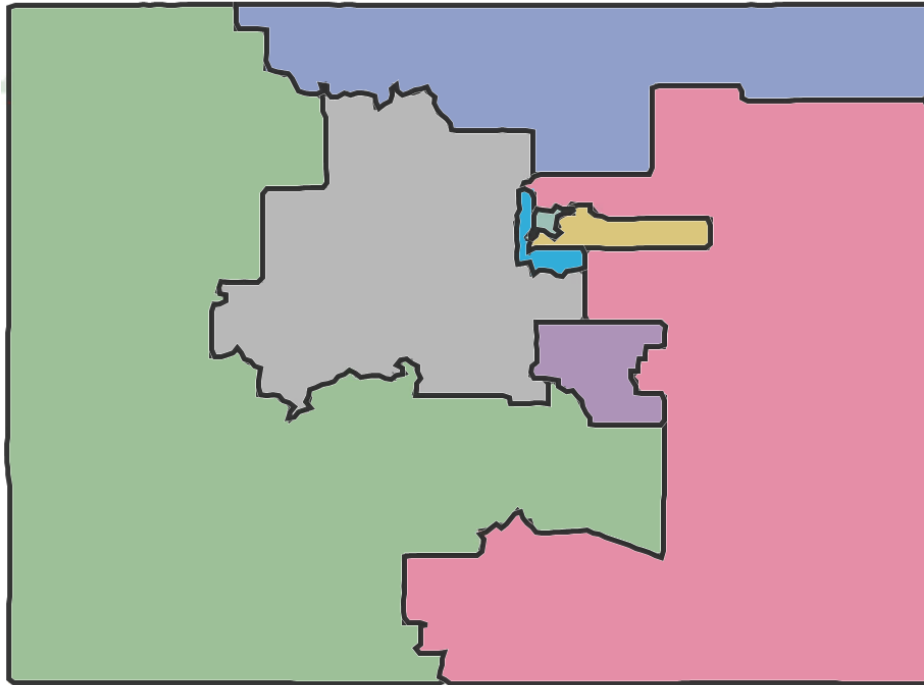# Report on Proposed Colorado Congressional Redistricting Plan

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April 4, 2022

I.   INTRODUCTION

This proposed congressional redistricting plan aims to reflect the diverse interests and political preferences of Colorado's rapidly growing population. With that goal in mind, this paper presents a plan that aims to emphasize proportional representation of the two major political parties in Colorado. There is no way to ensure perfect proportional representation with only eight districts and a population that consistently votes with a slight but significant Democratic majority, generally 50% to 55%. My goal at the outset of drawing the map was to approximate proportionality by creating four Democratic-leaning districts and three Republican-leaning districts, with one as a toss-up. Ultimately, the final plan comes close to that ideal: It contains three safe Democratic districts, one that leans Democratic, two safe Republican districts, and two that lean Republican, without a district that is a complete toss-up.[1] Its distribution of partisan control is therefore still roughly proportional with voters' preferences in Colorado. When possible, this map was also drawn in order to keep political subdivisions and communities of interest together. Each district is also contiguous and as compact as reasonably possible.

II.   COLORADO'S LANDSCAPE

A. Demography

Colorado is currently one of the fastest-growing states in the country. The 2020 census measured a state population of 5,773,714 people. This is an increase of 744,518 people (or a 14.8% change) from the previous census. As of 2020, 70.7% of Coloradoans were white alone. Of the remaining population, 5.5% were Black, whether alone or in combination; 4.9% were Asian, alone or in combination; 3.6% were American Indian and/or Alaska Native, alone or in combination; 0.4% were Native Hawaiian or other Pacific Islander, alone or in combination; and 16.2% were some other race, alone or in combination. 21.9% of Coloradoans identified as Hispanic or Latino. Pictured below are heatmaps of the Hispanic population of Colorado (at left) and the Denver metropolitan area (at right).

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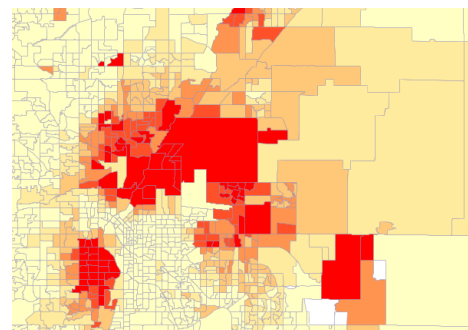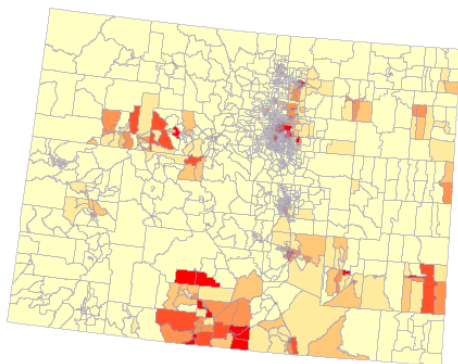
[1] See Appendix A for specific analysis of the proposed map's partisan leanings.

B. Partisanship

Coloradoans' political preferences have also evolved somewhat over the last decade. Since 2008, Coloradoans have voted consistently for the Democratic presidential candidates by a margin of at least 5%—and up to 14%—more votes than Republican candidates.[2] Colorado's Congressional delegation has experienced a slight shift to the left: After the 2010 election, the state had three Democratic representatives and four Republican representatives; after the 2020 election, it has four Democratic representatives and three Republican representatives.[3] State politics reflect that shift, too. In 2010, party control of state government was divided: Democrats held the governorship and a majority in the state senate, while Republicans held the offices of attorney general and secretary of state and won a majority in the state house. After the 2020 elections, by contrast, Colorado now has a Democratic trifecta and triplex, meaning that the party controls the offices of governor, secretary of state, attorney general, and both chambers of the state legislature.[4]

C. Geography

Geography has a profound impact on where people live and why they live there, and its resulting impact on communities' political preferences and legislative preferences is thus important to understand. Just as Colorado is politically diverse, so too is it geographically diverse. Colorado is perhaps best known for its Rocky Mountain region, which divides the state into eastern and western halves. The state's population lives primarily along the metropolitan Front Range corridor—including in Denver and its suburbs, Fort Collins, Greeley, Boulder, and Colorado Springs. The Eastern Plains region, which is to the east of the Front Range cities, is geographically dry and barren and has a small, shrinking population. The western half of the state is sparsely populated, but its population is growing, unlike that of the Eastern Plains.[5]

III. PLAN-LEVEL DESIGN

A. Legal Compliance

1. U.S. Constitution

This plan has been drawn in accordance with all federal constitutional requirements. To comply with the Constitution's Art. I § 2 requirement of equality, each district is within the ideal population of 721,714 by no more than one person.[6] Additionally, to ensure compliance with the Fourteenth Amendment, race was not used as a predominant factor in the construction of any district. It was not necessary to employ race in such a way at any point in the creation of the map to achieve a compelling state interest.[7]

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[2] Colorado Secretary of State, Election Results, 2008-20.
[3] Ballotpedia, Statewide elections, 2010, John W. Suthers, Colorado 2010 legislative election results.
[4] Ballotpedia, Party control of Colorado state government.
[5] Britannica, Colorado - People.
[6] *Karcher v. Daggett*, 462 U.S. 725, 730 (1983); *see also Wesberry v. Sanders*, 376 U.S. 1, 18 (1964).
[7] *Shaw v. Reno*, 509 U.S. 630 (1993).

2. Voting Rights Act

The plan is also in line with the requirements of the Voting Rights Act of 1965, 52 U.S.C. § 10301. § 2 of the Act necessitates the creation of a majority-minority district in areas where minority groups' votes have been demonstrably diluted.[8] Evidence of such vote dilution—as shown through the *Gingles* factors—is absent in Colorado, however. As the state's Independent Congressional Redistricting Commission has "concluded there is not a sufficiently large and geographically compact voting-age minority population to create a majority-minority congressional district that complies with the other requirements of Section 2 of the VRA," this plan has not attempted to create a majority-minority district.[9]

3. Colorado State Law

In addition to meeting federal standards, this plan complies with all state-level criteria for Congressional plans. The districts contained in it are contiguous and "as compact as reasonably possible." They also keep communities of interest and whole political subdivisions intact within districts "as much as is reasonably possible." Additionally, the "number of politically competitive districts" are maximized "to the extent possible." Political competitiveness is defined in Colorado's constitution as having the reasonable potential for the elected representative's party affiliation to change at least once before the next census. Finally, no district was drawn with the intent of protecting either an incumbent or a candidate.[10]

B. Responding to Demographic and Political Changes

The most significant change over the last decade that affects this plan is the sheer population growth that Colorado has experienced and the resulting need for a new district. This population growth was unevenly distributed: While the Front Range—especially Broomfield and Weld counties—experienced significant growth, the counties in the Eastern Plains region saw stagnant or decreasing populations. The Greeley metropolitan area, which is located in Weld County. saw a particularly large increase in its population, making it the fourth fastest-growing metropolitan area in the United States. Denver also experienced about 20% growth (with 115,000 new residents) over the last decade.[11]

Every nonwhite racial group experienced growth between 2010 and 2020, while the proportion of white Coloradoans shrank by 0.2%.[12] There was especially notable growth in the Latino population, which grew by 224,000 people over that period.[13] Thus, while Colorado may still be a majority-white state, the growth of its nonwhite population is notable and must be taken into account in ensuring adequate representation of all Coloradoans.

All of these changes have significant implications for both where districts will be drawn and the racial composition of those districts. Most districts will be concentrated in the populous

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[8] *See Thornburg v. Gingles*, 478 U.S. 30 (1986).
[9] Colorado Independent Congressional Redistricting Commission's Brief in Support of Approval of Final Congressional Redistricting Plan.
[10] Colo. Const. art. V, §§ 44(3)(b), 44.3, 46(3)(b), 48.1,
[11] Denver Post, A growing, more diverse Colorado: 9 key takeaways from new census data.
[12] U.S. Census Bureau, Colorado Among Fastest-Growing States Last Decade.
[13] Denver Post, A growing, more diverse Colorado: 9 key takeaways from new census data.

Front Range, and while there is not yet a majority-Latino district, there may be in the next redistricting cycle if Colorado's population keeps evolving at this rate.

IV. DISTRICT-LEVEL DESIGN

A. District 1

District 1 encompasses northern Colorado, except for the portion west of the Rocky Mountains. It includes the entirety of Larimer, Weld, Logan, Sedgwick, and Phillips counties, as well as almost the entirety of Jackson County, the northwest part of Routt county, and the northernmost part of Broomfield County.
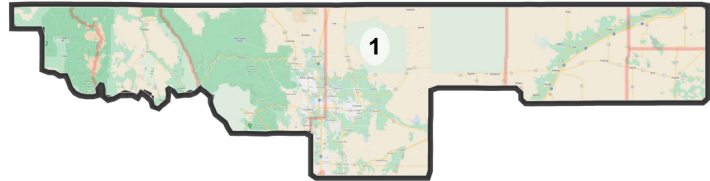

This district began with the intent of joining Larimer and Weld counties, the two major population centers of northern Colorado. Although the two counties are deeply interconnected, they were put in separate districts in both the 2011 and 2021 maps, so I was eager to explore the possibilities of a map that joined the two in one district. Larimer County is generally Democratic and Weld County is generally Republican, so putting them together in a district enhances competitiveness in northern Colorado's representation and creates the potential for a toss-up district. Indeed, the margin in the 2020 election was the lowest in District 1, with Joe Biden receiving 49.6% of the vote and Donald Trump receiving 50.4%. PlanScore classifies this district as leaning Republican, with a 22% chance of a Democratic win in the future.

District 1 has one of the largest Latino populations in the state, with 20.6% of the population of Hispanic origin. 76.9% of the population is White; 1.3% is Black; 1% is American Indian; 2.1% is Asian; 0.1% is Hawaiian; and 7.3% are another race.

B. District 2

District 2 is predominantly mountainous, though it also includes parts of the northern Front Range. This district began with Boulder County, which contains the Front Range cities of Boulder and Longmont, as well as mountainous communities to the west. It is natural to join Boulder County with other left-leaning mountainous counties to its south and west, including Grand, Gilpin, Clear Creek, Summit, Park, Eagle, Lake, Pitkin, and Teller counties. To achieve population equality, this district also adds parts of adjacent counties that are in the Rocky Mountains or in the Front Range: the southernmost portion of Jackson County, the northern halves of Gunnison and Chaffee counties, and those portions of Jefferson and
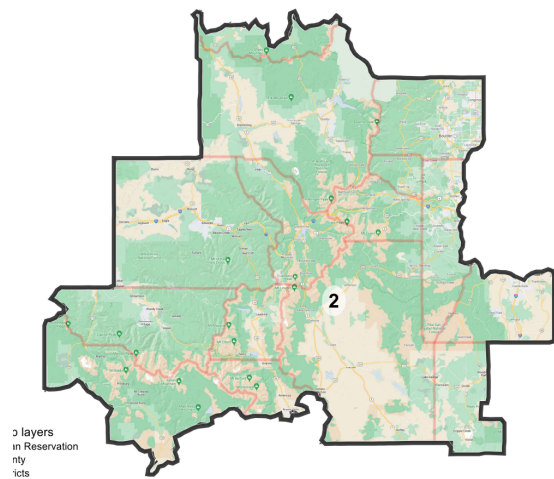
Douglas counties that do not contain suburbs immediately adjacent to Denver. It also contains an unpopulated part of Broomfield County that is entirely surrounded by Boulder County.

Boulder County and the surrounding mountainous area is traditionally very Democratic. In 2020, Joe Biden received 65.2% of the vote in this district, while Donald Trump received only 34.8%; by this metric, District 2 is the most Democratic of any in this proposed plan. PlanScore gives Democrats over a 99% chance of winning District 2, making this a safely Democratic district.

District 2 is one of the least racially-diverse districts in the plan. 80.6% of its residents are White; 0.9% are Black; 0.7% are American Indian; 3.2% are Asian; 0.01% are Hawaiian; 5.0% are another race; and 13.5% are of Hispanic origin.

C. District 3

District 3 spans the Easter Plains of eastern and southeastern Colorado. It includes all of Morgan, Washington, Yuma, Elbert, Lincoln, Kit Carson, Cheyenne, Kiowa, Crowley, Otero, Bent, Prowers, Baca, Las Animas, Huerfano, Alamosa, and Costilla counties. It also contains almost the entirety of Broomfield County and Adams County, part of eastern El Paso County, and a small portion of eastern Conejos County. It also contains a small, unpopulated part of Weld County that is enclosed by Broomfield County.

District 3 is politically diverse. It contains very Democratic suburbs of Denver in Broomfield and Adams counties, but it also includes the sparsely-populated Eastern Plains of the state. In 2020, 51.3% of District 3 voters voted for Joe Biden, while 48.7% voted for Donald Trump. According to PlanScore, this district leans Republican, with Democrats having a 36% chance of winning office.

District 3 is also one of the most racially diverse areas in this plan. 63.3% of District 3 residents are White; 2.1% are Black; 1.7% are American Indian; 3.7% are Asian; 0.1% are Hawaiian; and 13.4% are another race. 35.3% of District 3 is of Hispanic origin, which is the highest concentration of Latino residents in any district of this plan.
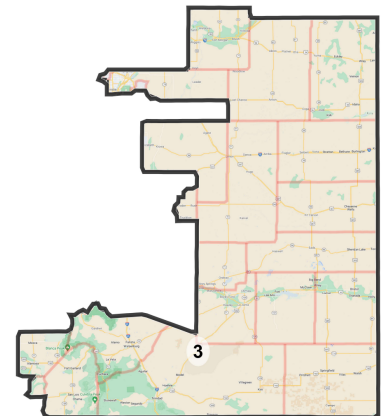
D. District 4

District 4 was drawn with the intention of keeping the city of Aurora intact. It combines Aurora with some of the other suburbs directly south of Denver. It contains almost the entirety of Arapahoe County as well as the portion of

Aurora in Adams County, the part of eastern Jefferson County that contains the community of Columbine, and a small sliver of Denver County.
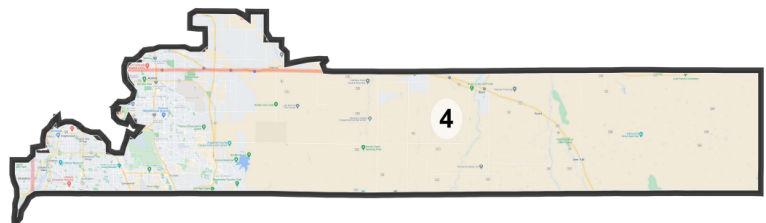
The majority of District 4's population lives in Democratic-leaning Denver suburbs; though their effect is counterbalanced somewhat by the more rural areas of Arapahoe County east of Denver, District 4 is still blue.. 62.4% of District 4 residents voted for Joe Biden in the 2020 election, while 37.8% voted for Donald Trump. PlanScore considers District 4 to be safely Democratic and gives Democrats above a 99% chance of winning the district.

District 4 is another of the most racially diverse districts in the plan, with 59.2% White residents, 10.8% Black residents, 6.3% Asian residents, 0.3% Hawaiian residents, 9.3% residents of another race, and 22.5% residents of Hispanic origin. This is the highest Black population of any district in the plan, and it is the third-highest Latino population.

E. District 5

District 5 is an L-shape district including
those portions of Jefferson and Douglas counties that contain the suburbs to the west and south of Denver. It also contains only the parts of Broomfield County necessary for the district to be geographically contiguous.

District 5 contains mostly liberal suburbs of Denver, though the district is not a runaway for Democrats: 55.8% of voters chose Joe Biden in the 2020 election, while 44.2% chose Donald Trump. PlanScore assesses the district as learning Democratic and gives Democrats a 74% chance of winning it in future elections.

District 5 is among the less racially-diverse in the plan. 78.0% of the district's residents are White; 1.5% are Black; 0.9% are American Indian; 4.5% are Asian; 0.1% are Hawaaian; 4.1% are another race; and 14.7% are of Hispanic origin.
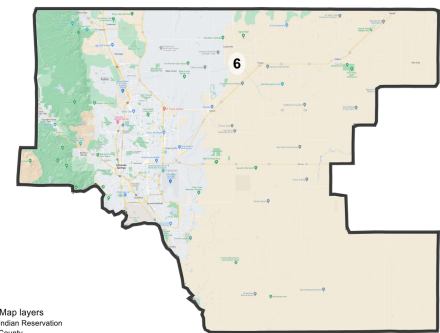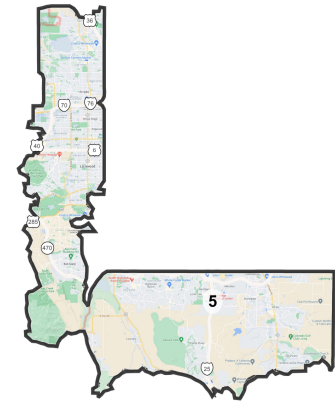
F. District 6

District 6 contains El Paso County, except those portions that are a part of Districts 3 or 8. El Paso County is home to Colorado Springs, which is the most conservative of Colorado's major cities, owing in part to the presence of the Air Force base and Academy outside the city.

In 2020, Joe Biden received 44.5% of District 6's vote, while Donald Trump received 55.5%. PlanScore considers it to be a safe Republican stronghold and gives Democrats just a 4% chance of winning control of it in future elections.

Demographically, 70.1% of District 6's residents are White; 6.0% are Black; 1.0% are American Indian; 3.1% are Asian; 0.4% are Hawaiian; 5.9% are another race; and 17.8% are of Hispanic origin.

G. District 7

District 7 primarily contains the city and county of Denver, the capital of Colorado. It also contains the parts of Arapahoe County that were necessary to make the district contiguous,

as well as a few small portions of eastern Jefferson County in order to bring District 7 to the constitutional requirement of population equality.

The city and county of Denver follow the same lines and create the somewhat erratic borders of this district.

Denver is historically very liberal; in 2020, Joe Biden received 81.3% of this district's vote, and Donald Trump only 18.7%. Thus, District 7 joins District 2 as another Democratic stronghold in this plan. PlanScore gives Democrats over a 99% chance of winning it in future elections.

District 7 is the least white in the plan—60.9% of its residents are White; 8.8% are Black; 1.8% are American Indian; 3.9% are Asian; 0.2% are Hawaiian; and 11.3% are another race, while 27.8% are of Hispanic origin. District 7, therefore, has the highest Latino population of any district in the plan, and the second-highest Black population after District 4.
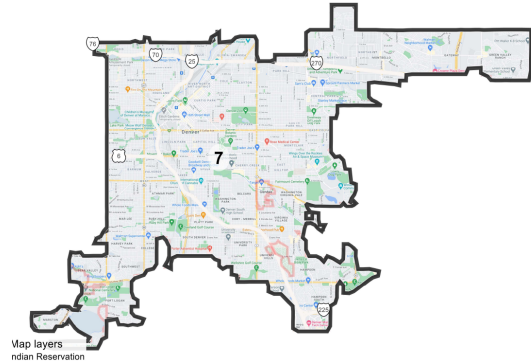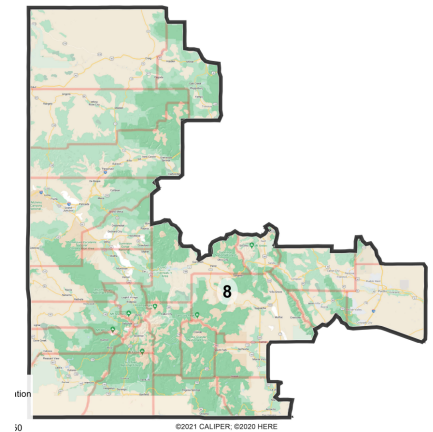
H. District 8

District 8 is the geographically largest division, spanning the sparsely-populated western and southwestern parts of Colorado. It contains Moffat, Rio Blanco, Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, Dolores, Montezuma, La Plata, Archuleta, San Juan, Hinsdale, Mineral, Rio Grande, Saguache, Fremont, Custer, and Pueblo counties. It also contains most of Routt, Gunnison, Chaffee, and Conejos counties, as well as the southwest corner of El Paso County, which was joined with District 8 in order to keep a reservation intact.

PlanScore considers District 8 to be a safe Republican district and gives Democrats just a 2% chance of winning it in future elections. In 2020, Joe Biden won 44.0% of the district's vote, while Donald Trump won 56.0%.

76.0% of District 8's residents are White; 1.2% are Black; 2.3% are American Indian; 0.9% are Asian; 0.01% are Hawaiian; 7.9% belong to another race. 22.89% are of Hispanic origin, giving District 8 the second-highest Latino population in the state.

V. ENACTED PLANS

A. Existing 2011 plan

Based on the 2010 census, Colorado had seven congressional districts to allocate during the 2011 cycle. In this cycle, a bipartisan commission composed of members from both chambers of Colorado's legislature was meant to draw the

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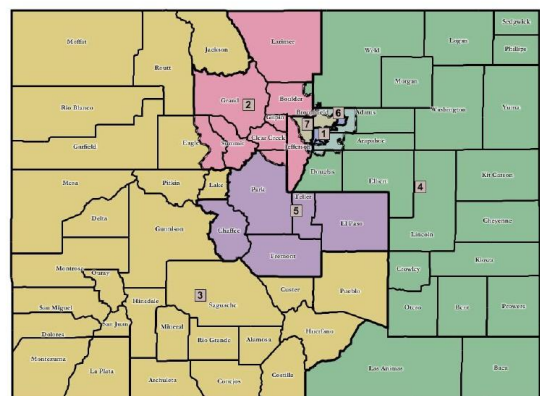
state's Congressional map. The cycle, however, was contentious, with lawsuits from both parties reaching the state Supreme Court.[14] Eventually, the legislature came to an impasse, so a state court enacted a map that was approved by the state Supreme Court.[15]

B. Enacted 2021 plan

Between the 2011 and 2021 redistricting cycles, Colorado voters passed Amendment Y, which established an Independent Congressional Redistricting Commission to draw the state's congressional map.[16] The commissioners are selected in a multi-phase process involving input from nonpartisan staff, a judicial panel, and legislative leaders. The commission includes four members from the state's largest political party, four from the second-largest party, and four who are not a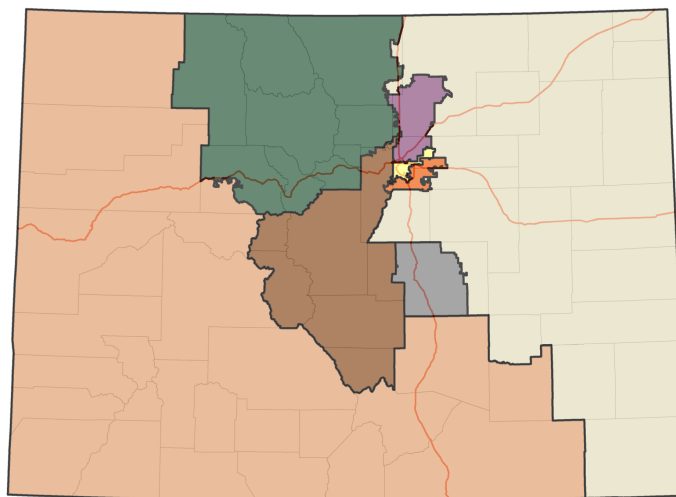ffiliated with a political party. The commission must include one member from each current congressional district and at least one from the Western Slope region. The commission is also intended to represent Colorado's "racial, ethnic, gender, and geographic diversity."[17] Colorado's Supreme Court approved the Commission's proposed map in November 2021.[18] The plan faced challenges based on alleged VRA violations, but the state Supreme Court agreed with the Commission that it "did not have reason to draw a majority-minority district to comply with the VRA."[19]

C. Comparisons

1. Partisan fairness and competition[20]

Ensuring partisan fairness and competition through roughly proportional representation was the primary aim of the proposed map.

The existing map, drawn in 2011, had four safely Democratic districts and three safely Republican districts according to PlanScore's analysis.

The 2021 enacted map generally shows bias toward Republicans. Under PlanScore's analysis, the 2021 map has a 4.0% Republican efficiency gap, an 0.09 R declination, and a 5.2% Republican bias. It has two safely Democratic districts, two districts that lean Democratic, three safely Republican districts, and one district that lean Republican. As FiveThirtyEight's analysis noted, the enacted map "makes it quite possible" that the state's next congressional delegation

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[14] Princeton Gerrymandering Project, Colorado
[15] *Hall v. Moreno*, 270 P. 3d 961 - Colo: Supreme Court 2012.
[16] At the same time, voters passed Amendment Z, which created a similar commission to draw state legislative maps.
[17] Colorado Independent Redistricting Commissions, Commissioner Selection Process.
[18] FiveThirtyEight, What Redistricting Looks Like In Every State - Colorado.
[19] *In re Colorado Indep. Cong. Redistricting Comm'n*, 2021 CO 73, 497 P.3d 493, 508.
[20] See Appendices A through D for partisan data on each plan.

might be split evenly between the two major parties, "even though Colorado has trended blue in recent elections."[21]

The proposed map is also ultimately over-representative of Republicans at a similar degree to the 2021 map. PlanScore assesses the proposed map as having a 3.7% Republican efficiency, an 0.1 declination, and a 6.9% Republican bias. It has three safe Democratic districts, one that leans Democratic, two safe Republican districts, and two that lean Republican. In establishing one more safe Democratic district than the enacted 2021 plan, then, the proposed map is arguably more representative of Colorado voters' preferences.

2. Compactness[22]

The various measures of compactness are similar for the 2011, 2021, and proposed plans. Most point toward the 2021 enacted plan being slightly more compact than the two others, though the Schwartzberg measure indicates that the proposed plan is the most compact; again, however any differences are slight. By all indications, each of the three plans meets Colorado's constitutional requirement of compactness.

3. Political subdivision splits

Given the fact that a few counties (Arapahoe, Broomfield, Jefferson, and Weld) are noncontiguous—all contain "islands" of land that are entirely enclosed by other counties—and El Paso County has a higher population than the optimal district size, drawing a congressional map of Colorado necessitates some county splits.

The proposed plan splits 13 counties, which is slightly more than the 2021 plan (11 counties) or the 2011 plan (nine counties)[23]. While the proposed plan splits more counties than its counterparts, however, the proposed plan splits counties fewer ways: The proposed plan has two four-way county splits and two three-way county splits, whereas the 2021 enacted plan has three four-way county splits and three three-way county splits. It is unclear whether splitting more counties fewer ways or fewer counties more ways is more normatively desirable based on the principles of redistricting, but this is still an important distinction nonetheless.

4. Communities of interest

It is hard, if not impossible, to make a comprehensive comparison of how plans address communities of interest, given that the size, shape, and indeed the very existence of these communities is subjective. Amendment Y also puts forth an expansive definition of "community of interest," meaning *any* group, whether racial, ethnic, or language minority, "that shares one or more substantial interests that may be the subject of federal 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."[24] Furthermore, communities of interest will inevitably overlap and conflict, so one version of a map might honor Community A's desire to remain intact in a district, which may make it impossible to fulfill

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[21] FiveThirtyEight, What Redistricting Looks Like In Every State - Colorado.
[22] See Appendices E through G for specific data on compactness.
[23] Colorado Independent Congressional Redistricting Commission's Brief in Support of Approval of Final Congressional Redistricting Plan, pg. 12.
[24] Amendment Y to the Colorado Constitution.

Community B's wish to do the same, while the next version of the map does the opposite. As the state's Supreme Court acknowledged, "tradeoffs are inevitable in this process, and efforts to preserve different communities of interest will often conflict."[25] With that important qualifier in mind, the proposed map's treatment of communities of interest can be compared with the enacted maps. Litigation from the most recent redistricting cycle is useful for informing what communities of interest are especially relevant for drawing district lines.

Two of the state's major higher educational institutions—Colorado State University and the University of Northern Colorado—are located in Fort Collins and Greeley in District 1. These cities have a "common interest in higher education" and federal funding of higher education.[26] Neither the 2011 nor 2021 plans put Fort Collins and Greeley in the same district, though they place Fort Collins with Boulder, another college town.

Given the geographic character of the communities in District 2, which are either in or adjacent to the mountains, the population of this district has "shared legislative interests regarding the use and preservation of federally owned lands, the use and conservation of water resources . . . and outdoor recreation." They also "have a shared interest in environmental protection and protecting public lands from forest fires and other threats." Linking mountainous communities with Front Range communities "where many day-trip tourists reside, and where the mountain community residents go to work and to shop for goods and services," moreover, is logical. The "significant travel" between these areas indicates that these communities have interests in common, "including transportation infrastructure."[27] Eagle County took issue with the 2021 map, arguing that the county constitutes a community of interest, and the Commission "abused its interest" by dividing the county and the communities within it.[28] Eagle County has therefore been kept intact in District 2 in the proposed map.

District 3 includes Colorado's Eastern Plains communities. The Commission reported testimony that these communities "have shared agricultural policy interests as well as other policy interests related to rural communities and oil and gas development." The same is true of CD 4 in the 2021 plan, which groups the same eastern plains counties together. However, rather than including Douglas County—which, as a suburban Front Range county, faces a different set of interests—with the Eastern Plains states, like CD 4, the proposed map includes Adams County with District 3. Adams County is also partially suburban, but most of it is dominated by rural lands east of the Front Range, and thus has more natural shared interests with the Eastern Plains counties.

District 4 is home to Aurora and nearby suburbs of Denver. Testimony received by the Commission indicated that these areas are "mature suburbs" that have "shared legislative interests in transportation, education, employment, public health, and the environment."[29]

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[25] *In re Colorado Indep. Cong. Redistricting Comm'n*, 2021 CO 73, 497 P.3d 493, 513.
[26] *Id.* at 500.
[27] *In re Colorado Indep. Cong. Redistricting Comm'n*, 2021 CO 73, 497 P.3d 493, 501.
[28] *Id.* at 512.
[29] *Id.* at 501.

As the Commission noted, the western suburbs of Denver that are a part of District 5 in the proposed map are "mature" and "have common legislative interests… including transportation, education, employment, public health, and the environment."[30]

District 6 includes most of El Paso County, most notably the city of Colorado Springs. The Redistricting Commission noted that Colorado Springs and the military institutions nearby constitute a community of interest, with common interests in "transportation, employment, public health, the environment, and the military and national defense."[31]

The proposed plan, just like the 2011 and 2021 maps, keeps the city and county of Denver within a district; in the proposed plan, Denver is in District 7. Colorado's Supreme Court considers Denver to be a community of interest, as it is "the headquarters for many of Colorado's largest companies; the site of many of the state's prominent cultural attractions and entertainment facilities."[32]

The counties included in District 8 are largely rural and some are mountainous. The Redistricting Commission received testimony during the last redistricting cycle indicating that many of the communities that are a part of District 8 have shared interests related to "the use and preservation of federally owned land" and water, "the fostering of outdoor recreation and tourism on federally owned lands; farming and agricultural production; and the preservation and promotion of natural resources and mining industries." In response to the 2021 map, Fair Lines argued that there was "no discernible reason for including Fremont County and Custer County in a district otherwise made up of Front Range and mountainous counties," as Fremont and Custer did not have a sufficiently "cogent relationship" to the counties with which they were grouped.[33] Fremont and Custer, therefore, were grouped with their neighbors in western Colorado as a part of District 8 in the proposed map.

> 5. Demographics and minority representation

The enacted 2021 map faced criticism for its split of Larimer County; advocates argued that the split weakened Latino voting power, so the proposed map keeps Larimer intact within District 1 in the interest of avoiding such dilution.[34]

District 7, which houses Denver, contains "historic Hispanic and Black Denver neighborhoods and cultural areas," as did the districts that Denver was a part of in the 2011 and 2021 plans.

District 8, like its counterpart CD 3 in the 2021 plan, also keeps the San Luis Valley intact and groups it with neighboring southern Colorado counties. This area has linguistic and cultural traditions in common that are "shared by families" who trace their connection to the land to when it belonged to Spain or Mexico.[35] District 8 keeps the Ute Mountain Ute Reservation and the Southern Ute Reservations intact. These nations both have direct relationships with the

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[30] *Id.*
[31] *Id.*
[32] *Id.* at 500.
[33] *Id.*
[34] Coloradoan, Colorado's congressional redistricting poised to split up Larimer County for first time.
[35] *Id.*

federal government that are the "subject[s] of treaties and federal legislative action," and testimony received by the Commission indicates that they "share policy interests and common cultural traditions with the Hispanic community in the San Luis Valley."[36]

The proposed plan includes three districts—Districts 4, 7, and 8—that have a higher Hispanic population than the state as a whole (21.8%). The same is true of the 2021 enacted plan. While these are not majority-Hispanic districts, and it would likely be impossible for them to be so, they are "influence districts" in which Hispanic voters' voices will play an important role in electing their next representatives.[37]

VI.   POTENTIAL CHALLENGES

Just like the enacted 2021 map, the proposed map may face criticism for not creating a majority-Latino district. The state's Supreme Court, however, agreed with the Commission's decision not to draw such a district. Furthermore, various communities of interest split by the proposed plan could bring challenges against it; while the plan has tried to keep such communities intact wherever possible, some splits are inevitable.

VII.   CONCLUSION

The proposed plan is certainly not perfect by every measure, and indeed no map can be. Still, it presents a map of Colorado that proportionally represents the two major parties in the state in an alternative to the actual enacted 2021 plan, and it does so in a way that is compact and generally keeps political subdivisions, minority groups, and communities of interest within districts together.

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[36] *Id.* at 500-01.
[37] *Id.* at 510.

VIII.   APPENDICES

A. Appendix A: PlanScore Analysis of Proposed Map

District	Chance of Democratic win	Predicted vote shares
1	22%	46% D / 54% R
2	>99%	63% D / 37% R
3	36%	48% D / 52% R
4	99%	60% D / 40% R
5	74%	53% D / 47% R
6	4%	41% D / 59% R
7	>99%	80% D / 20% R
8	2%	41% D / 59% R

B. Appendix B: PlanScore Analysis of 2011 Map

District	Chance of Democratic win	Predicted vote shares
1	> 99%	76% D / 24% R
2	> 99%	63% D / 37% R
3	10%	44% D / 56 % R
4	<1%	38% D / 62% R
5	2%	40% D / 60% R
6	94%	57% D / 43% R
7	98%	59% D / 41% R

C. Appendix C: PlanScore Analysis of 2021 Map

District	Chance of Democratic win	Predicted vote shares
1	> 99%	80% D / 20% R
2	> 99%	69% D / 31% R
3	6%	43% D / 57% R
4	<1%	37% D / 63% R

5	3%	41% D / 59% R
6	98%	60% D / 40% R
7	82%	54% D / 46% R
8	45%	50% D / 50% R

D. Appendix D: Comparative PlanScore Measures

	2011 enacted map	2021 enacted map	Proposed map
Efficiency gap	0.3% R	4.0% R	3.7% R
Declination	0.01 R	0.09 R	0.1 R
Partisan bias	2.3% D	5.2% R	6.9% R
Mean-median difference	1.3% D	2.2% R	2.5% R

E. Appendix E: Measures of Compactness of Proposed Map

These measures were calculated with Maptitude.

	Reock	Schwartz-berg	Alt. Schwartz-berg	Polsby-Popper	Pop. Polygon	Area/ Convex Hull	Pop. Circle	Ehren-burg	Perimeter	Length-Width
Sum	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4,977.12	N/A
Min	0.19	1.50	1.55	0.12	0.18	0.53	0.13	0.19	N/A	6.31
Max	0.59	2.76	2.86	0.42	0.99	0.82	0.95	0.43	N/A	208.13
Mean	0.36	2.02	2.13	0.24	0.54	0.72	0.32	0.31	N/A	42.04
Std. Dev.	0.15	0.40	0.42	0.09	0.29	0.11	0.27	0.10	N/A	68.93

F. Appendix F: Measures of Compactness of 2011 Map

These measures were calculated with Maptitude.

	Reock	Schwartz-berg	Alt. Schwartz-berg	Polsby-Popper	Pop. Polygon	Area/ Convex Hull	Pop. Circle	Ehren-burg	Perimeter	Length-Width
Sum	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4,158.02	N/A
Min	0.18	1.42	1.58	0.10	0.18	0.53	0.13	0.12	N/A	3.03
Max	0.49	2.98	3.17	0.40	0.94	0.81	0.34	0.39	N/A	99.63

Mean	0.39	2.08	2.25	0.24	0.51	0.70	0.25	0.29	N/A	30.18
Std. Dev.	0.12	0.63	0.66	0.13	0.24	0.12	0.08	0.09	N/A	35.27

G. Appendix G: Measures of Compactness of 2021 Map

These measures were taken from the Colorado Independent Redistricting Commision's report, though I calculated the means and sums.

	Reock	Schwartzberg	Polsby-Popper	Area/Convex Hull	Perimeter
Sum	N/A	N/A	N/A	N/A	4,671.81
Min	0.18	0.09	0.09	0.49	N/A
Max	0.66	0.56	0.56	0.91	N/A
Mean	0.40	2.18	0.26	0.76	N/A