



Colorado Independent Redistricting Commissions Staff

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MEMORANDUM

September 13, 2021

TO: Independent Legislative Redistricting Commission

FROM: Colorado Independent Redistricting Commissions Staff

SUBJECT: First State Senate Staff Plan

Summary

This memorandum provides context and information about the first State Senate Staff Plan (staff plan) submitted by the Colorado Independent Legislative Redistricting Commission's (commission) nonpartisan commission staff (staff) on September 13, 2021.

Description of State House Districts by Region

Eastern Plains. The Eastern Plains are almost entirely in Senate District 3. This district consists of whole counties plus the eastern portions of Adams and Arapahoe Counties.

Pueblo and San Luis Valley. Pueblo County is entirely contained in Senate District 35 with no other counties. The six counties of the San Luis Valley (Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache) are kept together and included in Senate District 7, which extends to Southwest Colorado.

Four Corners Area, Western Slope, and Mountains. Senate Districts 5, 6, 7, and 8 are in this area, along with a portion of Senate District 16, which also extends into Jefferson and Douglas Counties. The Roaring Fork Valley is kept together in Senate District 5.

Northern I-25 Corridor. The northern I-25 corridor is included in Senate Districts 1, 13, 14, 15, and 17.

City and County of Denver and North Metro Denver. Senate Districts 32, 33, and 34 are wholly within the City and County of Denver. Senate District 22 contains Southwest Denver with a portion of Lakewood (Jefferson County), and Senate District 31 contains some enclaves of Arapahoe County along with Southeast Denver. A portion of eastern Adams County is in

Senate District 3 with the Eastern Plains, while North Metro Adams County is included in Senate Districts 21, 23, 24, and 25.

South Metro Denver and West Metro Denver. A portion of eastern Arapahoe County is in Senate District 3 with the Eastern Plains, and some Denver enclaves and portions of unincorporated Arapahoe County are in Senate District 31 with Denver. Aurora and southern portions of Arapahoe County are included in Senate Districts 26, 27, 28, and 29. Jefferson County shares Senate District 22 with Denver, Senate District 23 with Broomfield, and Senate District 26 with Arapahoe County. Senate Districts 19 and 20 are wholly in Jefferson County, and Senate District 16 includes portions of Jefferson County with Chaffee, Douglas, Gilpin, and Park Counties.

Douglas County. Douglas County is in Senate Districts 4 and 30, and it shares Senate District 16 with Chaffee, Gilpin, Jefferson, and Park Counties.

El Paso County. Senate Districts 9, 10, 11, and 12 are fully contained in El Paso County. Portions of El Paso County are also in Senate District 2, along with Elbert, Fremont, and Teller Counties.

Constitutional Criteria

Mathematical Population Equality. The staff plan complies with Colorado's constitutional standards by making a good-faith effort to achieve mathematical population equality and not exceeding the five percent deviation standard¹. In the staff plan, the most populous district is 3,829 people (or 2.27 percent) over the ideal district size and the least populous district is 4,140 people (or 2.57 percent) under the ideal district size. Taken together, these proposed districts have a deviation of 4.83 percent, which is less than the maximum constitutionally permitted 5 percent deviation.

Federal Voting Rights Act. The Colorado Constitution requires the commission to comply with the Voting Rights Act (VRA) in creating legislative redistricting plans.² Staff considered the VRA in drafting the first staff plans. The commission has retained a VRA expert who will conduct an analysis of voting patterns in various locations of the state to determine if the minority and the white majority vote as distinct voting blocs and if the creation of a "majority-minority district" is required under the VRA. Because the VRA expert has not yet produced such a report, and there is no court precedent for a "majority-minority district" in the state senate, staff has not drawn a district with a majority minority population to comply with the VRA.

Contiguity. All portions of the districts in the staff plan are contiguous to other portions of the same districts.

Preservation of communities of interest and political subdivisions. When it was necessary for staff to divide a city or county to arrive at the required district population, staff attempted to keep communities of interest together, such as keeping the Roaring Fork Valley in a single district. To the extent possible, staff kept municipalities that include portions in two counties together or split those municipalities at the county border. Further, in drawing the staff plan, staff

¹ The Colorado Constitution requires the commission to "[m]ake 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." Colo. Const. art. V., § 48.1 (1)(a).

² Colo. Const. art. V., §48.1 (1)(b).

considered the public comments the commission has received and attempted to preserve as many communities of interest as possible.

Compactness. The commission has adopted the use of Reock and Polsby-Popper scores as a measure of compactness. Nonpartisan staff believes that the districts in the staff plan are reasonably compact. Some district border lines are irregular due to municipal boundaries or the shape of census blocks necessary to equalize the population. The commission has adopted a policy that requires staff to provide an explanation for those districts with a Roeck score less than 0.30 or a Polsby-Popper score less than 0.16. Those explanations are provided in the compactness report.

Politically competitive districts. The commission has identified eight statewide races that it believes should be used in determining competitiveness.³ The report on election results accompanying the staff plan shows an average of the difference between the votes cast for Democratic and Republican candidates across these eight elections. A positive number indicates that there were more votes cast for the Republican candidates, and a negative number indicates that there were more votes cast for the Democratic candidates.

Diluting a racial or language minority group's electoral influence. To the extent that Article V, Section 48.1 (4)(b) of the Colorado Constitution is a restatement of the VRA, as described above, staff considered the VRA in drafting the staff plan. Nonpartisan staff considered communities of interest in creating this plan and does not believe that the electoral influence of any such community was diluted in this plan.

³ The eight elections are: from the 2016 General Election: Colorado Senator and President; from the 2018 General Election: Governor, Attorney General, Treasurer, Secretary of State, and at-large Regent of University of Colorado; and from 2020 General Election: Colorado Senator.