSES

2001-present

Perspectives; Politics and Religion; American Political Science Review; Lexington Books; Journal of Behavioral and Social Sciences; The National Science Foundation; Sage Publications, W. W. Norton & Company, Inc; McGraw Hill Publishing; Journal of Politics; National Political Science Review, Political Analysis; Social Science Quarterly; Urban Affairs Review; Political Research Quarterly; Politics and Policy; Journal of Urban Affairs; American Politics Research; Public Opinion Quarterly; Political Behavior; Sociological Methods and Research

INVITED SPEAKER, ROUNDTABLE/PANEL DISCUSSANT

Baodong Liu. "How Ranked Choice Voting Works?" Invited lecture for the University of Utah Solution Scholars (through Zoom/YouTube). 3/2021.

Baodong Liu. "Asian Americans and the Future of American Democracy", Hinkley Forum. 1/2021.

Baodong Liu. "An Analysis of the 2020 Presidential Election Outcome", Invited talk given to the Chinese American Community in Salt Lake City. 11/2020.

Baodong Liu. "The 2020 Presidential Election and the Future of American Democracy", invited lecture given to Chinese Americans on Zoom. 9/2020.

Baodong Liu, Michael Cobb, and Richard Engstrom. "Understanding the Support for Ranked-Choice Voting in Two Southern Cities" talk given at the Electoral Reform Research Group, Research Development Conference. Washington D.C. 2/2020.

Baodong Liu. "Nation-State Context and Authoritarian Value Changes of Ethnic Chinese." Talk given at the workshop of The Clash of Authoritarianisms: Secularism versus Islamism in Turkey, University of Utah. 4/2019

Baodong Liu. "Trump's Voters," Panel Discussion on Presidential Primaries. Hinckley Institute of Politics. The University of Utah. Salt Lake City, Utah. 3/2016

Baodong Liu. "Big Data in the Social Sciences," The Consortium for Research on China and Asia (CROCA) and Policy at the Podium. The University of Utah. Salt Lake City, Utah. 11/2014.

Baodong Liu. "Deracialization in the Historical Perspective," the National Black Political Scientist Association Annual Meeting. Las Vegas, Nevada. 3/2012.

"Educating the Best Students in the 21st century: the New Ethnic Studies Major at the University of Utah," a presentation provided to the University Diversity Division Fall Retreat (8/12/2011), the Ethnic Studies Program (8/17/2011), and the Community Council (9/13/2011), at the University of Utah.

"Quantitative Analysis: Ecological Inferences and the Voting Rights Law," a Ford Foundation Project, Duke University. July 24-28, 2010.

"Election 2008: A Symposium," Hinckley Institute of Politics, University of Utah. October 6, 2008.

"IMMIGRATION TODAY: What are the Issues?" League of Women Voters of the Oshkosh Area Public Forum, November 12, 2007.

Theme Panel: "Bleaching" New Orleans? Power, Race, and Place After Katrina, the American Political Science Association Annual Meeting, Philadelphia, September 2, 2006.

"2006 Midterm Election Preview," American Democracy Project, the University of Wisconsin, Oshkosh, November 2, 2006.

“Analysis on the 2006 Midterm Election Results,” American Democracy Project, the University of Wisconsin, Oshkosh, November 9, 2006.

“The Politics of New Americans: Studying Asian American Political Engagement,” the American Political Science Association Annual Meeting, Washington, D.C. September 3, 2005.

“Significance of Voting Rights Act,” Lawyers’ Committee for Civil Rights under Law, National Asian Pacific American Legal Consortium, Mexican American Legal Defense and Educational Fund, Washington DC: June 17-18, 2004.

“Protecting Democracy: Defining the Research Agenda for Voting Rights Reauthorization,” the Civil Rights Project, Harvard University, Cambridge, MA. May 10, 2004.

Chair, the Politics of Ethnicity and Self-Determination Panel, International Studies Association-Midwest Conference, St. Louis, Missouri, November 2, 2001.

PROFESSIONAL AND COMMUNITY SERVICES

Reviewer, University URC Faculty Scholarly Grant Program, 2020

Chair, Faculty Tenure and Promotion Committee, Political Science, 2019-2020

Member, Curriculum Overhaul Committee, Ethnic Studies, 2018-2019

Member, Faculty Tenure and Promotion Committee, Political Science, 2018-2019

Chair, Faculty Tenure and Promotion Sub-Committee, Ethnic Studies, 2017-2018

Member, Graduate Committee, political science department, the University of Utah, 2014-2018

Member, Executive Committee, political science department, the University of Utah, 2014-2018

Faculty Senator, the University of Utah, 2015-2018

Chair, American Politics Field, political science department, the University of Utah, 2014-2018

Member, GC Building Committee, Social Science Lab, 2015-2018

Expert Volunteer for Utah Fair Redistricting Legal Team, 2017

Member, Assistant Vice President for Diversity Search Committee, 2015-2016

Member, Ad Hoc Graduate Committee for Writing, 2015-2016

Chair, Faculty Joint Appointment Search Committee, ethnic studies program and theatre department, the University of Utah, 2014-2015

Member, Betty Glad Foundation Committee, political science department, the University of Utah, 2014-2015

Chair, Awards Committee, National Association for Ethnic Studies, 2014

Faculty Mentor to Junior Faculty, Department of Political Science, 2013-2018

Chair, University of Utah MLK Committee. 2012-2013.

Member, Graduate School Dean Search Committee, 2013.

Member, University Diversity Leadership Team, the University of Utah. 2010-2013.

Member, University Teaching Program Committee, the University of Utah, 2011-2013.

Member, University Diversity Curriculum Committee, Undergraduate Studies, the University of Utah, 2011-2013.

Judge, The Research Day of College of Social and Behavioral Science, 2011-2013.

Member, Organizing Committee, International Conference on Urbanization and Development in China, University of Utah, August 2010.

Member, Retention, Promotion, and Tenure Committee, Department of Political Science, the University of Utah. 2011-2013.

Assistant Director, Ethnic Studies Program, the University of Utah. 2010-2011.

Committee Member, Undergraduate Studies, Department of Political Science, the University of Utah. 2009-2011.

Committee Member, Utah Opportunity Scholarship, the University of Utah, reviewing and making decisions on more than 200 applications. 2009-2010.

Member, Ethnic Studies Positions Exploration Committee, the University of Utah. 2009-2010.

Member, Marketing Committee, Department of Political Science, the University of Utah. 2009-2010.

Guest Speaker, "Obama and the 2008 Presidential Election: A Spatial Analysis" at the Graduate Seminar titled Introduction of Survey Research in Higher Education. College of Education. The University of Utah. Feb. 3, 2009.

Special Speaker, "Obama and the Minimum Winning Coalition" Ethnic Studies Works in Progress Presentation. The University of Utah. Dec., 5, 2008.

Special Speaker, "Election 2008: A Symposium," Hinckley Institute of Politics, University of Utah. October 6, 2008.

Special Speaker, "Predicting the 2008 Presidential Election Outcomes" Discussion on the 2008 Presidential Election. Political Science Department, the University of Utah. Sept. 25, 2008.

Political Commentator for reporting from Salt Lake Tribune, AP, EFE Hispanic News Services, Milwaukee Journal Sentinel, WHBY, KFRU radio stations, the Post-Crescent, Oshkosh Northwestern, Columbia Missourian, and the Daily Utah Chronicle (December 1999 to present)

Faculty Representative for University of Wisconsin-Oshkosh, ICPSR, University of Michigan, 2007-8

Member, Board of Trustees, Wisconsin International School, 2007-8

Member, UWO Office of Institutional Research Advisory Board, 2007-8

President, Northeast Wisconsin Chinese Association, 2007 (executive vice president, 2006)

Member, Program Evaluation Committee. College of Letters and Science, University of Wisconsin-Oshkosh, 2007-8

Member, Political Science Curriculum, Center for New Learning, University of Wisconsin-Oshkosh, 2007-8

Moderator, Oshkosh City Forum, Mayoral Candidates' Debates, March 23, 2005

Grant Reviewer, Faculty Development Program. University of Wisconsin-Oshkosh, 2004-8

Member, African American Minor Counsel. University of Wisconsin-Oshkosh, 2006-.

Member, Search Committee for University Foundation President. University of Wisconsin-Oshkosh, 2005-2006.

Member, Faculty Senate Libraries & Information Services Committee. University of Wisconsin-Oshkosh, 2005-2008.

Chair/Member, Curriculum Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2002-8

Chair, Budget Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2007-8

Member, Personal Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2007-8

Member, Search Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2002-8

Faculty Director, the Stephens College Model UN Team, National Model United Nations Conference, New York, New York, (3/2002)

Chair, Political Science Search Committee, Stephens College (August 2001 to May 2002)

Member, Editorial Advisory Board, Collegiate Press, San Diego, California (2000 to 2001)

Chair, Harry Truman Scholarship Committee, Stephens College (2000 to 2002)

Member, Strategic Planning and Budgeting Committee, Stephens College (2000 to 2002).

CONFERENCE PAPER/PROCEEDINGS

Liu, Baodong. "The Growth of Scientific Knowledge through the Social Computing Networks", paper presented at 19th International Conference on e-Society. 3/2021.

Liu, Baodong. "Racial Prejudice behind the Anti-Affirmative Action Attitude of Asian Americans" paper presented at the Western Political Science Association Annual Conference. San Diego. 4/2019.

Liu, Baodong, Porter Morgan and Dimitri Kokoromytis. "Immigration, Nation-State Contexts and Value Changes of Ethnic Chinese" paper presented at the Midwest Political Science Association Annual Conference. Chicago. 4/2019.

Baodong Liu. "The Strategical Religious Voter", paper presented at the Midwest Political Science Association Annual Meeting. Chicago, Illinois. 4/2018.

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Baodong Liu. "Race, Religion, and U.S. Presidential Elections," paper presented at the Annual Convention of National Association for Ethnic Studies, Oakland, California. 4/2014.

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Baodong Liu. "Searching for a 'Qualified' Black Candidate," *Proceedings of the 97th American Political Science Association Conference*, San Francisco California, 9/2001.

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James Vanderleeuw, Baodong Liu, and John Johnson. "Economic Development Priorities of City Administrators: A Report on a Survey of City Administrators in Texas," presented at the 2001 Louisiana Political Science Association Convention, Lamar Texas, 3/2001.

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Baodong Liu. "Racial Context and White Voting Strategies," presented at *the 95th American Political Science Association Conference*, Atlanta Georgia, 9/1999.

Baodong Liu. "The President's Support in Congress: A Test of U.S. China Policy, 1980-1994," *The 1997 Southern Political Science Association Convention*, Norfolk Virginia, 11/1997.

Baodong Liu. "Examining the Race Line: White Voting Behavior in New Orleans, 1980-1994," *The 27th Southwestern Political Science Association Conference*. New Orleans Louisiana, 3/1997.

Baodong Liu. "Intrapartisan Defeats and the Nomination Strategies of the Japanese Liberal Democratic Party in the 1993 Election," *The Sixth Annual Graduate Student Research Symposium*. Oklahoma State University. Stillwater Oklahoma, 2/1995.

PROFESSIONAL MEMBERSHIP

Pi Sigma Alpha, National Political Science Honor Society
American Political Science Association
Western Political Science Association
Midwest Political Science Association
Association for Asian American Studies
Association of Chinese Political Studies
Southwestern Political Science Association

Serve as an Advisor/Committee Member for the following Graduate and Undergraduate Students

Nicole Batt (Ph.D Dissertation Chair)
Jake Peterson (Ph.D Dissertation Chair)

Matt Haydon (Ph.D. Dissertation Chair)
Porter Morgan (Ph.D. Committee)
Charles Turner (Ph.D Committee)
Geri Miller-Fox (Ph.D Committee)
Alex Lovell (Ph.D Committee)
Samantha Eldrudge (Ph.D Committee)
Leslie Haligan-Park (Ph.D Committee)
Nicole Cline (Master Committee Chair)
Oakley Gordon (Master Committee)
Michael McPhie (Master Committee)
Mary Bank (Faculty Advisor, Undergraduate UROP Applicant and Research Assistant)

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Appendix II
Voting Rights Cases in which I served as an Expert Witness

Traci Jones et al vs. Jefferson County Board of Education et al, (Alabama, 2019)
CMA v. Arkansas, (Arkansas, 2019)
Alabama State Conference of NAACP v Pleasant Grove, (N.D. Alabama, 2018)
Navajo Nation, et al, vs. San Juan County, et al, (Utah, 2012)
League of Women Voters of Florida, et al v. Detzner, et al, (Florida, 2012)
Anne Pope et. al. v. County of Albany and the Albany County Board of Elections (N.D., NY 2011)
Radogno, et al v. State Board of Elections, et al, (N.D., IL, 2011)
NAACP v. St. Landry Parish et al, (W.D. LA 2003)
Arbor Hill Concerned Citizens Neighborhood Association et al v. County of Albany, (N.D. NY 2003)
Hardeman County Branch of NAACP v. Frost, (TN, 2003)

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