

Private
STAFF SUMMARY OF MEETING

OTHER COMMITTEE COMMITTEE ON INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION

		Attendance	
		Jolie Brawner	X
		Martha	X
Date	04/14/2021	Coleman	
		Moussa	X
Time	02:06:53 PM to 04:00:58 PM	Diawara	X
		Paula Espinoza	E
Place	SCR 354	Jason Kelly	X
		William Leone	X
This Meeting was called to order by	Carly Hare	JulieMarie	
		Shepherd	X
		Macklin	
This Report was prepared by	Elizabeth Burger	Danny Moore	X
		Lori Schell	X
		Elizabeth	X
		Wilkes	X
		Simon Tafoya	X
		Carly Hare	X

X = Present, E = Excused, A = Absent, * = Present after roll call

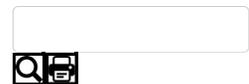
Hearing Items	Action Taken
Presentation from the National Conference of State Legislatures	Committee Discussion Only
Agenda Updates	Committee Discussion Only

02:07:06 PM

Chair Hare called the meeting to order and reviewed the agenda for the day's meeting. Meeting materials can be accessed on the commission's website (<https://redistricting.colorado.gov/> (<https://redistricting.colorado.gov/>)) or through the commission's Box account (<https://coleg.box.com/s/310c84rbcep44anc5e05fz28xyaza8e> (<https://coleg.box.com/s/310c84rbcep44anc5e05fz28xyaza8e>)).

Presentation from the National Conference of State Legislatures - Committee Discussion Only

- 02:08:40 PM Wendy Underhill and Ben Williams, National Conference of State Legislatures (NCSL), began the presentation regarding the census and redistricting in states. Ms. Underhill reviewed the structure and role of NCSL. Ms. Underhill discussed the importance of the census count for states. She noted that Colorado is expected to gain a congressional seat, which complicates the redistricting process in Colorado.
- 02:13:44 PM Ms. Underhill reviewed the primary election date in Colorado, and the September 1 constitutional deadline for redrawing congressional districts. She discussed how the census count has been conducted over the years and recently in 2020.
- 02:17:28 PM Ms. Underhill discussed the delays in the census count, and the difficulties that the delayed count causes for states, including issues with delayed redistricting, election residency requirements, and repincincting. She discussed the options that are available to states, including asking the courts for relief, changing election deadlines, considering a back-up mechanism, and drawing maps with data other than the decennial census data. She discussed actions that other states are undertaking to address the census delays.
- 02:26:09 PM Ms. Underhill responded to questions from the committee regarding federal law that requires the protection of census respondents' private information, and the actions that the Census undertook to protect privacy. She explained the concept of differential privacy, which inserts "noise" into the census data to make it more difficult to identify individuals from census data. She discussed how differential privacy will affect the census count provided to states.
- 02:41:57 PM Commission discussion on differential privacy continued.



- 02:54:50 PM Ms. Underhill responded to questions from the commission about whether any states had referred a measure to the voters to change redistricting deadlines, and she discussed the changes made to the redistricting deadlines in New Jersey. Ms. Underhill responded to questions from the commission regarding differential privacy and the Federal Voting Rights Act, and the process of imputation in the census count.
- 03:05:06 PM Ben Williams, National Conference of State Legislatures, discussed the process of imputation in the census count. He continued the presentation regarding issues in redistricting law concerning congressional districts in Colorado. He discussed federal cases concerning partisan gerrymandering and how those theories have been used in state courts.
- 03:19:07 PM Mr. Williams continued his presentation by discussing the principal of one person one vote and how that applies to drawing of congressional and state legislative districts. He discussed pending federal legislation that would change the federal Voting Rights Act. Mr. Williams continued by explaining free and equal election causes, and how these state constitutional provisions have applied to redistricting efforts in states. He noted that federal law requires states to draw single-member congressional districts.
- 03:34:31 PM Mr. Williams continued by discussing state principles in redistricting, and began by explaining the concepts of compactness and contiguity. Mr. Williams discussed preserving political subdivisions, and how this principle is applied by the states. He discussed the concept of communities of interest, which he noted is a common traditional principle in redistricting, but there is no agreed upon definition of what constitutes a community of interest. Mr. Williams discussed the principle of preserving prior districts, which some states use and others explicitly reject. He discussed emerging principles in redistricting, including prohibiting favoring an incumbent candidate or party, prohibiting using partisan data, competitiveness, and proportionality.
- 03:37:01 PM Mr. Williams responded to questions from the commission regarding partisan data and how that is defined in other states' laws. Ms. Shipley discussed the criteria that must be considered during Colorado's redistricting process.
- 03:45:23 PM The commission continued discussing the criteria for Colorado's redistricting process.

Agenda Updates - Committee Discussion Only

- 03:57:22 PM Chair Hare discussed changes to the day's agenda and tabled discussion on the memorandum regarding legislative issues to Monday, April 19. Commissioner Schell expressed concern that the commission was not moving forward more quickly on legislation regarding redistricting. Commissioner Tafoya discussed his concerns on the issue. Chair Hare stated that the issue would be prioritized for Monday's meeting.
- 04:00:58 PM The committee adjourned.

