



Colorado Independent Redistricting Commissions Staff

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MEMORANDUM

September 3, 2021

TO: Independent Congressional Redistricting Commission

FROM: Colorado Independent Redistricting Commissions Staff

SUBJECT: First Congressional Staff Plan

Preliminary Statement

The primary goal of the nonpartisan staff of the Colorado Independent Congressional Redistricting Commission ("nonpartisan staff") has been, and always will be, for the Colorado Independent Congressional Redistricting Commission ("Congressional Commission") to approve a congressional redistricting plan with a constitutionally required supermajority vote. As explained below, nonpartisan staff is submitting this First Congressional Staff Plan in furtherance of that goal.

It appears that members of the Congressional Commission are divided as to whether the congressional redistricting plan should include a largely southern district or should include both a Western Slope district and an Eastern Plains district. Nonpartisan staff believes it is up to the Congressional Commission to decide which direction the final plan should take.

At its meeting on September 1, 2021, a majority of the Congressional Commission voted to recommend to nonpartisan staff that, due to expressed communities of interest, the following should be kept together in a single congressional district:¹

- The six counties of the San Luis Valley;²
- Huerfano, Las Animas, Otero, and Pueblo Counties; and
- The Southern Ute and Ute Mountain Ute tribal lands in Archuleta, La Plata, and Montezuma Counties.

¹ Article V, Section 44.4 (3) of the Colorado Constitution authorizes the Congressional Commission to provide direction to the nonpartisan staff for the development of staff plans, to which the nonpartisan staff must adhere, if approved by eight commissioners one of whom is an unaffiliated voter. Since there were only seven votes in favor of the motion concerning these counties, the motion described above is only a recommendation from the commissioners and nonpartisan staff was not required to adhere to it in the creation of the First Congressional Staff Plan.

² Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache Counties.

In drafting the First Congressional Staff Plan, nonpartisan staff considered modifying the Preliminary Congressional Plan in response to the public comments by adding the tribal lands to the proposed Congressional District 4. These modifications would have shown how the subject area looked in a plan with Western Slope and Eastern Plains districts. However, if adding the tribal lands to an Eastern Plains district is the direction that the Congressional Commission decides to follow, this can be done as a simple amendment to the Preliminary Congressional Plan. Nonpartisan staff believes that it is instead more beneficial to the future work of the Congressional Commission for the First Congressional Staff Plan to place the subject area in a largely southern district. Further, the Congressional Commission now has two distinct plans created by nonpartisan staff that can be amended by the commission.

By submitting this First Congressional Staff Plan, nonpartisan staff is not recommending or suggesting that the Congressional Commission approve a congressional redistricting plan with a largely southern district. Again, that is a choice for the Congressional Commission to make. No congressional redistricting plan will be perfect. There are advantages and disadvantages to both types of plans.

Description of Congressional Districts

Congressional District 1. Congressional District 1 is composed entirely of the area within the boundaries of the City and County of Denver. The population of Denver is 715,522. The population of the enclaves of Arapahoe County completely surrounded by Denver add an additional 7,348 for a total population within the boundaries of Denver of 722,870 or 1,156 over the ideal district size of 721,714. Nonpartisan staff moved the additional population from Denver into Congressional District 8.

Congressional District 2. Congressional District 2 is in the northwest portion of the state. It includes the whole mountainous counties of Grand, Jackson, Moffat, Rio Blanco, and Routt and portions of Garfield and Summit Counties. It also includes all of Boulder County and the City and County of Broomfield. It includes nearly all of Larimer County except Fort Collins, and the population is completed with portions of Weld County. Boulder, Longmont, and Loveland are the major population centers.

Congressional District 3. Congressional District 3 includes the counties recommended by a majority of the Congressional Commission members, including the San Luis Valley, Huerfano, Las Animas, Otero, and Pueblo Counties, together with the counties of La Plata and Montezuma that include the tribal lands. It also includes the whole counties of Archuleta, Crowley, Custer, Delta, Dolores, Eagle, Gunnison, Hinsdale, Mesa, Montrose, Ouray, Pitkin, San Juan, and San Miguel. The population is completed with portions of the Roaring Fork Valley in Garfield County. The population centers in this district are Grand Junction and Pueblo.

Congressional District 4. Congressional District 4 is an Eastern Plains district and includes the following whole counties: Baca, Bent, Cheyenne, Elbert, Kiowa, Kit Carson, Lincoln, Logan, Morgan, Phillips, Prowers, Sedgwick, Washington, and Yuma. It also includes eastern portions of Adams and El Paso Counties. It includes nearly all of Douglas County, and much of Weld County, including portions of the city of Greeley. The population is completed with portions of Larimer County, including all of the city of Fort Collins. The population centers are Castle Rock, Fort Collins, and Greeley.

Congressional District 5. Congressional District 5 is composed of nearly all of El Paso County including all of Colorado Springs. The population of El Paso County is 730,395 or 8,681 over the ideal district size. Nonpartisan staff moved the excess population in the eastern portion of El Paso County to Congressional District 4.

Congressional District 6. Congressional District 6 includes all of Arapahoe County except for the enclaves in Denver and the small enclave of Bow Mar, which is not contiguous and is in Congressional District 7. It also includes all of the City of Aurora, including the portions in Adams and Douglas Counties. Its population is completed with a portion of Highlands Ranch in Douglas County. Its population centers are Aurora and Centennial.

Congressional District 7. Congressional District 7 is a Front Range district including all of Chafee, Clear Creek, Fremont, Gilpin, Jefferson, and Park Counties. The population is completed with a portion of Summit County. The population centers are Arvada and Lakewood.

Congressional District 8. Congressional District 8 begins with the suburbs north of Denver in Adams County including all of Commerce City. It then covers the cities in Southeastern Weld County along the I-25 corridor, up to and including portions of the City of Greeley. Its population centers are Greeley, Thornton, and Westminster.

Constitutional Criteria

Equal Population. The population of each of the districts is within one person of the ideal district size of 721,714.

Federal Voting Rights Act. Nonpartisan staff does not believe that there is sufficient voting age population to create a majority-minority congressional district within Colorado that complies with the requirements of the Colorado Constitution. The Congressional Commission has not received any comments suggesting that a majority-minority district must be created.

Contiguity. All portions of the congressional districts are contiguous to other portions of the same congressional districts.

Preservation of communities of interest and political subdivisions. When it was necessary for nonpartisan staff to divide a county to arrive at the required congressional district population, nonpartisan staff attempted to keep communities of interest together, such as keeping the Roaring Fork Valley together when dividing Garfield County and keeping the major ski areas together when dividing Summit County. Of the 64 counties in Colorado only ten were split, and all of these counties had to be split in order to equalize population across the congressional districts. To the extent possible, nonpartisan staff kept municipalities that include portions in two counties together or split those municipalities at the county border.

Compactness. Nonpartisan staff believes that the districts are reasonably compact. Some congressional district border lines are irregular due to municipal boundaries or the shape of census blocks necessary to equalize the population.

Politically competitive districts. The Congressional Commission has not identified a standard for judging competitiveness. The Commission has identified eight statewide races that it

believes should be used in determining competitiveness.³ The report on election results accompanying the First Congressional 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 section 44.4 (4)(b) 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 minority population to form a majority-minority congressional district. 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.