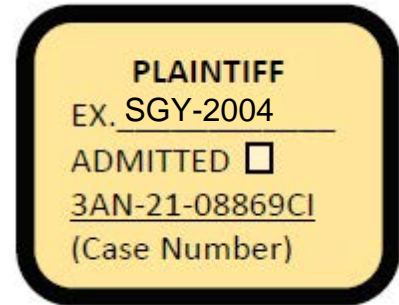


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Attorneys for Municipality of Skagway Borough and Brad Ryan

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

In the Matter of the)	
)	
2021 Redistricting Plan.)	Case No. 3AN-21-08869 CI
)	(Consolidated)
<hr/>		
Case No. 1JU-21-00944 CI		

CORRECTED AFFIDAVIT OF KIMBALL BRACE
(EXPERT TESTIMONY FOR SKAGWAY)

STATE OF VIRGINIA)
) ss.
PRINCE WILLIAM COUNTY)

KIMBALL BRACE, being first duly sworn, deposes and states:

1. I am the president of Election Data Services, Inc. ("EDS, Inc."), a Manassas, Virginia-based consulting firm whose specialty is reapportionment, redistricting matters, election administration issues, and the census.

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2. I have been retained by the Municipality of Skagway Borough (“Skagway”) through the law firm of Brena, Bell & Walker, P.C., with regard to the redistricting cases consolidated in the above-captioned matter.

3. All materials considered in forming the opinions contained herein are identified in this report. I am being compensated at an hourly rate of \$400 per hour for my work and at an hourly rate of \$200 for work performed by other EDS, Inc.’s staffers.

I. BACKGROUND AND QUALIFICATIONS FOR EXPERT TESTIMONY

4. I attended American University in Washington, D.C., from 1969 through 1974 (having taken a year off for the 1972 campaign) where I earned a B.A. degree in Political Science. I started EDS, Inc., in 1977 and have been with the company since that time. Prior to 1977, I was a journalist and was employed by such companies as NBC News, Congressional Quarterly, and Plus Publications.

5. As president of EDS, Inc., I supervise and direct all major projects in which the company is involved. EDS, Inc., has been viewed by clients, the press, academics, and the general public as a research facility and consulting firm dealing with many aspects of the electoral process. The company and its staff have been hired by state and local governments across the nation to provide software, database development services, and consulting services for the creation of districting plans and the analysis of many aspects of the redistricting process.

6. Since 1979, I, individually and with EDS, Inc., have been actively involved in many aspects of the redistricting process, having gone through four full census and redistricting cycles, and now, beginning in 2021, am in my fifth decade of work in the field.

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I have been a consultant to many state and local governmental organizations around the nation, providing strategic advice and consulting on redistricting matters, coordinating the development of extensive databases used in the redistricting process, creating and assisting others with the creation of districting plans, and analyzing many aspects of districts and district configurations, including conducting racial bloc voting analysis.

7. Over the past 44 years, EDS, Inc.'s clients for redistricting services have come from more than half the states in the nation. In this past year, we have been involved in the redistricting process in Illinois, Rhode Island, Michigan, Virginia, and Alaska, as well as the cities of Chicago, Illinois; Virginia Beach, Virginia; Cook County, Illinois; and numerous smaller jurisdictions in Illinois and Rhode Island. We have worked with state legislators in the line-drawing process, as well as providing total line drawing and support services for the Michigan Independent Citizens Redistricting Commission established by voter initiative to remove politicians from the redistricting process. In addition, over the past four decades, I have been called upon to provide reports, expert witness testimony, and assistance to attorneys in more than 75 different court cases.

8. I frequently give speeches to groups and organizations and participate in numerous conferences and panels on various aspects of apportionment, redistricting, and the census. Since the early 1980s, I have been a regular participant and speaker at annual and bi-annual meetings of the Task Force on Redistricting of the National Conference of State Legislatures ("NCSL"). I have also been on their faculty, as NCSL has conducted five regional Get Ready for Redistricting seminars each decade since 1980. I was also appointed by the U.S. Secretary of Commerce to the 2010 Census Advisory Committee, a

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20-person advisory board to the director of the United States Bureau of the Census (“Census Bureau”). Earlier this year, I was asked to be NCSL’s representative on a series of half-day, small-group expert meetings, being arranged by the Committee on National Statistics (“CNSTAT”), to delve deeply into and provide informal discussion/feedback with Census Bureau staff as they continue to develop the differential privacy-based Disclosure Avoidance System for the 2020 census. I am repeatedly called upon by members of the press with questions on redistricting, reapportionment, the census, election administration issues, and politics in general.

9. For the past four decades, EDS, Inc., and I have studied and issued yearly reports on the apportionment process using new population estimates released by the Census Bureau and private demographic firms. All our reports can be found at our website: www.electiondataservices.com, under the “Research” tab. We have become a staple for the press and others to cite to when looking at the shift that is occurring in population between different states.

10. A copy of my curriculum vitae is attached as Exhibit A, which includes a complete list of cases in which I have testified as an expert at trial or by deposition.

11. Affidavits and transcripts referenced herein are attached as Attachments 1-10.

II. CONSTITUTIONAL REDISTRICTING CRITERIA

12. I have reviewed relevant Alaska legal authority regarding redistricting in the state including the Alaska Constitution and relevant case law. It is common for me to review this kind of information so that I’m familiar with the “rules of the road” when I’m

involved with redistricting in a state. Through the many decades, I have learned that each state has some uniqueness in their laws that is important to understand.

13. The Alaska Constitution provides in Article VI, Section 6:

District Boundaries – The Redistricting Board shall establish the size and area of house districts, subject to the limitations of this article. Each house district shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area. Each shall contain a population as near as practicable to the quotient obtained by dividing the population of the state by forty. Each senate district shall be composed as near as practicable of two contiguous house districts. Consideration may be given to local government boundaries. Drainage and other geographic features shall be used in describing boundaries wherever possible.

14. According to the leading case of *Hickel v. Southeast Conference*, 846 P.2d 38, 44-45 (Alaska 1992):

The requirements of contiguity, compactness and socio-economic integration were incorporated by the framers of the reapportionment provisions to prevent gerrymandering. 3 PACC 1846 (January 11, 1956) 3 PACC 1846 (January 11, 1956) (“[The requirements] prohibit[] gerrymandering which would have to take place were 40 districts arbitrarily set up by the governor.... [T]he Committee feels that gerrymandering is definitely prevented by these restrictive limits.”). Gerrymandering is the dividing of an area into political units “in an unnatural way with the purpose of bestowing advantages on some and thus disadvantaging others.” *Carpenter v. Hammond*, 667 P.2d 1204, 1220 (Alaska 1983) (Matthews, J., concurring). The constitutional requirements help to ensure that the election district boundaries fall along natural or logical lines rather than political or other lines.

15. In the last redistricting cycle, the Alaska Supreme Court confirmed the importance of applying these constitutional requirements per *Hickel*, stating its decision in

In re 2011 Redistricting Cases, 274 P.3d 466, 468 (Alaska 2012):

The *Hickel* process assures compliance with the Alaska Constitution’s requirements concerning redistricting to the greatest extent possible. The *Hickel* process also diminishes the potential for partisan gerrymandering and

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promotes trust in government. We have previously noted that the article VI, section 6 requirements were designed to prevent gerrymandering by ensuring “that the election district boundaries fall along natural or logical lines rather than political or other lines.” A redistricting plan that substantially deviates from these constitutional requirements undermines trust in the process.

16. The Alaska Constitution provides in article VI, section 10:

Within thirty days after the official reporting of the decennial census of the United States or thirty days after being duly appointed, whichever occurs last, the board shall adopt one or more proposed redistricting plans. The board shall hold public hearings on the proposed plan, or, if no single proposed plan is agreed on, on all plans proposed by the board. No later than ninety days after the board has been appointed and the official reporting of the decennial census of the United States, the board shall adopt a final redistricting plan and issue a proclamation of redistricting. The final plan shall set out boundaries of house and senate districts and shall be effective for the election of members of the legislature until after the official reporting of the next decennial census of the United States.

III. MAPPING PROCESS

17. Skagway has asked me to analyze the Alaska Redistricting Board’s (“Board”) actions in drafting their 2021 Proclamation for redistricting in Alaska (“Final Plan”).

18. Any redistricting effort begins with the data. As I have outlined in my Exhibit B to this report, redistricting systems are configured with two major components: the geography (in the form of shape files of various layers of geography in a state) and raw number data.

19. These two components come from the Census Bureau in the form of the Topologically Intergraded Geographic Encoding and Reference system (“TIGER”) files, (the geography), and the PL94-171 data files (“PL Files”) (the population and demographic

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data for all the geographic layers in the state). The Census Bureau has informed me¹ that Alaska's TIGER files were available via the Internet beginning February 9, 2021, and shipped to the state on a CD so that it arrived the same day.

20. The PL Files were released by the Bureau in "legacy format" on August 12, 2021 (legacy format refers to an Access database structure which required the state or its vendor to programmatically join the data tables to the geography in order to make use of the data). There was confusion in a number of states on whether this legacy format data was the official PL data and whether it might change when another set of data came out a month later. I had been repeatedly informed by my contacts at the Census Bureau that the two files would have the same data. In our contracts with a number of states, we incorporated a task to verify the two files when the second one was released, and we always found them to be the same.

21. We, and other vendors and states wanted to get our hands on the data as soon as it came out in order to start studying the information for changes around a state. Other states were hoping for more evaluation time and set their starting time on the second release of data. It would appear that might have been the case in Alaska.

22. The PL Files were again released on September 16, 2021, in an "easy to use" format (this release contained the same Access formatted data tables, but also included Excel readable files of various spreadsheets of the information for different geographies).

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¹ Exhibit C (Jan. 13, 2022, e-mail communication with Mr. James Whitehorne, head of the Bureau's Redistricting division).

At the same time, the data became available to the public via available to the public via the Census Bureau's website.

23. Many states (and all redistricting vendors, including my company, EDS, Inc.) jumped at the chance to begin understanding the data, data formats, and begin the creation of their redistricting databases. Understanding the early results of the 2020 Census when the "legacy" files came out in August 2021 was possible, particularly creating the state's or vendor's own excel file tables of information such as total population for all boroughs, racial designations, and counts for each city in Alaska, etc. Many states they turned to their software vendors for this task. Alaska had selected the same vendor they used last decade (CityGate GIS, which is the developer of the software product AutoBound EDGE). EDS, Inc., is a heavy user of CityGate GIS's products and has been for multiple decades.

24. One of the first tasks of all redistricting entities when new Census data is released is to tally the populations from all census blocks into subtotals for each of the old districts that are currently in existence and have been electing members to districted offices in the previous decade. Alaska appears to be no different, however it is apparent from data and shape files provided in discovery that multiple versions of the 2013 Proclamation's districts were created in the weeks after the census data was released.

25. The Board's website shows that redistricting had to take place, as 8 districts were above the +5% ideal district size and 12 districts had lower than the -5% cut-off point for acceptable deviations. Our own calculations showed the 2013 plan having a 37.5% total deviation between the highest and lowest populated districts in the state with the 2020

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census data. This is well above the 10% deviation that is normally considered acceptable in redistricting circles and clearly indicates redistricting must be done this decade.

26. The Board's staff began processing the 2020 census data by creating databases from the legacy format 2020 census data. Board Staff and an employee with the Department of Labor separately created databases and then cross-referenced the databases. This validation process was apparently completed within a few days of receipt of the census data and completed on August 23, 2021, when Board staff presented the data to the Board.

27. While the Board received census data released in a "legacy format" (Access database structure) on August 12, 2021, the Board did not begin mapping together until September 7, 2021.²

28. Under the Alaska Constitution, the Board has a 30-day period beginning from the delivery of the census data to adopt proposed plans that then must be subject to public comment. However, the Board spent less than three days mapping together prior to adopting draft plans.

29. According to the deposition testimony of Board Chair John Binkley, the delay was caused, in part, by the process of verifying and uploading census data.³

30. Ordinarily verifying and uploading census data takes only a few days.

² Attachment 1 (Jan. 4, 2022, Deposition Transcript of Bethany Marcum at page 12, line 15 – 13, line 8); Attachment 2 (Jan. 11, 2022, Deposition Transcript of John Binkley at 48, lines 13-15).

³ Attachment 2 (Binkley Depo. at 49, line 8 – 51, line 10).

31. It is also unclear why the AutoBound software was not configured to reconcile census blocks from the 2011 redistricting process so that the 2020 census data could be imported into the 2013 Proclamation districts' boundaries. EDS, Inc., has done this type of work in other states, and it's not an easy process, because there is not a one-to-one equivalency of census blocks between decades. The Bureau describes it as an "n to n" process where singular or multiple instances of blocks can be on either side of the equation. In the case of Alaska this was important because apparently the census blocks were reduced from 45,292 in 2010 to 28,568 in 2020.⁴ The Bureau did release the geographic TIGER files for the 2020 census to all states in February 2020, well before the actual population was released. In this way, states could begin preparing as early as February 2020 the geography part of the redistricting database building process. That was also the time when the state could have begun creating their 2013 boundaries so that the existing districts' populations could be produced when the PL files were released.

32. It is unclear why the Board delayed beginning its mapping process until September 7, 2021, nearly 19 months after the geography part was set and a month after the PL data was received.

33. Under ordinary circumstances, the redistricting process begins in earnest in April, a year after census day. However, due to the delay in the delivery of the 2020 census

⁴ Attachment 10 (Affidavit of Peter Torkelson (January 12, 2022) at paragraph 28).

data (partly because of the virus), redistricting bodies (including Alaska) were under additional pressure to begin the mapping process as soon as possible.

34. After the Board convened its first joint mapping meeting on September 7, 2021, it spent very little time producing the two proposed plans, Version 1 (“V.1”) and Version 2 (“V.2”), that were adopted on September 9, 2021, two days before the deadline for the adoption of proposed plans under the Alaska Constitution.⁵

35. After adoption of the proposed plans on September 9, 2021, individual Board members undertook mapping efforts out of the public eye and introduced and adopted new versions of their maps on September 20, 2021, which were identified as Version 3 (“V.3”) and Version 4 (“V.4”) and replaced V.1 and V.2 respectively.

36. The Board did not meet again to continue joint mapping efforts until November 2, 2021. The Board engaged in mapping work sessions on November 3, 4, and 5 and adopted a final house district plan on November 5.

37. The Board appears to have spent very little of the time available to them actually drawing district boundaries and considering alternatives. In light of the minimal amount of time spent mapping together, the Board appears to have been constrained in its consideration of alternatives that better satisfy the constitutional redistricting criteria.

⁵ Alaska Constitution, art. VI, § 10.

A. Population Data Anomalies.

38. One of the first tasks I performed was to review the Board's Final Plan, which was adopted by the Board on November 10, 2021. The Board placed a shape file of that Final Plan on their website, and I was interested to see if they had correctly tallied the plan's populations and were reporting them correctly. I brought the shape file into our version of AutoBound EDGE and rebuilt the plan from their shape file into our system. I then proceeded to cross check our population numbers with the table of population the Board included in its Proclamation, the Board's website contained the Final Plan Deviation Table attached as Exhibit D ("Proclamation Deviation Table").

39. Comparison of the Proclamation Deviation Table to the shape files revealed that populations for 23 of the 40 districts were inaccurate. While Districts 1-10, District 30, and Districts 36-40 are identical between the Proclamation Data Table, Districts 11-29 and Districts 31-35 appear like they were scrambled, possibly through some "renumbering" process that was undertaken by the Board. I have created Exhibit D to demonstrate the population anomalies between these two different versions of what, in theory, should be the same plan.

40. The information in columns A through F in Exhibit D start from the population table report prospective. If one starts in Column A, the Board's table report for District 1 (for example) shows it has a population of 17,921. Column F notes that it is the same population number produced by the shape file from the Board's website (shaded in green). This can be cross-verified by looking at the data in columns H through M, which starts from the prospective of the shape files from the Board's website. Column I shows

that the shape file from the Board's website produced the same 17,921 population total for Districts 1-10 as in the plan.

41. The population anomalies begin in District 11. Column B in Exhibit D shows that District 11 had 18,103 people in the district according Proclamation Population Table. However, in the shape file available on the Board's website, District 11's outline produces a population of 18,168, as shown in column I of Exhibit D. The answer to this puzzle lies in columns F and M where one sees that the population of 18,103 is actually connected to District 15 in the shape file. This same flipping or renumbering took place in all the districts identified in pink on Exhibit D.

42. There are significant errors in population totals and deviations as they appear in the Proclamation Deviation Table and the shape files for Districts 15-29 and 31-35 as identified in the maps included the Final Plan. In several instances, the population deviation errors reflected that a particular district was overpopulated in the deviation chart while it was actually underpopulated in the shape files. The same is true for the converse.

43. For example, the deviation chart for District 21 shows that it is underpopulated by 312 people, while the shape file reflects overpopulation of 79 people.

44. Clearly the shape file and the population tables were produced at two different points in time or from different redistricting plans. The Board's process is unclear. For example, it is unclear whether District 15 was originally drawn and the shape file produced, followed by renumbering of that territory to designate it as District 11, after which the deviation table was produced, or if the reverse occurred.

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45. This discrepancy calls into question what plan the Board actually adopted on November 10, 2021. The 2021 Proclamation contains both of these conflicting pieces of information. It is unclear what plan was actually adopted.

46. These population errors were also embedded in the Board's public-facing mapping software ("Districtr") until it was corrected on January 13, 2022, by the Executive Director.

47. As a result of these errors, a member of the public would not have been able to review or analyze the population numbers or deviations for numerous districts.

48. On January 13, 2022, the Board changed the Proclamation Deviation Chart on their website in order to correct the population data anomalies that were included in the Final Plan as the Board adopted it on November 10, 2021.⁶ The Board also appears to have corrected the population data anomalies as they appeared in the interactive version of the Final Plan on the Board's website. I am not aware of any formal action taken by the Board to correct these errors.

49. As a result of this discovery, I spent more time checking the other plans that the state had created and/or analyzed from alternative map drawers. We produced map sets of each of the plans so we could check what the state and others had done, particularly as it relates to the Skagway plaintiffs (Map Exhibits F-O). These map sets are composed of a statewide map of the plan, and then individual maps for each district. In addition, we

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⁶ Exhibit E (Corrected Deviation Chart).

created a series of tables (which we call Workbooks for each of the plans) that reported the populations, voting-age populations, and racial characteristics for each of the plans that were produced so that we had consistent numbers and definitions to analyze (Exhibits P-Y). Each workbook contains 5 separate tables of data: 1) Overview tab – population deviation for each district and overall plan, 2) Population total tab, showing the “Alone” method of calculating the racial characteristics (a more complete description of the “Alone” and “Combo” method is contained in Exhibit B; 3) Population total tab, showing the “Combo” method of calculating the racial characteristics; 4) Voting Age population tab, showing the “Alone” method of calculating the racial characteristics; and 5) Voting Age population tab, showing the “combo” method of calculating the racial characteristics.

50. As I noted above, one of the first tasks of all redistricting entities when new Census data is released is to tally the populations from all census blocks into subtotals for each of the old districts that are currently in existence and have been electing members to districted offices in the previous decade. As I noted above, there were multiple versions of the 2013 plan on the Board’s website and within the laptop computers assigned to each of the Board members, but I was finally able to match up, through the same population comparison effort noted above, the right shape file with the population numbers reported on the Board’s website for the 2013 plan (that’s a shape file called “2013ProclamationPlanSept162021”). This has allowed me to create a map set of the old 2013 districts and plan (Exhibit F), along with a spreadsheet set of tables showing the total population, voting-age population, and the racial/ethnic-oriented population counts reported by the Census Bureau (Exhibit P). For each plan I have sorted them by the date

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they were impacting the process. For example, the population data for the 2013 plan (the plan that started the previous decade after the court decision in 2013) is identified as Exhibit

P. In total, we reviewed 10 different map plans created by the Board and/or outside groups.

They are the following:

- 2013 Proclamation Plan
- Board Composite 1
- Board Composite 2
- Board Composite 3
- Board Composite 4
- Doyon Coalition Plan
- Alaskans for Fair and Equitable Redistricting (AFFER) Corrected Plan
- Senate Minority Caucus Plan
- Alaskans for Fair Redistricting (AFFR) Plan
- Final Adopted Board Plan, 11/9/21

For each plan, we have created a consistent set of information (maps and data) which is appended onto the exhibit number.

51. The Overview total population table for the 2013 Proclamation Plan⁷ confirms the need to conduct redistricting, as the old plan showed a total deviation of 37.5% when the 2020 Census data was applied to the old geography.

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⁷ Exhibit P.

B. Renumbering of Districts Caused Confusion in the Public Process.

52. The Board's practice of renumbering districts at various times in an *ad hoc* manner makes it difficult for the public to provide meaningful comment during the redistricting process. Indeed, it appears that this practice resulted in the presentation of inaccurate data to the public.

53. The districts appear to have been renumbered on numerous occasions during the redistricting process, which adds confusion and appears to be the source of the population discrepancies between the Board's Final Plan as it appears in AutoBound and as it appears in program and the Proclamation Deviation Chart.

54. According to the Board's Executive Director, there was "persistent confusion" regarding district numbers as a result of variations with district numbering both among Board-created maps and third-party proposed maps that were produced by third parties. There were several iterations of draft redistricting plans that contained different numbers for identical districts. With regard to the Board's proposed plans, it appears that renumbering occurred between September 9, 2021, when Board proposed V.1 and V.2 and the adoption of Board proposed V.3 and V.4. The numbers were changed again in an *ad hoc* manner during Board meetings between November 3, 2021, and November 5, 2021. In addition, the districts were renumbered on November 9, 2021, to accommodate senate pairings.

C. The Board Improperly Focused on Voting Rights Act ("VRA")

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Districts from the Outset of the Redistricting Process.

55. It is my professional opinion that the *Hickel* process was violated by virtue of the Board's consideration of VRA information at the outset of its map drawing efforts.

56. The Supreme Court has articulated the *Hickel* process as follows:

In *Hickel* the court considered a Proclamation Plan that, like the Plan in this case, "accorded minority voting strength priority above other factors, including the requirements of article VI, section 6 of the Alaska Constitution." We cautioned that while compliance with the Voting Rights Act takes precedence over compliance with the Alaska Constitution, "[t]he Voting Rights Act need not be elevated in stature so that the requirements of the Alaska Constitution are unnecessarily compromised." We then described the process the Board must follow to ensure that our constitutional redistricting principles are adhered to as closely as possible. After receiving the decennial census data, "[t]he Board must first design a reapportionment plan based on the requirements of the Alaska Constitution. That plan then must be tested against the VRA. A reapportionment plan may minimize article VI, section 6 requirements when minimization is the only means available to satisfy VRA requirements."⁸

57. On the other hand, it's possible that the packing of minorities in two districts adopted by the Board may itself lead to a violation of the VRA. I could find no instances of attempts to unpack the minority concentrations in Alaska's districts.

58. The Board considered avoiding retrogression in VRA districts at the outset of the redistricting process. Districts 37-40 were VRA Districts in the 2013 Proclamation Plan, and the Board was aware that these districts were required to be VRA districts for purposes of the 2021 redistricting process.

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⁸ 2011 Redistricting Cases, 274 P.3d at 467 (quoting *Hickel*, 846 P.2d at 51 n.22).

59. The process by which the proposed plans including V.1 through V.4 and the Final Plan were drawn reflects the Board’s decision to draw traditional VRA districts first and then draw the rest of the districts afterwards.⁹

D. VRA Issues.

60. These population and voting-age population tables also help establish an important milestone as it relates to the VRA. It allows redistrictors to tally up the number of minority seats in the chamber so that they don’t retrogress the final number of minority seats in the redistricting process. The report on the 2013 Proclamation plan with the 2020 census data (Exhibit P) shows that just three seats were majority Native Alaskan in the census numbers, with two of them appearing to be heavily packed: District 38, located along the coast of the Bering Sea, and District 39, also located on the coast and surrounding Norton Sound, were 84.1% and 83.1%, respectively in Non-Hispanic Native Alaskan in total population using the “alone” method of calculating racial groups, and 88.5% and 87.9%, respectively in Non-Hispanic Native Alaskan in total population using the “in combination or called combo” method of calculating racial groups. The North Slope’s District 40 is the third district with a majority minority concentration, that being 64.5% with the “alone” method of calculating Non-Hispanic Native Alaskan and 69.5% “in combo,” both for total population. For voting-age population, District 40 is 57.8% Non-Hispanic Native American using the “alone” method of calculating race and ethnicity

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⁹ Attachment 3 (Jan. 10, 2022, Deposition Transcript of Nicole Borromeo at 216, line 1 – 222, line 8).

and 61.6% “in combo.” District 37, stretching from the Aleutians to the Yukon, might be categorized as an “influence” district, as it shows being in the lower 40% range in all the calculations.

61. The Board’s Final Plan adopted November 10, 2021, kept the Native American population’s strength where they had been in the previous decade. The packing of the Districts 38 and 39 stayed in the mid to high 80 percentile range for all the methods of calculations. The North Slope’s District 40 stayed in the low 60% range. Finally, the Aleutian’s District 37, now minus the Yukon, remains in the lower 40% range, gaining only a couple of percentage points, dependent upon the method of calculation used.

62. This result is in clear contrast to the redistricting process I just participated in for the State of Michigan, where my company had the role as the chief line drawer for the Michigan Citizens Independent Redistricting Commission (“Commission”). There the Commission went out of its way to “unpack” similar concentrations of minority members (African-Americans in the Detroit area). I served alongside Bruce Adelson, who also helped the Commission unpack the minority concentrations and who also advised the Alaska Board.

63. In my professional judgment, the Board’s redistricting process does not appear to have complied with the VRA. I believe it’s an outstanding question whether the VRA allows the districts to be so high in minority concentration.

IV. ANALYSIS OF REDISTRICTING MAPS REGARDING SKAGWAY

64. Skagway seeks to be grouped in the same district as downtown Juneau, as it has been since the last redistricting cycle. Population changes between Juneau and

Skagway do not appear necessary due to any substantial redrawing of the established district lines, yet the Board has done so and separated Skagway from downtown Juneau to be grouped instead with the Mendenhall Valley.

A. Board Member Simpson's Role and Goal.

65. Board Member Simpson states in his affidavit that he “took the lead for the Board in drawing the new house districts for this region of the state.”¹⁰ In his deposition, he repeatedly states he always had the goal of reshaping the Skagway and Juneau districts on the basis of compactness: “I think that issue had been brought up, really, from the beginning, because it had always been my intention to make the district more compact and put Skagway and Haines with the north end.”¹¹ “I might as well say right here is that my principal concern there was the compactness of that district, that it did not -- it was clearly not compact, and there was a way to draw it so that it was, with -- and still maintain the socioeconomic integration factors that we were looking for.”¹²

66. Based on his testimony, Board Member Simpson came into the redistricting process with the explicit goal of separating Skagway from downtown Juneau based on his view of compactness, even though he admitted that they have been joined in a court-approved district since the last redistricting cycle:

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¹⁰ Attachment 4 (Affidavit of Bud Simpson at paragraph 8).

¹¹ Attachment 9 (Jan. 8, 2022, Deposition transcript of Bud Simpson at 51, line 22 – 52, line 6).

¹² Attachment 9 (Simpson Depo. at 79, lines 15-21).

Now, Mr. Simpson, it's your opinion that whether Skagway is linked with the Valley or with Downtown Juneau that both are -- meet the constitutional criteria and are highly defensible; isn't that correct?

A. Yes.

Q. Okay. Now, why? Why is the way it is highly defensible?

A. I'm not disputing that there are socioeconomic connections between those south and -- and northern Lynn Canal, for the reasons that have been discussed today. What -- where I'm coming from is that it creates a much more compact and equally socio -- equally or better socioeconomically integrated district by connecting the north with the north. You cannot look at the two mapped versions next to each other and conclude that the existing sort of fishhook version is a compact district when it is possible to draw a more compact district, and that's what we were attempting to do.

...

Q. Okay. Then it's your opinion that it's highly defensible if it were challenged in court today; correct?

A. It exists as it is, I think -- yes, I think it's highly defensible, as is the other version.¹³

67. Board Member Simpson acknowledges that the existing map is highly defensible, but nonetheless states his belief that compactness warrants redrawing the map. In my review of Alaska redistricting requirements, compactness is one of three constitutional requirements that must be considered and balanced together.

68. Several of the redistricting maps presented by or to the Board kept Skagway and downtown Juneau together, including the Board V.4 map, the Doyon map, and the Senate Minority Caucus map. But based on Board Member Simpson's testimony, he was

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¹³ Attachment 9 (Simpson Depo. at 106, line 17 – 107, line 14, and 109, line 5 – 109, line 10).

only interested in his own version of the Southeast map based on his own view of compactness.

B. Compactness.

69. According to the Alaska Supreme Court:

“‘Compact’ in the sense used here means having a small perimeter in relation to the area encompassed.” *Carpenter*, 667 P.2d at 1218 (Matthews, J., concurring). Compact districting should not yield “bizarre designs.” *Davenport v. Apportionment Comm’n of New Jersey*, 124 N.J. Super. 30, 304 A.2d 736, 743 (N.J. Super. Ct. App. Div. 1973), quoted in *Carpenter*, 667 P.2d at 1218–19 (Matthews, J., concurring). We will look to the relative compactness of proposed and possible districts in determining whether a district is sufficiently compact. *Carpenter*, 667 P.2d at 1218 (Matthews, J., concurring).

The compactness inquiry thus looks to the shape of a district. Odd-shaped districts may well be the natural result of Alaska’s irregular geometry. However, “corridors” of land that extend to include a populated area, but not the less-populated land around it, may run afoul of the compactness requirement. Likewise, appendages attached to otherwise compact areas may violate the requirement of compact districting.”¹⁴

70. While there are mathematical calculations of compactness that measure a district’s area compared to its perimeter, these analyses have limited comparative use in Alaska due to its terrain, particularly in coastal areas. Board Member Simpson testified that he used a visual approach to compactness without any calculation:

Q. And how do you determine compactness?

A. Mostly it’s by the look of it. You -- you know, you have to deal with the census blocks as they are given to you. But we, you know, tried to maintain the integrity of rural boundaries. So we, you know, we used those. We tried to use geographic boundaries or natural things, if possible. So, you know,

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¹⁴ *Hickel*, 846 P.2d at 45.

that's why you have districts that maybe include a particular island or, you know, in this case, you know, run up Lynn Canal and so forth. But yeah, we never applied any kind of a formulaic approach to determining compactness based on, you know, measuring the -- the boundary or anything like that.¹⁵

71. While the visual approach to compactness makes sense in this context, in my judgment, its subjective nature only underscores that there is no absolute compactness requirement to be met but only the *Hickel* requirement for “the *relative* compactness of proposed and possible districts in determining whether a district is *sufficiently* compact” (emphasis added). Here, where Skagway and Juneau were already paired in a court-approved district, the relative sufficiency of its compactness appears already established and must be weighed against the other requirements for contiguity, which are straightforward based on the connection of the boundaries and socioeconomic integration, which is a fact-driven analysis of the areas being districted.

72. According to his affidavit, Board Member Simpson merely used Juneau's boundaries and went north as far as population required to draw his new line between Districts 3 and 4:

The northern boundary passes through the Mendenhall Valley area of Juneau. I drew the northern line by gathering census blocks moving outward from downtown Juneau, stopping when I had sufficiently populated the district. I worked with Board staff to make the line as straight as possible in light of the population and compactness goals, and the odd shape of available census blocks.¹⁶

¹⁵ Attachment 9 (Simpson Depo. at 111, lines 10-23).

¹⁶ Attachment 9 (Simpson Affidavit at paragraph 18).

73. In drawing his new Districts 3 and 4, Board Member Simpson seems to have taken the socioeconomic integration requirement entirely for granted.

C. Socioeconomic Integration.

74. “In addition to preventing gerrymandering, the requirement that districts be composed of relatively integrated socio-economic areas helps to ensure that a voter is not denied his or her right to an equally powerful vote.”¹⁷

75. “[W]e should not lose sight of the fundamental principle involved in reapportionment—truly representative government where the interests of the people are reflected in their elected legislators. Inherent in the concept of geographical legislative districts is a recognition that areas of a state differ economically, socially, and culturally and that a truly representative government exists only when those areas of the state which share significant common interests are able to elect legislators representing those interests. Thus, the goal of reapportionment should not only be to achieve numerical equality but also to assure representation of those areas of the state having common interests.”¹⁸

76. In evaluating relative socioeconomic integration, the *Hickel* court mentions specific factual characteristics such as transportation links, a common major economic activity, shared fishing, management of state lands, whether there is a predominately Native character of the populace, and geographical similarities and historical links. Based

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¹⁷ *Hickel*, 846 P.2d at 46.

¹⁸ *Id.* (quoting *Groh v. Egan*, 526 P.2d 863, 890 (Alaska 1974) (Erwin, J., dissenting)).

on this authority, the requirement for socioeconomic integration requires a look at such factual characteristics with comparison to “other previously existing and proposed districts as well as principal alternative districts to determine whether socio-economic links are sufficient.”¹⁹

77. In reviewing the affidavits and depositions with regard to Skagway and Juneau, the most common theme is the relationship with tourism, particularly how Juneau and Skagway deal with cruise ships.

78. I have firsthand experience with this because back in the 1990s, I accompanied my newly widowed mother on a 14-day cruise and land trip to Alaska. Although I was the only “under 40” person on an AARP trip, I fondly remember our stops in Juneau, Skagway, Valdez, and Seward, as well as riding the Alaska Railroad from Anchorage to Fairbanks. I still tell the story about how I was flown off landing in a float plane in Juneau harbor because a whale was breaching in the “run-way.” I’ve flown thousands of flights in my lifetime and only occasionally had a landing diverted, but this was the only time that diversion was caused by a whale.

79. According to the testimony offered by residents of Skagway, the cruise ship industry is of paramount economic importance to the community. To summarize this testimony:²⁰

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¹⁹ *Hickel*, 846 P.2d at 46-47.

²⁰ Attachment 5 (Affidavit of Andrew Cremata at paragraphs 23-41), Attachment 6 (Affidavit of Brad Ryan at paragraphs 17-30), Attachment 7 (Affidavit of John Walsh at

- In 1983, Skagway's arrivals included 40,066 via cruise ship; 25,288 via ferry; and 72,384 via highway; by 2019, these numbers had shifted to 983,917 via cruise ship; 9,640 via ferry; and 113,253 via highway.
- Downtown Juneau and especially Skagway depend upon the cruise ship industry and were harmed by the recent pandemic-caused shutdown of cruises. As shown in the State of Alaska report issued in April 2021 entitled "Impacts to Alaska from 2020/2021 Cruise Ship Season Cancellation," Juneau lost \$33,706,844 for a single year under a no-sail order, while Skagway lost \$13,233,250, an amount exceeding 100 percent of Skagway's annual operating budget. These impacts demonstrate the common socioeconomic interests of Skagway and downtown Juneau.
- Further demonstrating the importance of the cruise industry in Skagway, Carnival Corporation recently purchased the White Pass & Yukon Route railway, Skagway's largest single employer for \$290 million.
- Skagway's officials often look to the regulations, taxes, tariffs, and personnel of the Juneau port in determining Skagway's port policies, especially now that Skagway is reassuming control of its port and establishing its own structure that should be consistent and congruent

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paragraphs 22-41), and Attachment 8 (Affidavit of Janice Wrentmore Affidavit at paragraphs 26-44).

with other Alaska ports. Particular projects and policies that tie Skagway to the Juneau port include port electrification, a possible electrical intertie, a cruise ship excise tax, and cruise ship scheduling.

- Skagway officials have often traveled to downtown Juneau to confer with state and local officials on these topics and other matters.
- Additionally, other tourism-related businesses operate in both Skagway and downtown Juneau, as shown by the more than 20 businesses with Skagway business licenses that list their principal address in Juneau. It is common for tour operators to offer combination booking of activities in both communities, for example whale watching in Juneau combined with riding the train in Skagway.
- The COVID-19 pandemic and its devastating impacts on Skagway further joined it with downtown Juneau as they sought federal assistance for their communities to mitigate the loss of the cruise ships with Coronavirus Aid, Relief, and Economic Security (“CARES”) and American Rescue Plan Act (“ARPA”) funds. Skagway suffered a 99.68 percent reduction of arrival numbers in 2020 due to the COVID-19 pandemic, with total losses estimated at over \$300 million in taxable revenue spent within the community and \$26.6 in taxes collected. Like downtown Juneau, Skagway received millions of dollars in federal aid as a major cruise industry port of call, but Skagway remains under a

declaration of financial emergency due to the devastating economic impacts of the COVID-19 pandemic.

- The Mendenhall Valley simply has not faced the same economic impacts from COVID-19 as Skagway has. Just as the presence of a cruise ship port makes downtown Juneau entirely relevant to Skagway, the absence of such a port from the other areas of Juneau make them at best essentially irrelevant to Skagway from a socioeconomic standpoint. While Skagway officials are regularly in contact with all levels of government in downtown Juneau, they have no cause to travel to or otherwise confer with the Mendenhall Valley on any substantial policy matters.

80. When asked about the facts regarding Skagway and Juneau's cruise ship integration in his deposition, Board Member Simpson was unaware of many of them but did not dispute any of them, in fact acknowledging it was primary reason for the testimony he received for maintaining the current district connection:

Q. Okay. So you said: The reason it's been given is that they both have cruise ships going to them. I mean, every place in southeast has cruise ships going to it. So you're dismissing the connection between Skagway and Haines' in Downtown Juneau cruise ship connection, because, I quote, every place in southeast has cruise ships going to it; is that correct?

A. Not dismissing it, but that was the primary reason that we heard over and over again for that connection between Skagway and Downtown Juneau, over and over again, that was the testimony. People did not talk about the hospital or going to visit their representative. They talked about the cruise connection and the -- that that was the business that -- that they were in.

Q. Do you know what percentage of Skagway's economy is the cruise ship connection?

A. I would guess a substantial majority, nearly all.

Q. Do you know who the largest employer in Skagway is?

A. No.

Q. Okay. But -- so -- but you're -- you're saying every place in southeastern has cruise ships going to it. You seem to be suggesting, by that, that that's a reason to discount the reason that's been given; is that your opinion?

A. I'm not trying to discount it. I'm simply saying that it's not unique to those two locations. It is a fact that both of them have cruise ships going to them, but what I give less credence to is the concept that that ties Skagway to downtown more than it ties them to the whole community of Juneau. So, you know, all of Juneau deals with the cruise ships, whether positively or negatively, and it's a unified borough. So I didn't mean to minimize the impact of cruise ships on Skagway. I'm simply saying that it's not unique to those two places.

Q. But we're discussing it within the context of whether Skagway should -- and Haines should be linked to the Mendenhall Valley or to Downtown Juneau, correct, that's the context of this conversation? A. Right. That's why the concept of cruise ships was brought up.

Q. Okay. So does the fact that there are cruise ships that go into Ketchikan minimize -- is that relevant to the conversation about whether or not there is socioeconomic integration in the cruise ship industry between Skagway, Haines, and Downtown Juneau?

A. Well, yes, it's relevant because the cruise industry is a huge driver and impacter on the private sector in southeast.

Q. Okay.

A. So yeah, it's not -- I'm just saying it's not unique to those two places.

Q. Okay. Do any cruise ships dock in -- in Auke Bay or the Menden -- or the Valley of Juneau?

A. None of the large ones do, but they offload their passengers and send them by bus immediately to all parts of the borough, particularly the Mendenhall Glacier and Auke Bay for sport fishing and whale watching. They go all over.

Q. Okay. So you think the ultimate destination is something to be considered with the cruise ships, and you agree that it's also something to be considered with the ferry system?

A. I did not ever say that the ultimate destination was not something to be considered.

Q. Okay.

A. You asked me where people were going, and I said where they went to shop.

Q. Okay. So it says: Both have cruise ships going to them. There are no major cruise ships that go into north Juneau, are there?

A. The cruise ships go into Juneau. The docks are at the south end of town.

Q. Okay. Now, going down to the next factor -- well, first, let me just stay on this for a minute. You don't know that the largest employer in Skagway is White Pass and Yukon Route?

A. No, I wasn't aware of that. It doesn't surprise me.

Q. You're not aware that the members of the cruise industries own the largest employer in Skagway?

A. I've heard that, yes.

Q. Okay. And you're aware -- you were given specific testimony that when the cruise ships quit going to Skagway that the economy in Skagway collapsed by 95 percent?

A. I -- I don't remember that specific testimony. But during the COVID period, I'm aware that every place that's reliant on the cruise industry suffered significantly.

Q. Do you know that Juneau is the number one destination for the cruise industry in Alaska?

A. I've heard that, yes.

Q. Do you know that Skagway is number three?

A. I didn't know that, but I'm not surprised.

Q. Are you aware of the distribution of -- of funds from -- from the dockings, how they're distributed?

A. No.

Q. Are you aware -- would it surprise you to know, that -- well, are you aware of the -- of -- Mr. Simpson, the goal of districting, right, is to the degree practical is to get people who are socioeconomically integrated in the same district; right?

A. That's one of several goals that we work toward."²¹

81. In his affidavit, Board Member Simpson instead places primary emphasis on the ferry connection between Auke Bay and Skagway: "Of particular importance to me was that District 3 contains the Alaska Marine Highway terminals for all four of these communities, as the ferry system is the primary transportation link between each of the communities in District 3."²²

82. However, the testimony from Skagway residents was that the ferry both diminished in its importance and primarily connected with District 4.²³ Board Member Simpson also acknowledged these facts in his deposition:

²¹ Attachment 9 (Simpson Depo. at 68, line 6-73, line 10).

²² Attachment 4 (Simpson Affidavit at paragraph 17).

²³ Attachment 5 (Affidavit of Andrew Cremata at 47-50), Attachment 6 (Affidavit of Brad Ryan at 34-35), Attachment 7 (Walsh Affidavit at 47-50), and Attachment 8 (Wrentmore Affidavit at 50-53).

Q. Do you agree that the destinations for people coming in the ferry system at Auke Bay, from Skagway and Haines, would predominantly be in District 4?

A. That's your statement, not mine. I said that I didn't know where people getting off the ferry were destined for, but your point is taken that if they are coming there to shop, most of the shopping is probably in District 4, so I would concede that.

...

Q. Okay. Now -- and you did agree that anybody coming in the ferry to speak to their legislator would -- or -- had government -- activities associated with government would be in District 4, would you agree that that would be the predominant destination?

A. Typically, yes.

Q. Excuse me for the interruption. Okay. And you'd agree that anybody going to the hospital in Juneau would go to District 4 because the hospital is in District 19; right?

A. That's correct.

Q. Okay. Now, you mentioned that -- okay. Let me just stop there. Do you consider the ferry system to have been becoming a less reliable link for transportation than it has been in the past?

A. I -- I believe that's accurate, generally, yes. Over the 45 years or so that I've been riding it, it's gotten more expensive and less frequent.

Q. And would you agree that -- that the number of people arriving from Skagway and Haines, or the number of visitors -- well, let me rephrase, please. Do you know whether there's any ferry service in Skagway or Haines today?

A. I don't know if there is today. I know in the winter it's reduced.

Q. Do you know sometimes it's suspended entirely?

A. If -- yeah, if there's not enough equipment available or the weather's horrible it doesn't go.

Q. And do you know whether the number of visitors arriving through the ferry link have gone down or up over the years?

A. I don't know the number. It wouldn't surprise me if it's gone down.

Q. Okay. So I'm -- I'm curious if -- if the ferry system is used as a destination point for locations in District 3 and District 4 why the location of the actual terminal weighs in favor of Skagway being linked to District 3 or District 4?

A. Well, the location of the terminal isn't -- isn't really the key feature. It is the fact that the ferry system, even though it's diminished over the years, is still the major transportation link for the northern panhandle and the Lynn Canal communities. Auke Bay is a Lynn Canal community. Auke Bay, as well as the Mendenhall Valley, are simply part of Juneau. And, you know, all this discussion about, you know, where Fred Meyer is located or whatever, just seems irrelevant to me. People come in to Juneau to shop, but Juneau's a unified borough. It's all one and the same. So the ferry's on the north end, so yeah, it's not about where the terminal is located, it's about the fact that that transportation network ties in all of the Lynn Canal communities.

Q. Well, it ties Skagway and Haines to Downtown Juneau, as well, doesn't it?

A. Yes, that's the transportation link or hub for all the communities.

Q. Okay. And if the majority of the people using that transportation link are destined to District 4, then it is -- the ferry system is a transportation link to District 4, as well, is it not?

A. Yes, it is.

Q. And I'm not sure if we're agreeing or disagreeing. It's my statement, would you agree or disagree, that most of the people visiting from Skagway and Haines, that enter through the Auke Bay terminal, are headed to locations in District 4; do you agree or disagree with that?

A. I do not know where those people are headed. I'm certain there are many of them coming to visit friends and relatives that live in the residential areas

and not just to shop. I do agree with you that a number of the shopping locations, hospital and government offices are located in District 4.²⁴

83. Additionally, Board Member Simpson seemed to assert that the government presence in downtown Juneau was somehow contrary to socioeconomic integration with Skagway: “Seasonally, cruise ships moor in Downtown Juneau, but the primary economic and employment drivers for the district are government entities.”²⁵

84. But in his deposition, Board Member Simpson acknowledged that such government presence only indicates further socioeconomic integration between downtown Juneau and Skagway:

I'm asking about your point in your testimony that the anchor in Downtown Juneau is government. You're aware that Skagway has to coordinate municipality to municipality with Juneau, to do that they have to go to Downtown Juneau; correct?

A. Yes.

Q. Okay. You're aware that Skagway has to integrate with the state legislatures, and to do that it goes to Downtown Juneau; correct?

A. Yes.

Q. Okay. You're aware that Skagway has to integrate with federal agencies and governments, and that they are located predominantly in Downtown Juneau; correct?

A. Correct.

Q. Okay. Now -- so the fact that Downtown Juneau is the seat of government, which Skagway and Haines has to access, is a point in favor of their socioeconomic integration and not against; correct?

²⁴ Attachment 9 (Simpson Depo. at 58, line 15-62, line 21).

²⁵ Attachment 4 (Simpson Affidavit at paragraph 19).

A. It -- yes, it has an impact on socioeconomic integration, I would agree with that.

Q. Okay. Now, you're aware that the lobbyists for Skagway indicated that decades that he's been representing Skagway he's never had a meeting in the Mendenhall Valley; right?

A. I -- I don't recall --

Q. Okay.

A. -- him saying that, but it's possible.

Q. Okay. So next, white-collar office workers versus fisherman and cement plant workers, okay, that goes to the similarity of the communities, not to their integration; correct?

A. Yes, throughout the state, though, we've looked at the types of economies that are in communities that we were considering for inclusion in -- in the same district. So the type of industries is -- is relevant to that.

Q. Okay. And you think that cement plant workers trumps tourism as a socioeconomic integrator between Skagway -- let me say this, this way: You think the cement workers between the Valley or part of the Valley that you designated in 3 in Skagway is a greater socioeconomic link than the cruise industry?

A. No. And that's not my intent by that statement. I'm simply saying that the Valley, Mendenhall Valley area and out the road, it was -- it is not a site of the white-collar government workers and neither are Haines and Skagway.²⁶

D. Splitting the Mendenhall Valley.

85. In fact, Board Member Simpson stated his belief that Mendenhall Valley is not a real consideration because it is part of the Juneau borough and he simply moved his district line north as far he needed for population:

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²⁶ Attachment 9 (Simpson Depo. at 81, line 20 – 84, line 1).

Q. Okay. So there's a -- in this presentations he's making the point that to make the numbers work to link Skagway and Haines with the Mendenhall that you'd have to shed half the Mendenhall Valley; correct?

A. That's not his exact language, but the point taken is that you have to split the borough of Juneau somewhere, because there's not enough population for two house seats within the borough. So you've got to go elsewhere and you have to make a split somewhere.

Q. Okay. So the consequence of linking -- of linking Skagway and Haines to the Valley instead of to Downtown Juneau is that you have to split that -- the Valley in half?

A. Well, the Valley isn't a thing. It's a single unified borough. And you don't have enough population for two seats if it -- even if it had enough for two seats you'd have to split it somewhere. So this is -- I think it's a comment that they don't like where the split occurred.

Q. So if we can start at the airport, can you see the map here, there's the Juneau Douglas airport, just to orient you.

A. Yes.

Q. And so -- so the tradeoff here is -- is -- for adding Skagway in, is to take half the Mendenhall Valley out. There's a -- would you accept, subject to check, that there's roughly 1100 people in Skagway?

A. Yes, that was something close to the census figure.

Q. And couple thousand in Haines?

A. That's right.

Q. And so just looking in Skagway and Haines, only, as a result of -- of your map, they had to take 3,000 people out of the district -- out of District 4 and put them in District 3, and that is the line that makes the numbers work; right?

A. That's just not how I would characterize it. If you're trying to draw a compact house district you go census block by census block until you basically get to a number that approximates 18,335, and then you try to make that as compact and as good of a line as you can given the limitations of the sometimes strangely drawn census blocks.

So, you know, you're looking for -- we started at the south end of Juneau, which was what I preferred to do for compactness, and went north until we got enough people in, and then tried to straighten up the line as -- as best as we could.²⁷

86. Board Member Simpson acknowledged that no one testified in favor of the district line he drew, and most people from Skagway and Juneau testified against it, for keeping Skagway and Juneau together and/or keeping the Mendenhall Valley together:

Q. Okay. I'd like to -- was there anybody, that you recall from your notes, that suggested that the Valley and downtown -- that the Valley should be split in half and joined with the downtown?

A. Not that I recall, no.

Q. So there wasn't any public testimony at the -- at the Juneau outreach that specifically supported your division of the Valley in half; correct?

A. The question of splitting the Valley in half wasn't brought up one way or the other. Most people in the downtown area preferred keeping the existing arrangement. They did not talk about where the Valley would be split.

Some people did weigh in that splitting, like around Fred Meyer or something, made sense to them. I recall some of that. But I don't think anybody ever split the Valley in half, only because it just didn't come up in that context.

Q. Okay. If we can go back to 162400 and the last witness, says, wants to keep Valley whole and downtown whole; right? That means don't split the Valley; right?

A. I'll go with what it says, which is, keep the Valley and downtown whole.

Q. Okay. And then in that same page, in the middle of the page, it says: In Juneau keep the downtown Valley divided, okay, that's suggesting downtown and the Valley be separated; right?

²⁷ Attachment 9 (Simpson Depo. at 101, line 3 – 103, line 7).

A. I take that to mean what said a few minutes ago, that people supported keeping the -- the line like around Fred Meyer or something that wherever the line is now, it was what those people were supporting.

Q. Okay. And where the line is now doesn't split the Valley in half; right?

A. Well, the line that we're proposing does not split the Valley in half, either. So your -- your question misstates the situation.

Q. You got a line right up the middle the Mendenhall Valley community on Riverside Road. You're saying that doesn't split the Valley in half?

A. It does not.

Q. Okay. All right. I'd like you to go to 162437, the Skagway meeting. Do you see that Mayor Cremata spoke for keeping Skagway downtown connected because of the economic link and the historic link?

A. Yes.

Q. Okay. Do you see that Ms. Potter pointed out that 95 percent of the economic ties of the economy of Skagway suffered as a result of the cruise ship interruption; do you see that?

A. Yes.

Q. Okay. Do you see Jaime Bricker suggesting that the tie with downtown is important as well as connected with rural areas; do you see that language?

A. Yes.

Q. Okay. Do you see John Walsh, on the next page, the city manager, favoring -- or the city lobbyist favoring keeping downtown with Skagway; correct?

A. Yes.

Q. And points out, doesn't recall telling needed to interface with the Valley. So the lobbyist for Skagway is pointing out that he's never had -- he's never lobbied -- he's never had a meeting in the Valley; right?

A. Correct.

Q. Okay. You see number five, she echoed that and said, retain the ties, number six said the same thing, both; correct?

A. That's right.

Q. So Tina Cyr, number eight, said keep alignment with downtown; right?

A. That's right.

Q. Ms. Hegen said keep with downtown; right?

A. Yes.

Q. Okay. In fact, the only person that talked about suggesting it was the last person, 162440, and that was Kathy Hosford; did you see that?

A. Yes, I had a note from her, it looks like she started -- earlier got disconnected or something, but --

Q. Yes.

A. I think she's the only one in this batch that spoke in favor of the northern connection.

Q. Nobody mentions the northern connection. They're talking about whether Skagway and Haines should be connected with Downtown Juneau or with the Valley; right?

A. Well, she talks about the Lynn Canal transportation corridor, and at the end she says that she believes Skagway and Haines belong with northern Lynn Canal.

Q. Okay.

A. So --

Q. · I just want to be sure that we're accurately characterizing what they said --

A. Oh.

Q. -- according to your notes. And -- and according to your notes the majority of them are talking about whether or not Skagway should be linked to downtown or the Valley; right?

A. That's correct.²⁸

87. Board Member Simpson also acknowledged that no current public official spoke in favor of his district line:

Q. So Senator Begich and Senator Kiehl both spoke in favor of maintaining Haines and Skagway with Downtown Juneau; correct?

A. That's what appears here, yes.

Q. Okay. Did any current public official, at any point, speak in favor of joining Skagway and Haines with a portion of the Mendenhall Glacier that you used?

A. Not that I recall.²⁹

88. In drawing Districts 3 and 4, the Board appears to have essentially taken socioeconomic integration for granted without regard to the weight of testimony and other evidence. However, this view of compactness does not appear to be consistently applied throughout the districts of the final map. Regardless, the court decisions are clear that compactness must be balanced against the other constitutional criteria, and the mere fact that Juneau is a borough does not mean the Board can ignore the specific facts regarding relative socio-economic integration.

89. Upon review of the constitutional requirements and the relevant affidavits and depositions, I find the socioeconomic facts outlined in the case to support the relative socioeconomic integration of Skagway with downtown Juneau as paramount. There is not

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²⁸ Attachment 9 (Simpson Depo. at 115, line 22 – 120, line 12).

²⁹ Attachment 9 (Simpson Depo. at 97, lines 9-17).

the connection with the Mendenhall Valley. Further, the Final Plan failed to reflect the Mendenhall Valley as a unique neighborhood and community of interest which should have been kept together, rather than split in half and divided between two districts. The Board's final map fails to sufficiently reflect this reality.

V. THE SKAGWAY ALTERNATIVE MAPS BETTER SATISFY THE CONSTITUTIONAL REDISTRICTING CRITERIA

90. It is clear Districts 3 and 4 could be redrawn to only change the interior of those two boundaries. As a result, I have created two alternative plans for those two districts that can be embedded into the Board's existing plan, should the Court order these changes. Both alternatives would, in my judgment, comply with all constitutional standards and be superior alternatives to the Board's existing Districts 3 and 4.

91. I have created two versions of these alternatives (the first one labeled Alternative A), which I also call the donut hole. The second alternative (labeled Alternative B) carried District 3 up the coast of the Lynn Cannel to the Kensington mine, roughly 38 miles Northeast of the Mendenhall Valley.

92. Alternative A (the donut hole) creates two districts that are as close as possible in population between the two districts.³⁰ Moving District 3 farther up the coast in Alternative B pulls the population differences between the two districts a little farther apart but nothing to potentially violate acceptable population windows for deviations.³¹

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³⁰ Exhibit BB (Skagway Alternative B).

³¹ Exhibit AA (Skagway Alternative Map A).

93. Both alternatives meet the constitutional standards for compactness and contiguity.

94. Both alternatives permit Skagway and Haines to be in the same district as downtown Juneau to which they are most highly socioeconomically integrated.

95. Both alternatives permit downtown Juneau to be separated from the Mendenhall Valley and permit the Mendenhall Valley community to be maintained as a whole community, rather than split in half. It seems clear the Mendenhall Valley is a true neighborhood that should be kept together in the same district. My review of the road patterns on the maps as well as the Google maps and the street view all confirm the Mendenhall Valley community is highly socioeconomically integrated and should be kept in the same district. Houses and locations on both sides of the Board's district boundary are nearly identical, indicating the Board's district boundary is separating neighbors into separate districts simply to include communities in the Upper Lynn Cannel that have minimal socioeconomic integration into the Mendenhall Valley. Under these circumstances, the Mendenhall valley neighborhood should stay in the same district and not be split in half.

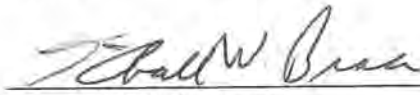
96. Both alternatives are also consistent with my understanding of the majority of the public comment to the Board from both the Juneau and Skagway public meetings, the unanimous opinion of the elected representatives of Skagway, the opinions of the former elected legislators, the map proposed by the coalition in which Sealaska (the ANCSA regional corporation for Southeastern Alaska), the City Manager of Skagway, and the unanimous resolution of the Borough.

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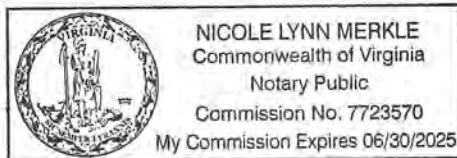
97. Based on all of the above, in my judgment, either of the Skagway alternative maps present a viable constitutional alternative to the Board's Districts 3 and 4, which were drawn based on one Board Member's view of compactness without regard to the evidence presented regarding socioeconomic integration by the people of Skagway, Haines, and Juneau.


98. I reserve the right to supplement this affidavit based on further discovery and depositions in this case.

DATED this 18th day of January, 2022.


Kimball Brace

SUBSCRIBED AND SWORN to before me this 18 day of January, 2022.




Notary Public in and for Virginia
My Commission Expires: 06/30/2025

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Certificate of Service

The undersigned hereby certifies that a copy of the foregoing document was e-mailed to the following attorneys/parties of record this 18th day of January, 2022:

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Kimball Brace is the president of Election Data Services Inc., a consulting firm that specializes in redistricting, election administration, and the analysis and presentation of census and political data. Mr. Brace graduated from the American University in Washington, D.C., (B.A., Political Science) in 1974 and founded Election Data Services in 1977.

Redistricting Consulting

Activities include software development; construction of geographic, demographic, or election databases; development and analysis of alternative redistricting plans; general consulting, and onsite technical assistance with redistricting operations.

Congressional and Legislative Redistricting

Arizona Independent Redistricting Commission: Election database, 2001

Arizona Legislature, Legislative Council: Election database, 2001

Colorado General Assembly, Legislative Council: Geographic, demographic, and election databases, 1990–91

Connecticut General Assembly

- Joint Committee on Legislative Management: Election database, 2001; and software, databases, general consulting, and onsite technical assistance, 1990–91
- Senate and House Democratic Caucuses: Demographic database and consulting, 2001

Florida Legislature, House of Rep.: Geographic, demographic, and election databases, 1989–92

Illinois General Assembly

- Speaker of House and Senate Minority Leader: Software, databases, general consulting, and onsite technical assistance, 2000–02,
- Speaker of House and President of Senate: Software, databases, general consulting, and onsite technical assistance, 2018-current, 2009-2012, 1990–92, and 1981-82

Iowa General Assembly, Legislative Service Bureau and Legislative Council: Software, databases, general consulting, and onsite technical assistance, 2000–01 and 1990–91

Kansas Legislature: Databases and plan development (state senate and house districts), 1989

Massachusetts General Court

- Senate Democratic caucus: Election database and general consulting, 2001–02
- Joint Reapportionment Committees: Databases and plan development (cong., state senate, and state house districts), 1991–93, 2010-2012

(Redistricting Consulting, cont.)

Michigan Legislature: Geographic, demographic, and election databases, 1990–92; databases and plan development (cong., state senate, and state house districts), 1981-82

Missouri Redistricting Commission: General consulting, 1991–92

Commonwealth of Pennsylvania: General consulting, 1992

Rhode Island General Assembly and Reapportionment Commissions

- Software, databases, plan development, and onsite assistance (cong., state senate, and state house districts), 2016- current, 2010-2012, 2001–02 and 1991–92
- Databases and plan development (state senate districts), 1982-83

State of South Carolina: Plan development and analysis (senate), U.S. Dept. of Justice, 1983–84

Local Government Redistricting

Orange County, Calif.: Plan development (county board), 1991–92

City of Bridgeport, Conn.: Databases and plan development (city council), 2011-2012 and 2002–03

Cook County, Ill.: Software, databases, and general consulting (county board), 2010-2012, 2001–02, 1992–1993, and 1989

Lake County, Ill.: Databases and plan development (county board), 2011 and 1981

City of Chicago, Ill.: Software, databases, general consulting, and onsite technical assistance (city wards), 2010-2012, 2001–02 and 1991–92

City of North Chicago, Ill.: Databases and plan development (city council), 1991 and 1983

City of Annapolis, Md.: Databases and plan development (city council), 1984

City of Boston, Mass.: Databases and plan development (city council), 2011-2012, 2001-2002, and 1993

City of New Rochelle, N.Y.: Databases and plan development (city council), 1991–92

City of New York, N.Y.: Databases and plan development (city council), 1990–91

Cities of Pawtucket, Providence, East Providence, and Warwick, and town of North Providence, R.I.: Databases and plan development (city wards and voting districts), 2011-2012, 2002

City of Woonsocket and towns of Charlestown, Johnston, Lincoln, Scituate and Westerly, R.I.: Databases and plan development (voting districts), 2011-2012, 2002; also Westerly 1993

City of Houston, Tex.: Databases and plan development (city council), 1979 — recommended by U.S. Department of Justice

City of Norfolk, Va.: Databases and plan development (city council), 1983–84 — for Lawyers' Committee for Civil Rights

Virginia Beach, Va.: Databases and plan development (city council), 2011-2012, 2001–02, 1995, and 1993

Other Activities

International Foundation for Electoral Systems (IFES) and U.S. Department of State: redistricting seminar, Almaty, Kazakhstan, 1995

Library of Congress, Congressional Research Service: Consulting on reapportionment, redistricting, voting behavior and election administration

National Conference of State Legislatures (NCSL): Numerous presentations on variety of redistricting and election administration topics, 1980 - current

Election Administration Consulting

Activities include seminars on election administration topics and studies on voting behavior, voting equipment, and voter registration systems.

Prince William County, VA:

2013 – Appointed by Board of County Supervisors to 15 member Task Force on Long Lines following 2012 election. Asked and appointed by County's Electoral Board to be Acting General Registrar for 5-month period between full-time Registrars.

2008 - current – poll worker and now chief judge for various precincts in county

U.S. Election Assistance Commission (EAC): Served as subcontractor to prime contractors who compiled survey results from 2008 and 2010 Election Administration and Voting Survey.

U.S. Election Assistance Commission (EAC): Compile, analyze, and report the results of a survey distributed to state election directors during FY–2007. Survey results were presented in the following reports of the EAC: *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office, 2005–2006, A Report to the 110th Congress*, June 30, 2007; *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), Survey Report Findings*, September, 2007; and *The 2006 Election Administration and Voting Survey, A Summary of Key Findings*, December, 2007.

U.S. Election Assistance Commission (EAC): Compile, analyze, and report the results of three surveys distributed to state election directors during FY–2005: Election Day, Military and Overseas Absentee Ballot (UOCAVA), and Voter Registration (NVRA) Surveys. Survey results were presented in the following reports: *Final Report of the 2004 Election Day Survey*, by Kimball W. Brace and Dr. Michael P. McDonald, September 27, 2005; and *Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office, 2003–2004, A Report to the 109th Congress*, June 30, 2005.

Rhode Island Secretary of State: Verification of precinct and district assignment codes in municipal registered voter files and production of street files for a statewide voter registration database, on-going maintenance of street file, 2004-2006, 2008-2014, 2016-2017.

Rhode Island Secretary of State, State Board of Elections & all cities & towns: production of precinct maps statewide, 2012, 2002, 1992

District of Columbia, Board of Elections and Ethics (DCBOEE): Verification of election ward, Advisory Neighborhood Commission (ANC), and Single-Member District (SMD) boundaries and production of a new street locator, 2003. Similar project, 1993.

Harris County, Tex.: Analysis of census demographics to identify precincts with language minority populations requiring bilingual assistance, 2002–03

(Election Administration Consulting, cont.)

Cook County, Ill., Election Department and Chicago Board of Election Commissioners:

- Analysis of census demographics to identify precincts with language minority populations requiring bilingual assistance, 2019, 2010-2013, 2002-03
- Study on voting equipment usage and evaluation of punch card voting system, 1997

Chicago Board of Election Commissioners: Worked with Executive Director & staff in Mapping Dept. to redraw citywide precincts, eliminate over 600 to save costs, 2011-12

Library of Congress, Congressional Research Service: Nationwide, biannual studies on voter registration and turnout rates, 1978-2002

U.S. General Accounting Office (GAO), U.S. Dept. of Justice, and numerous voting equipment vendors and media: Data on voting equipment usage throughout the United States, 1980-present

Needs assessments and systems requirement analyses for the development of statewide voter registration systems:

- Illinois State Board of Elections: 1997
- North Carolina State Board of Elections, 1995
- Secretary of Commonwealth of Pennsylvania, 1996

Federal Election Commission, Office of Election Administration:

- Study on integrating local voter registration databases into statewide systems, 1995
- Nationwide workshops on election administration topics, 1979-80
- Study on use of statistics by local election offices, 1978-79

Cuyahoga County, Ohio, Board of Elections: Feasibility study on voting equipment, 1979

Winograd Commission, Democratic National Committee: Analysis of voting patterns, voter registration and turnout rates, and campaign expenditures from 1976 primary elections

Mapping and GIS

Activities include mapping and GIS software development (geographic information systems) for election administration and updating TIGER/Line files for the decennial census.

2000 Census Transportation Planning Package (CTPP), 1998-99: GIS software for the U.S. Department of Transportation to distribute to 400 metropolitan planning organizations (MPOs) and state transportation departments for mapping traffic analysis zones (TAZs) for the 2000 census; provided technical software support to MPOs

Census 2000, 2010 and 2020 Redistricting Data Program, Block Boundary Suggestion Project (Phase 1) and Voting District Project (Phase 2), 1995-99: GIS software and provided software, databases, and technical software support to the following program participants:

- Alaska Department of Labor
- Connecticut Joint Committee on Legislative Management
- Illinois State Board of Elections
- Indiana Legislative Services Agency
- Iowa Legislative Service Bureau

(Mapping & GIS Support, cont.)

- New Mexico Legislative Council Service
- Rhode Island General Assembly
- Virginia Division of Legislative Services

Developed PRECIS® Precinct Information System—GIS software to delineate voting precinct boundaries—and delivered software, databases, and technical software support to the following state and local election organizations (with date of installation):

- Cook County, Ill., Department of Elections (1993)
- Marion County, Fla., Supervisor of Elections (1995)
- Berks County Clerk, Penn. (1995)
- Hamilton County, Ohio, Board of Elections (1997)
- Brevard County, Fla., Supervisor of Elections (1999)
- Osceola County, Fla., Supervisor of Elections (1999)
- Multnomah County, Ore, Elections Division (1999)
- Chatham County, Ga., Board of Elections (2000)
- City of Chicago, Ill., Board of Election Commissioners (2000)
- Mahoning County, Ohio, Board of Elections (2000)
- Iowa Secretary of State, Election and Voter Registrations Divisions (2001)
- Woodbury County, Iowa, Elections Department (2001)
- Franklin County, Ohio, Board of Elections (2001)
- Cobb County, Ga., Board of Elections and Voter Registration (2002)

Illinois State Board of Elections, Chicago Board of Election Commissioners, and Cook County Election Department: Detailed maps of congressional, legislative, judicial districts, 1992

Associated Press: Development of election night mapping system, 1994

Litigation Support

Activities include data analysis, preparation of court documents and expert witness testimony. Areas of expertise include the census, demographic databases, district compactness and contiguity, racial bloc voting, communities of interest, and voting systems. Redistricting litigation activities also include database construction and the preparation of substitute plans.

State of Alabama vs. US Department of Commerce, et al (2019-2020) apportionment & citizenship data

NAACP vs. Denise Merrill, CT Secretary of State, et al (2019-2020) state legislative redistricting and prisoner populations

Latasha Holloway, et al. v. City of Virginia Beach, VA (2019) city council redistricting

Joseph V. Aguirre vs. City of Placentia, CA (2018-2019), city council redistricting

Davidson, et al & ACLU of Rhode Island vs. City of Cranston, RI (2014-16), city council & school committee redistricting with prisoner populations.

Navaho Nation v. San Juan County, UT (2014-17) county commissioner & school board districts.

Michael Puyana vs. State of Rhode Island (2012) state legislature redistricting

(Litigation Support, cont.)

United States of America v. Osceola County, Florida, (2006), county commissioner districts.

Deeds vs McDonnell (2005), Va. Attorney General Recount

Indiana Democratic Party, et al., v. Todd Rokita, et al. (2005), voter identification.

Linda Shade v. Maryland State Board of Elections (2004), electronic voting systems

Gongaley v. City of Aurora, Ill. (2003), city council districts

State of Indiana v. Sadler (2003), ballot design (city of Indianapolis-Marion County, Ind.)

Peterson v. Borst (2002–03), city-council districts (city of Indianapolis-Marion County, Ind.)

New Rochelle Voter Defense Fund v. City of New Rochelle, City Council of New Rochelle, and Westchester County Board Of Elections (2003), city council districts (New York)

Charles Daniels and Eric Torres v. City of Milwaukee Common Council (2003), council districts (Wisconsin)

The Louisiana House of Representatives v. Ashcroft (2002–03), state house districts

Camacho v. Galvin and Black Political Caucus v. Galvin (2002–03), state house districts (Massachusetts)

Latino Voting Rights Committee of Rhode Island, et al., v. Edward S. Inman, III, et al. (2002–03), state senate districts

Metts, v. Harmon, Almond, and Harwood, et al. (2002–03), state senate districts (Rhode Island)

Joseph F. Parella, et al. v. William Irons, et al. (2002–03), state senate districts (Rhode Island)

Jackson v. County of Kankakee (2001–02), county commissioner districts (Illinois)

Corbett, et al., v. Sullivan, et al. (2002), commissioner districts (St Louis County, Missouri)

Harold Frank, et al., v. Forest County, et al. (2001–02), county commissioner districts (Wisc.)

Albert Gore, Jr., et al., v. Katherine Harris as Secretary of State, State of Florida, et al., and The Miami Dade County Canvassing Board, et al., and The Nassau County Canvassing Board, et al., and The Palm Beach County Canvassing Board, et al., and George W. Bush, et al (2000), voting equipment design — Leon County, Fla., Circuit Court hearing, December 2, 2000, on disputed ballots in Broward, Volusia, Miami-Dade, and Palm Beach counties from the November 7, 2000, presidential election.

Barnett v. Daley/PACI v. Daley/Bonilla v. Chicago City Council (1992–98), city wards

Donald Moon, et al. v. M. Bruce Meadows, etc and Curtis W. Harris, et al. (1996–98), congressional districts (Virginia)

Melvin R. Simpson, et al. v. City of Hampton, et al. (1996–97), city council districts (Va.)

Vera vs. Bush (1996), Texas redistricting

In the Matter of the Redistricting of Shawnee County Kansas and Kingman, et al. v. Board of County Commissioners of Shawnee County, Kansas (1996), commissioner districts

Vecinos de Barrio Uno v. City of Holyoke (1992–96), city council districts (Massachusetts)

(Litigation Support, cont.)

Torres v. Cuomo (1992–95), congressional districts (New York)
DeGrandy v. Wetherell (1992–94), congressional, senate, and house districts (Florida)
Johnson v. Miller (1994), congressional districts (Georgia)
Jackson, et al v Nassau County Board of Supervisors (1993), form of government (N.Y.)
Gonzalez v. Monterey County, California (1992), county board districts
LaPaille v. Illinois Legislative Redistricting Commission (1992), senate and house districts
Black Political Task Force v. Connolly (1992), senate and house districts (Massachusetts)
Nash v. Blunt (1992), house districts (Missouri)
Fund for Accurate and Informed Representation v. Weprin (1992), assembly districts (N.Y.)
Mellow v. Mitchell (1992), congressional districts (Pennsylvania)
Phillip Langsdon v. Milsaps (1992), house districts (Tennessee)
Smith v. Board of Supervisors of Brunswick County (1992), supervisor districts (Virginia)
People of the State of Illinois ex. rel. Burris v. Ryan (1991–92), senate and house districts
Good v. Austin (1991–92), congressional districts (Michigan)
Neff v. Austin (1991–92), senate and house districts (Michigan)
Hastert v. Illinois State Board of Elections (1991), congressional districts
Republican Party of Virginia et al. v. Wilder (1991), senate and house districts
Jamerson et al. v. Anderson (1991), senate districts (Virginia)
Ralph Brown v. Iowa Legislative Services Bureau (1991), redistricting database access
Williams, et al. v. State Board of Election (1989), judicial districts (Cook County, Ill.)
Fifth Ward Precinct 1A Coalition and Progressive Association v. Jefferson Parish School Board (1988–89), school board districts (Louisiana)
Michael V. Roberts v. Jerry Wamser (1987–89), St. Louis, Mo., voting equipment
Brown v. Board of Commissioners of the City of Chattanooga, Tenn. (1988), county commissioner districts
Business Records Corporation v. Ransom F. Shoup & Co., Inc. (1988), voting equip. patent
East Jefferson Coalition for Leadership v. The Parish of Jefferson (1987–88), parish council districts (Louisiana)
Buckanaga v. Sisseton School District (1987–88), school board districts (South Dakota)
Griffin v. City of Providence (1986–87), city council districts (Rhode Island)
United States of America v. City of Los Angeles (1986), city council districts
Latino Political Action Committee v. City of Boston (1984–85), city council districts
Ketchum v. Byrne (1982–85), city council districts (Chicago, Ill.)

(Litigation Support, cont.)

State of South Carolina v. United States (1983–84), senate districts — U.S. Dept. of Justice
Collins v. City of Norfolk (1983–84), city council districts (Virginia) — for Lawyers' Committee for Civil Rights

Rybicki v. State Board of Elections (1981–83), senate and house districts (Illinois)

Licht v. State of Rhode Island (1982–83), senate districts (Rhode Island)

Agerstrand v. Austin (1982), congressional districts (Michigan)

Farnum v. State of Rhode Island (1982), senate districts (Rhode Island)

In Re Illinois Congressional District Reapportionment Cases (1981), congressional districts

Publications

"EAC Survey Sheds Light on Election Administration", *Roll Call*, October 27, 2005 (with Michael McDonald)

Developing a Statewide Voter Registration Database: Procedures, Alternatives, and General Models, by Kimball W. Brace and M. Glenn Newkirk, edited by William Kimberling, (Washington, D.C.: Federal Election Commission, Office of Election Administration, Autumn 1997).

The Election Data Book: A Statistical Portrait of Voting in America, 1992, Kimball W. Brace, ed., (Bernan Press, 1993)

"Geographic Compactness and Redistricting: Have We Gone Too Far?", presented to Midwestern Political Science Association, April 1993 (with D. Chapin and R. Niemi)

"Whose Data is it Anyway: Conflicts between Freedom of Information and Trade Secret Protection in Redistricting", *Stetson University Law Review*, Spring 1992 (with D. Chapin and W. Arden)

"Numbers, Colors, and Shapes in Redistricting," *State Government News*, December 1991 (with D. Chapin)

"Redistricting Roulette," *Campaigns and Elections*, March 1991 (with D. Chapin)

"Redistricting Guidelines: A Summary", presented to the Reapportionment Task Force, National Conference on State Legislatures, November 9, 1990 (with D. Chapin and J. Waliszewski)

"The 65 Percent Rule in Legislative Districting for Racial Minorities: The Mathematics of Minority Voting Equality," *Law and Policy*, January 1988 (with B. Grofman, L. Handley, and R. Niemi)

"Does Redistricting Aimed to Help Blacks Necessarily Help Republicans?" *Journal of Politics*, February 1987 (with B. Grofman and L. Handley)

"New Census Tools," *American Demographics*, July/August 1980

Professional Activities

Member, Task Force on Long Lines in 2012 Election, Prince William County, VA

Member, 2010 Census Advisory Committee, a 20-member panel advising the Director of the Census on the planning and administration of the 2010 census.

Delegate, Second Trilateral Conference on Electoral Systems (Canada, Mexico, and United States), Ontario, Canada, 1995; and Third Trilateral Conference on Electoral Systems, Washington, D.C., 1996

Member, American Association of Political Consultants

Member, American Association for Public Opinion Research

Member, American Political Science Association

Member, Association of American Geographers, Census Advisory Committee

Member Board of Directors, Association of Public Data Users

Member, National Center for Policy Alternatives, Voter Participation Advisory Committee

Member, Urban and Regional Information Systems Association

Historical Activities

Member, Manassas Battlefield Trust Board Member, 2018 -- current

Member, Historical Commission, Prince William County, VA., 2015 – current. Elected Chairman in 2017, re-elected 2018

Member of Executive Committee & head of GIS Committee, Bull Run Civil War Round Table, Centerville, VA. 2015 – current

Member, Washington Capitals Fan Club, Executive Board 2017 -- current

February, 2020

Exhibit B

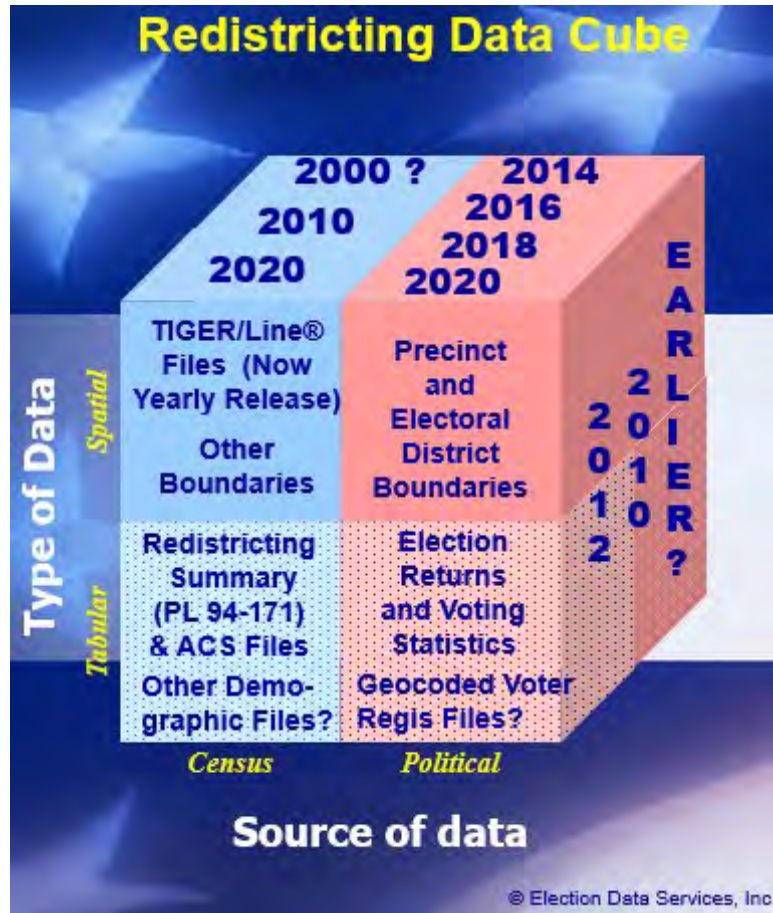
When I first started in redistricting for the 1980 cycle in other parts of the nation, redistricting experts conducted redistricting activities the old fashion way, using paper maps, lots of acetate, and plenty of color pencils. To see where different racial, ethnic origin and political groups were located in a jurisdiction, we colored thematic maps by hand. Unfortunately, that meant careful planning for what colors would show what percentage range. It was too time consuming to try one set of ranges, then change, and make another map. However, with the advent of personal computers (PCs) in the early 1980s, I and my company, Election Data Services, Inc. began using some of the earliest mapping software packages, usually to produce color maps for exhibits in court cases. This ultimately led us to more extensive geographic information system (GIS) software packages and our own development of redistricting software that was used in numerous state and local redistricting projects in the 1990 round.

We continued developing GIS software applications to help state governments compile precinct configurations for submission to the Census Bureau under P.L. 94-171 (whereby census data was compiled by precinct for use in redistricting). We developed analysis software for use during the 2000, 2010 and 2020 redistricting process and have utilized both major redistricting software packages over the past decades. Our most extensive experience has been using the AutoBound GIS and AutoBound EDGE products to perform redistricting, the same software that was used by the State of Alaska for the past several redistricting cycles.

Redistricting Databases

The first effort of any redistricting work anywhere is to compile extensive databases of the components needed for use in redistricting. Generally, these databases merge four different elements through the use of geography. Over the past three decades I have spoken before many groups and courts about what I have termed the “redistricting data cube”. The sketch below depicts that cube:

Figure 1
Redistricting Data Cube



Redistricting issues always deal with territory. In previous decades, the Census Bureau depicted data collection areas on paper maps. In 1990, the Bureau was able to create an electronic map of the entire country, called the Topologically Integrated Geographic Encoding and Referencing system, or TIGER. Census geography in the form of TIGER files becomes the **first element of the data cube**.

The TIGER files are actually massive databases in themselves and encompass all the lines that one sees on a map. These lines or “segments” are depicted with a latitude and a longitude coordinate point at the beginning and end of each line segment. These line segments have no population data associated with them, but they do have an extensive set of other attribute information. For example, each line segment has information about whether it is a stream, road, railroad, or power line, etc. If the segment is a road or stream, there is also information about its name. If the segment is a road, there is also information in many instances about address ranges.

All line segments have geographic codes that identify the census tract and block on the left and right sides of the line. If one were to travel along a series of line segments and make a right turn at the end of each segment onto an intersecting line segment, one would eventually return to the starting point. Upon arrival at the starting point, one would be “closing” a polygon. These resulting polygons would form the basic census block. Census blocks are linked to block-level population and demographic data, but these numeric data are not in the TIGER files.

This numeric data, the **second element in the data cube**, is reported by the Census Bureau after each decennial census and consists of population and demographic counts associated with each census tract and block in each state. This data is first released for redistricting purposes in a computer file called the Census Redistricting (PL 94–171) Summary File (we used the Virginia PL file for Virginia Beach’s redistricting, by extracting those geographies coded with the City’s code (51810). For each census tract and block there are both total population and voting age population (18 years old and over) counts, along with sub-counts of the different racial and Hispanic origin categories tabulated by the Census Bureau. For the first time in the 2000 Census, persons could choose multiple racial or ethnic origins, which caused the PL 94–171 population files to expand from 12 columns of data in 1990 to 291 columns of data in 2000 and 2010. Despite this seemingly massive amount of data, it is generally not until the year ending in a “2” when more detailed demographic data, such as income or education information, is released by the Census Bureau.

These two Census computer files (TIGER and PL) form the heart of any redistricting effort and are absolutely necessary for drawing and analyzing districts.

If one wishes to perform an electoral analysis of voting behavior for a given area, one must also have election returns. This is the **third element in the data cube**. Usually these returns have to be collected from each county in a state, although more states are centralizing that collection effort. However, when redistricting deals with local contests, returns from multiple years have to be collected from local election offices and keypunched to perform the analysis.

Election returns alone are not enough to do racial voting or political analysis that is required in a redistricting and/or court case setting. One must know where the election returns come from—that is, from what part of a county or city. This is where the **fourth element of the data cube**—precinct maps—comes into play. Precinct maps for each election year have to be collected and analyzed to determine the extent of change since the previous year.

It is standard practice across the United States for county governments to make massive precinct changes subsequent to statewide redistricting that occur in the years ending in “1” and “2”. In addition, many larger jurisdictions change precinct boundaries on a regular basis as population shifts occur or there is a need to relocate a polling place. As a result, to analyze election contests that occur over time, one has to determine the makeup of each precinct in each election in which the contests were held.

Election Data Services has been collecting precinct maps from around the nation since the early 1980s. To study racial bloc voting or perform other types of electoral analysis, the racial makeup of the people in each precinct needs to be determined and matched up with election

returns. Unfortunately, the Census Bureau reports demographic data for only those precincts that were in existence in the year ending with “8”, before the decennial census is conducted. To merge racial demographic data from the Census Bureau with the configuration of the precincts used in each election over the decade, one must overlay the precinct map boundaries that existed in each election on top of the census geographic boundaries.

Election Data Services has developed computer programs to assist with this process, whereby an operator assigns census tracts and blocks to individual precincts using GIS technology. Once this block-to-precinct equivalency has been developed, additional computer programs can tally up the census demographic and racial data from the blocks to the precinct summary level. E.D.S. Inc. has loaded these files into various computer databases compiled over the years for such analysis. This important step is also needed to properly disaggregate an election’s results to the census block, so that the returns can be re-aggregated to a district configuration when you are doing redistricting or analyzing a plan’s configuration.

Election Data Services has spent thousands of hours of staff time compiling and putting together extensive databases of state and local election returns and combining the geography of precincts with census geography. These types of databases are the central component necessary to determine the extent to which racial groups vote differently. Combining all this information creates a massive database that is internal to Election Data Services. Additional programs have been created to extract individual election contests from the massive internal database and format them into smaller ASCII datasets that can be read by other programs, such as SPSS or S-Plus. SPSS (which stands for Statistical Package for the Social Sciences) and S-Plus are standard software programs used by many political scientists to perform racial bloc voting analyses.

Election Data Services has built its reputation over the past 44 years and has been committed in this project to compiling a complete and accurate database of election returns and demographic characteristics to perform any voting analysis. Without a constant amount of cross-checking and quality control, an accurate description of the voting patterns of different groups would not be possible.

The development of actual districts uses the same concept of building an equivalency between the census geography of tracts and blocks or the political geography of precincts and the districts. The 1990, 2000, 2010 and 2020 rounds of redistricting were able to take advantage of the widespread use of GIS technology. For the first time, most people were able to use computers to see the districts they were developing, and to have the immediate capability of analyzing the district configurations in terms of racial or political data. In these instances, the GIS acts as a huge adding machine, tallying the racial and/or political makeup of each district. This basic information should be provided for any plan developed or ultimately analyzed with a GIS.

The equivalency between some commonly agreed to base geography and the proposed districts forms the basic description of a districting plan. In order to perform an analysis of a plan, one must know what makes up that plan. If parties in a redistricting process do not provide such an equivalency, then any attempt to perform meaningful, accurate and complete analysis is impossible, especially in a 48-hour timetable. A quick and accurate analysis is not possible if parties simply provide a paper listing of what makes up a proposed district, or a paper map.

An equivalency should be provided in a computer-readable form. In the late 1980s, the Reapportionment Task Force of the National Conference of State Legislatures agreed to adopt a common format for an equivalency file. This is generically called the ‘DOJ format’, because of a requirement for many states to submit electoral changes (like districting plans) to the Department of Justice for Sec. 5 pre-clearance. Most computer redistricting systems developed for the last three decades of redistricting have the capability of producing such an equivalency file.

While I have not been able to verify, it appears the Alaska Redistricting Board did not incorporate political data into their redistricting software system. This may have been because that state has experienced an extremely high level of absentee and early voting for the past multiple years, where over 50% of those voting as not been in the in-person precinct and therefore those absentee/early votes are only tallied at large within the borough and not allocated to the precinct. This makes consistent analysis next to impossible, especially since the in-person /absentee decision has increasingly been governed by the political philosophy of the voter.

The Board has made available as a result of this litigation a dataset that their consultants used in an attempt to analyze racial bloc voting. Further review of this issue is needed.

Census Data Analysis

As noted earlier, census data is one of the major elements of the “datacube.” With regard to demographic information and race, the 2010 Census asked each individual two major questions. First, they asked whether the person was Hispanic or not (the Census Bureau has not considered Hispanic as being a race)? Second, they asked what was the person’s race? This two-part question format has been used since Hispanic origin was first asked of every individual in 1980. The actual Hispanic and race questions in the questionnaire for 2010 appeared as noted in Figure 2, below.

Figure 1.

Reproduction of the Questions on Hispanic Origin and Race From the 2010 Census

→ NOTE: Please answer BOTH Question 5 about Hispanic origin and Question 6 about race. For this census, Hispanic origins are not races.

5. Is this person of Hispanic, Latino, or Spanish origin?

☐ No, not of Hispanic, Latino, or Spanish origin.

☐ Yes, Mexican, Mexican Am., Chicano

☐ Yes, Puerto Rican

☐ Yes, Cuban

☐ Yes, another Hispanic, Latino, or Spanish origin — Print origin, for example, Argentine, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.

6. What is this person's race? Mark ☒ one or more boxes.

☐ White

☐ Black, African Am., or Negro

☐ American Indian or Alaska Native — Print name of enrolled or principal tribe.

<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Japanese	<input type="checkbox"/> Native Hawaiian
<input type="checkbox"/> Chinese	<input type="checkbox"/> Korean	<input type="checkbox"/> Guamanian or Chamorro
<input type="checkbox"/> Filipino	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Samoan
<input type="checkbox"/> Other Asian — Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on. <input type="text"/>	<input type="checkbox"/> Other Pacific Islander — Print race, for example, Fijian, Tongan, and so on. <input type="text"/>	

☐ Some other race — Print race.

Source: U.S. Census Bureau, 2010 Census questionnaire.

Figure 2 in Brace Report (is Figure 1 in Census Report)

Since 1980 the Census Bureau has taken the results of the race question (Question 6 at left) and created counts of five major racial groups along with a catch-all of “some other race”. The five major racial groups were “white”, “black or African-American”, “American American Indian or Alaska Native”, “Asian” (which combined the answers of Asian American Indian, Chinese, Filipino, Korean, Japanese, Vietnamese, and Other Asian), and “Native Hawaiian or Other Pacific Islander” (which combined the answers of Pacific Islander, Native Hawaiian, Guamanian or Chamorro, Samoan, and Other Pacific Islander). Traditionally, these five major racial groups, along with “some other race” would add to 100% or the total population reported by the census.

The Census Bureau also asked individuals whether they were of Hispanic origin (Question 5, in Figure 2, above). Because the Census Bureau and the federal government for each of the last four censuses have concluded that “Hispanic Origin” is not a racial category (anyone of any race can also be Hispanic), the Census Bureau provides cross-tabulations in its PL 94-171 data tables. Utilizing these cross-tabulations, Election Data Services has traditionally developed its datasets by showing Hispanic Origin as if it were a race, and then removing Hispanics from the individual racial data. As such, we report Non-Hispanic White, instead of White; Non-Hispanic Black, instead of Blacks; Non-Hispanic Asian; instead of Asians; and so-forth. When the racial data and Hispanic Origin are reported in this manner, the groups add to 100 percent of the population. We did this method of reporting Census data in Alaska.

Post census studies have shown that Hispanics have tended to divide their racial designation mainly between “Some other race” and “white” in roughly equal proportions. As a result, when we take out Hispanics from their relative racial groups in order to treat Hispanic as if it was a race, then the largest decreases occur in both the “White” and the “Some Other Race” categories.

Beginning with the 2000 censuses there was a marked departure from earlier censuses on the reporting of racial data. In previous decades, individuals answering the Census were supposed to mark only one racial category. However, beginning with the 2000 Census, individuals could mark any number of racial categories (up to all six if they wanted), mainly due to the growth of multi-racial families in American society. This produced unique data issues concerning racial breakdowns and how they were reported. As one of the very few organizations involved in redistricting around the nation, Election Data Services was closely involved with census personnel in researching and understanding the ramifications of the new data structures.

There are three basic ways to calculate the racial breakdowns for the 2000, 2010 and 2020 census. The first is to exclude any individuals who have marked more than one racial category from the basic racial definitions and put these individuals into a separate “multiple-race” category. This tends to create a bottom level of racial categorization for individual race groups, but one that is more compatible with the numbers that were reported in previous censuses. Election Data Services designated these categories as “***Race-Alone***” and they occupy tab or table 1 in many of our reports.

The second method of calculation is to include in the individual race groups any individual who marked that race group alone, plus any individual who marked that race group in combination with any other racial group(s). This tends to create the maximum number of individuals for a racial group, but it also means that the totals of all racial groups added together will result in more than 100 percent of the population being reported. The 2020 Census showed a greater number of individuals checking the “multi-race” categories than ever before. Election Data Services designated these categories as “***Combo***” or “***Max***” and they occupy tab or table 2 in many of our reports.

The third method of calculation was recommended by the Federal Office of Management and Budget (OMB). In a Federal Register notice published in March 2000 (at the tail end of the Clinton administration), OMB laid out how federal agencies should use racial data from the 2000 Census (no fundamental change was made in this directive for the 2010 Census). In essence, the OMB recommended that any individuals who marked themselves as both “White” and some other minority race, should be counted as part of that other minority race. This increased the numbers reported for the racial groups above the “race-alone” categories, but actually excluded individuals who marked themselves as being in two different minority groups. We have found in our research that this method of calculation tends to fall in between the other two methods. Election Data Services designated these categories as “**OMB**” and they occupy tab or table 3 in many of our data reports, or “Black White” in the “A vs B” reports.

Election Data Services’ standard dataset incorporates all three methods of calculating racial data from the 2000, 2010 and 2020 censuses. In this manner, we can compare the different methods and how district configurations are affected.

Election Data Services’ standard dataset incorporates all three methods of calculating racial data from the 2000, 2010 and 2020 censuses. In this manner, we can compare the different methods and how district configurations are affected. To assist users of our reports, the table to the below shows the standard tabs that are used, which can be seen in the second line of the header of most of the tables. In order to save paper, I have included just the “Race Alone” and the “Combo” tables in the appendixes to this report.

	Tables	
Total Population	1, 2, & 3	
Voting Age Population	4, 5 & 6	
Race Alone	1 & 4	
Combo	2 & 5	
OMB Interpretation	3 & 6	
No Hispanic category	Single digit tables	
Hispanic category	"A" tables	

Each of the report tables have column headings that are shortened and can sometimes be a little cryptic. Below is a second table that provides a guide to the shortened abbreviations that are used in the column headings. In many instances the heading may be a combination of several abbreviations. For example, POPNHNA_A stands for the total population of Non-Hispanic Native Americans tallied using the “Alone” method of calculating the racial data. On the other hand, “VAPHISP_C stands for the Voting Age Population of Hispanics in combination with some other racial group.

Guide	
Pop =	Total Population, also shown as PopTot or TAPersons in tables
VAP =	Voting Age Population, also VAPTot
WH =	White
BL =	Black, or African American
AS =	Asian
NA, or AI =	Native American or American Indian
PI =	Pacific Islander
OT =	Some Other Race
Hisp =	Hispanic
NH =	Non-Hispanic
XX =	More than one Race
P =	Percentage
A =	Race Alone
C =	Combo
_W =	OMB interpretation

From: Kim Brace <kbrace@aol.com>
Sent: Saturday, January 15, 2022 5:40 PM
To: Jack Wakeland
Cc: Kim Brace
Subject: Fwd: Information on Alaska

Kimball Brace
Election Data Services, Inc.
6171 Emerywood Ct
Manassas, VA 20112-3078
(202) 789-2004 or (703) 580-7267 <-- landline
Fax: 703-580-6258
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KBrace@aol.com or KBrace@electiondataservices.com
www.electiondataservices.com

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-----Original Message-----

From: James Whitehorne (CENSUS/ADDC FED) <James.Whitehorne@census.gov>
To: Kim Brace <kbrace@aol.com>
Sent: Thu, Jan 13, 2022 9:35 am
Subject: Re: Information on Alaska

Good morning Kim -

The geography was delivered to the state and made available to the public on February 9, 2021.

The PL data was made available to the state in the legacy format on 8/12/2021 through the Census FTP site.

The PL data was delivered to the state on 9/16/21 on the DVDs/Flash Drives. Receipt of the DVDs/Flash Drives by the state was confirmed by the Speaker's office and by Senator Begich's office on 9/20/21 and 9/21/21 respectively.

The data was made available to the state and the public on data.census.gov on 9/16/21

On a side note, the AK Redistricting Board repeatedly had difficulties in receiving their data discs/flash drives. We had to resend them an additional three times so we also got their acknowledgment from Peter Torkelson and John Binkley on 10/12/21.

Regards
James

James Whitehorne, Chief
Redistricting & Voting Rights Data Office/ADDC/HQ
U.S. Census Bureau
O: 301-763-4039 | M: 202-263-9144
census.gov | [@uscensusbureau](https://twitter.com/uscensusbureau)

Exhibit C
Page 1 of 2

From: Kim Brace <kbrace@aol.com>
Sent: Thursday, January 13, 2022 8:20 AM
To: James Whitehorne (CENSUS/ADDC FED) <James.Whitehorne@census.gov>
Cc: Kim Brace <kbrace@aol.com>
Subject: Information on Alaska

Hey there --

I'm compiling my expert witness report for the Alaska court case (due Friday evening this week) and wanted to check some facts.

When did the state receive their geography TIGER files?

When did Alaska receive the PL files, both in legacy format and the final, prettied up format.

Thanks

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www.electiondataservices.com NOW AVAILABLE: 2020 Election Results Poster
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Report	Total Population				Shapefile		Shapefile	Total Population				Report
DISTRICT	All Persons	Target	Dev.	Difference	DISTRICT		DISTRICT	All Persons	Target	Dev.	Difference	DISTRICT
1	17,921	18,335	-2.26%✓	-414	1		1	17,921	18,335	-2.26%✓	-414	1
2	18,048	18,335	-1.56%✓	-287	2		2	18,048	18,335	-1.56%✓	-287	2
3	18,195	18,335	-0.76%✓	-140	3		3	18,195	18,335	-0.76%✓	-140	3
4	18,122	18,335	-1.16%✓	-213	4		4	18,122	18,335	-1.16%✓	-213	4
5	18,707	18,335	2.03%✓	372	5		5	18,707	18,335	2.03%✓	372	5
6	18,434	18,335	0.54%✓	99	6		6	18,434	18,335	0.54%✓	99	6
7	18,465	18,335	0.71%✓	130	7		7	18,465	18,335	0.71%✓	130	7
8	18,471	18,335	0.74%✓	136	8		8	18,471	18,335	0.74%✓	136	8
9	18,284	18,335	-0.28%✓	-51	9		9	18,284	18,335	-0.28%✓	-51	9
10	18,523	18,335	1.03%✓	188	10		10	18,523	18,335	1.03%✓	188	10
11	18,103	18,335	-1.26%✓	-232	15		11	18,168	18,335	-0.91%✓	-167	15
12	18,217	18,335	-0.64%✓	-118	16		12	18,182	18,335	-0.83%✓	-153	16
13	18,185	18,335	-0.82%✓	-150	14		13	18,213	18,335	-0.66%✓	-122	14
14	18,213	18,335	-0.66%✓	-122	13		14	18,185	18,335	-0.82%✓	-150	13
15	18,168	18,335	-0.91%✓	-167	11		15	18,103	18,335	-1.26%✓	-232	11
16	18,182	18,335	-0.83%✓	-153	12		16	18,217	18,335	-0.64%✓	-118	12
17	18,203	18,335	-0.72%✓	-132	20		17	18,239	18,335	-0.52%✓	-96	19
18	18,243	18,335	-0.50%✓	-92	19		18	18,414	18,335	0.43%✓	79	21
19	18,239	18,335	-0.52%✓	-96	17		19	18,243	18,335	-0.50%✓	-92	18
20	18,285	18,335	-0.27%✓	-50	23		20	18,203	18,335	-0.72%✓	-132	17
21	18,414	18,335	0.43%✓	79	18		21	18,023	18,335	-1.70%✓	-312	23
22	18,205	18,335	-0.71%✓	-130	24		22	18,032	18,335	-1.65%✓	-303	24
23	18,023	18,335	-1.70%✓	-312	21		23	18,285	18,335	-0.27%✓	-50	20
24	18,032	18,335	-1.65%✓	-303	22		24	18,205	18,335	-0.71%✓	-130	22
25	18,822	18,335	2.66%✓	487	28		25	18,773	18,335	2.39%✓	438	29
26	18,807	18,335	2.58%✓	472	27		26	18,793	18,335	2.50%✓	458	28
27	18,799	18,335	2.53%✓	464	29		27	18,807	18,335	2.58%✓	472	26
28	18,793	18,335	2.50%✓	458	26		28	18,822	18,335	2.66%✓	487	25
29	18,773	18,335	2.39%✓	438	25		29	18,799	18,335	2.53%✓	464	27
30	18,536	18,335	1.10%✓	201	30		30	18,536	18,335	1.10%✓	201	30
31	18,294	18,335	-0.22%✓	-41	33		31	18,382	18,335	0.26%✓	47	34
32	18,522	18,335	1.02%✓	187	34		32	18,367	18,335	0.18%✓	32	35
33	18,500	18,335	0.90%✓	165	35		33	18,294	18,335	-0.22%✓	-41	31
34	18,382	18,335	0.26%✓	47	31		34	18,522	18,335	1.02%✓	187	32
35	18,367	18,335	0.18%✓	32	32		35	18,500	18,335	0.90%✓	165	33
36	18,558	18,335	1.22%✓	223	36		36	18,558	18,335	1.22%✓	223	36
37	18,226	18,335	-0.59%✓	-109	37		37	18,226	18,335	-0.59%✓	-109	37
38	17,853	18,335	-2.63%✓	-482	38		38	17,853	18,335	-2.63%✓	-482	38
39	17,453	18,335	-4.81%✓	-882	39		39	17,453	18,335	-4.81%✓	-882	39
40	18,824	18,335	2.67%✓	489	40		40	18,824	18,335	2.67%✓	489	40

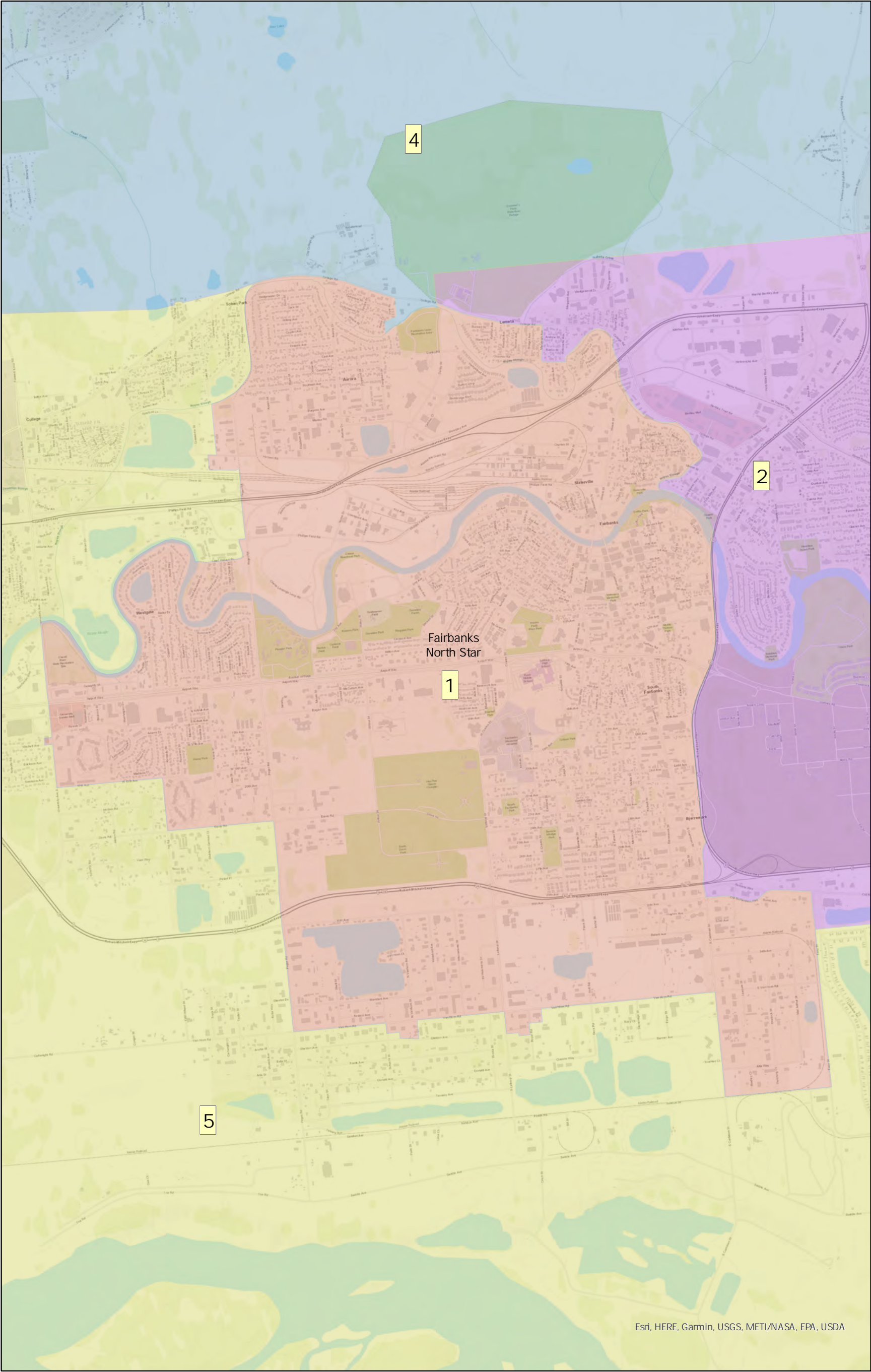
Exhibit D
Page 1 of 1

Total Population Tabulation				
DISTRICT	All Persons	Target	Dev.	Difference
1	17,921	18,335	-2.26%	-414
2	18,048	18,335	-1.57%	-287
3	18,195	18,335	-0.76%	-140
4	18,122	18,335	-1.16%	-213
5	18,707	18,335	2.03%	372
6	18,434	18,335	0.54%	99
7	18,465	18,335	0.71%	130
8	18,471	18,335	0.74%	136
9	18,284	18,335	-0.28%	-51
10	18,523	18,335	1.03%	188
11	18,168	18,335	-0.91%	-167
12	18,182	18,335	-0.83%	-153
13	18,213	18,335	-0.67%	-122
14	18,185	18,335	-0.82%	-150
15	18,103	18,335	-1.27%	-232
16	18,217	18,335	-0.64%	-118
17	18,239	18,335	-0.52%	-96
18	18,414	18,335	0.43%	79
19	18,243	18,335	-0.50%	-92
20	18,203	18,335	-0.72%	-132
21	18,023	18,335	-1.70%	-312
22	18,032	18,335	-1.65%	-303
23	18,285	18,335	-0.27%	-50
24	18,205	18,335	-0.71%	-130
25	18,773	18,335	2.39%	438
26	18,793	18,335	2.50%	458
27	18,807	18,335	2.58%	472
28	18,822	18,335	2.66%	487
29	18,799	18,335	2.53%	464
30	18,536	18,335	1.10%	201
31	18,382	18,335	0.26%	47
32	18,367	18,335	0.18%	32
33	18,294	18,335	-0.22%	-41
34	18,522	18,335	1.02%	187
35	18,500	18,335	0.90%	165
36	18,558	18,335	1.22%	223
37	18,226	18,335	-0.59%	-109
38	17,853	18,335	-2.63%	-482
39	17,453	18,335	-4.81%	-882
40	18,824	18,335	2.67%	489

Plan Dev.
7.48%

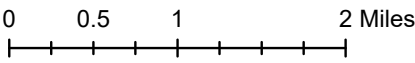
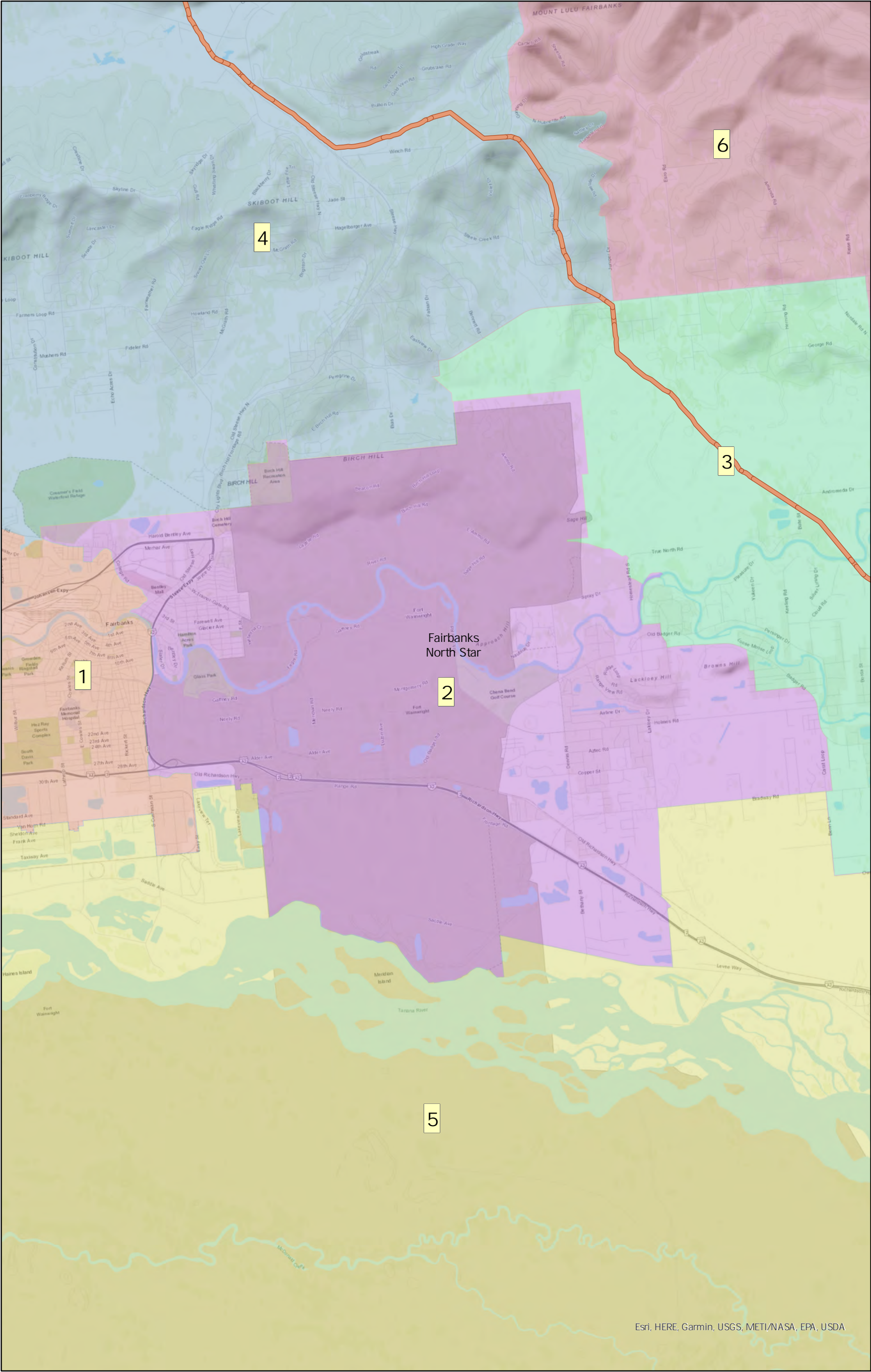
DISTRICT	Total Population Tabulation			
	All Persons	Target	Dev.	Difference
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16	18,182	18,335	-0.83%	-153
17	18,203	18,335	-0.72%	-132
18	18,243	18,335	-0.50%	-92
19	18,239	18,335	-0.52%	-96
20	18,285	18,335	-0.27%	-50
21	18,414	18,335	0.43%	79
22	18,205	18,335	-0.71%	-130
23	18,023	18,335	-1.70%	-312
24	18,032	18,335	-1.65%	-303
25	18,822	18,335	2.66%	487
26	18,807	18,335	2.58%	472
27	18,799	18,335	2.53%	464
28	18,793	18,335	2.50%	458
29	18,773	18,335	2.39%	438
30	18,536	18,335	1.10%	201
31	18,294	18,335	-0.22%	-41
32	18,522	18,335	1.02%	187
33	18,500	18,335	0.90%	165
34	18,382	18,335	0.26%	47
35	18,367	18,335	0.18%	32
36	18,558	18,335	1.22%	223
37	18,226	18,335	-0.59%	-109
38	17,853	18,335	-2.63%	-482
39	17,453	18,335	-4.81%	-882
40	18,824	18,335	2.67%	489

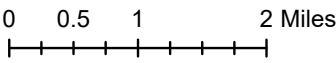
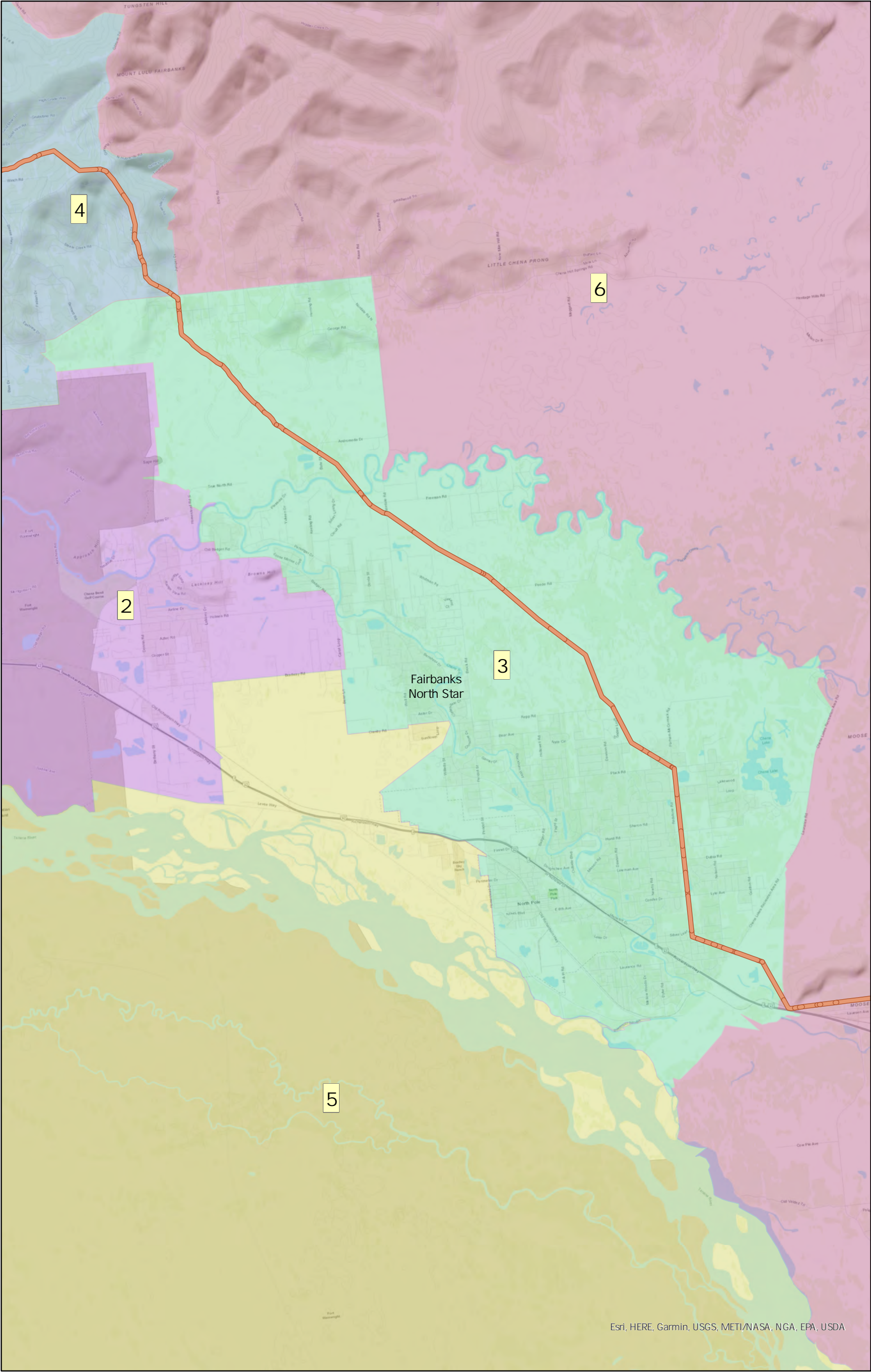
Plan Dev.
7.48%

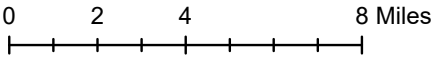
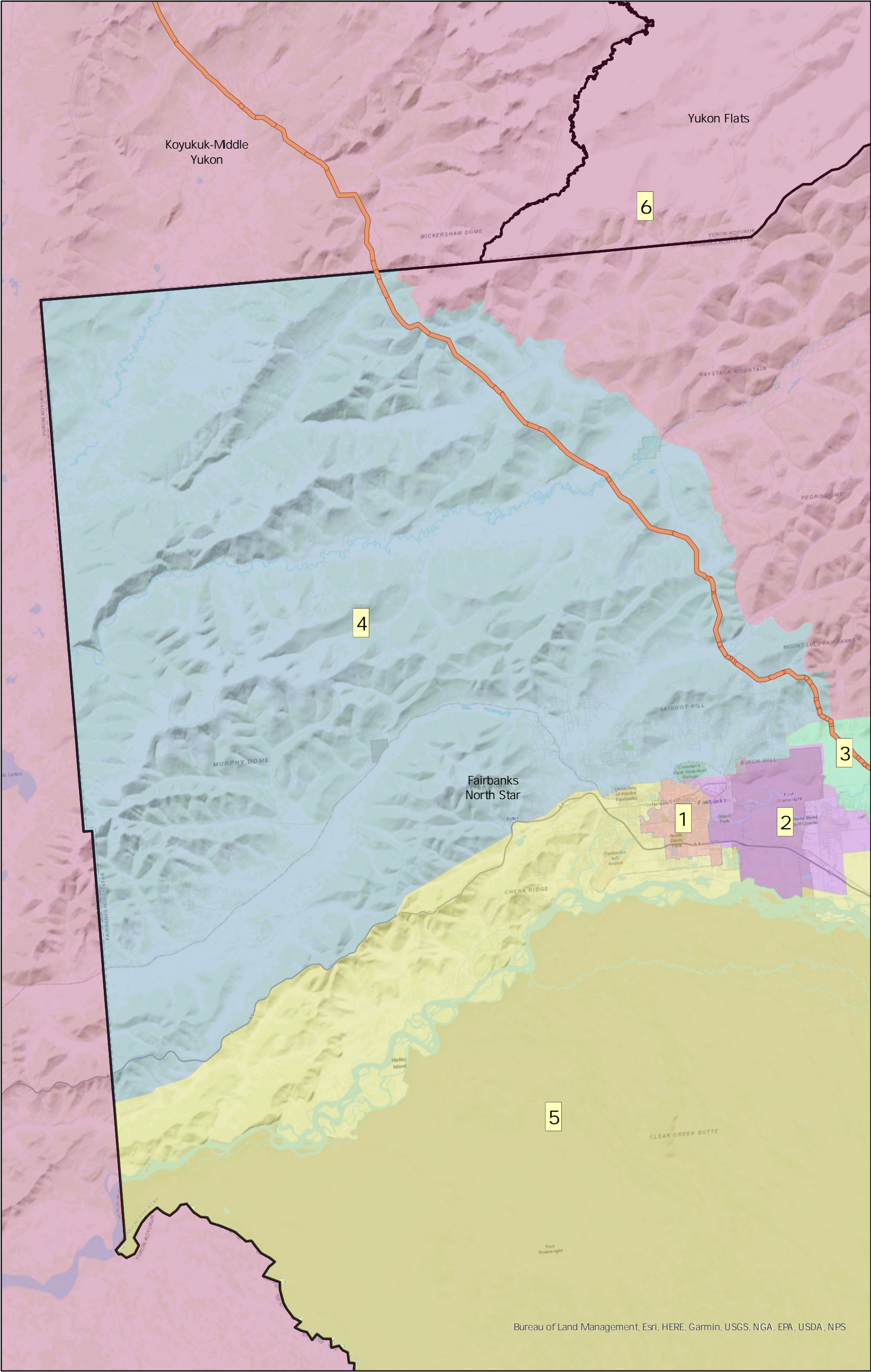


0 0.2 0.4 0.8 Miles

Election  Data Services

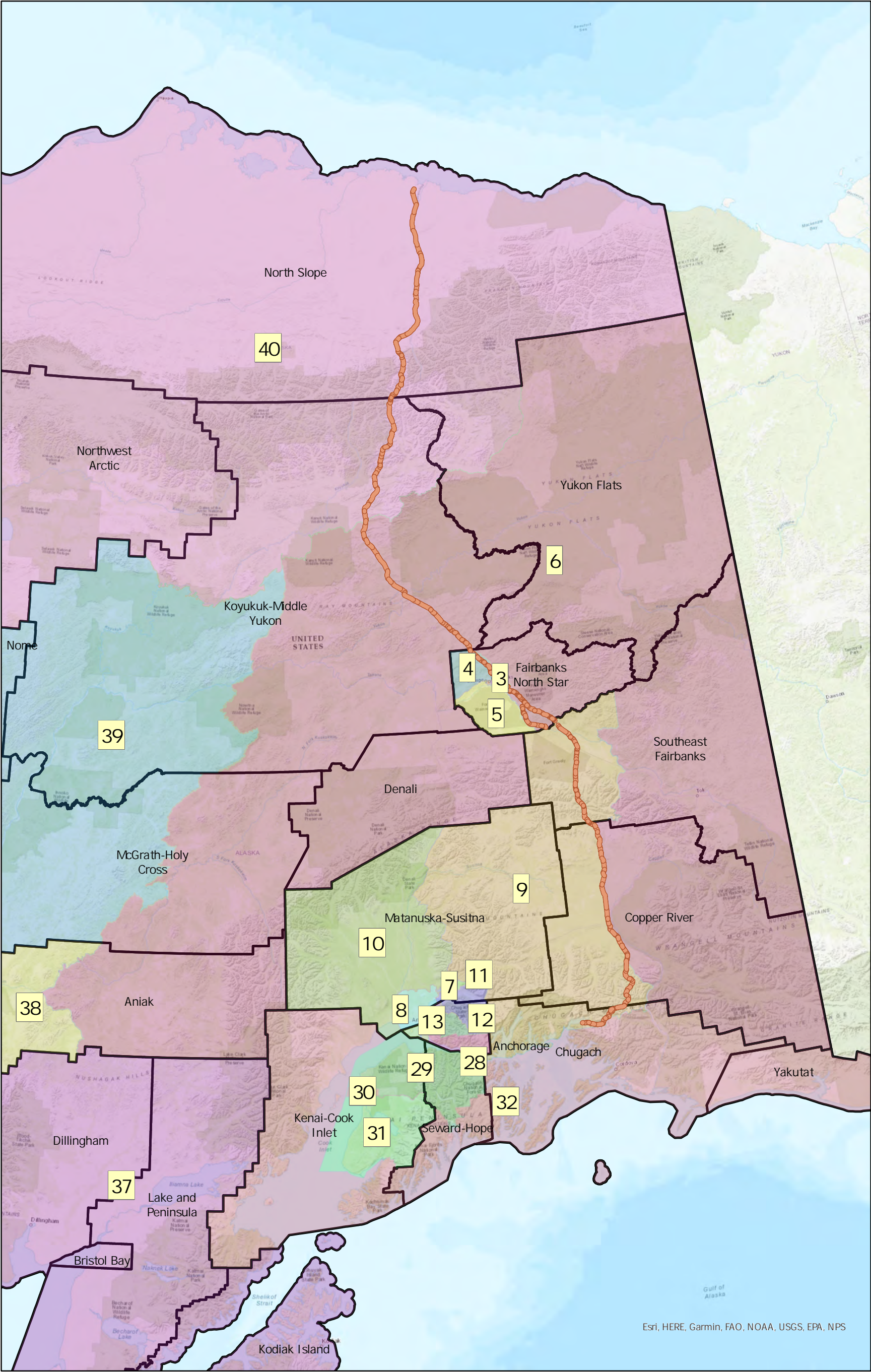


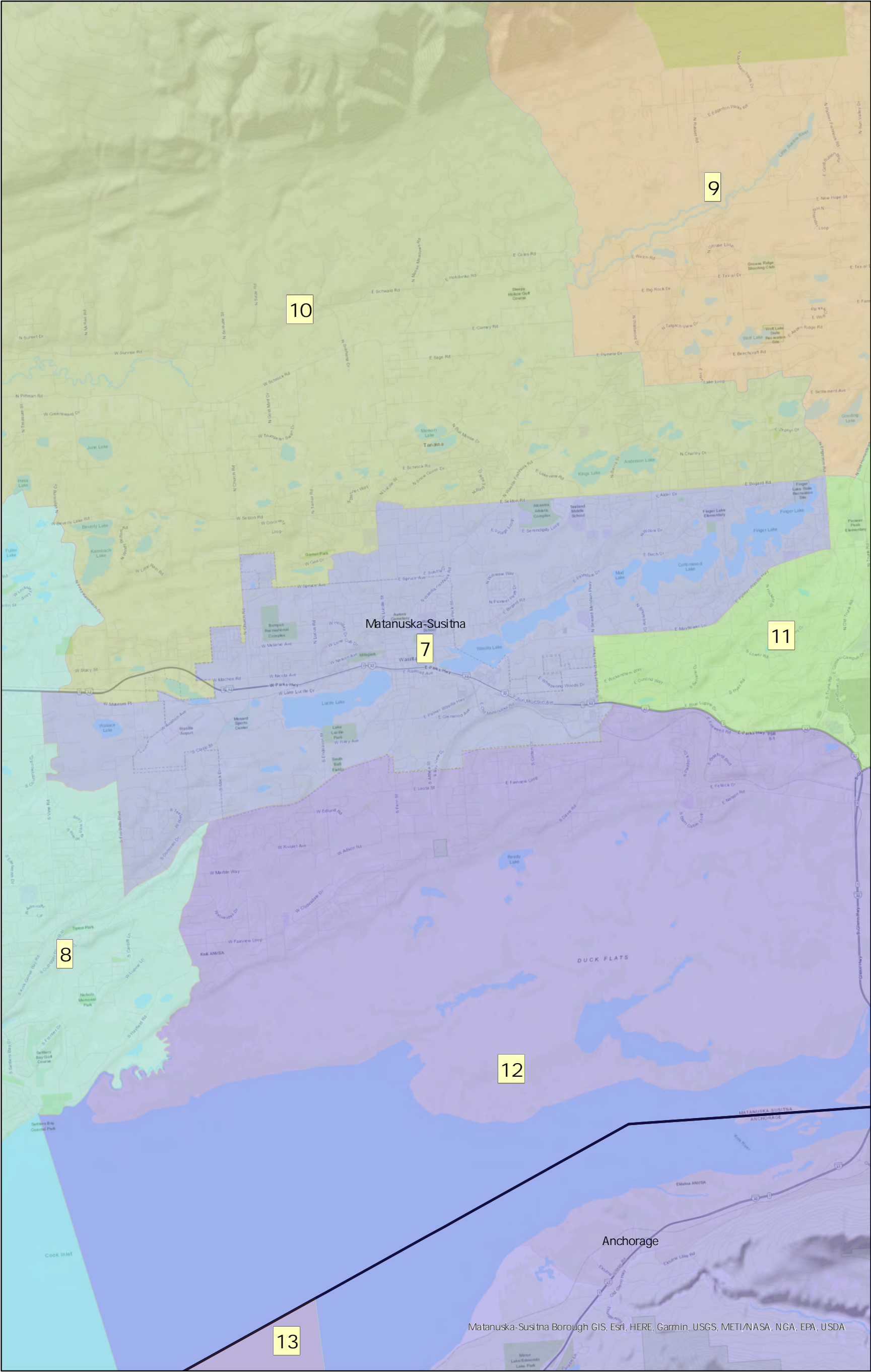




District
5

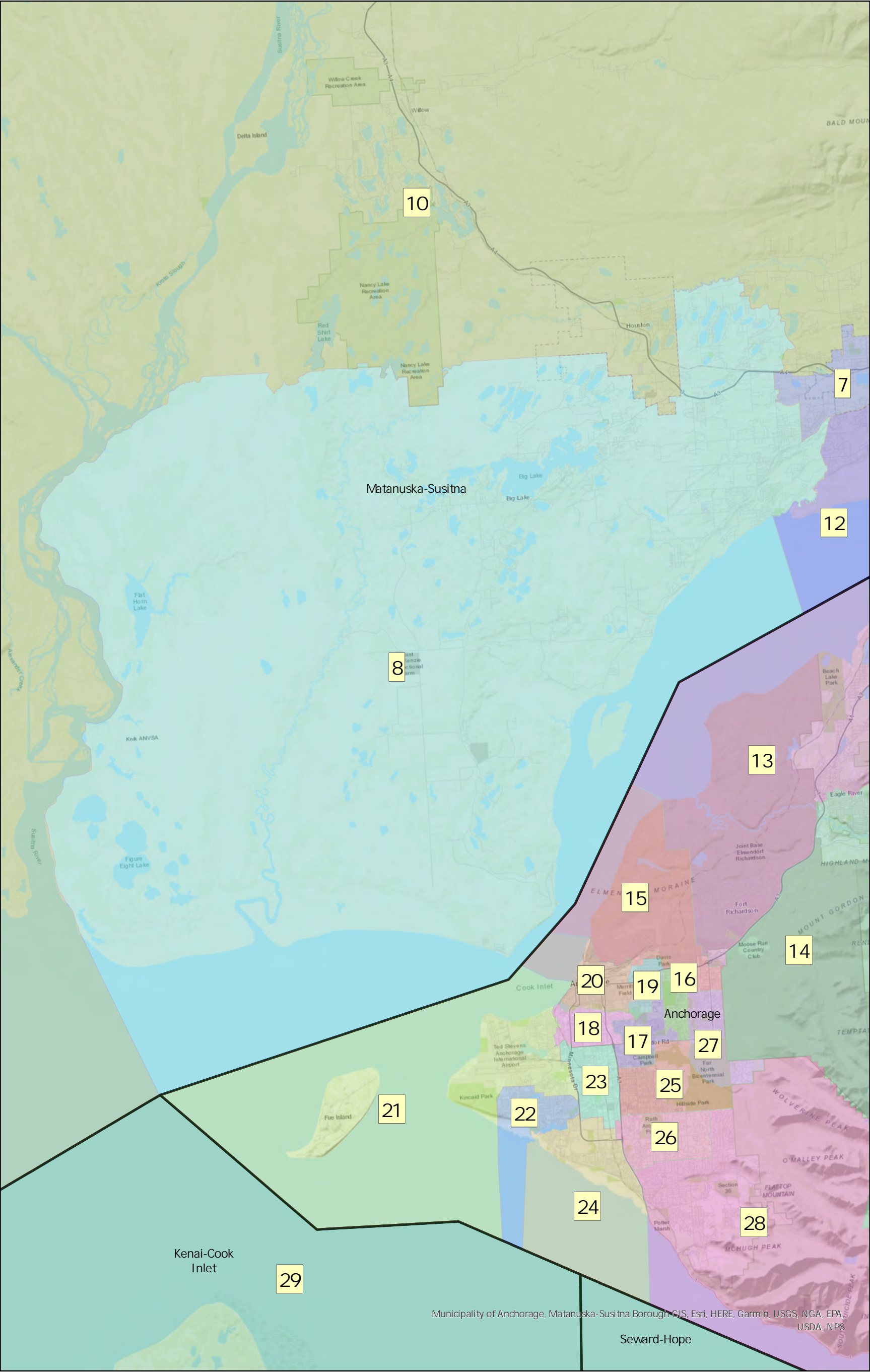






0 0.5 1 2 Miles

Election Data Services

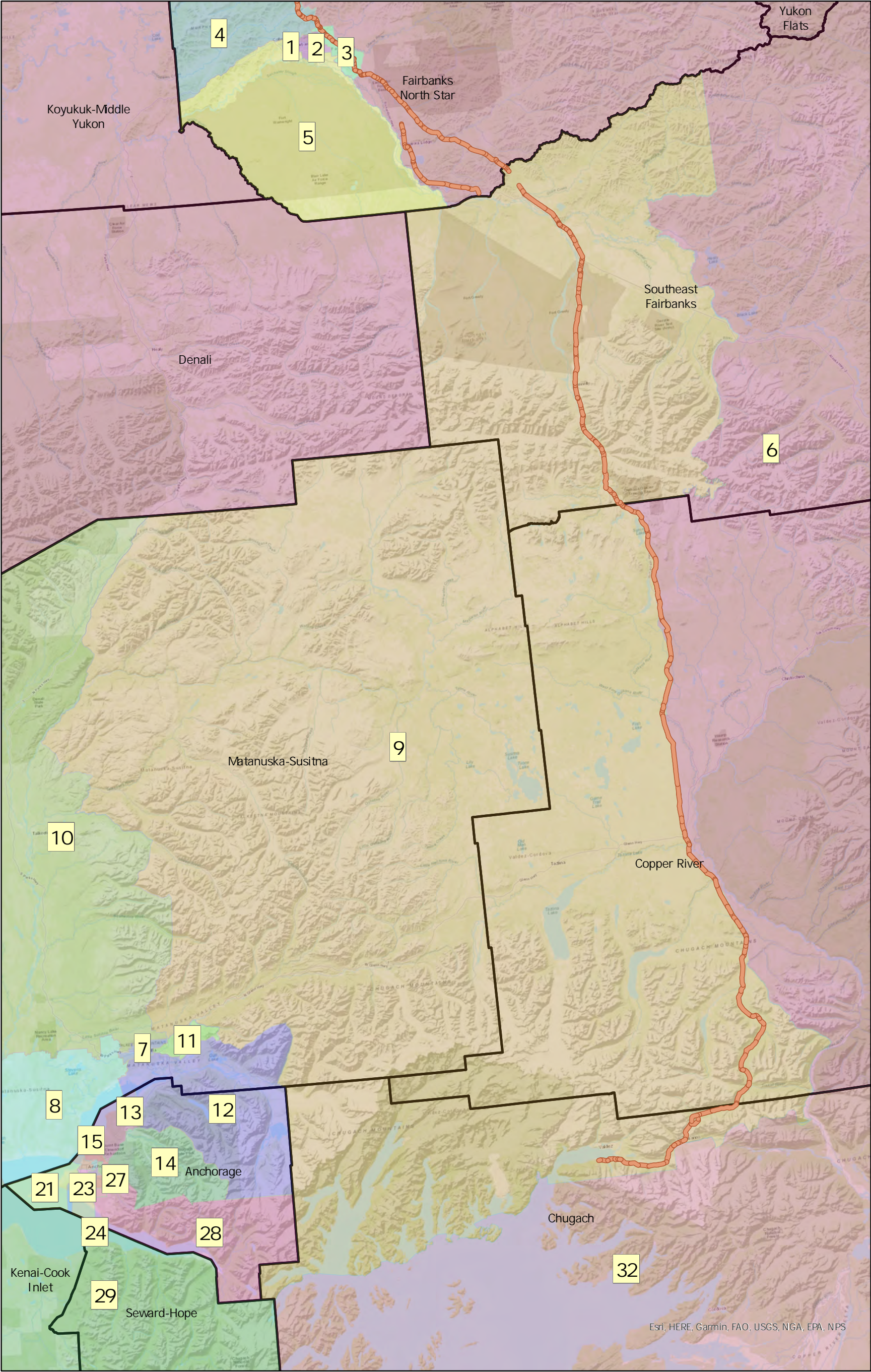


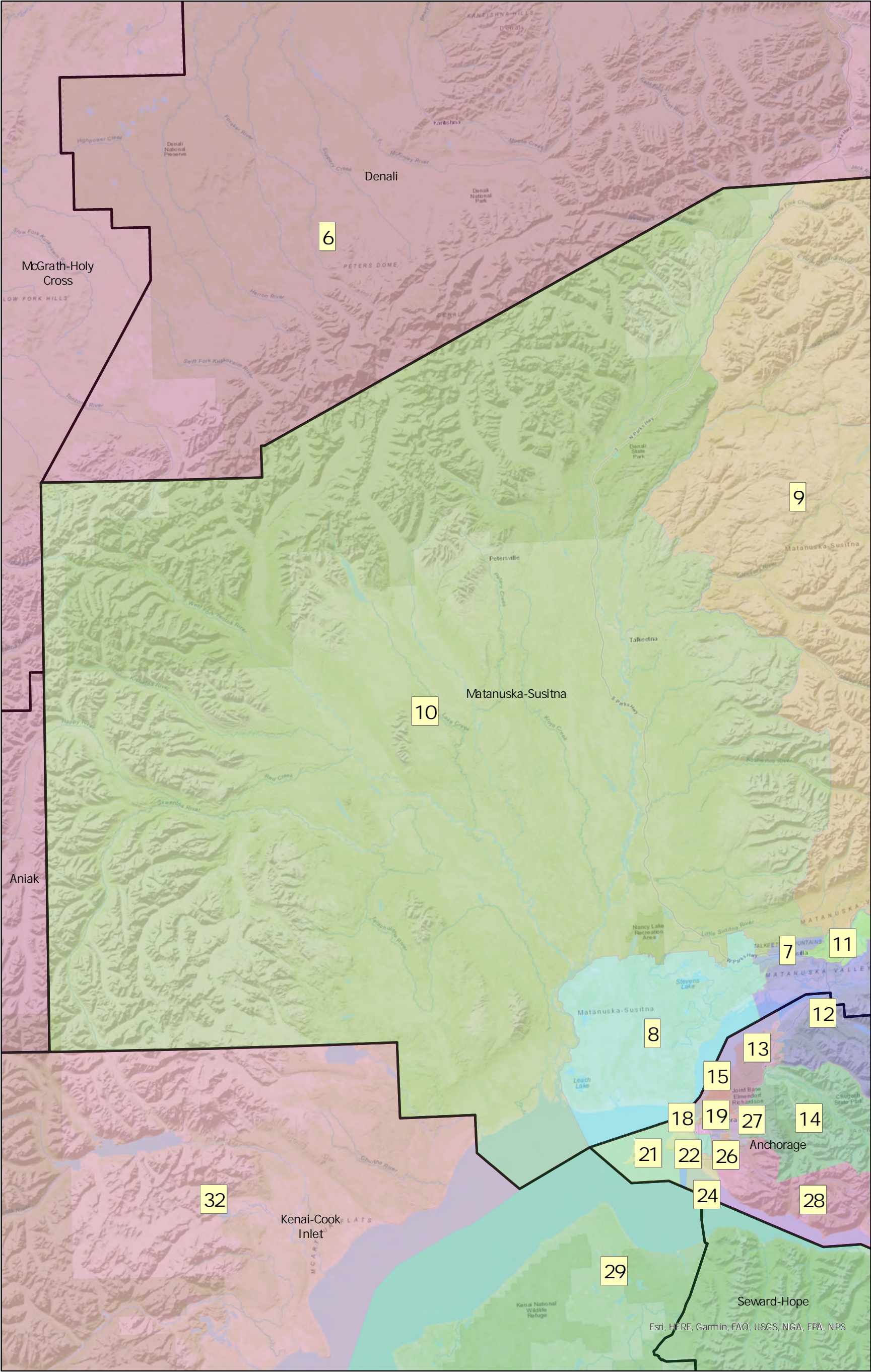
0 2 4 8 Miles

Election Data Services

Alaska House Districts
2013 Proclamation Plan

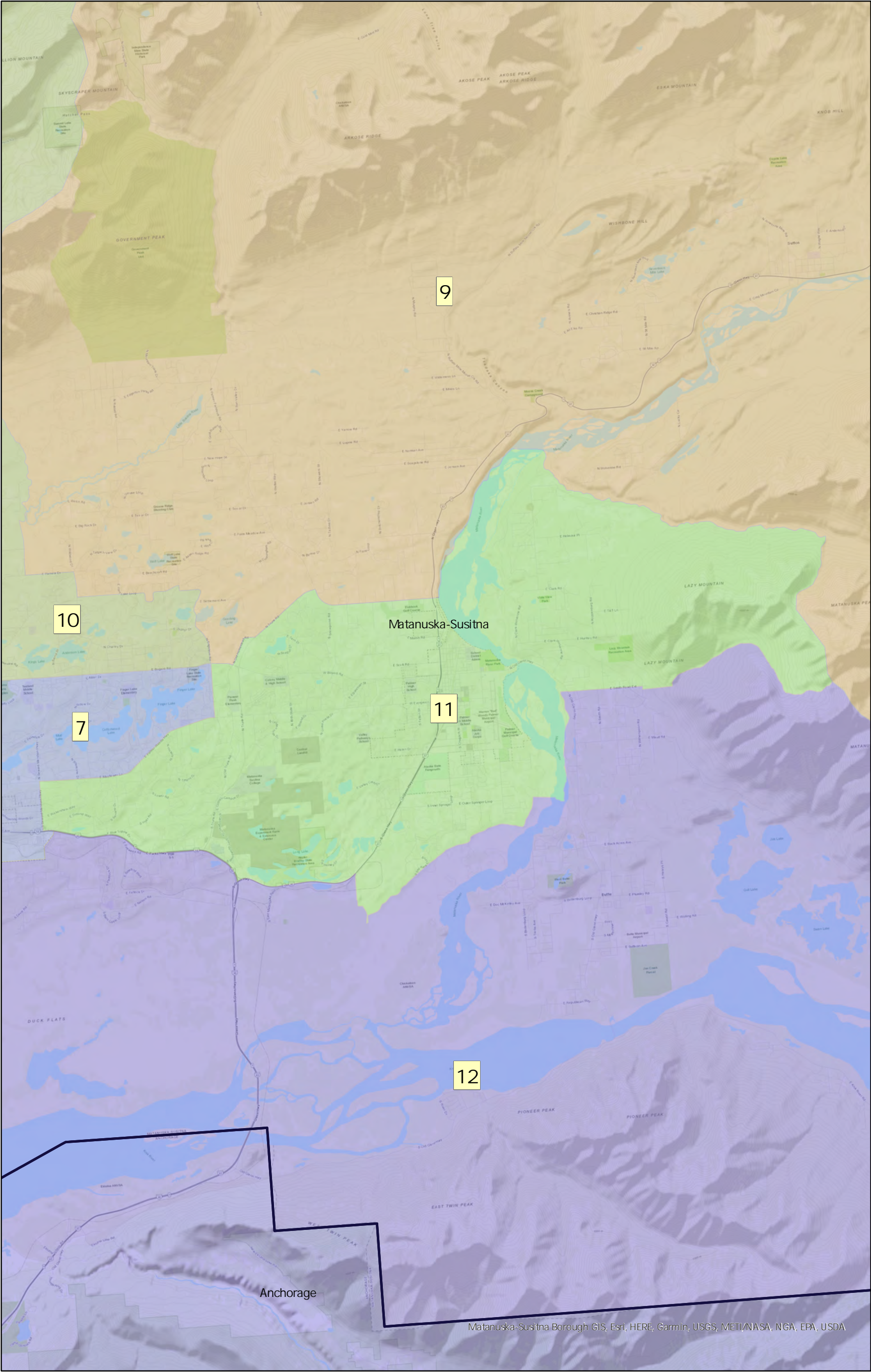
District
9

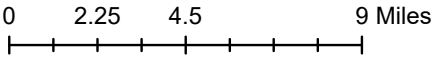
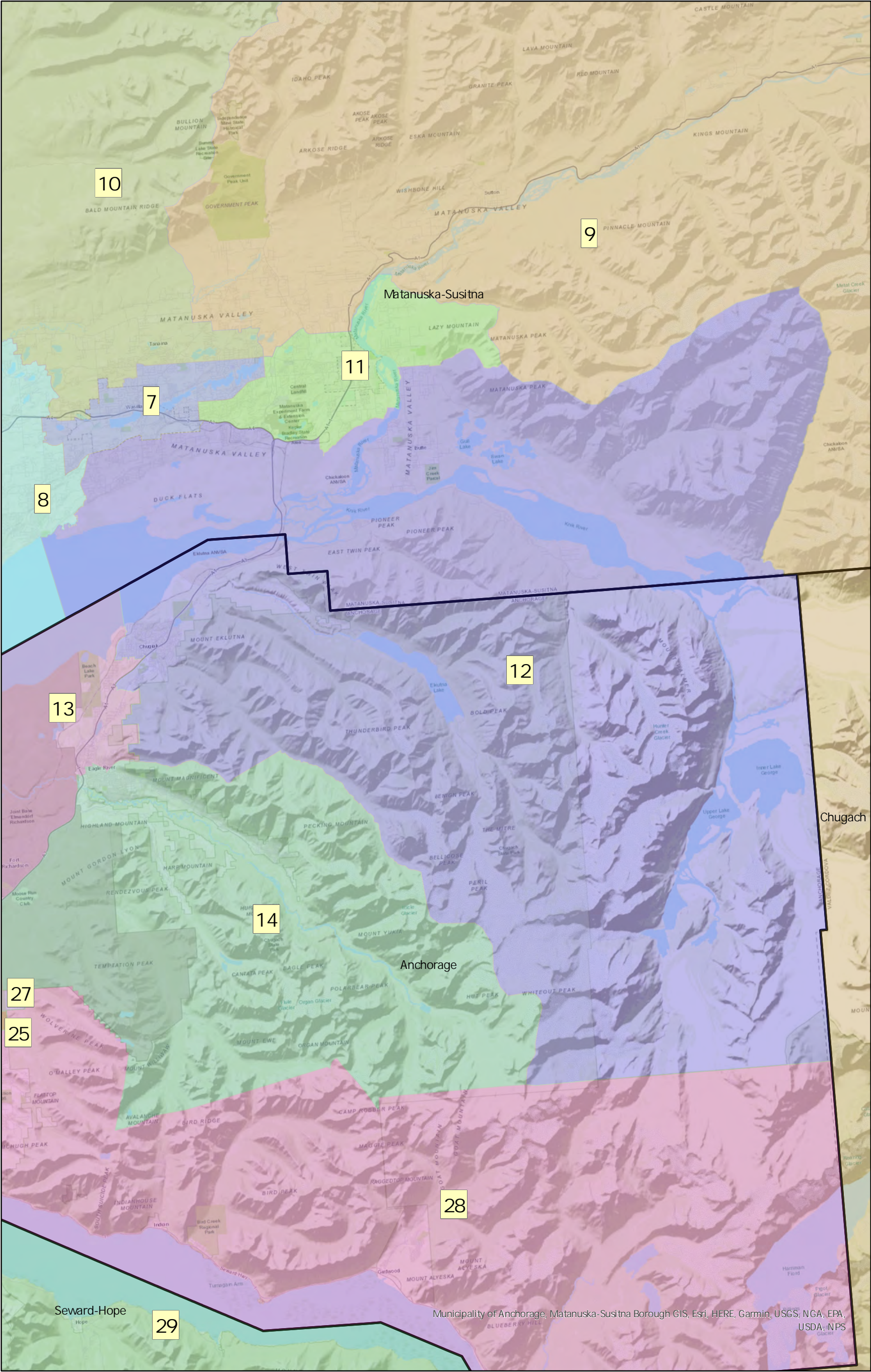


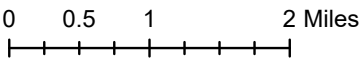
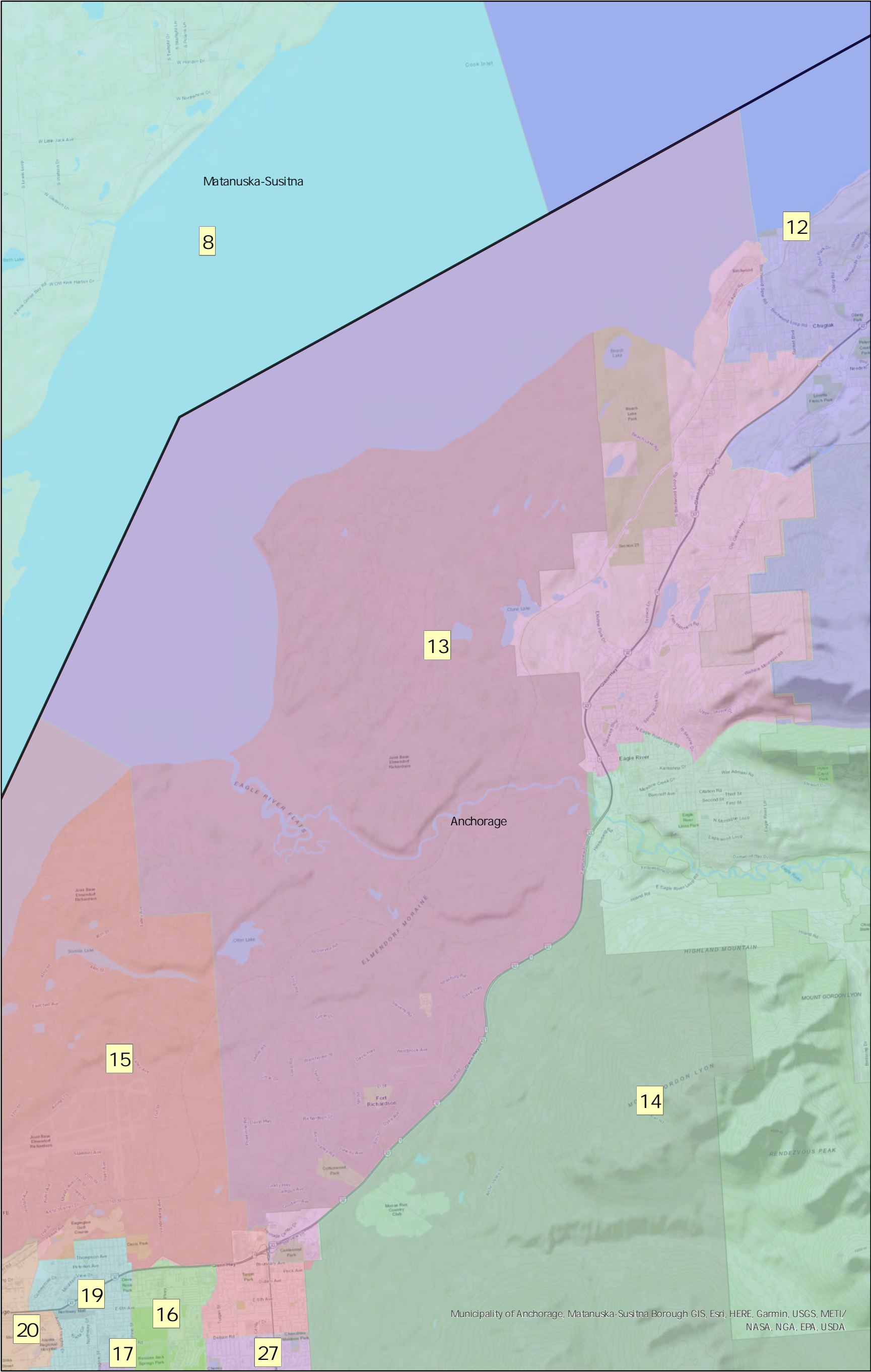


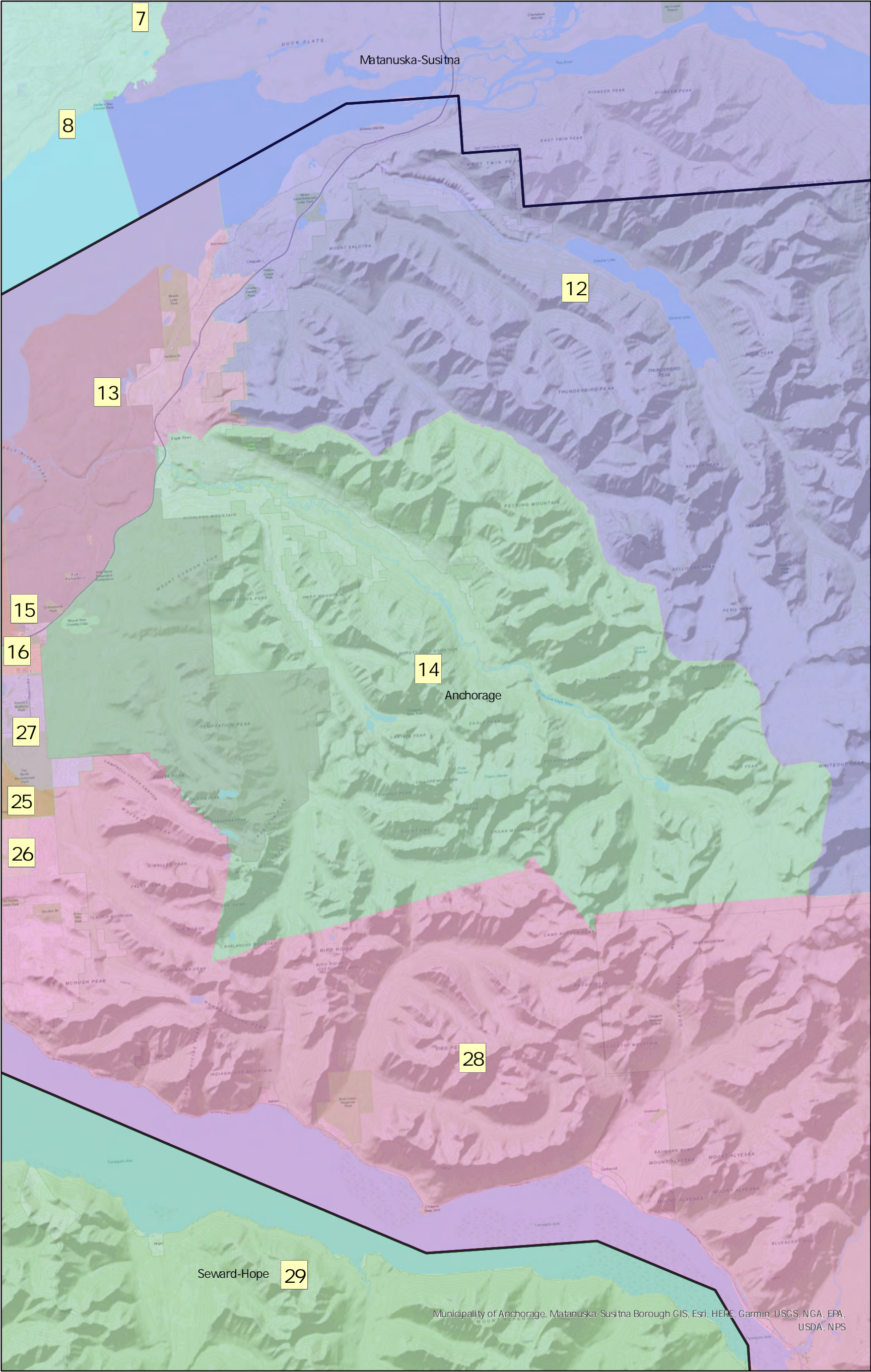
0 5 10 20 Miles

Election Data Services



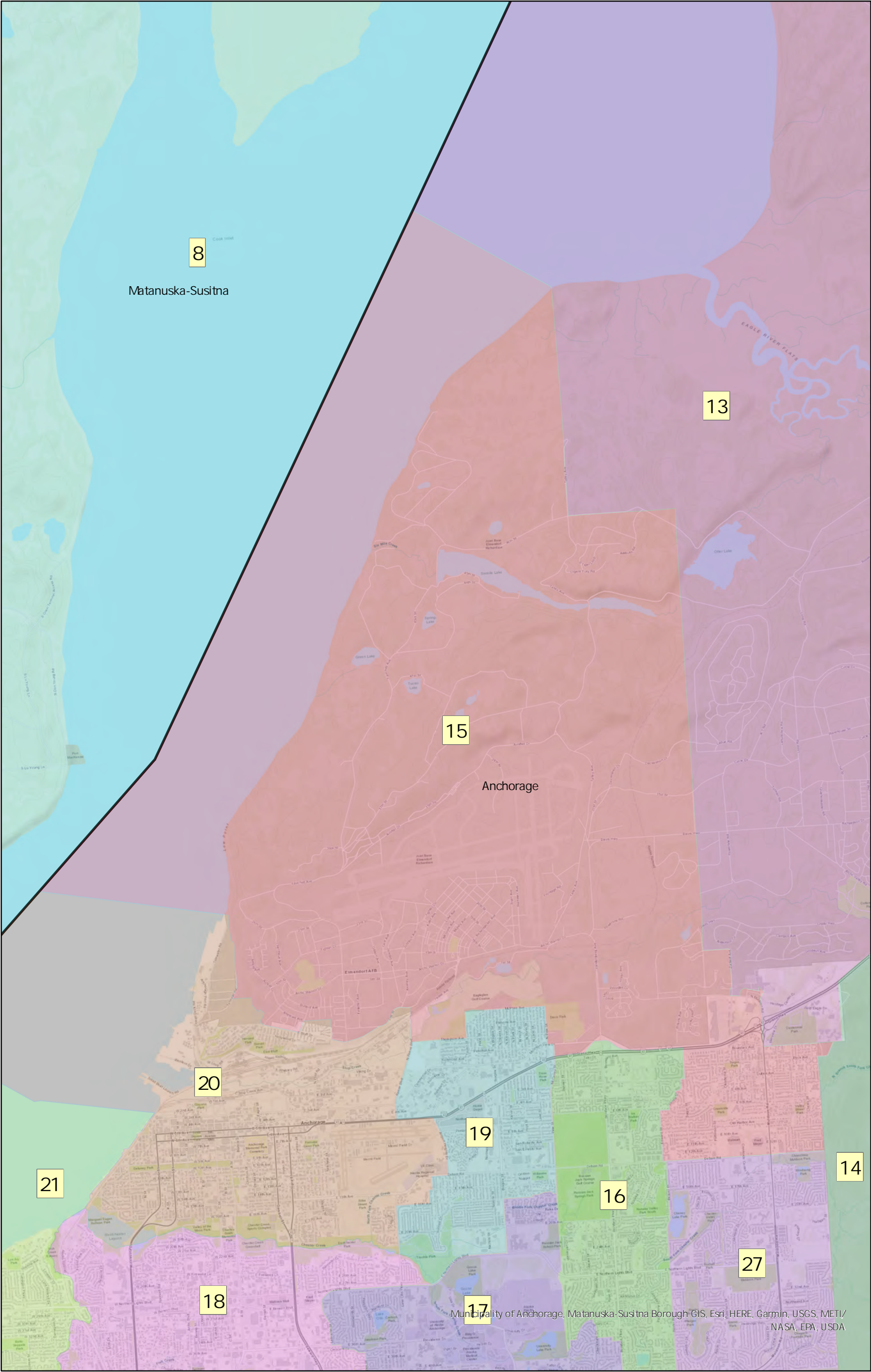






0 1.5 3 6 Miles

Election Data Services

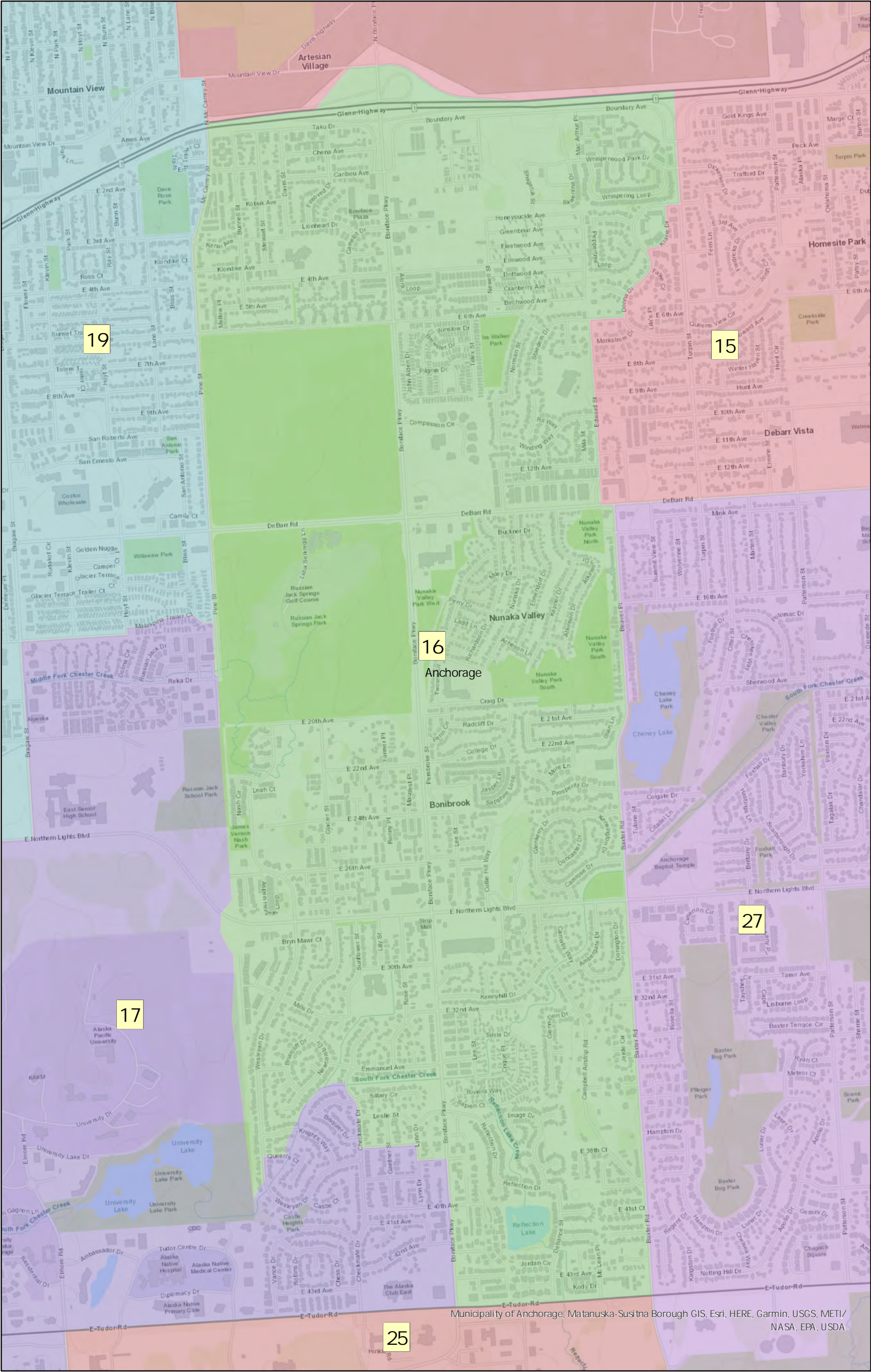


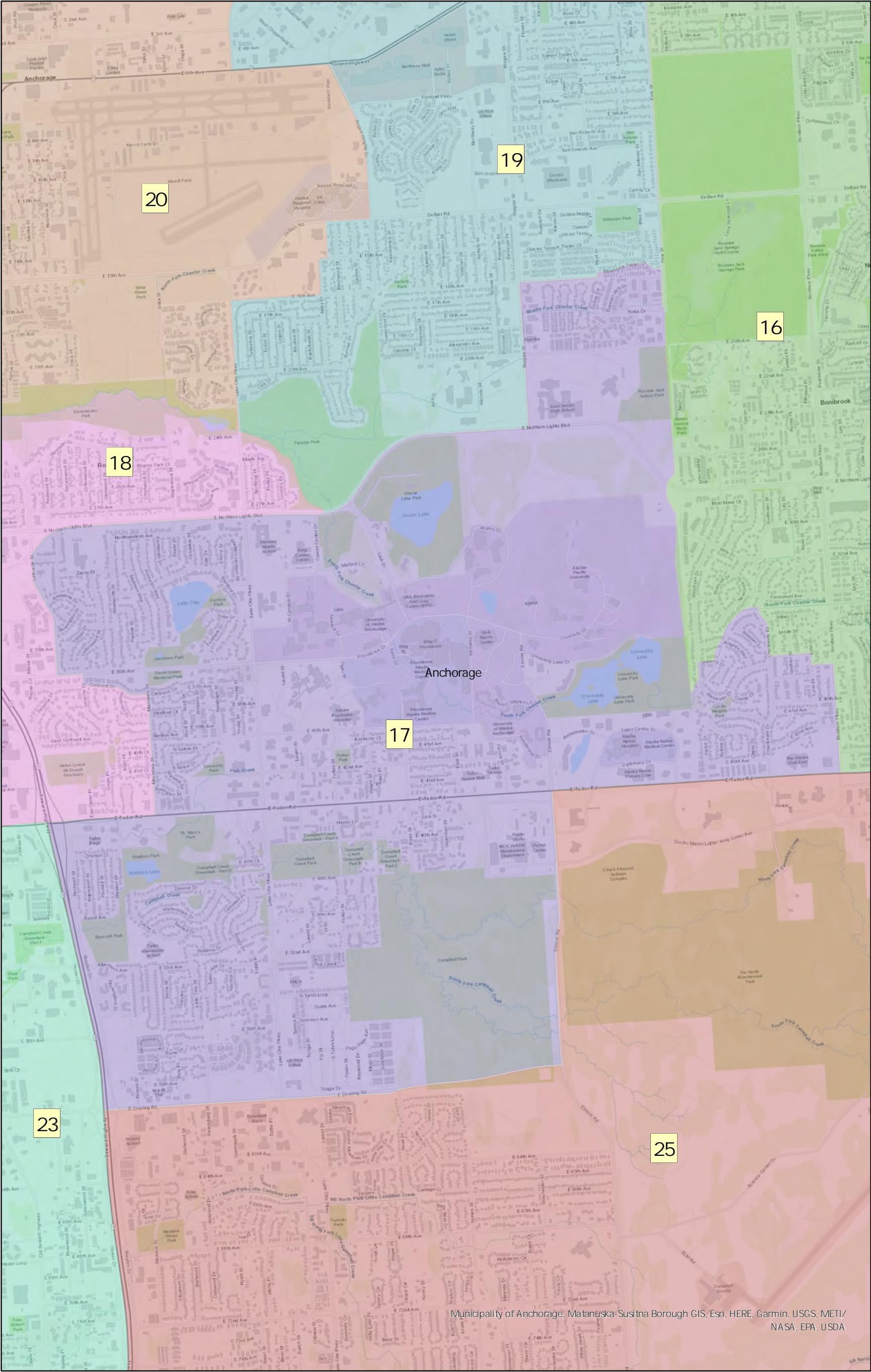
0 0.42 0.85 1.7 Miles

Election  Data Services

Alaska House Districts
2013 Proclamation Plan

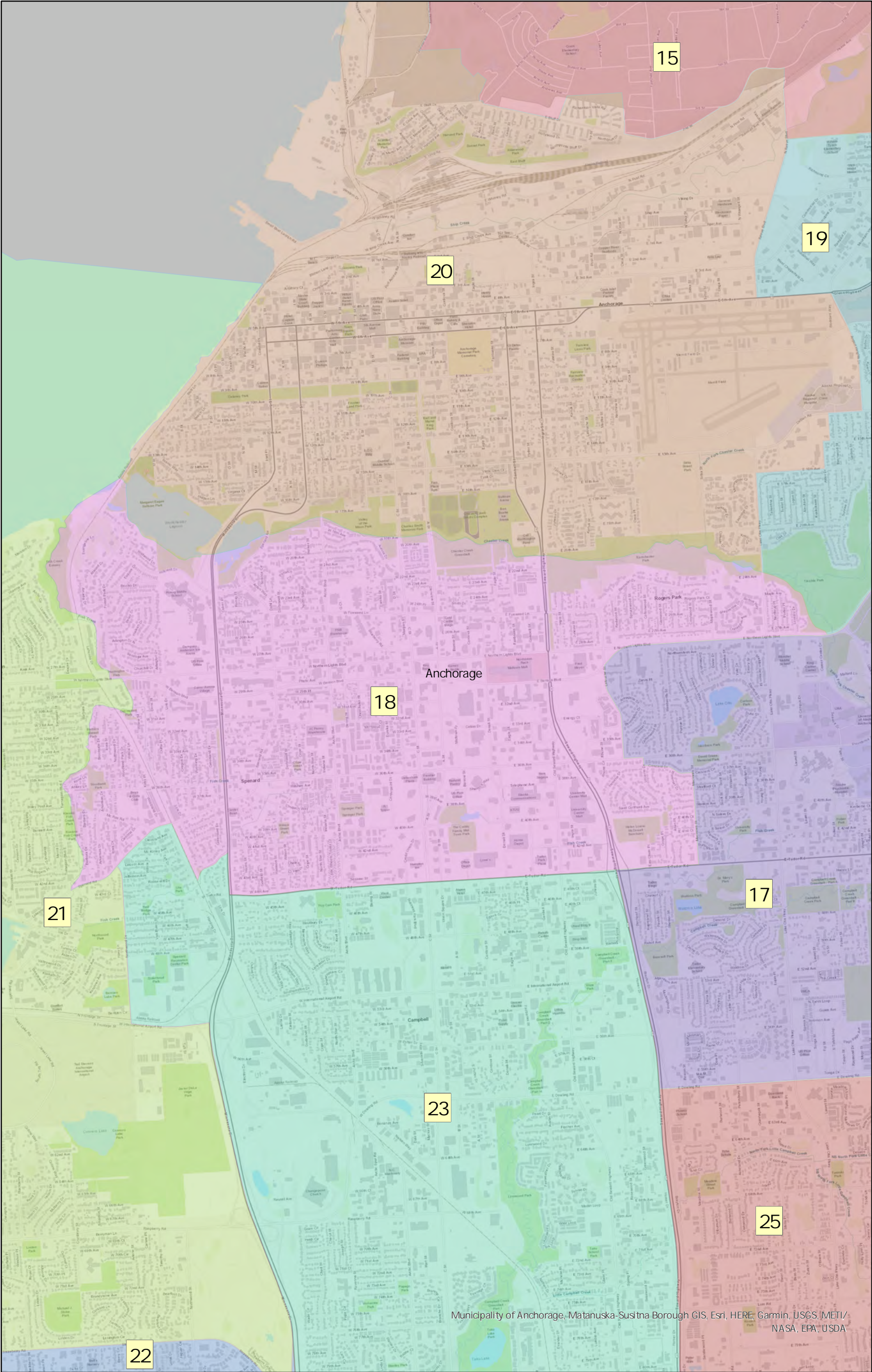
District
16





0 0.15 0.3 0.6 Miles

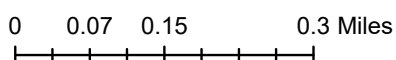
Election Data Services

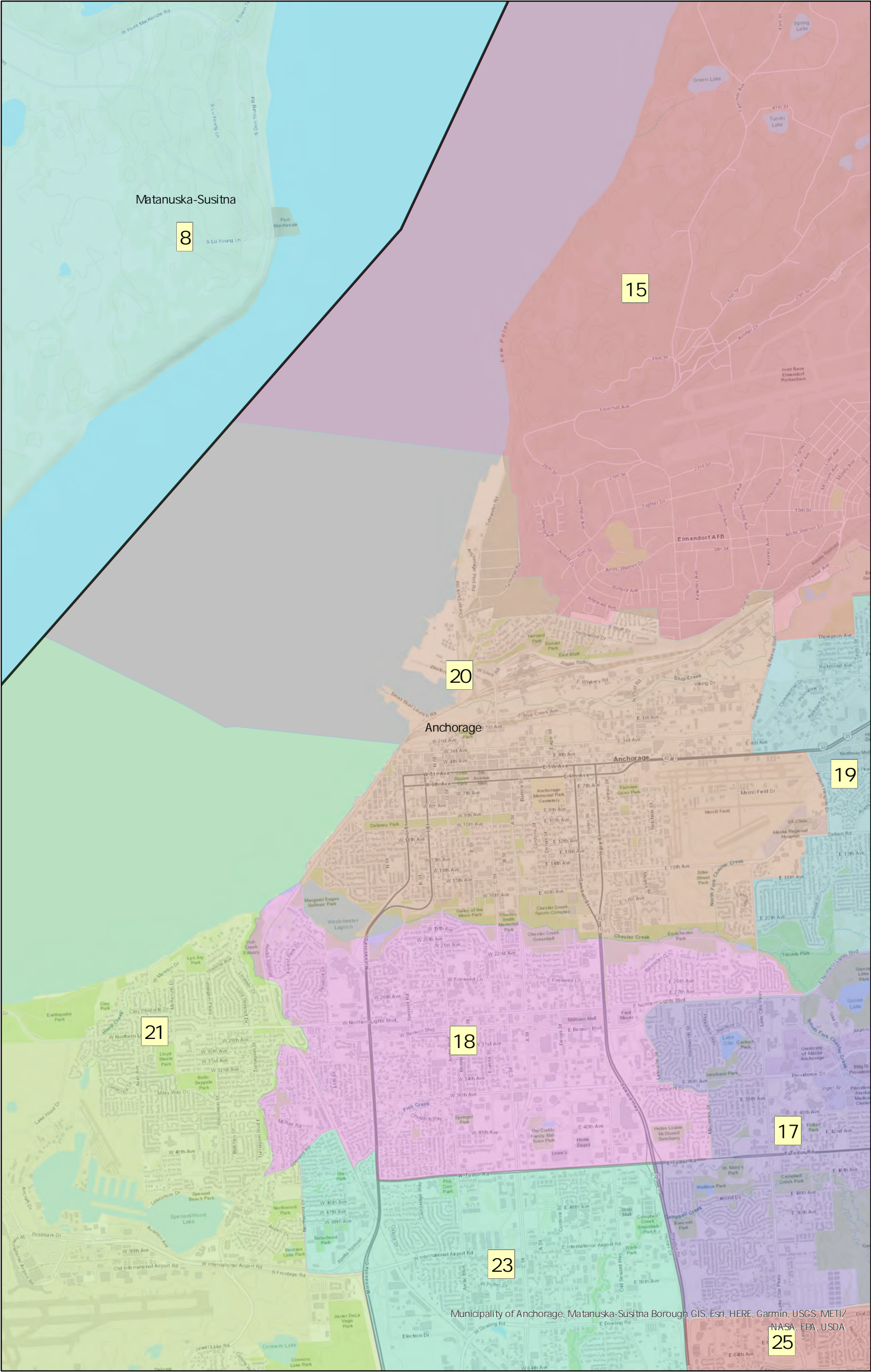


0 0.2 0.4 0.8 Miles

Election Data Services

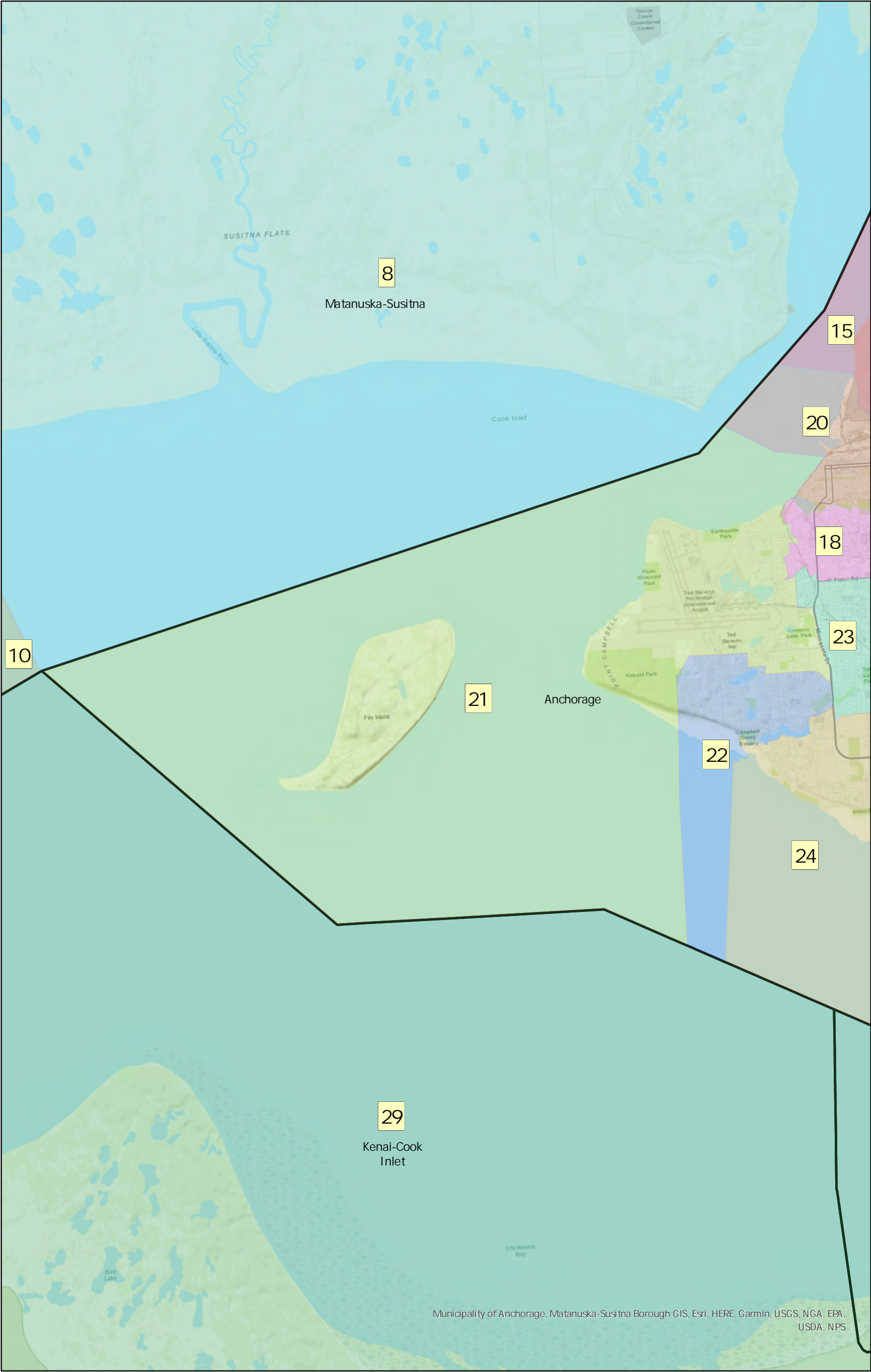
District
19





0 0.28 0.55 1.1 Miles

Election Data Services



0 1 2 4 Miles

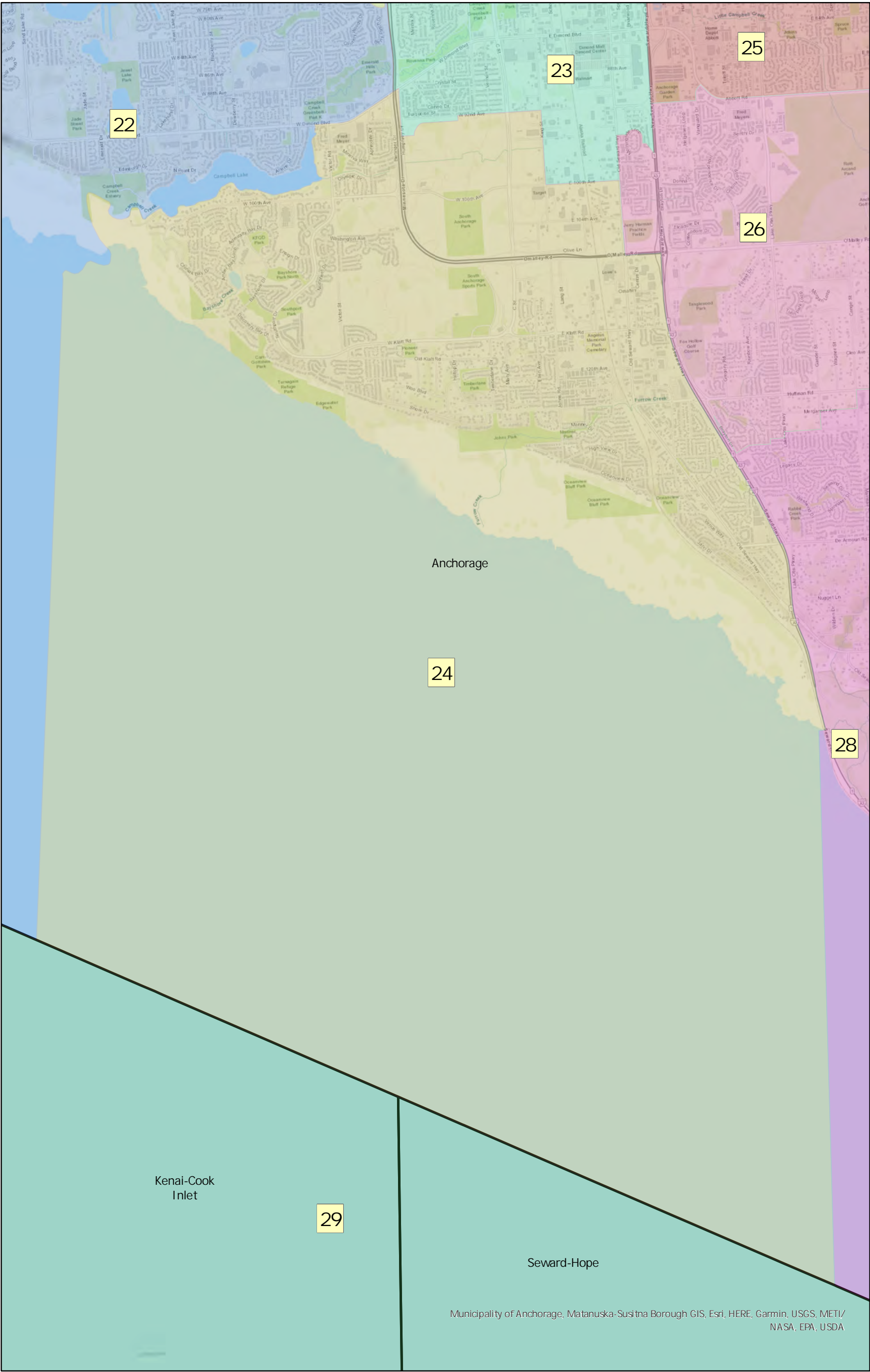
Election  Data Services



0 0.25 0.5 1 Miles

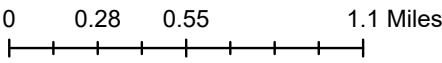
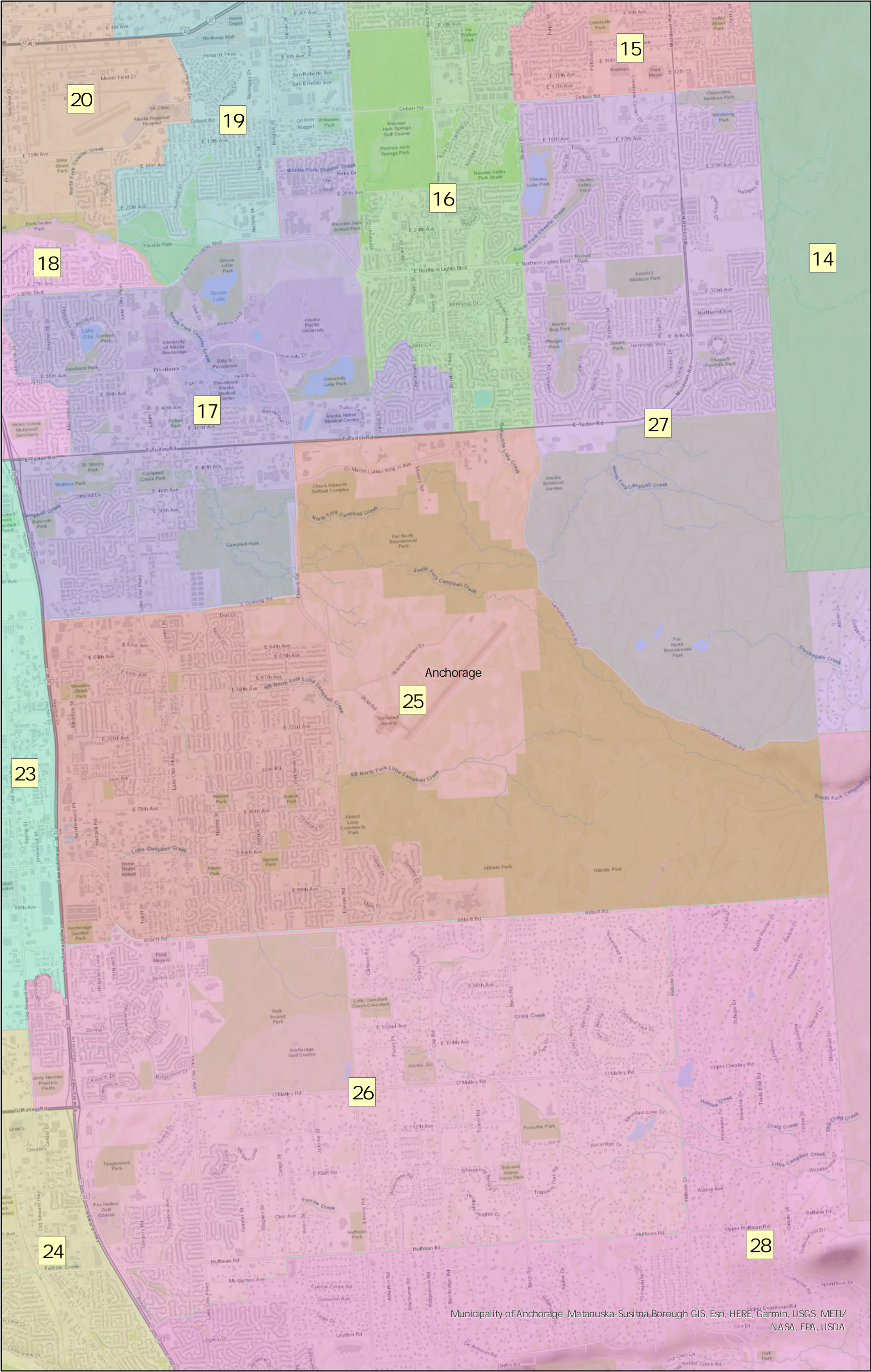
Election Data Services

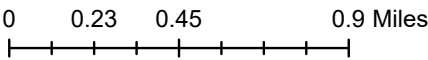
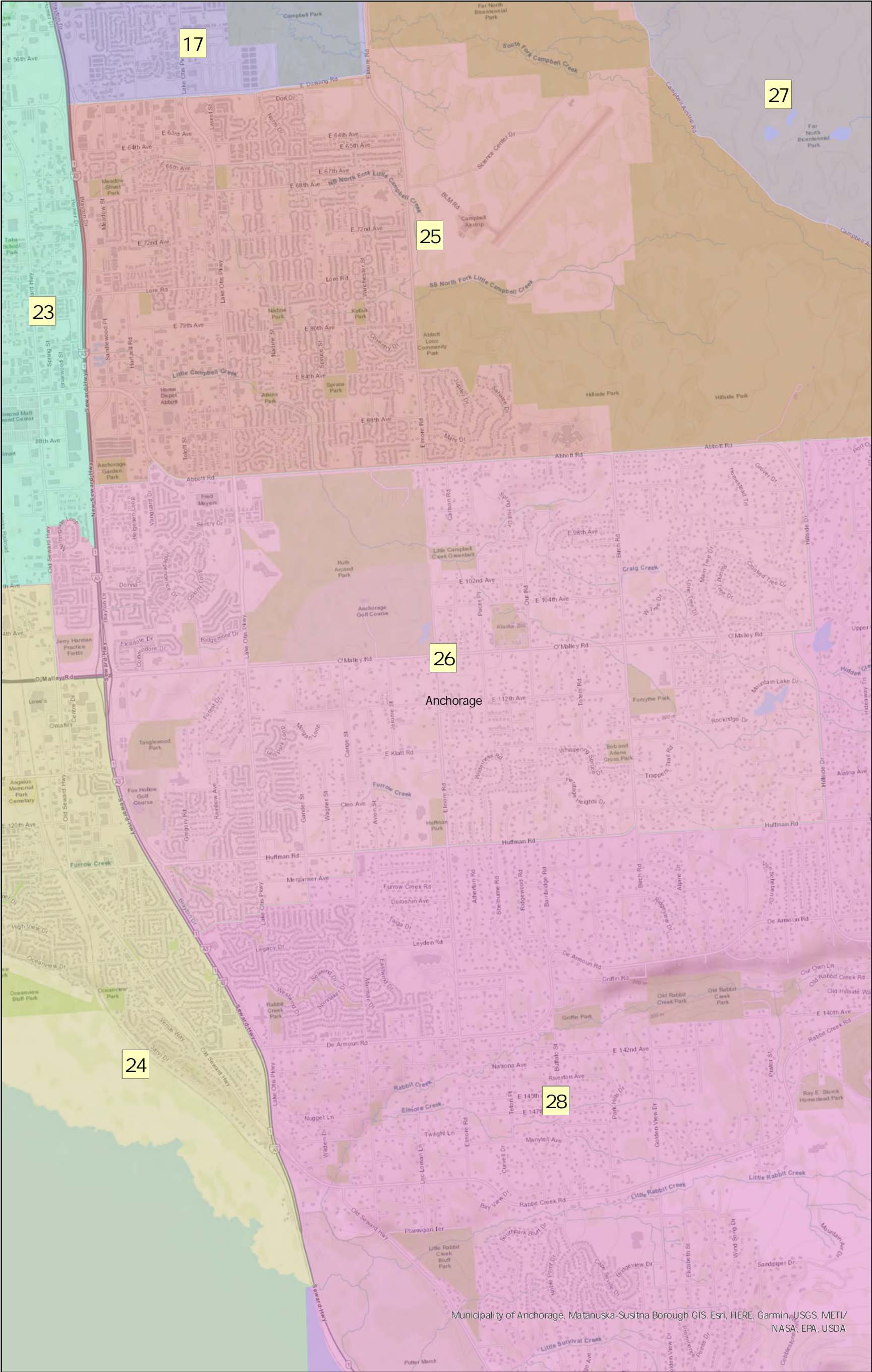
District
23

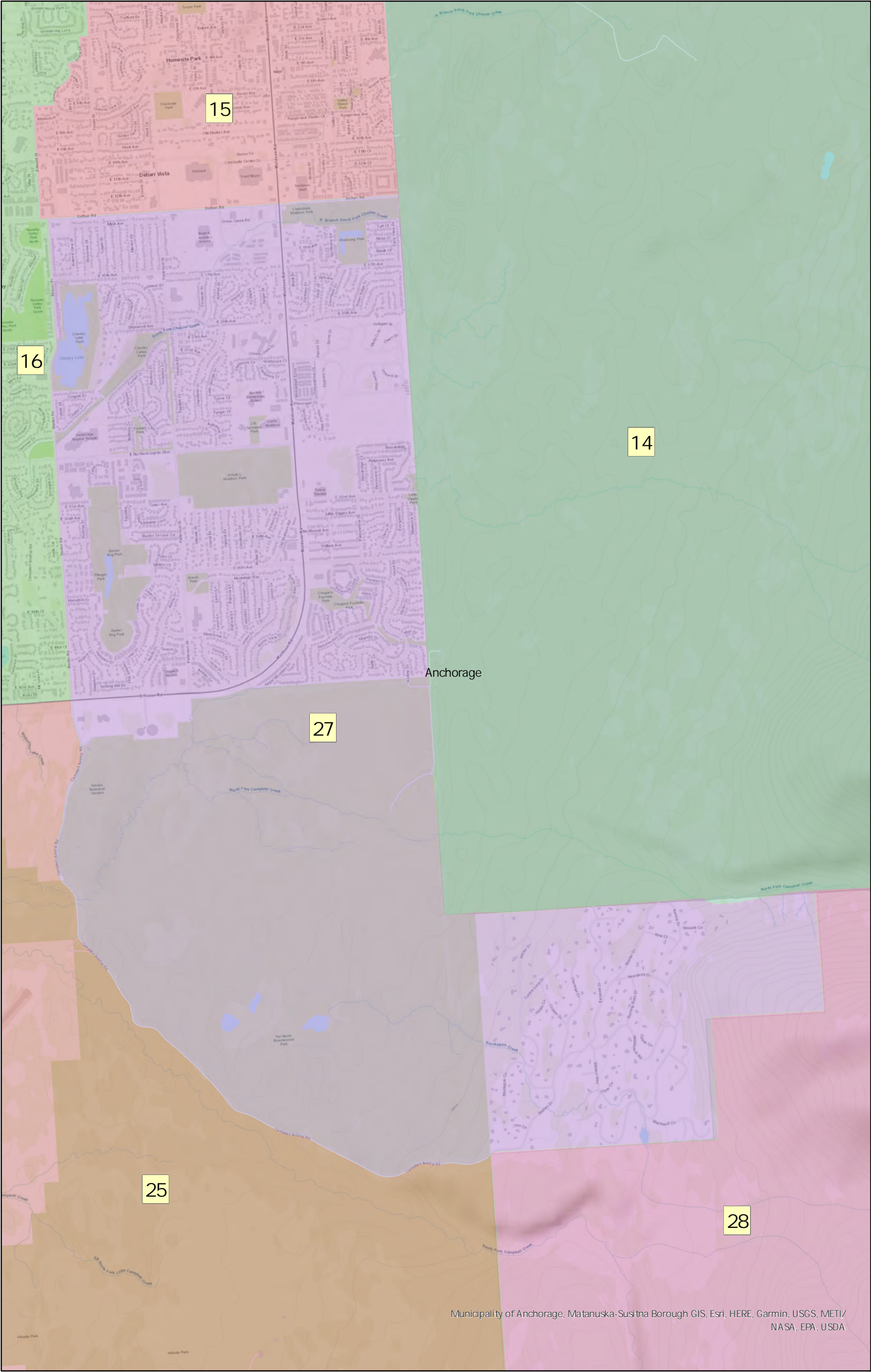


0 0.3 0.6 1.2 Miles

Election Data Services

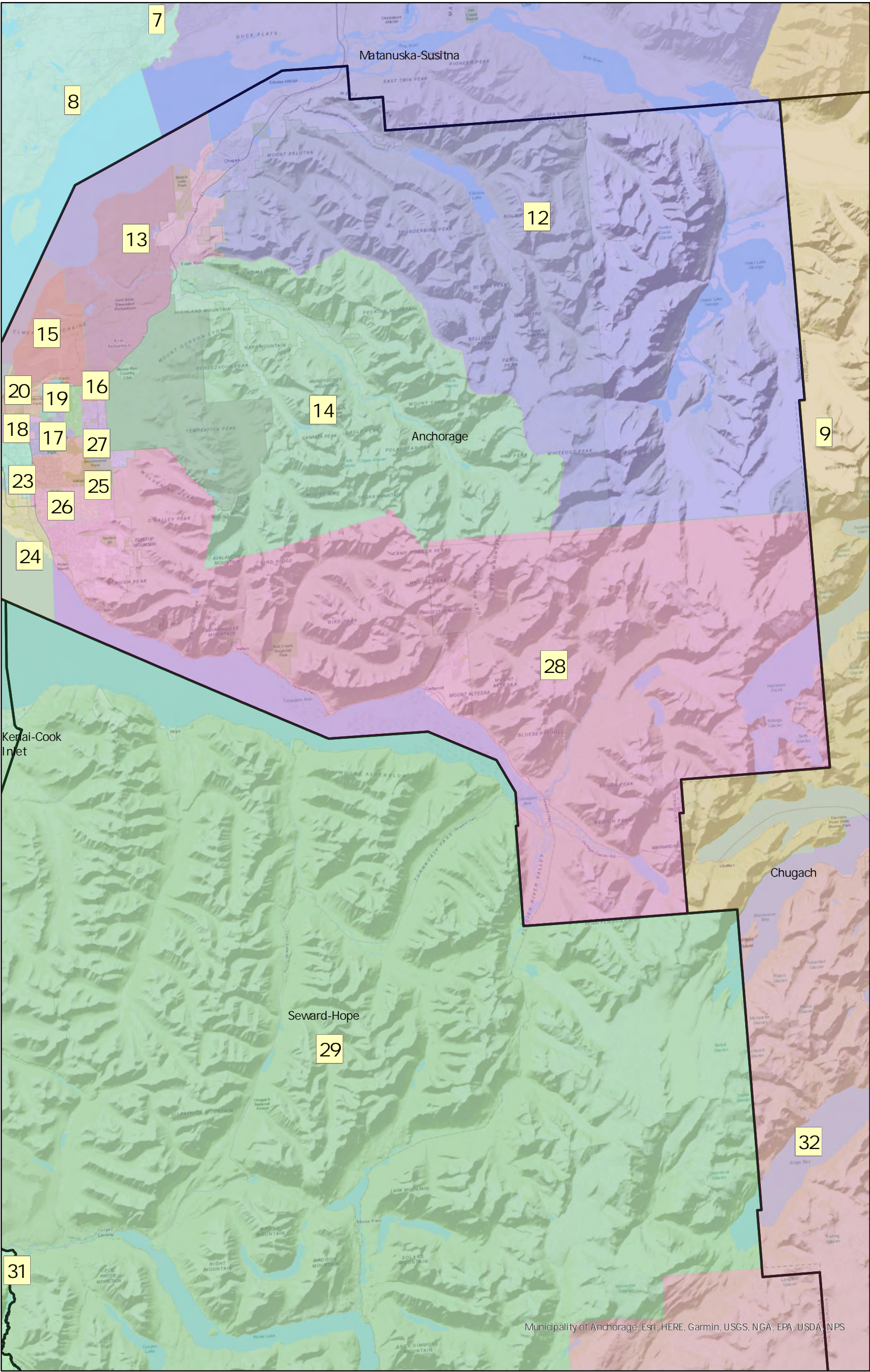






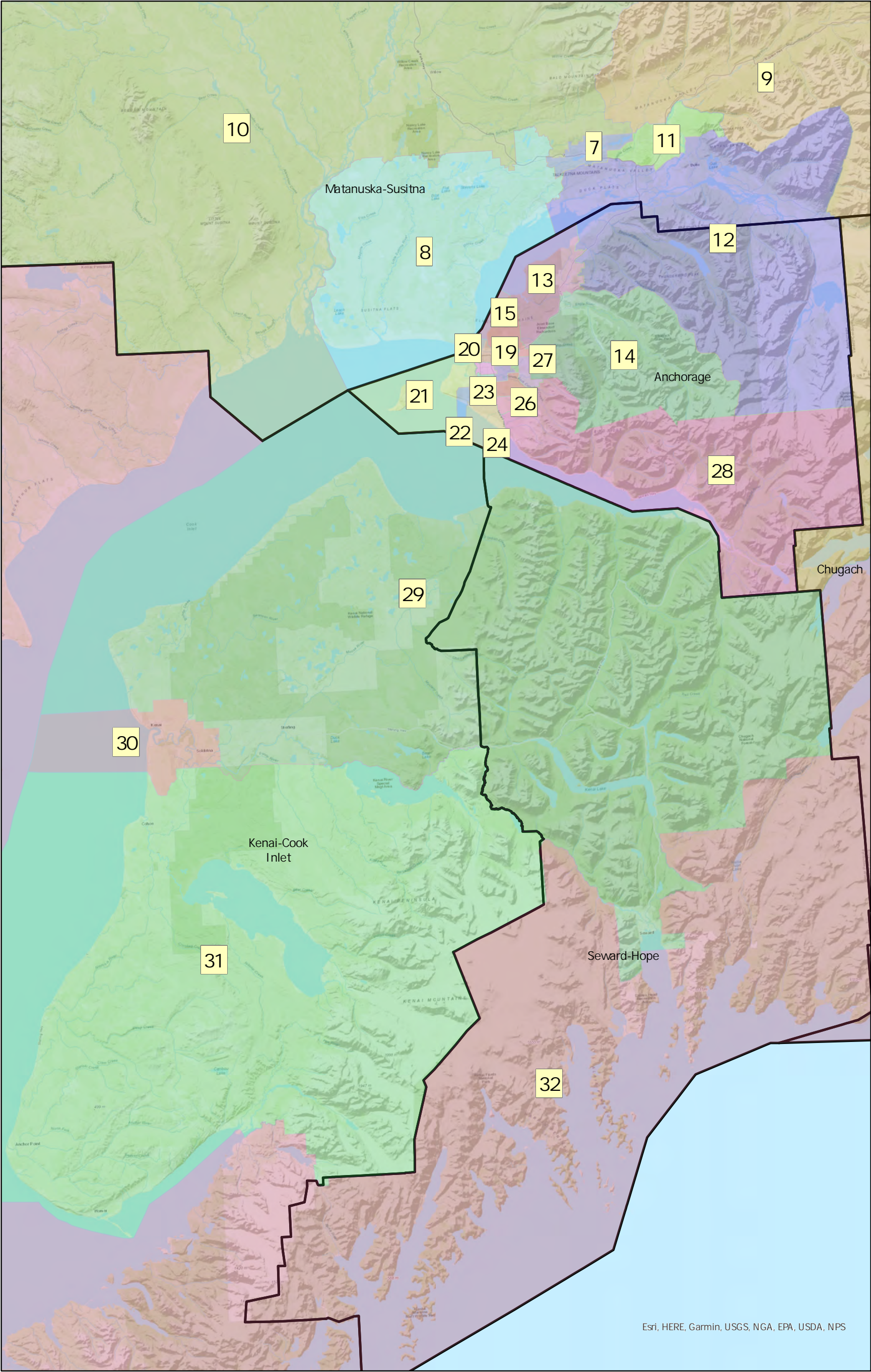
0 0.17 0.35 0.7 Miles

Election Data Services



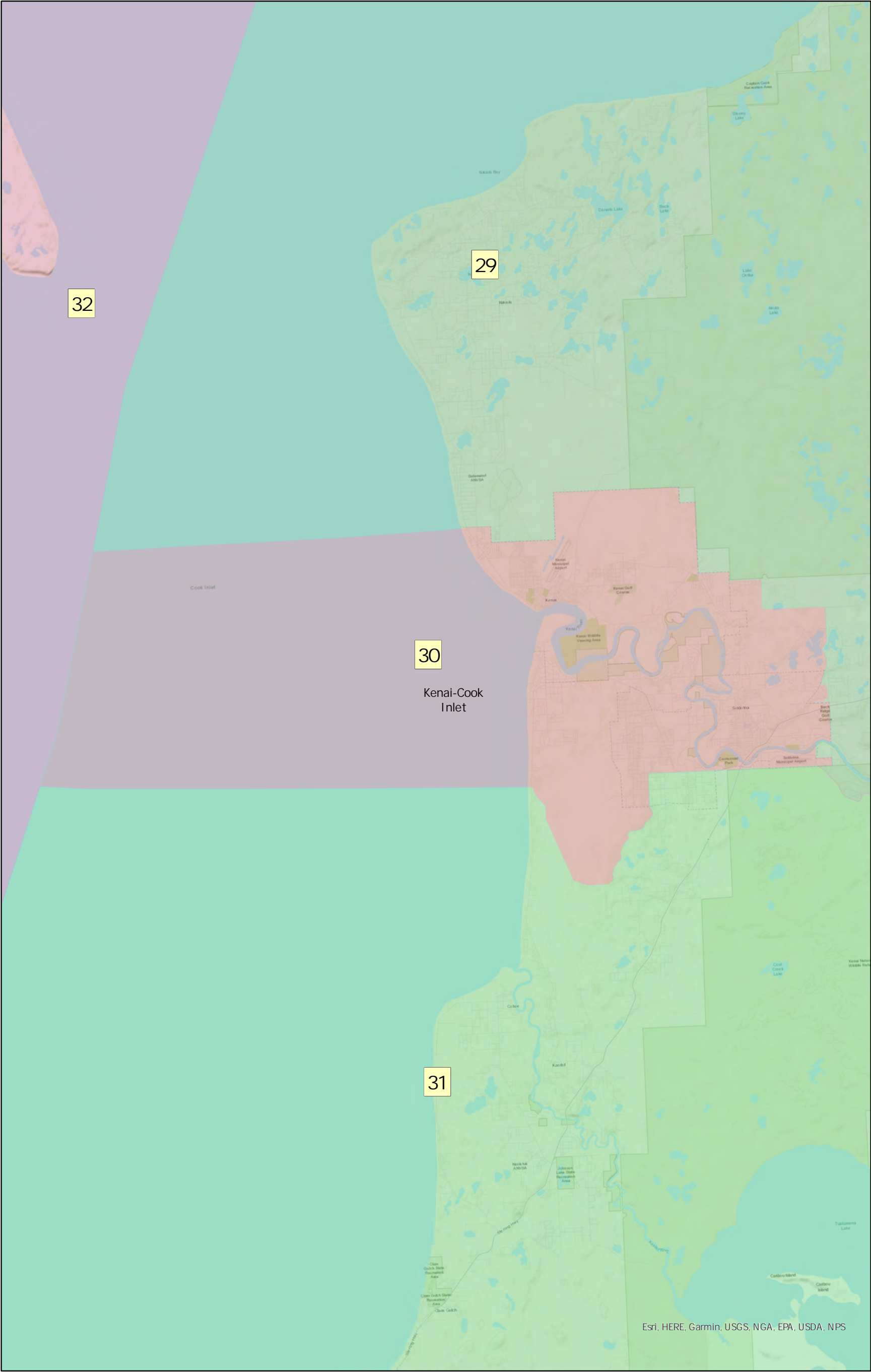
0 2.75 5.5 11 Miles

Election Data Services



0 5 10 20 Miles

Election  Data Services

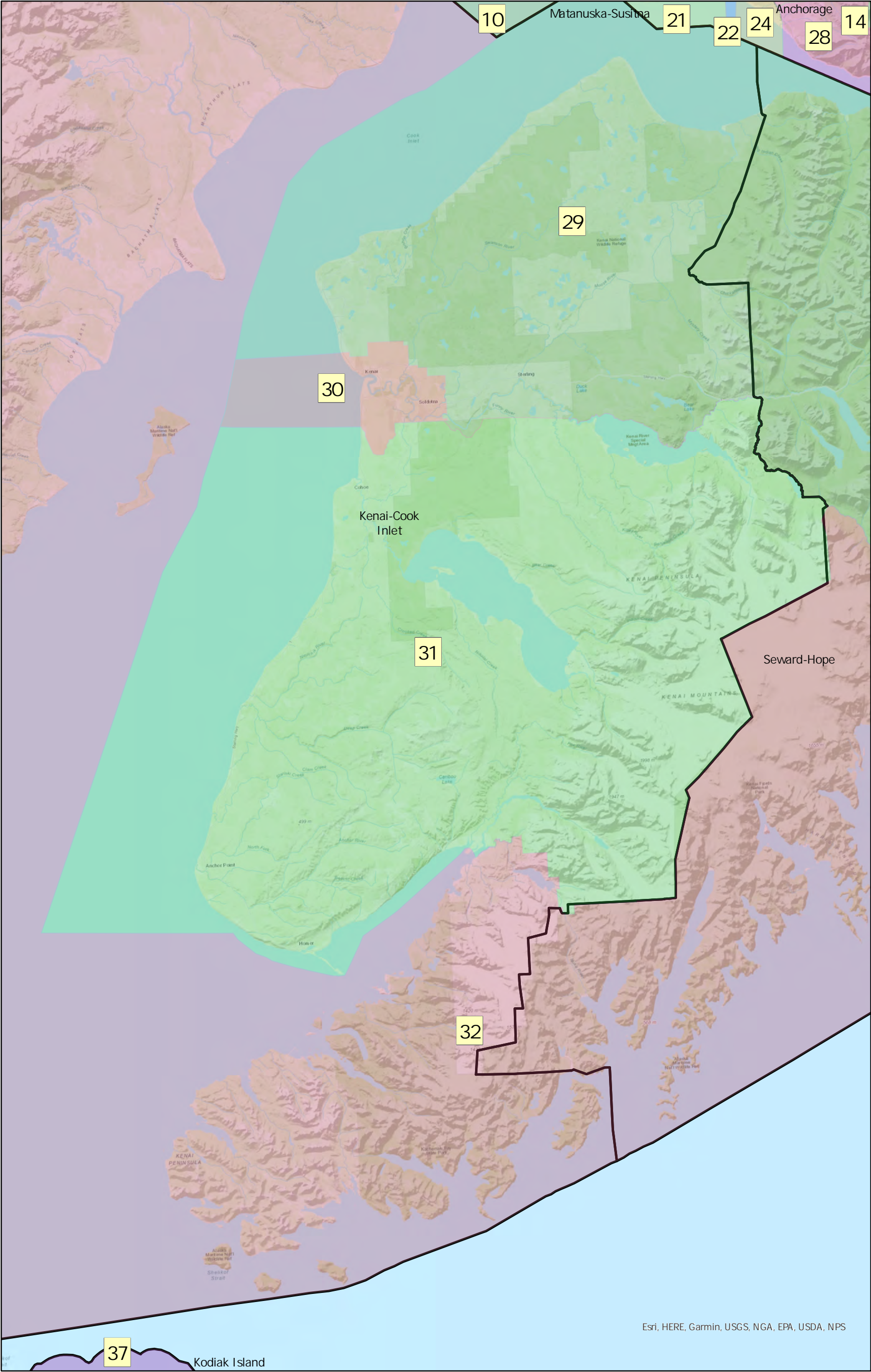


0 1.5 3 6 Miles

Election  Data Services

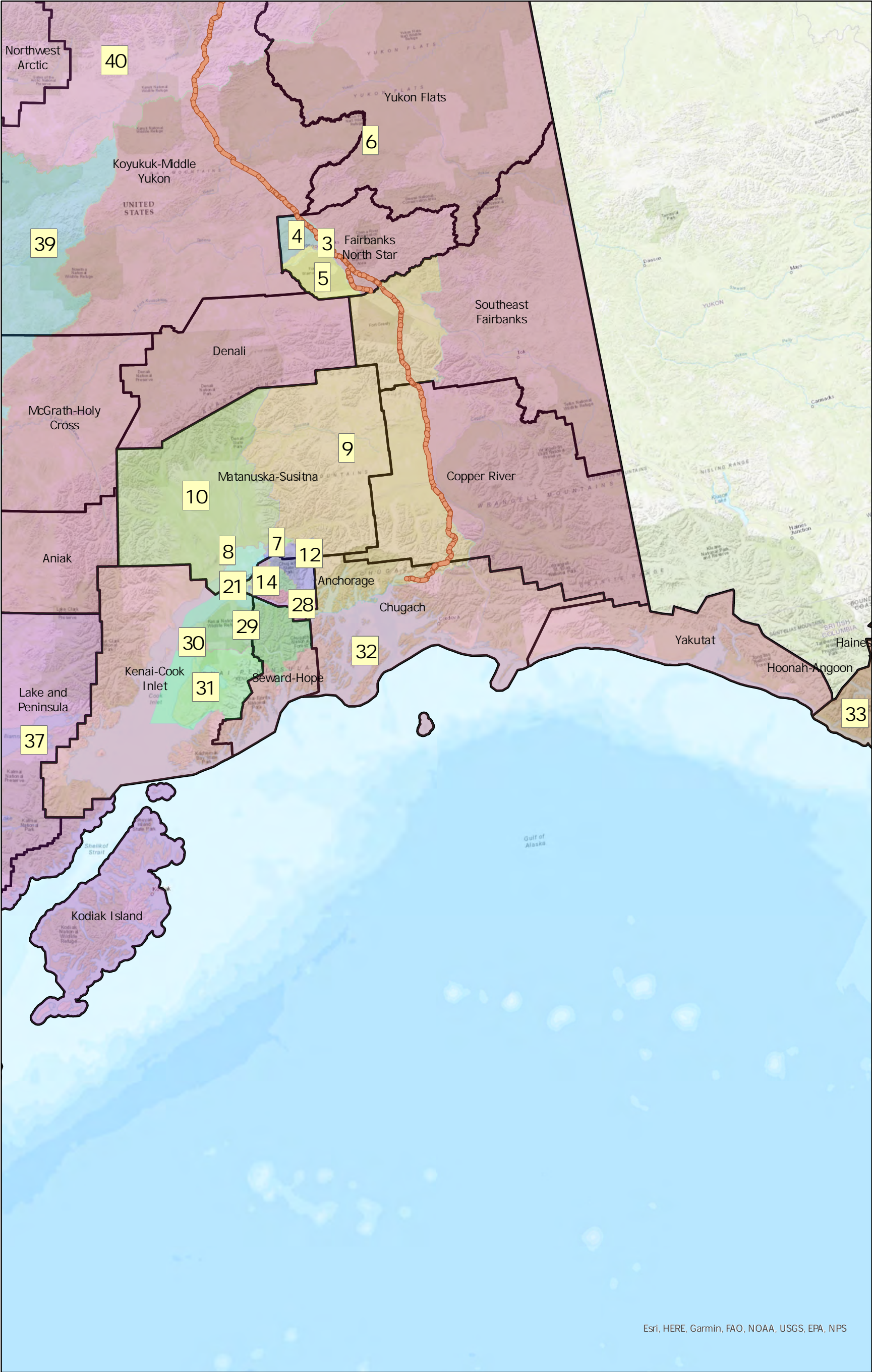
Alaska House Districts
2013 Proclamation Plan

District
31



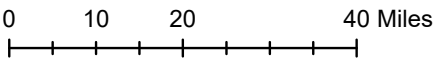
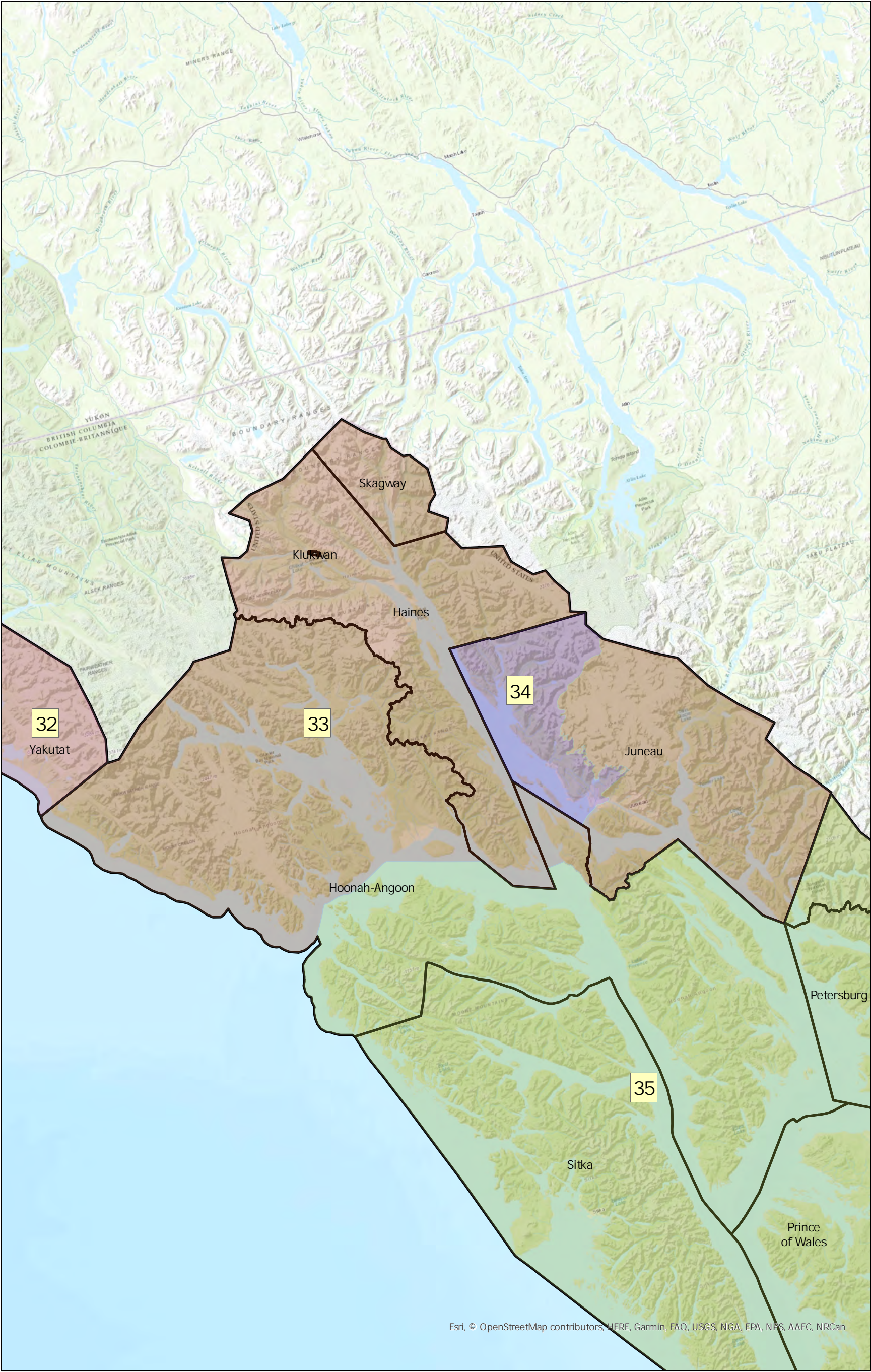
0 5 10 20 Miles

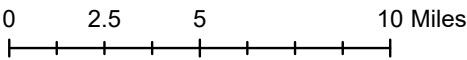
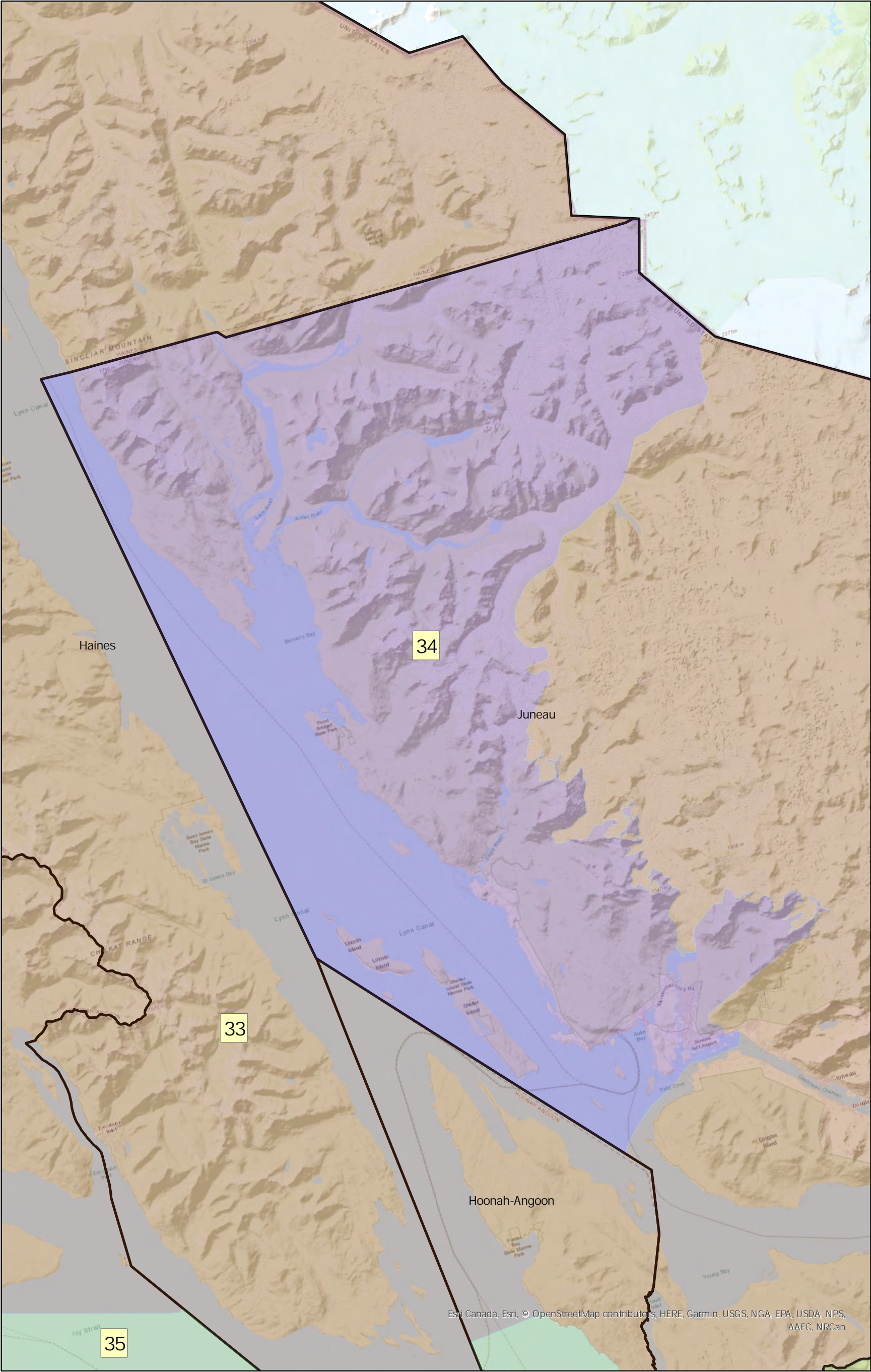
Election Data Services

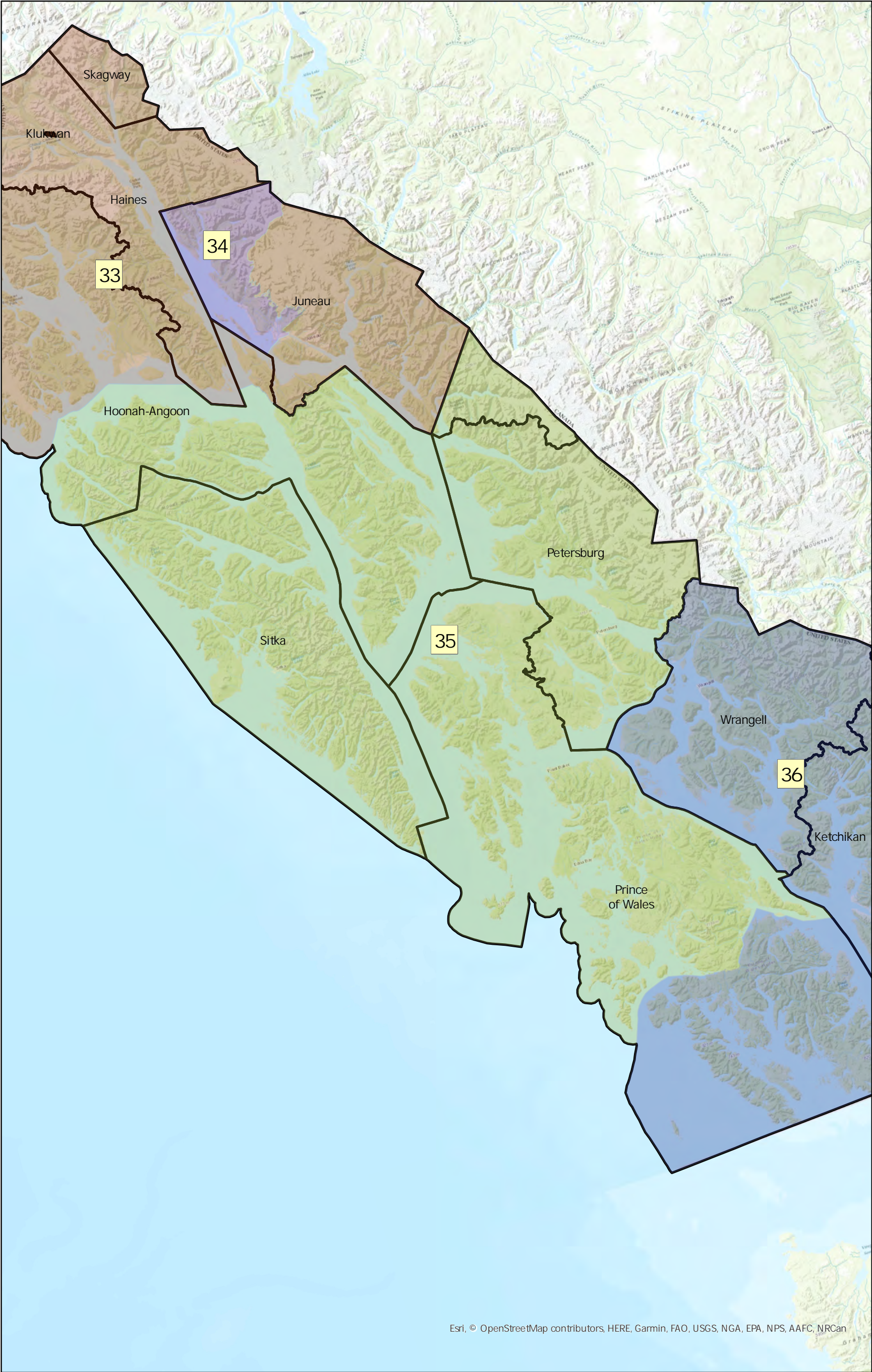


0 35 70 140 Miles

Election  Data Services

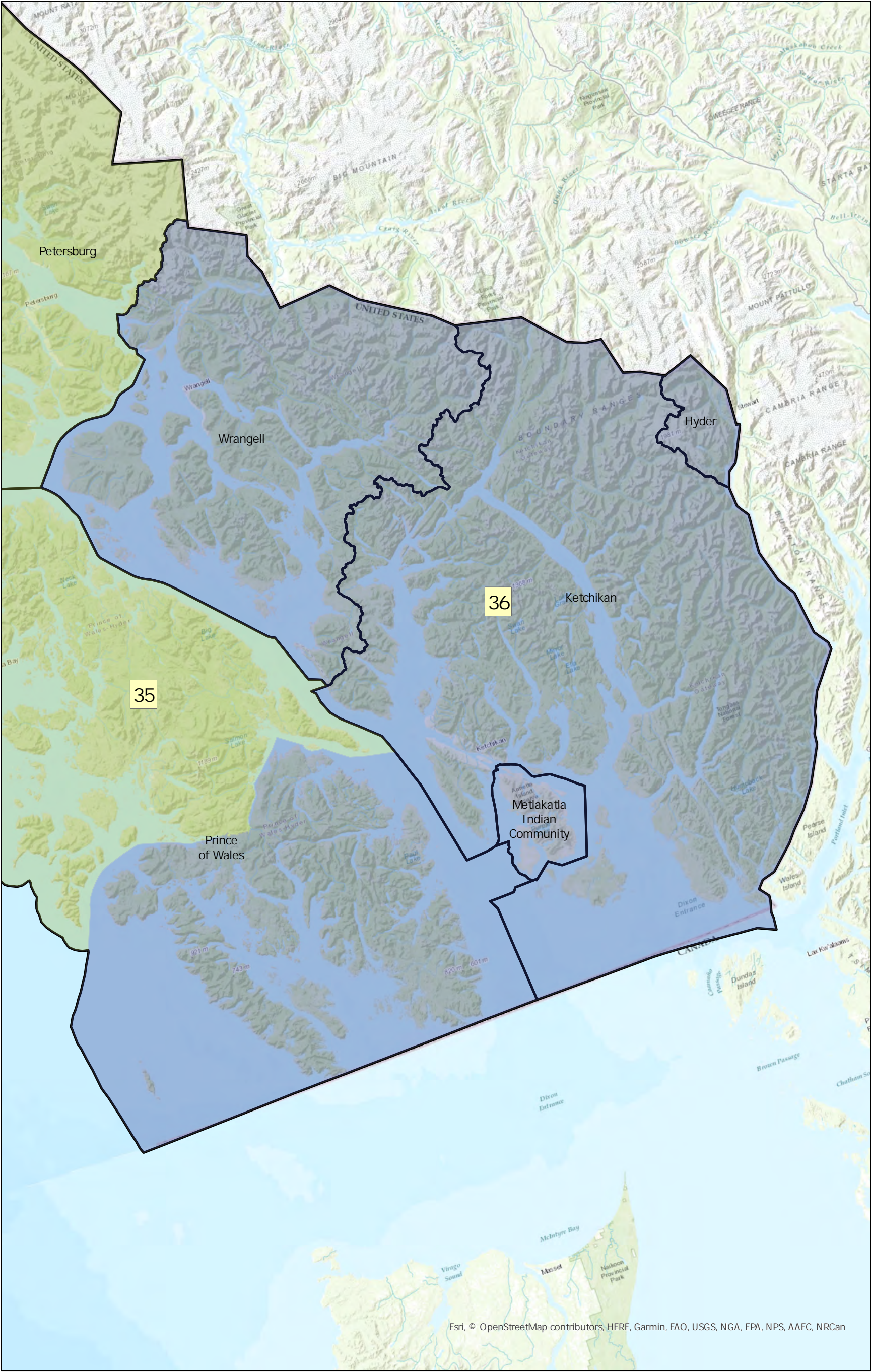






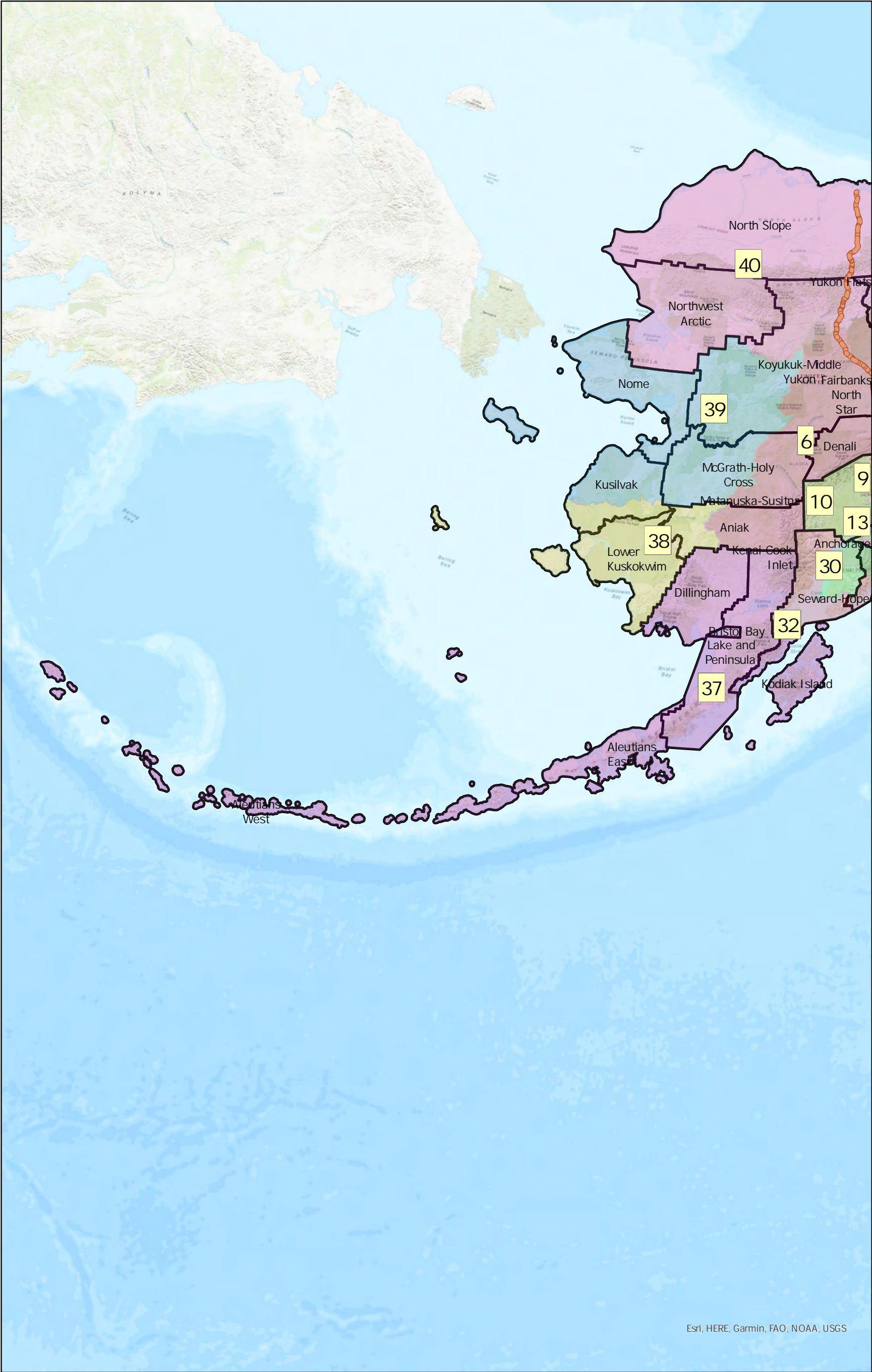
0 12.5 25 50 Miles

Election  Data Services



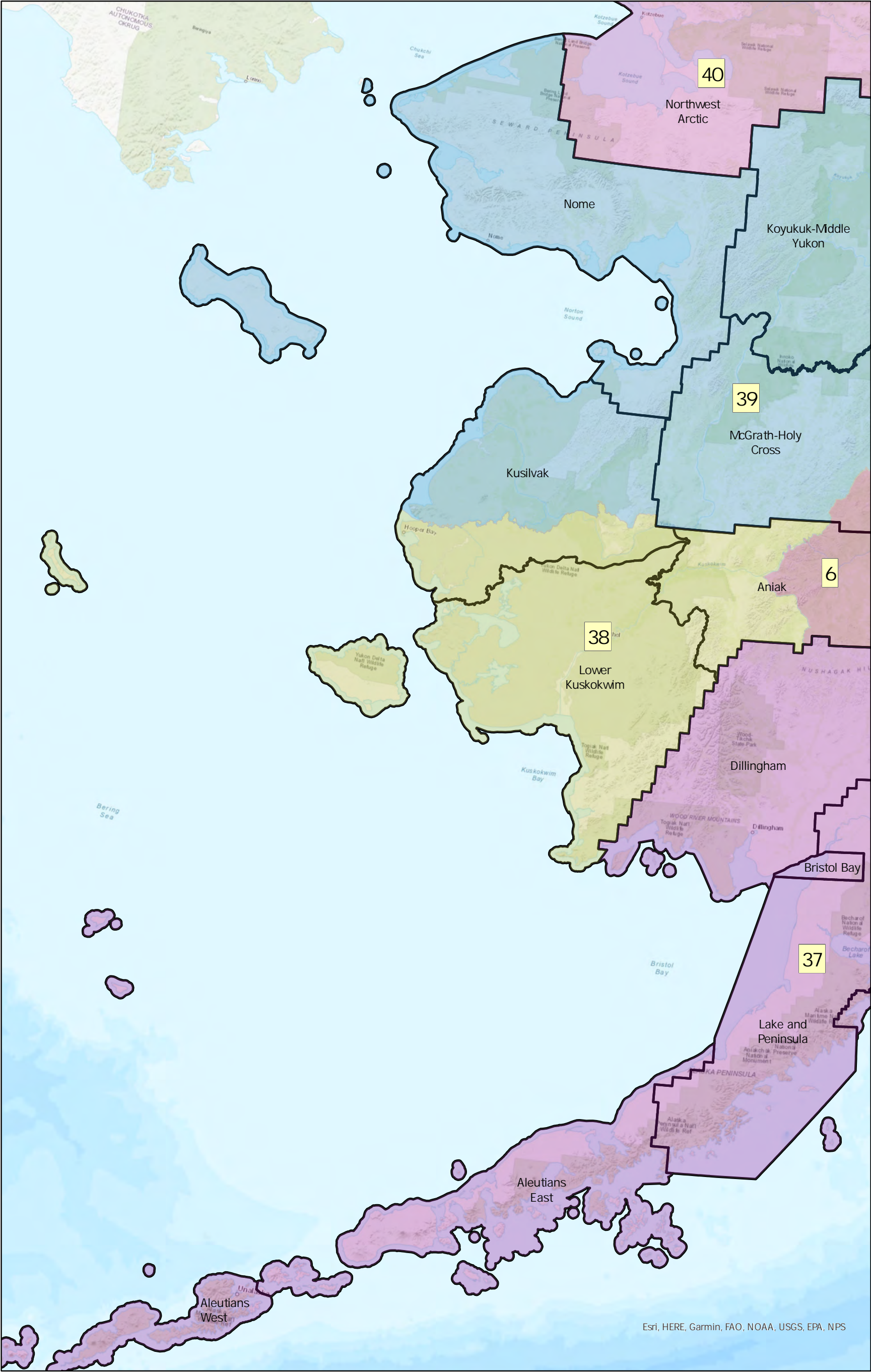
0 5 10 20 Miles

Election Data Services



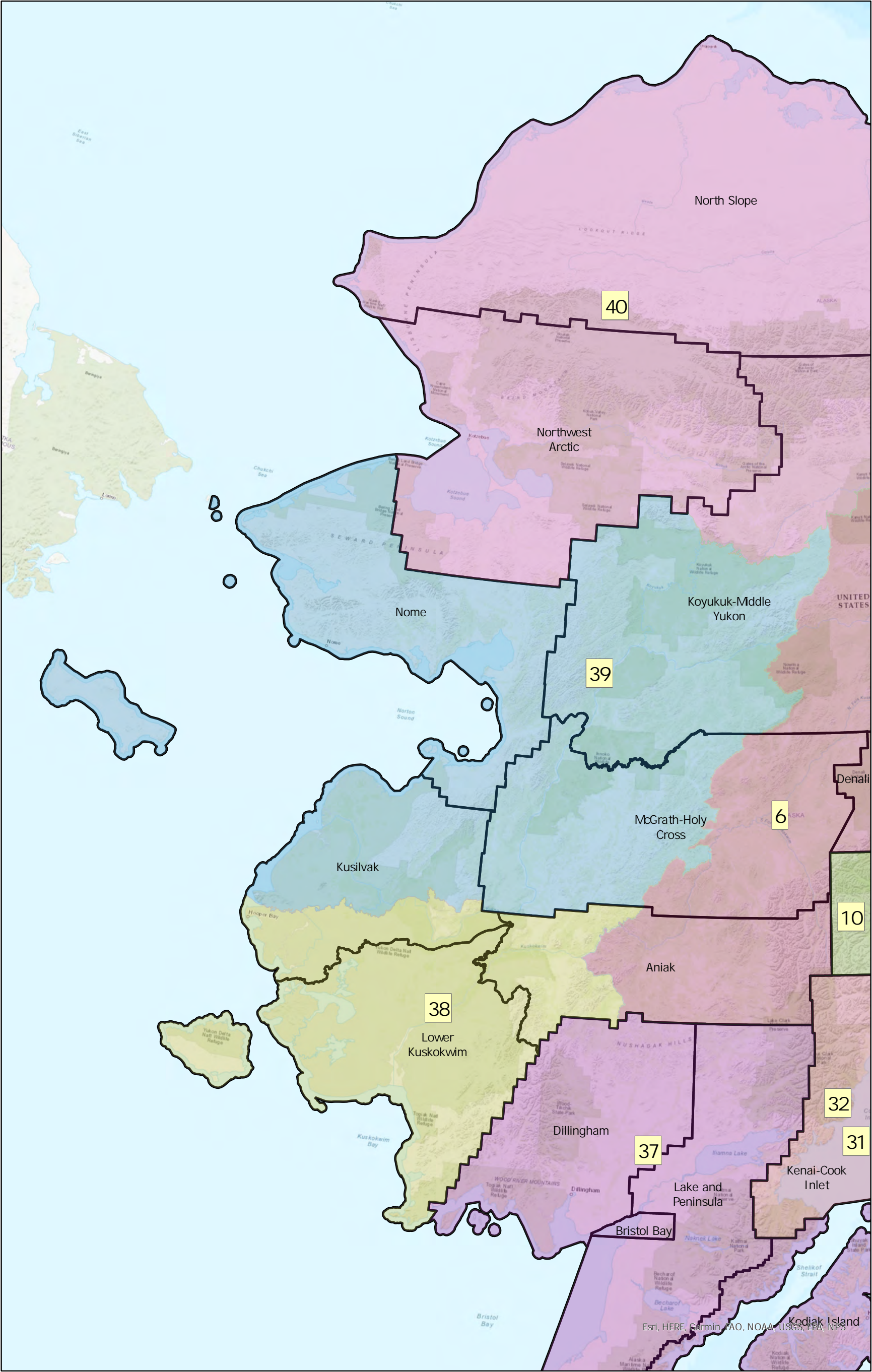
0 80 160 320 Miles

Election Data Services



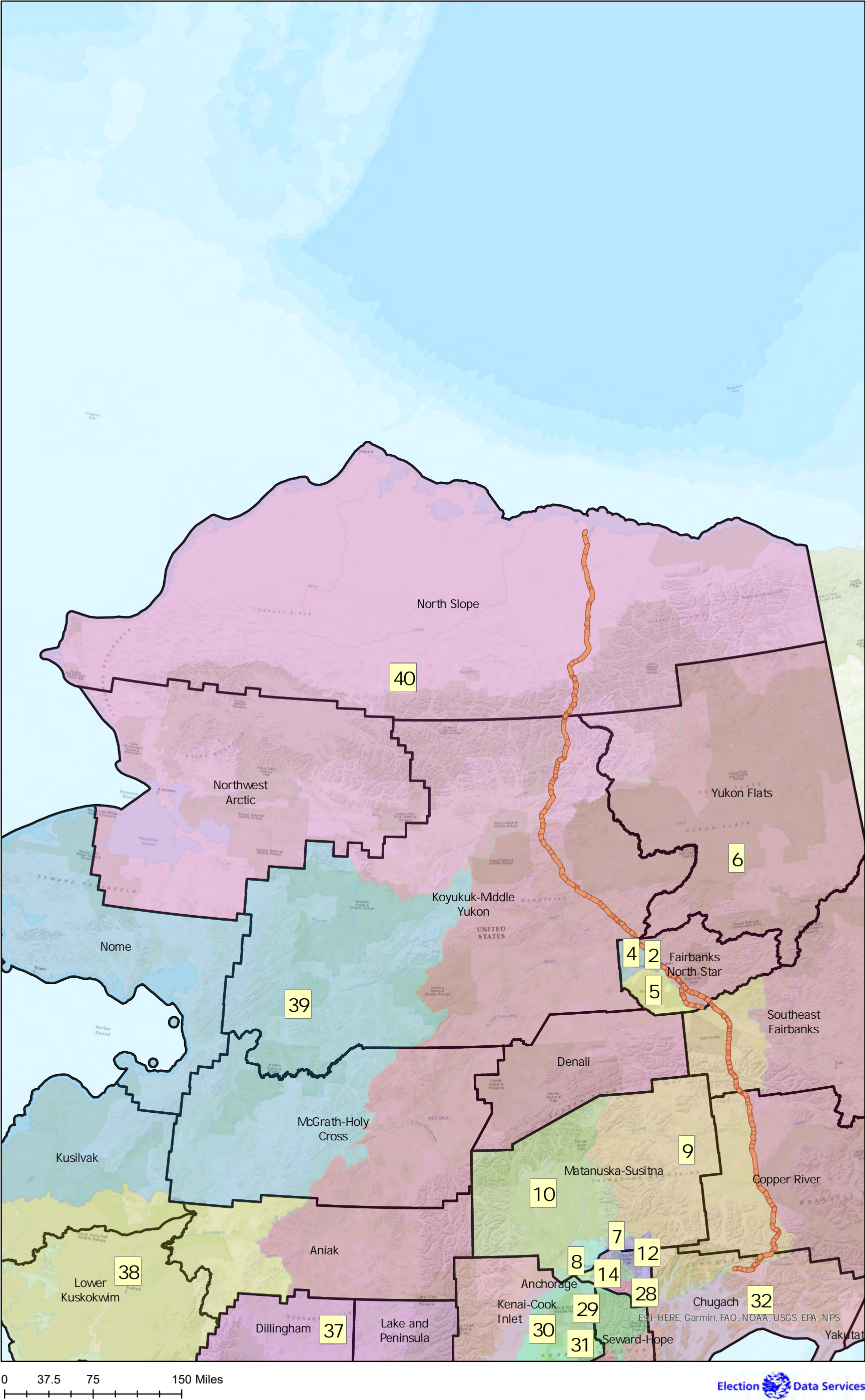
0 30 60 120 Miles

Election  Data Services

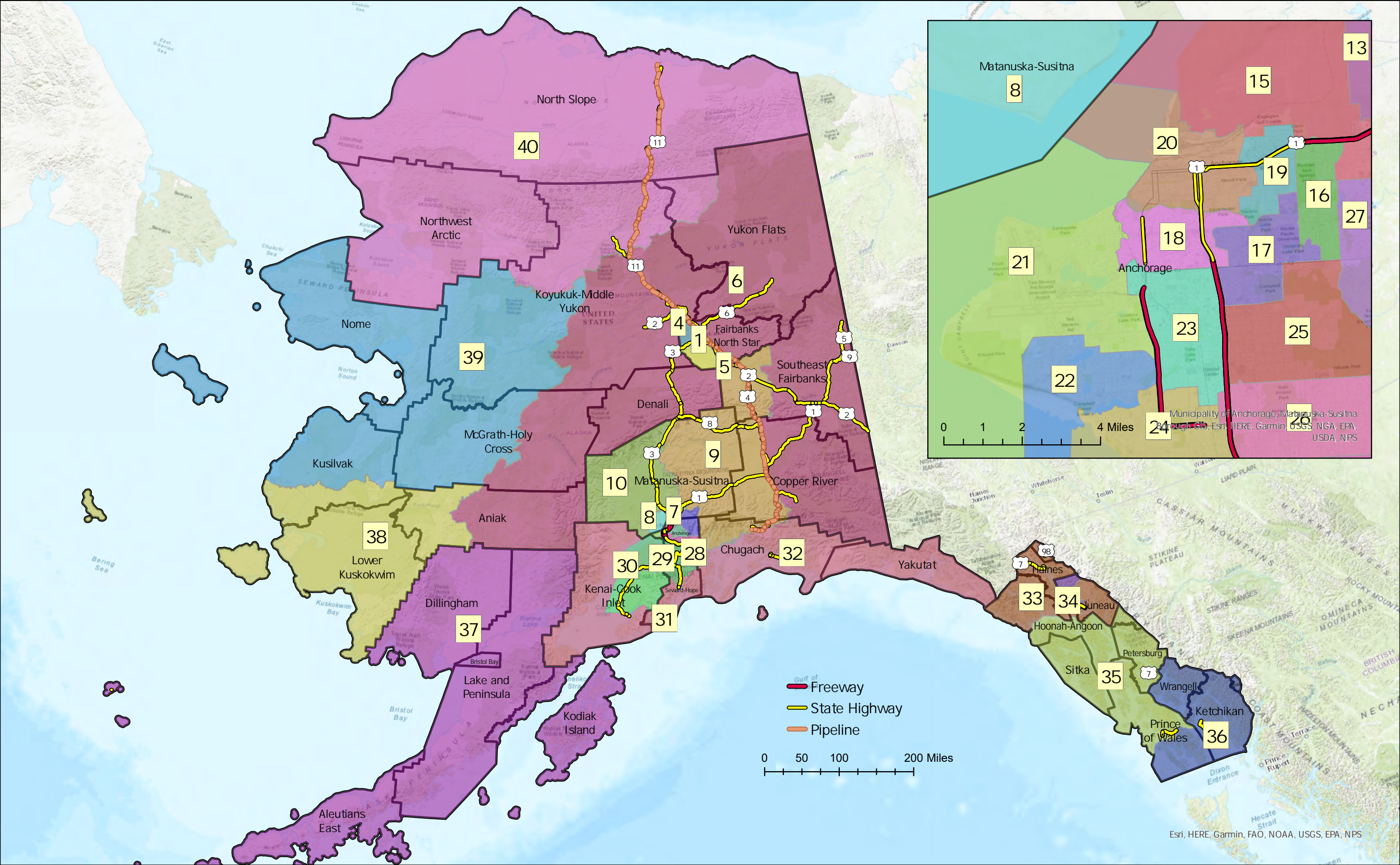


0 30 60 120 Miles

Election  Data Services

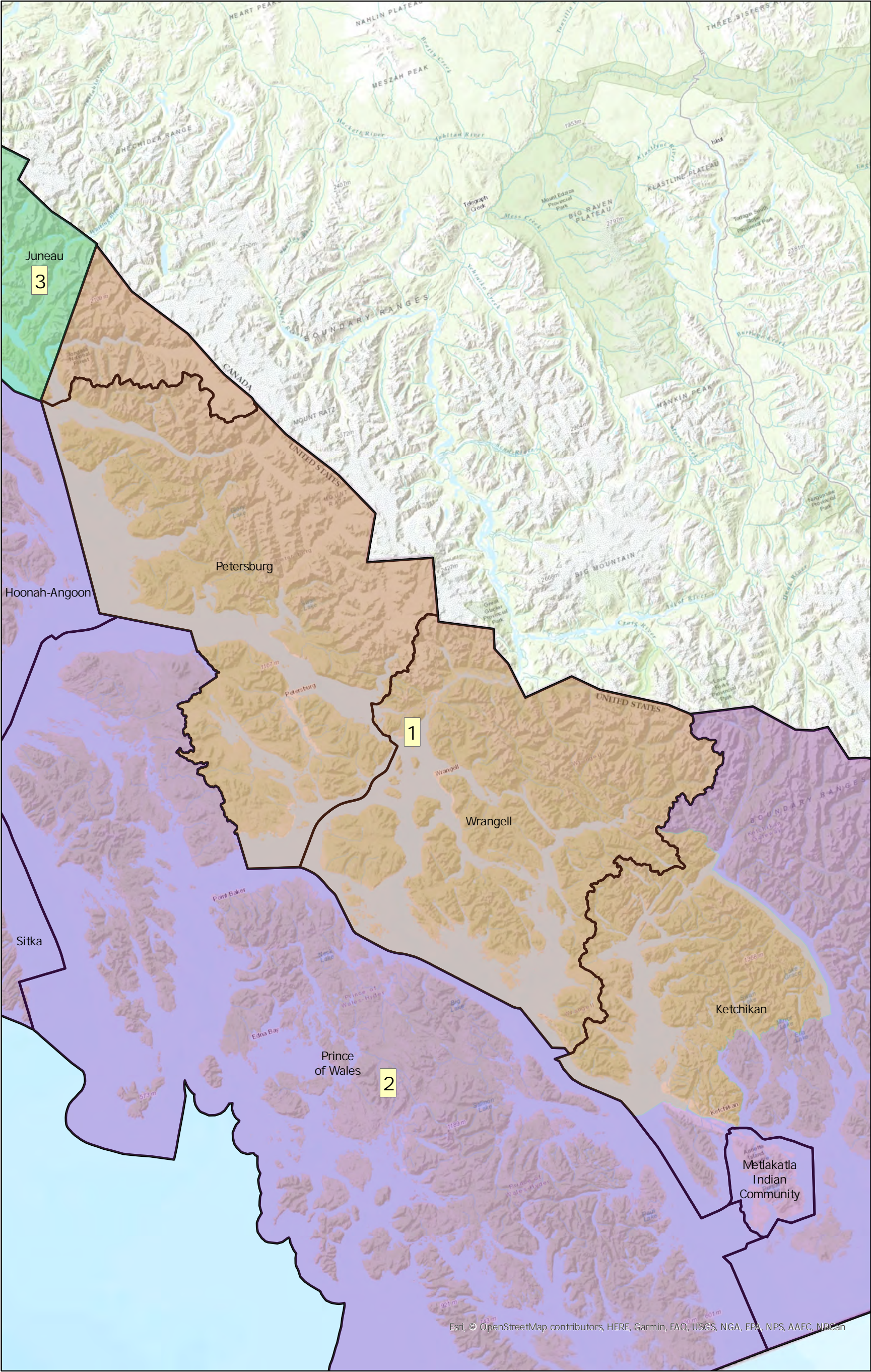


Alaska State House Plan - 2013 Proclamation Plan



Alaska House Districts
Board Composite 1

District
1

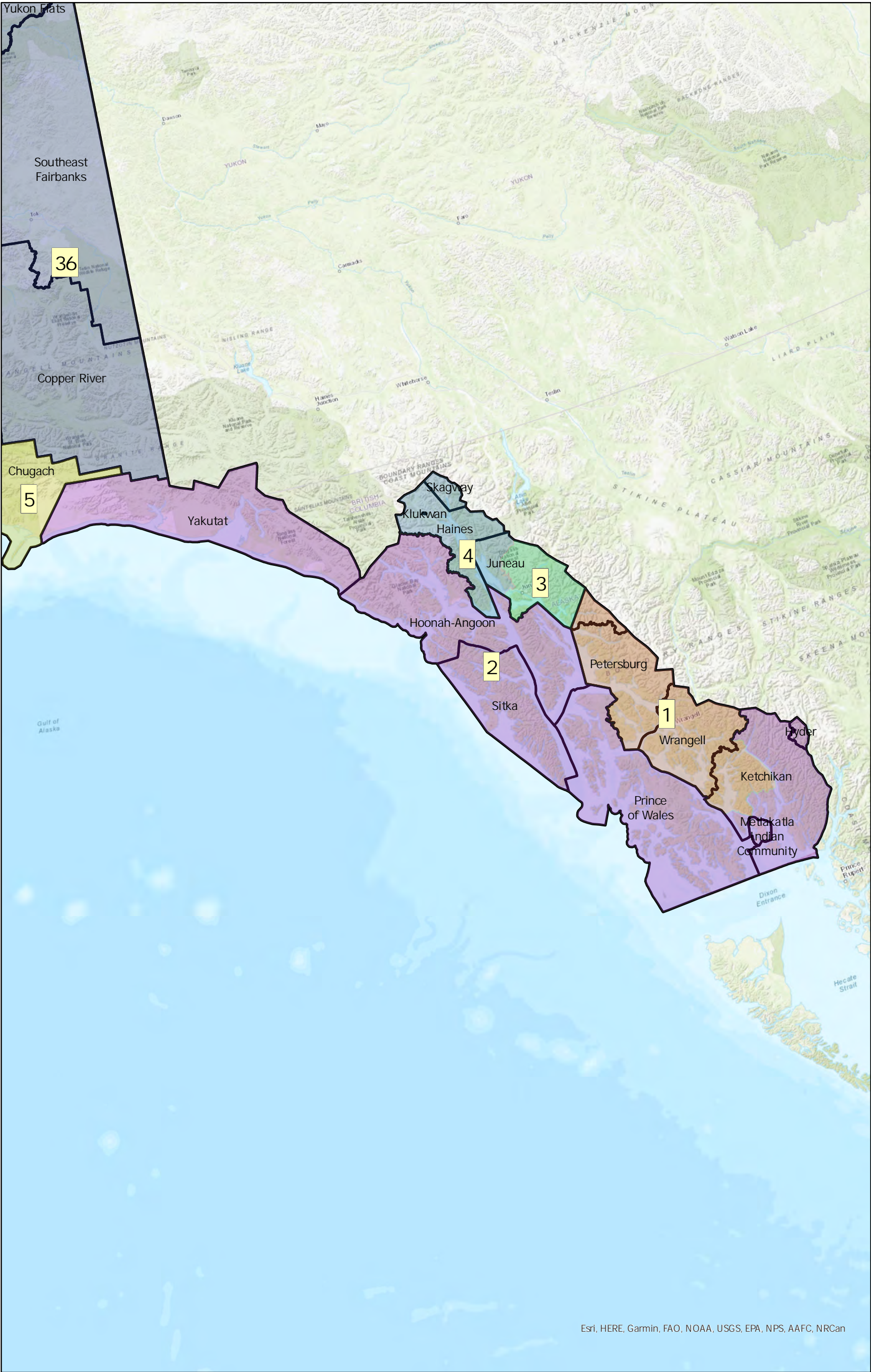


0 5 10 20 Miles

Election Data Services

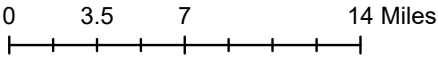
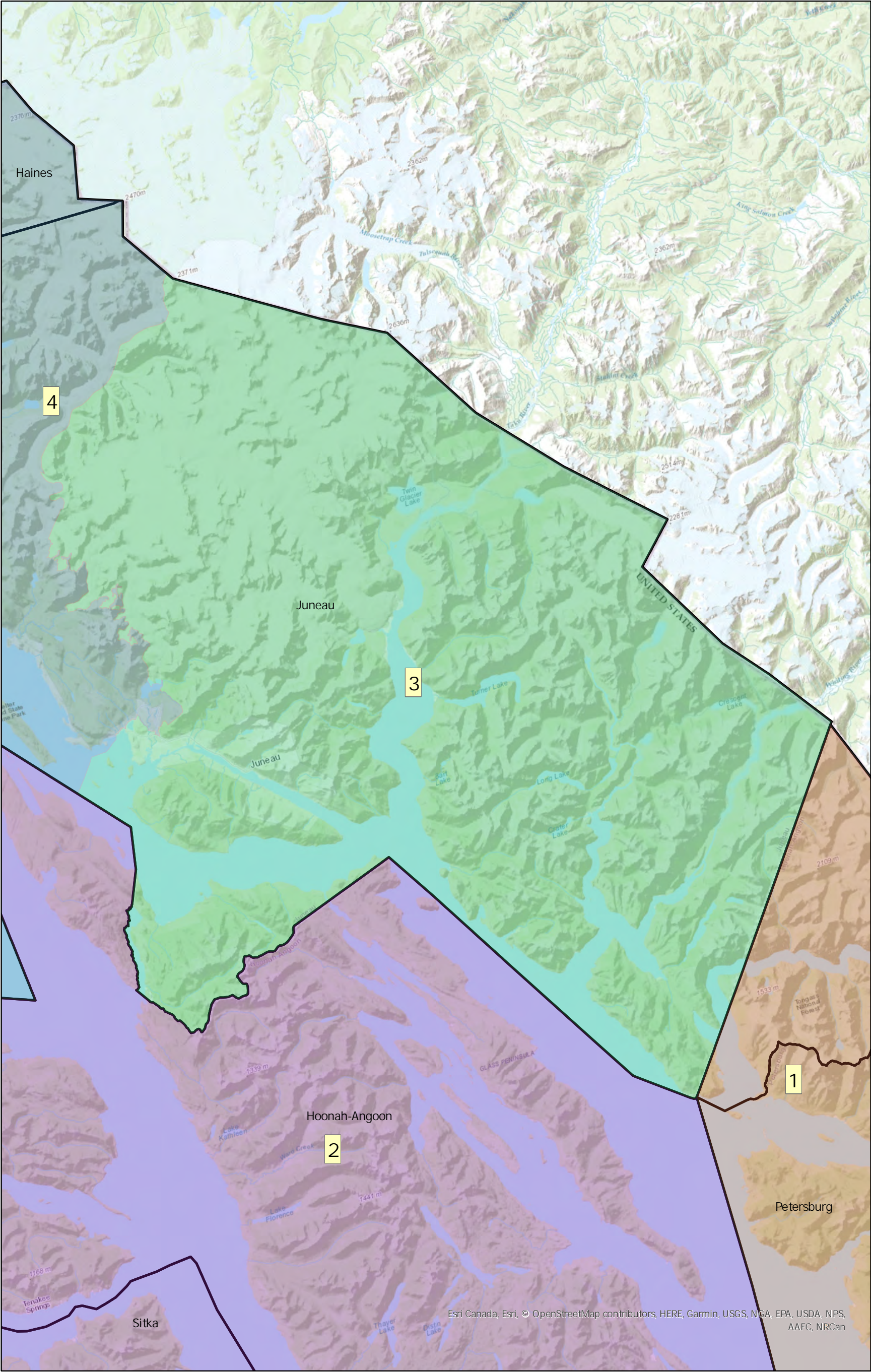
Alaska House Districts
Board Composite 1

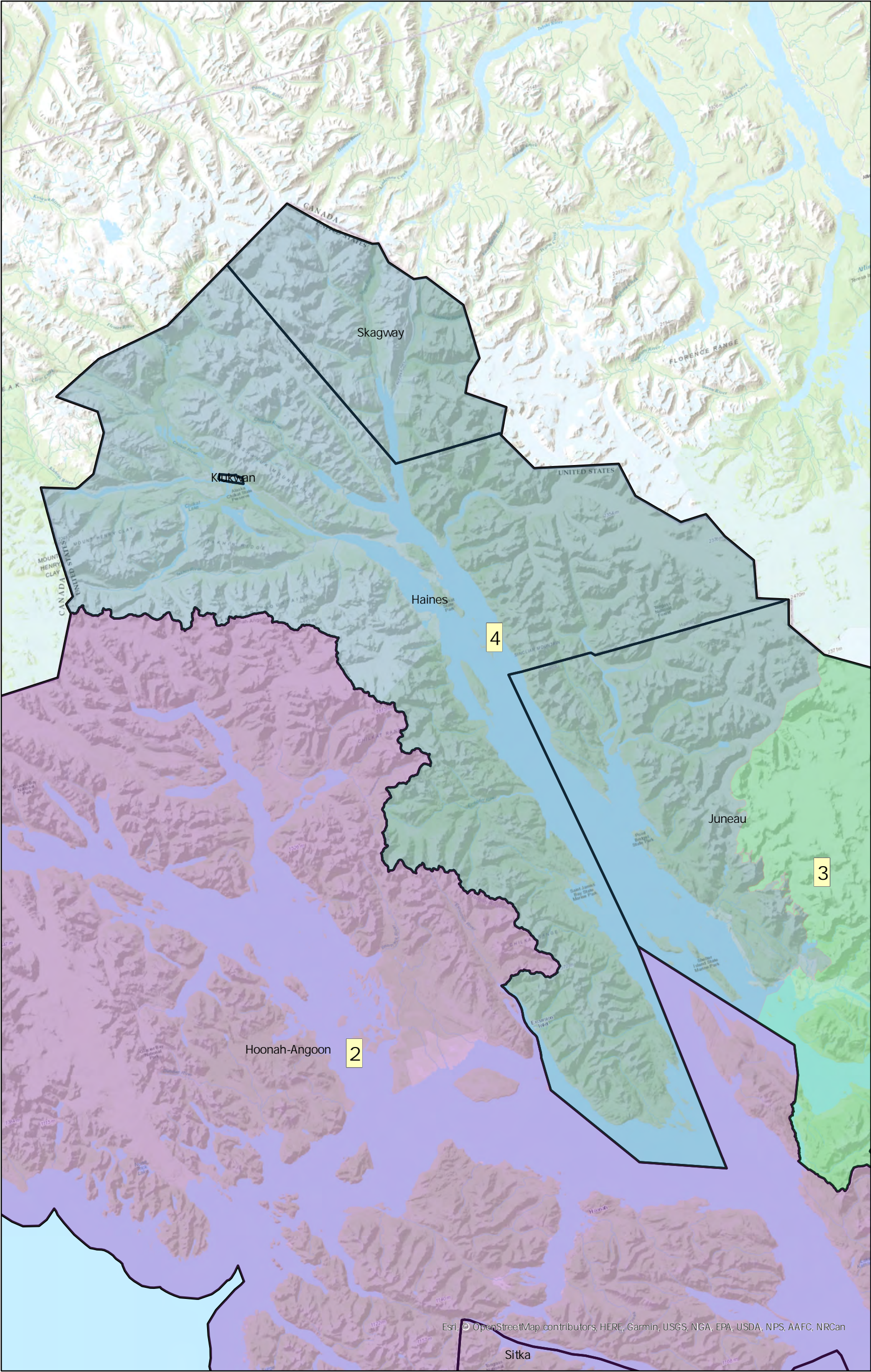
District
2



0 30 60 120 Miles

Election Data Services



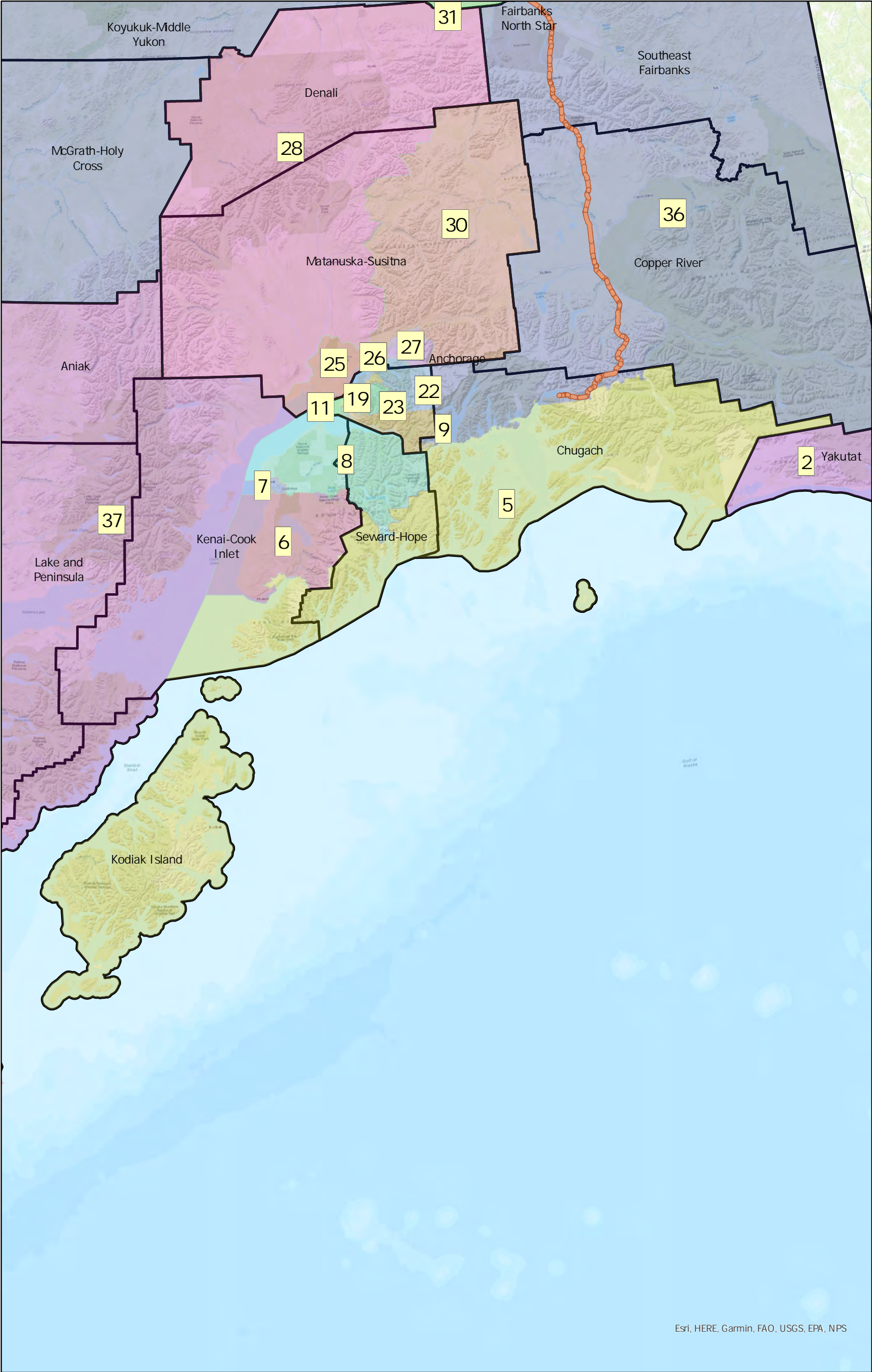


0 5 10 20 Miles

Election Data Services

Alaska House Districts
Board Composite 1

District
5

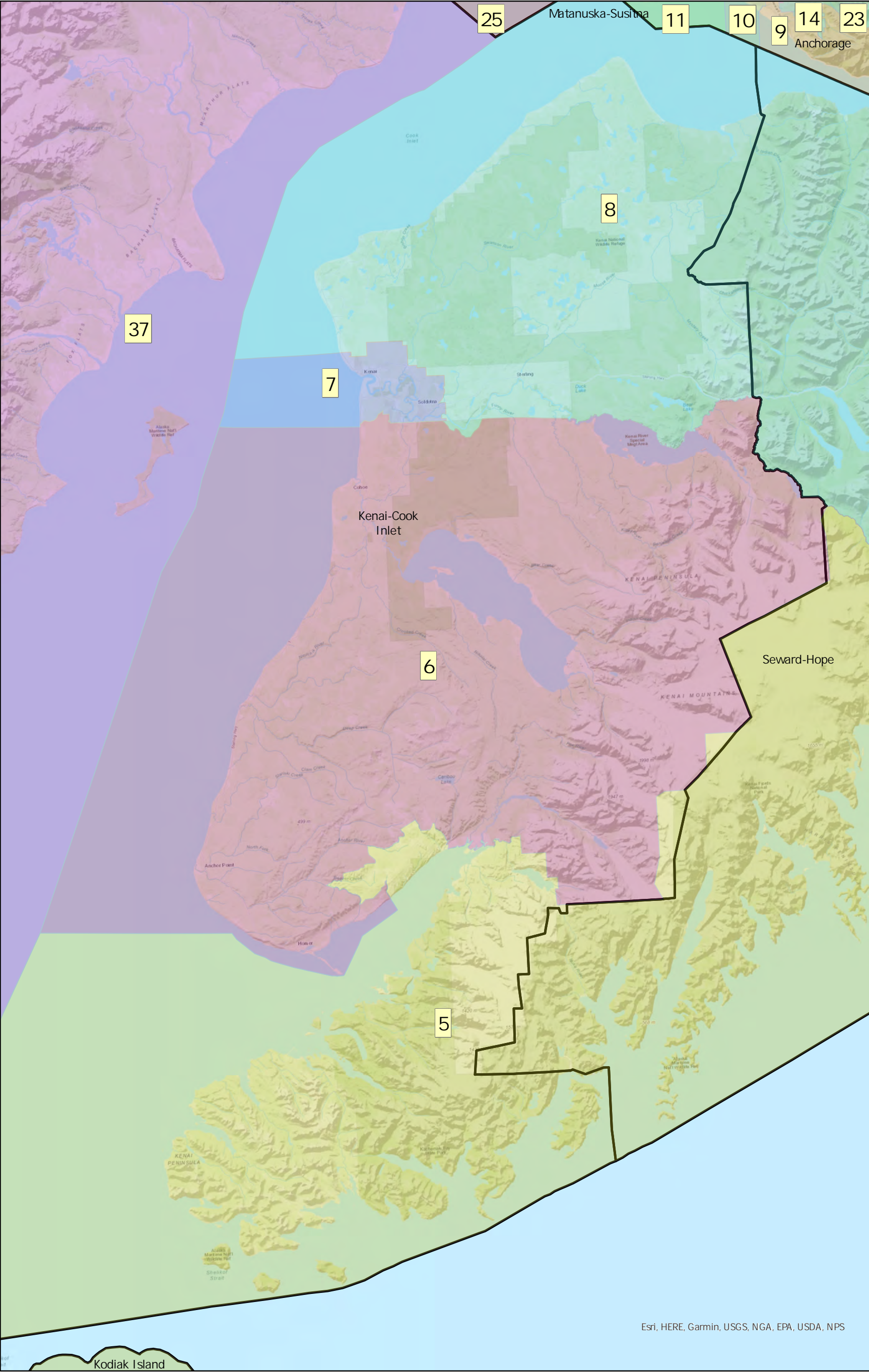


0 25 50 100 Miles

Election  Data Services

Alaska House Districts
Board Composite 1

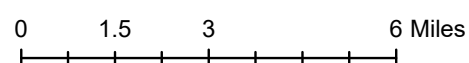
District
6



0 5 10 20 Miles

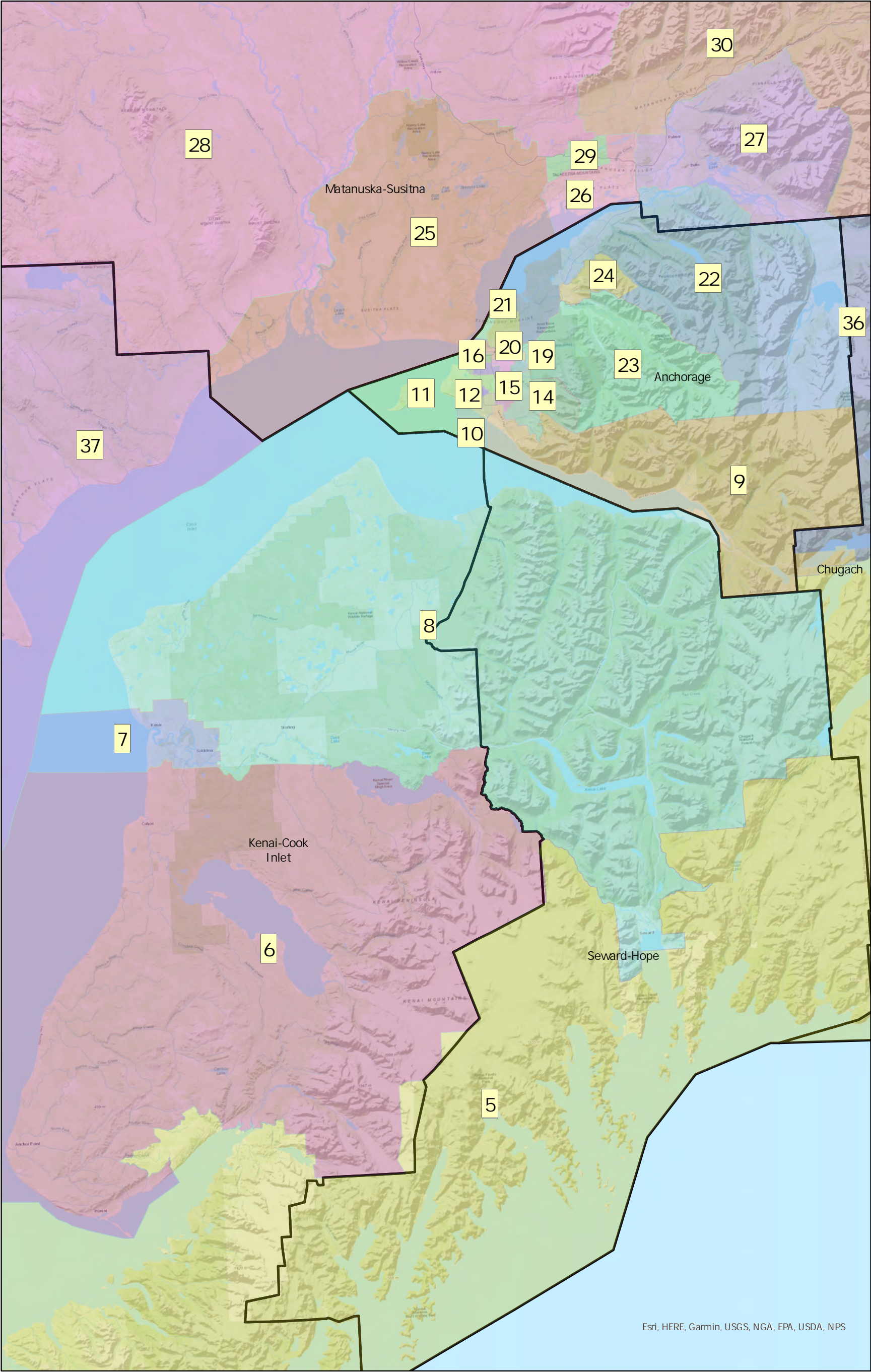
Election Data Services

District
7



Alaska House Districts
Board Composite 1

District
8

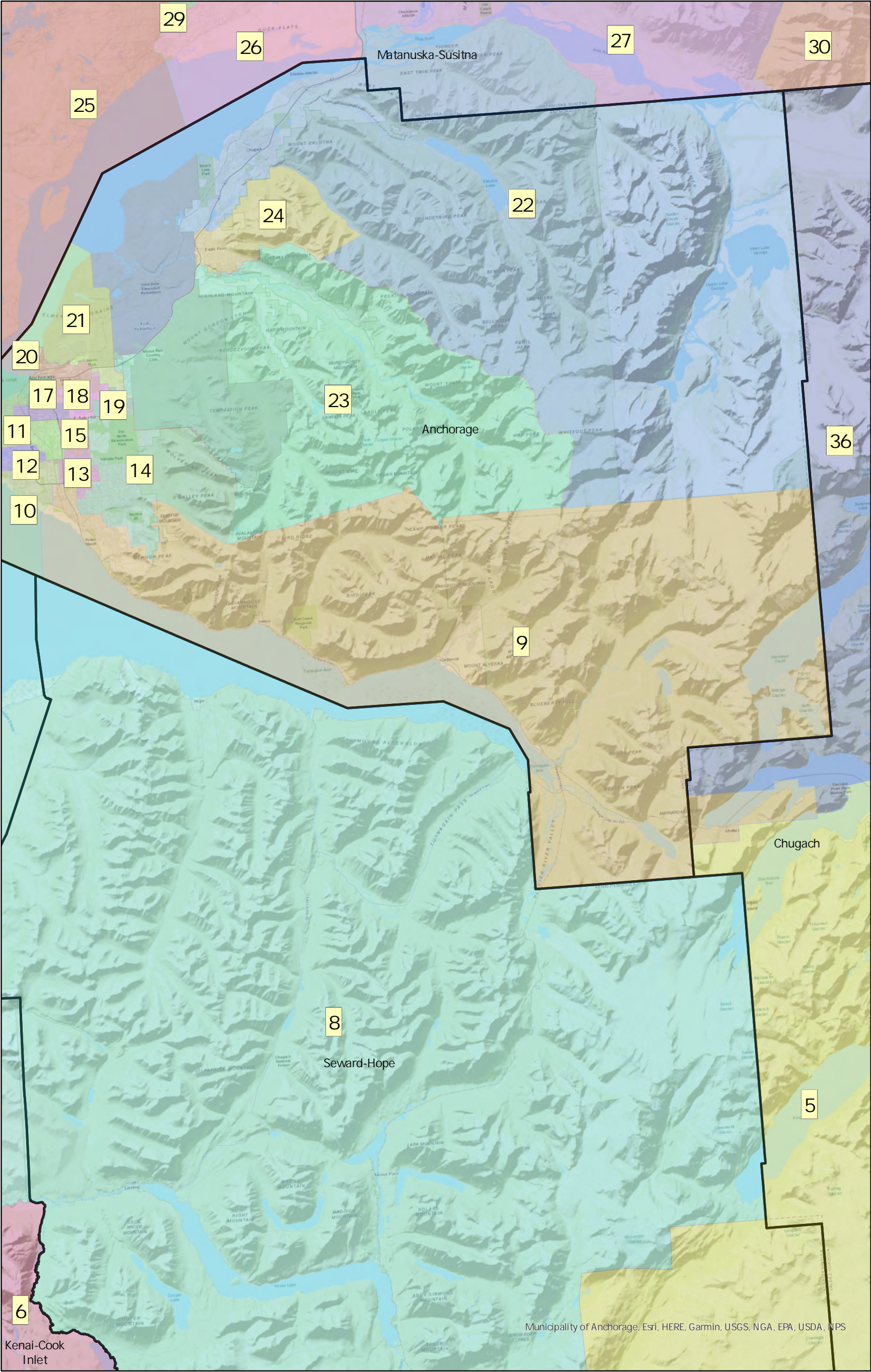


0 5 10 20 Miles

Election  Data Services

Alaska House Districts
Board Composite 1

District
9



Alaska House Districts
Board Composite 1

District
10

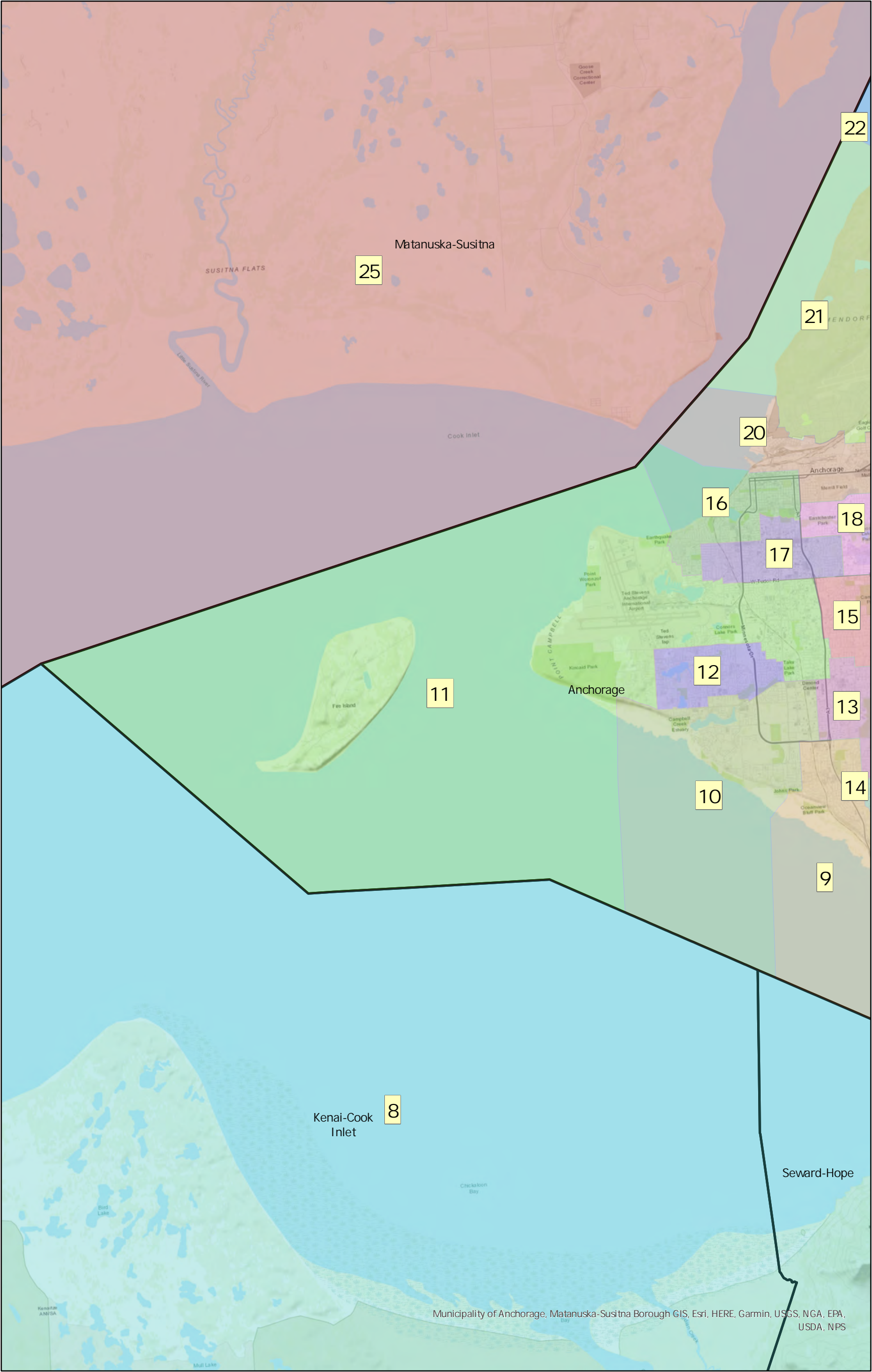


0 0.3 0.6 1.2 Miles

Election Data Services

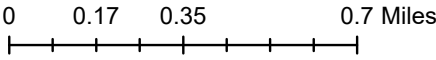
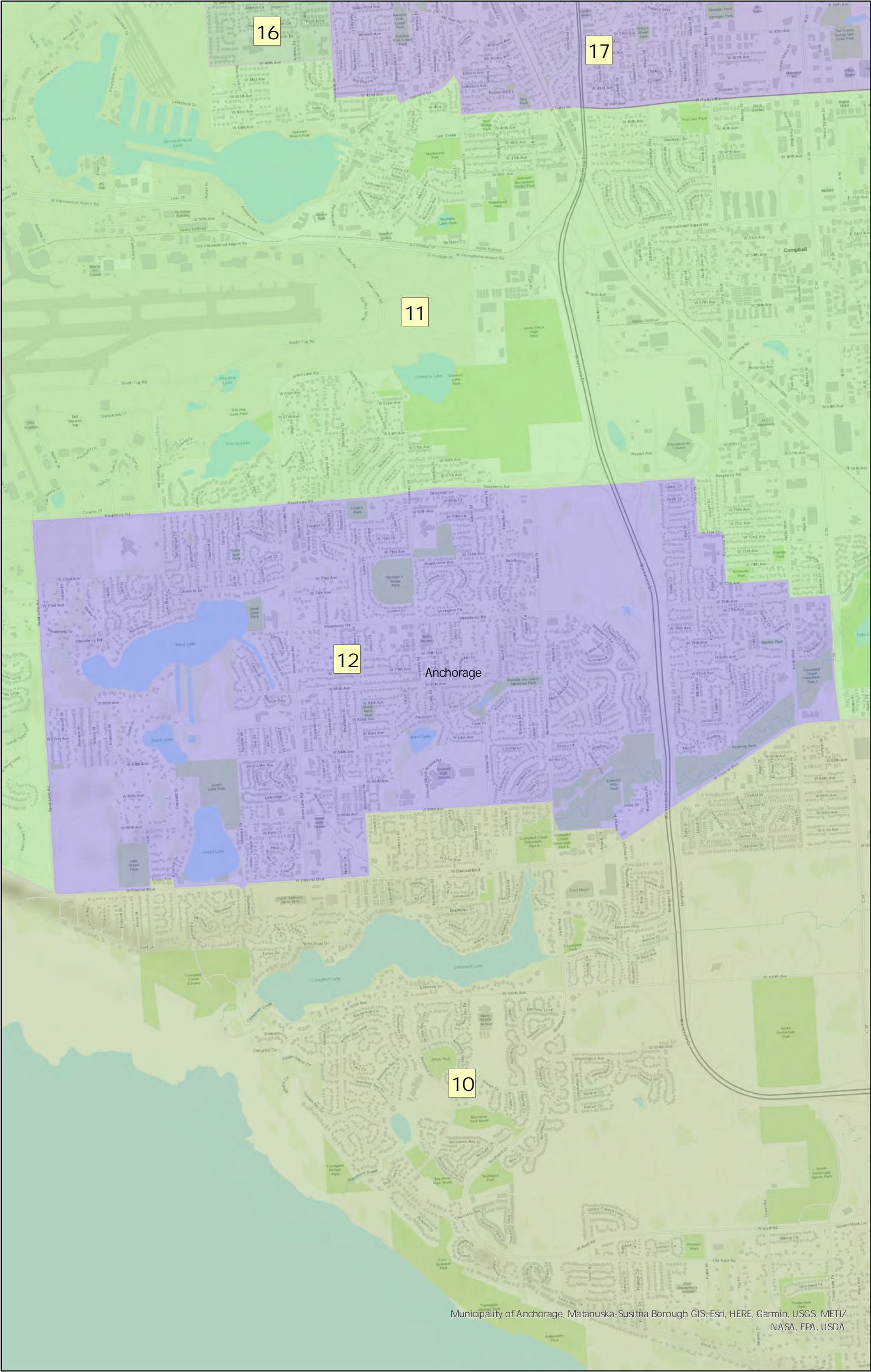
Alaska House Districts
Board Composite 1

District
11



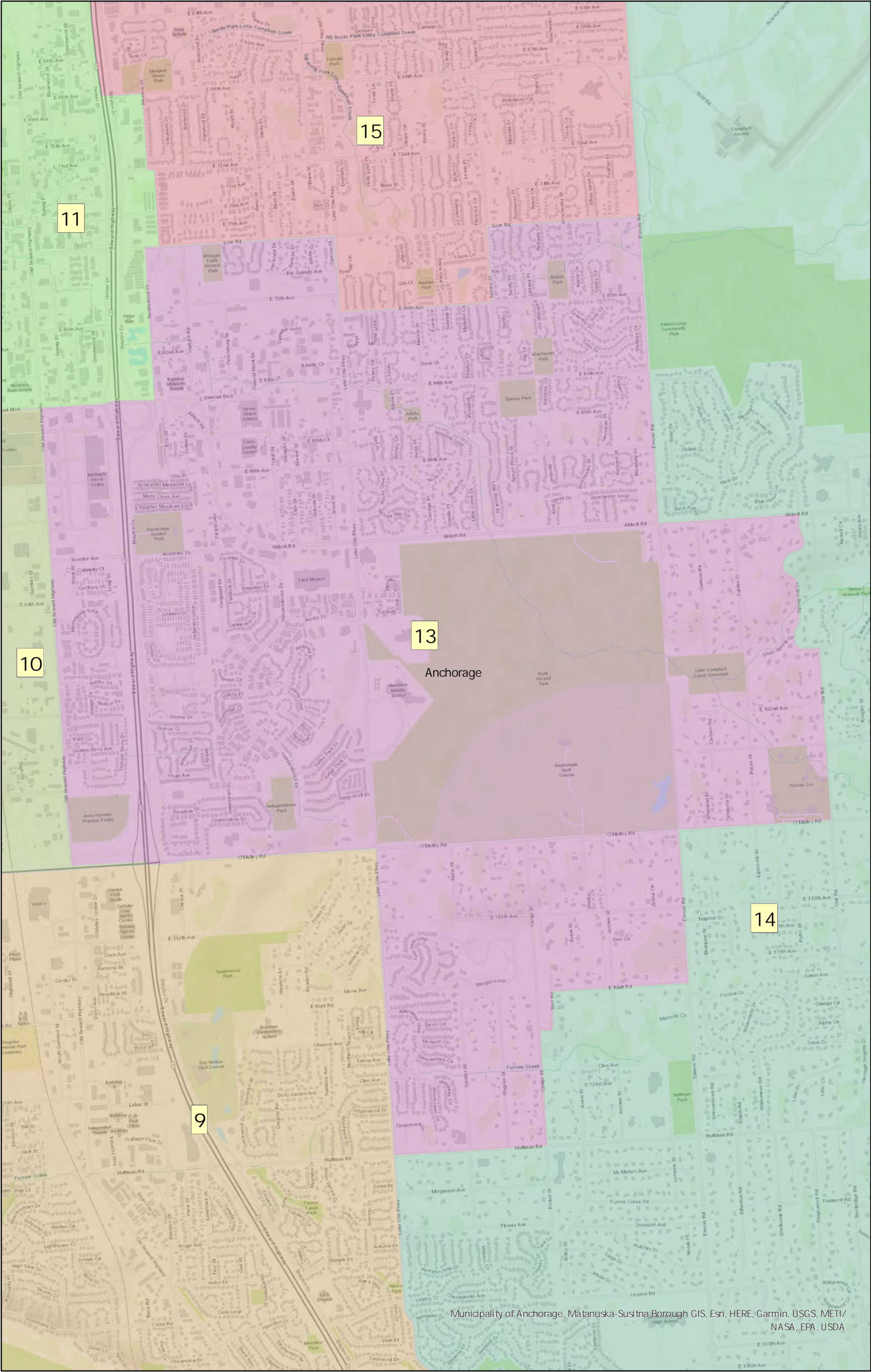
0 1 2 4 Miles

Election Data Services



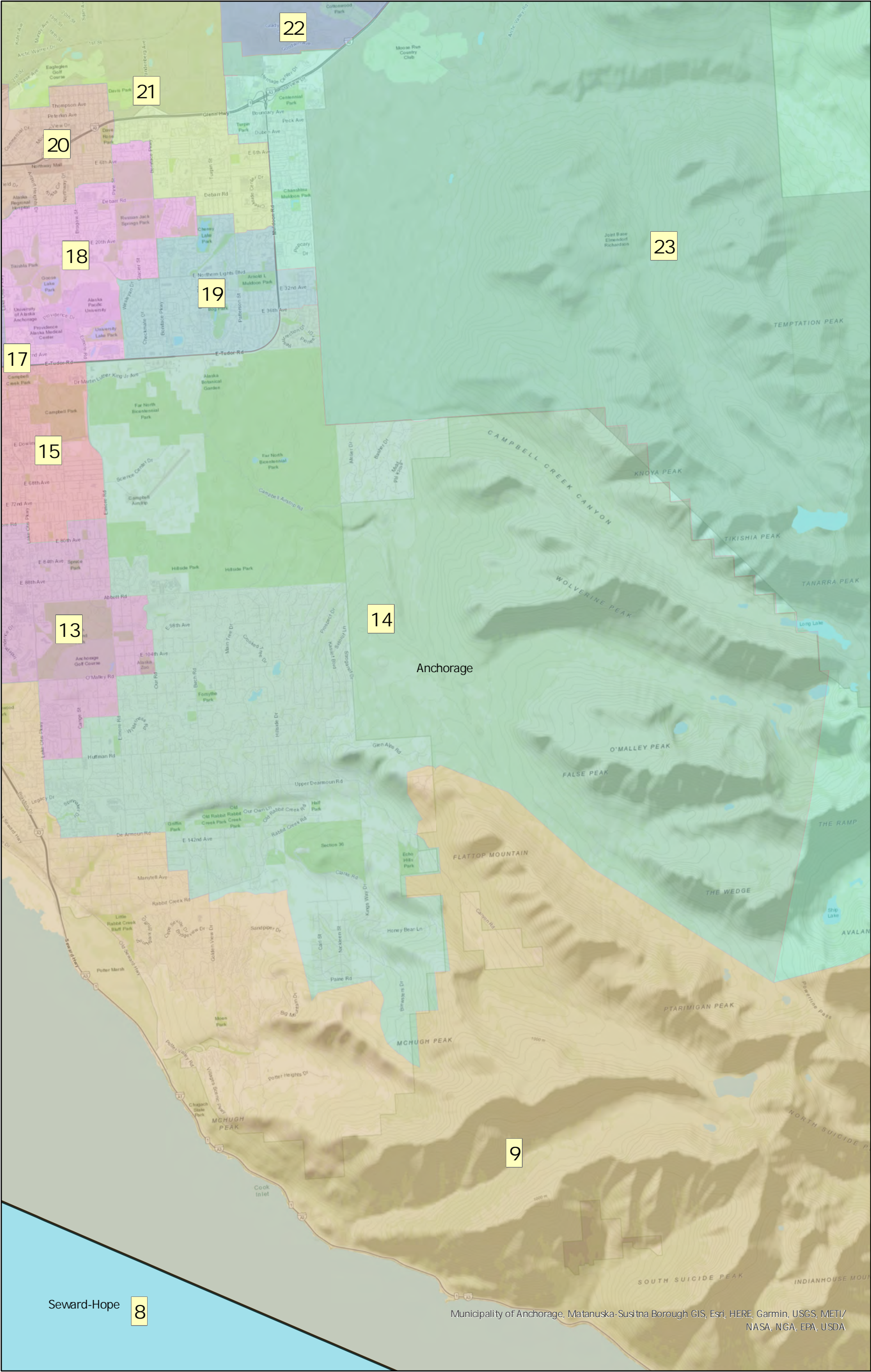
Alaska House Districts
Board Composite 1

District
13



Alaska House Districts
Board Composite 1

District
14

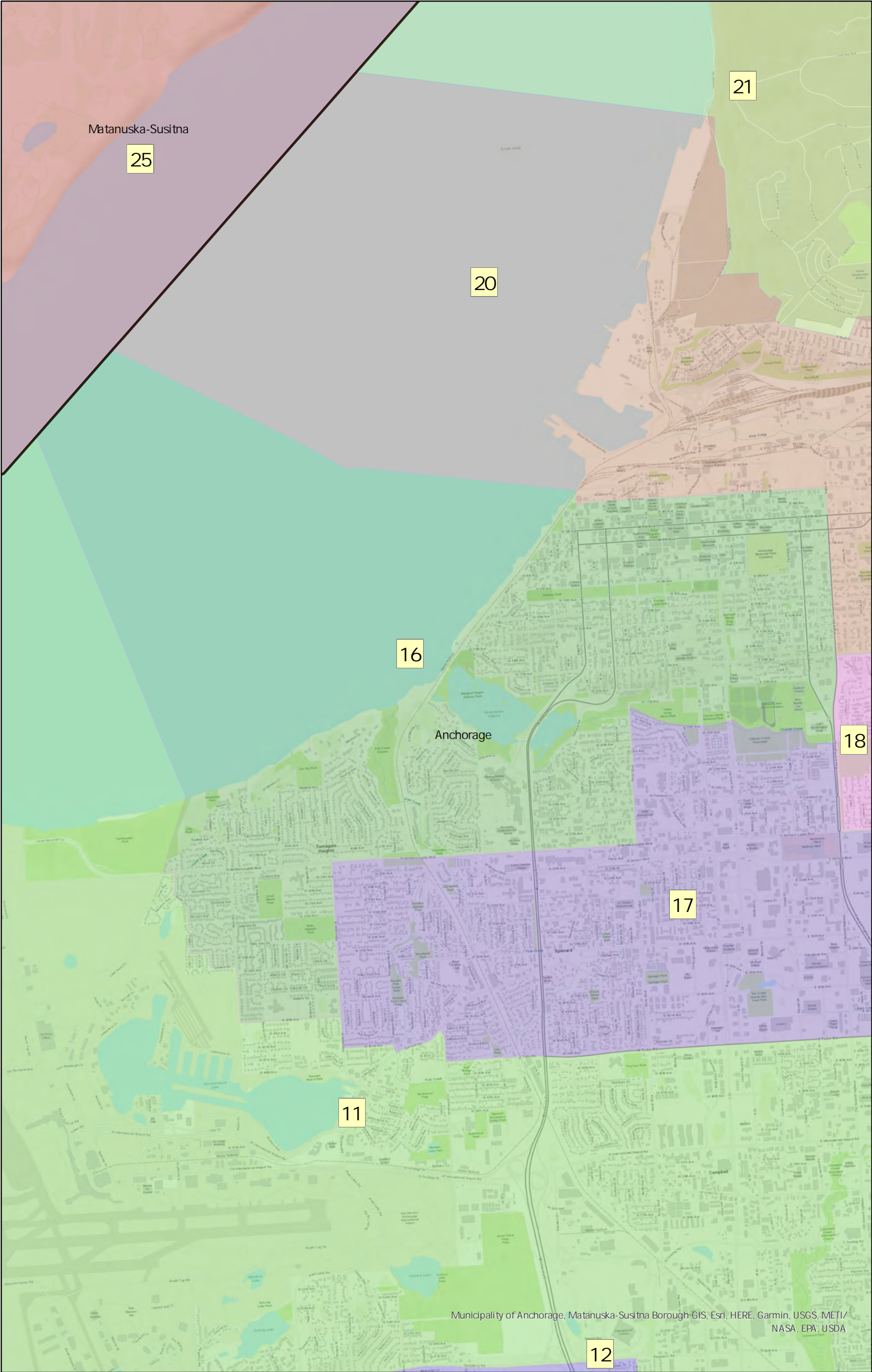


0 0.5 1 2 Miles

Election  Data Services

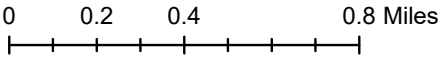
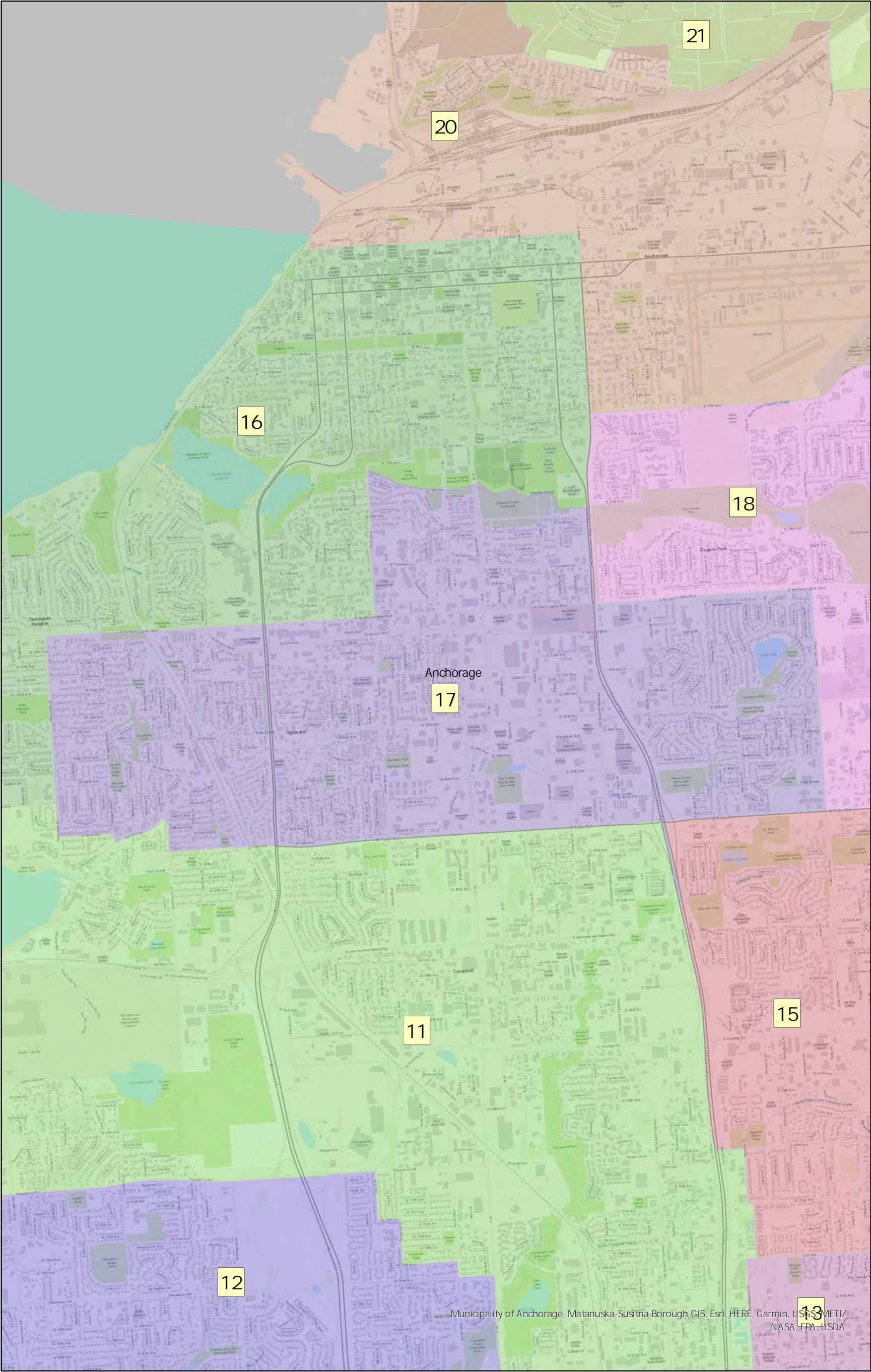
District
15

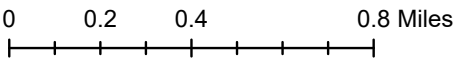
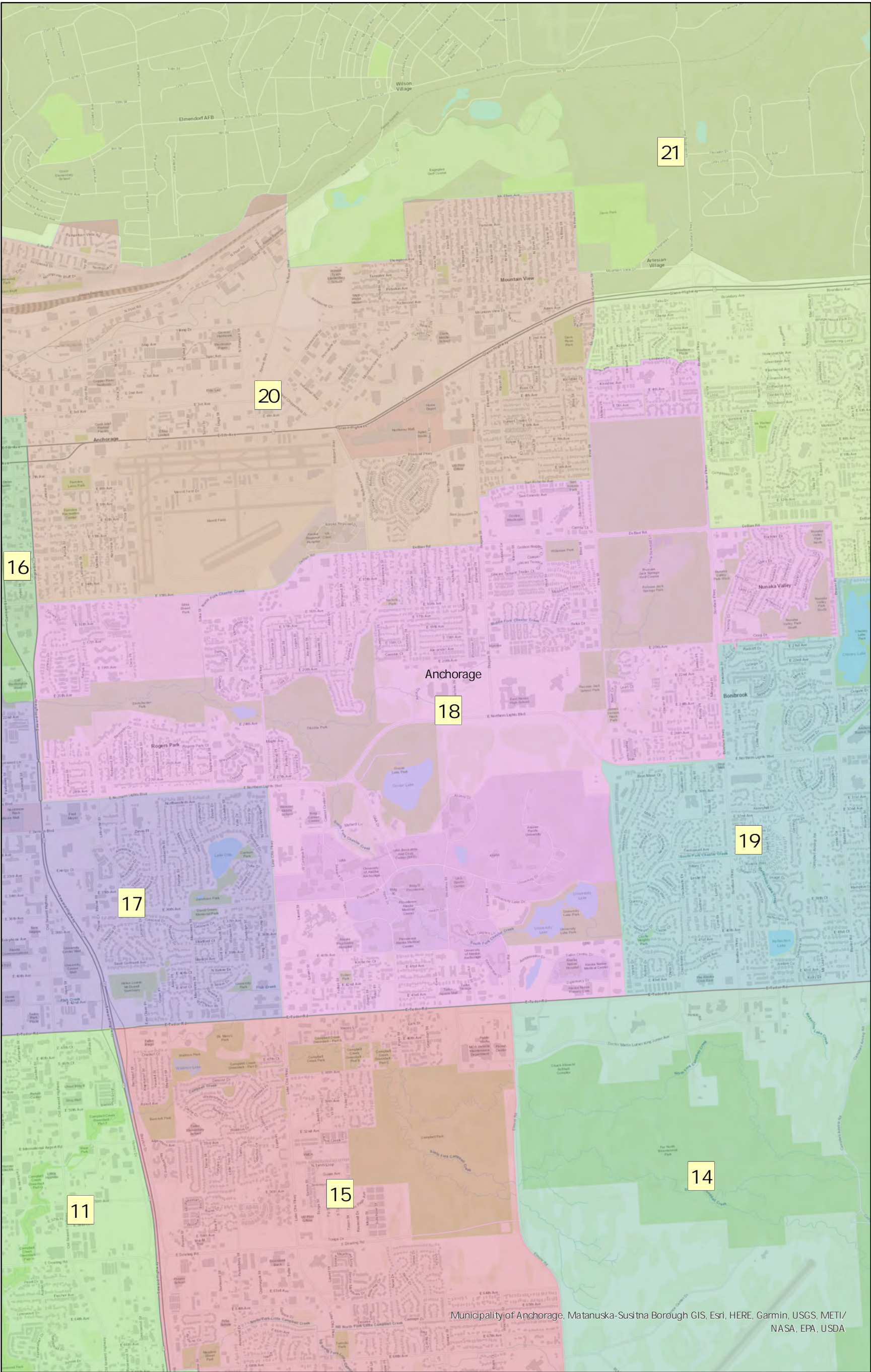




0 0.23 0.45 0.9 Miles

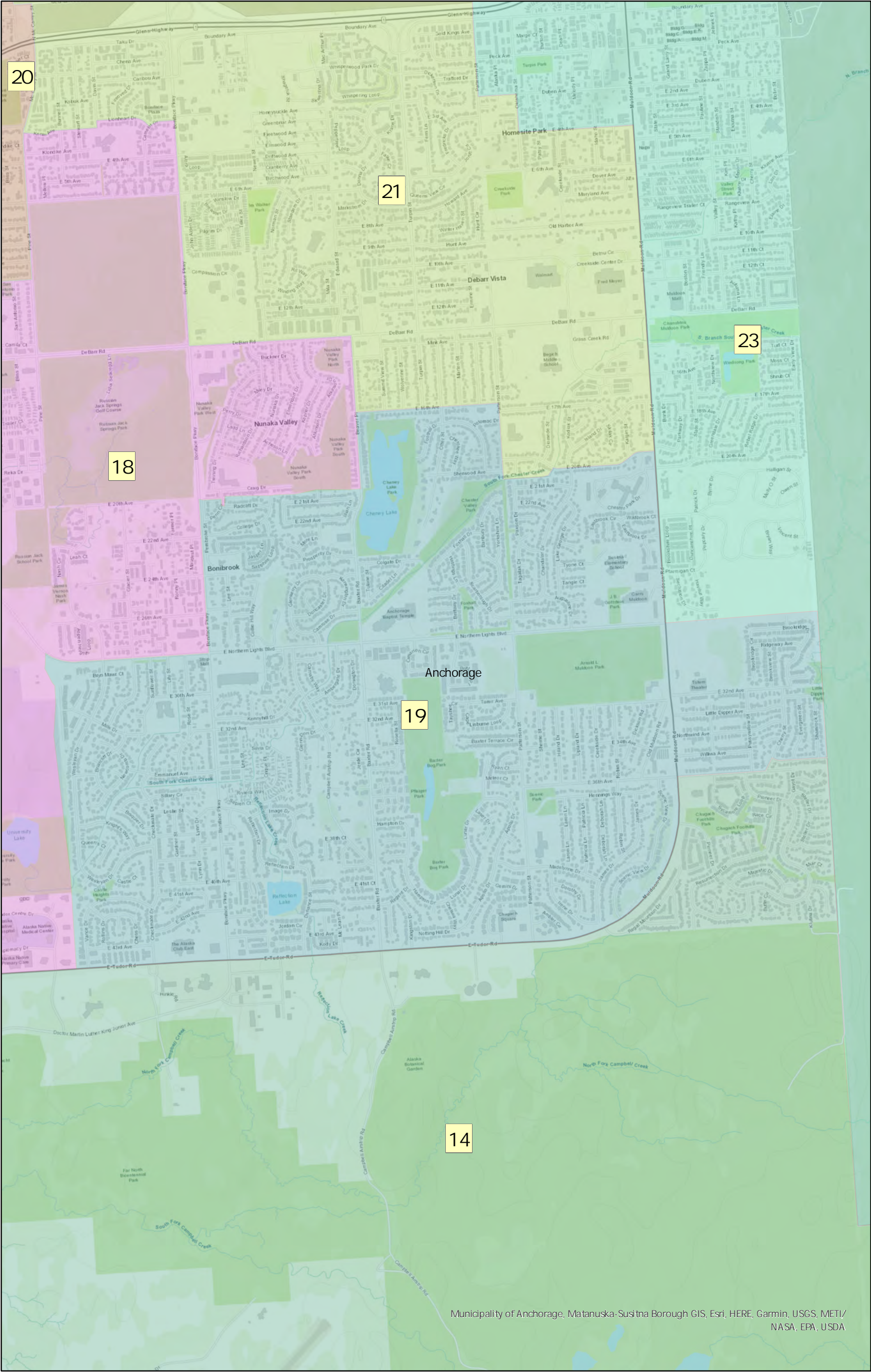
Election Data Services





Alaska House Districts
Board Composite 1

District
19



0 0.15 0.3 0.6 Miles

Election Data Services

Alaska House Districts
Board Composite 1

District
20

22

Matanuska-Susitna

25

21

20

Anchorage

16

18

17

19

11

14

15

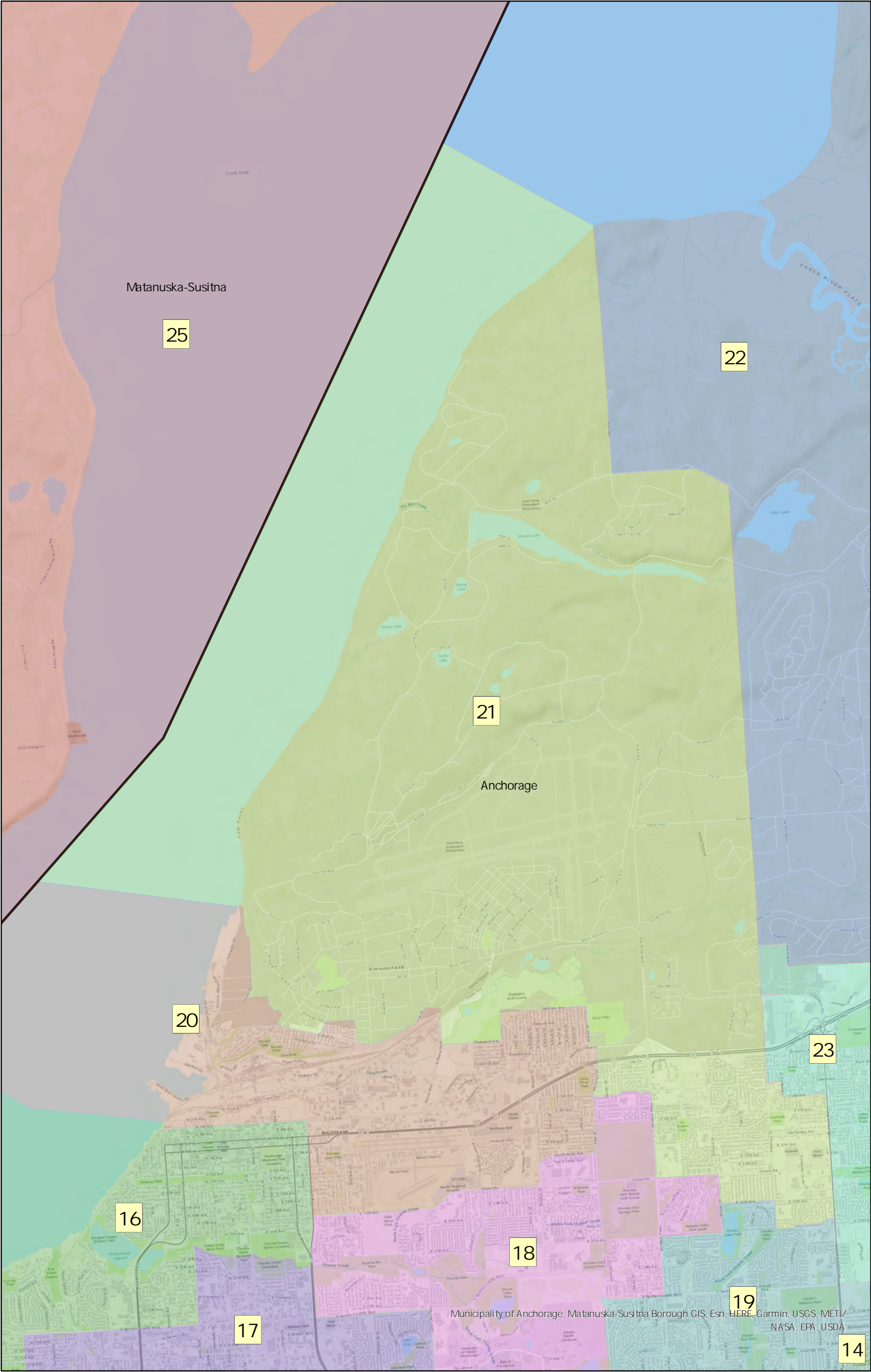
12

13

Municipality of Anchorage, Matanuska-Susitna Borough GIS, Esri, HERE, Garmin, USGS, METI/
NASA, EPA, USDA

0 0.35 0.7 1.4 Miles

Election  Data Services

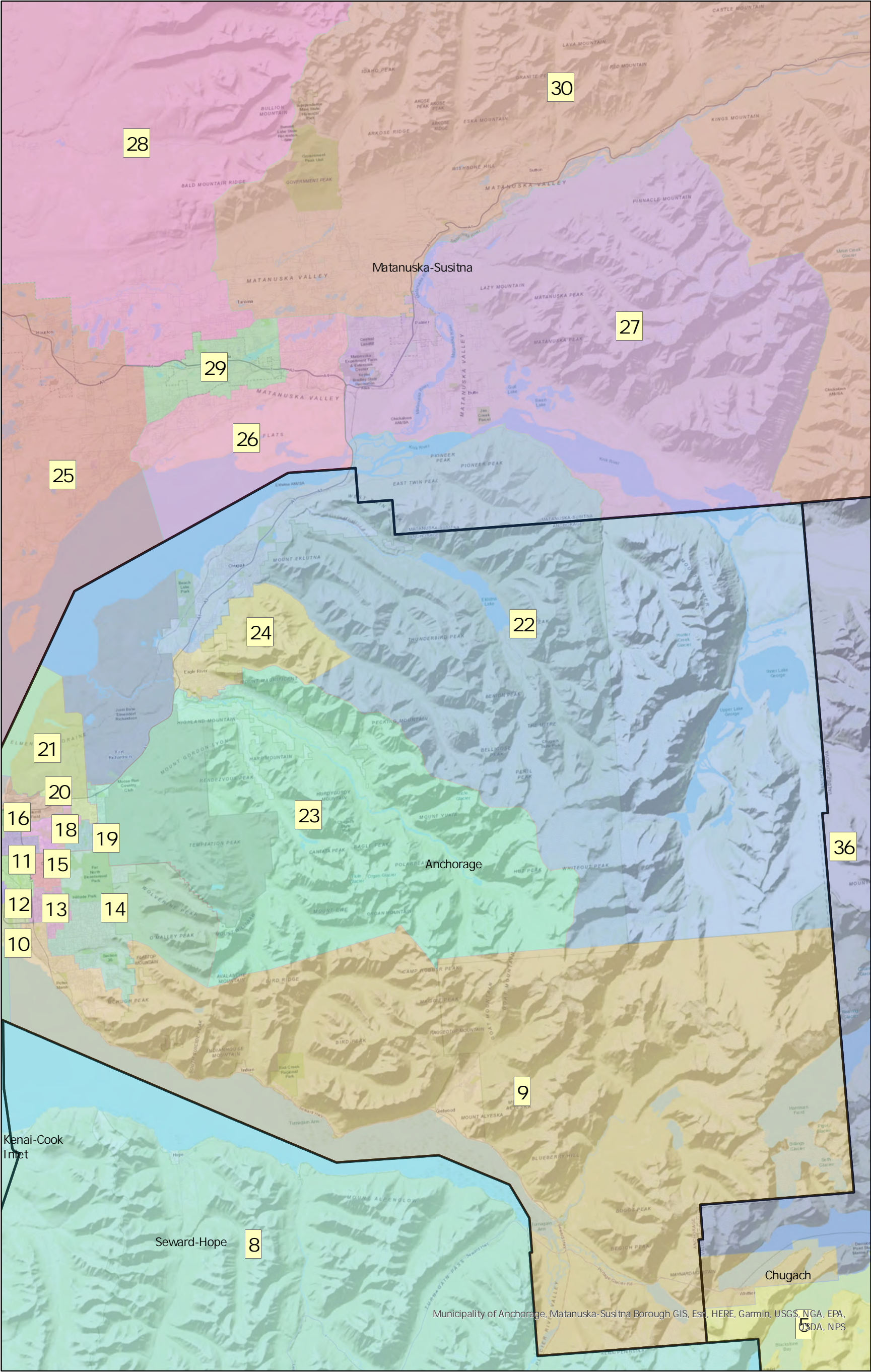


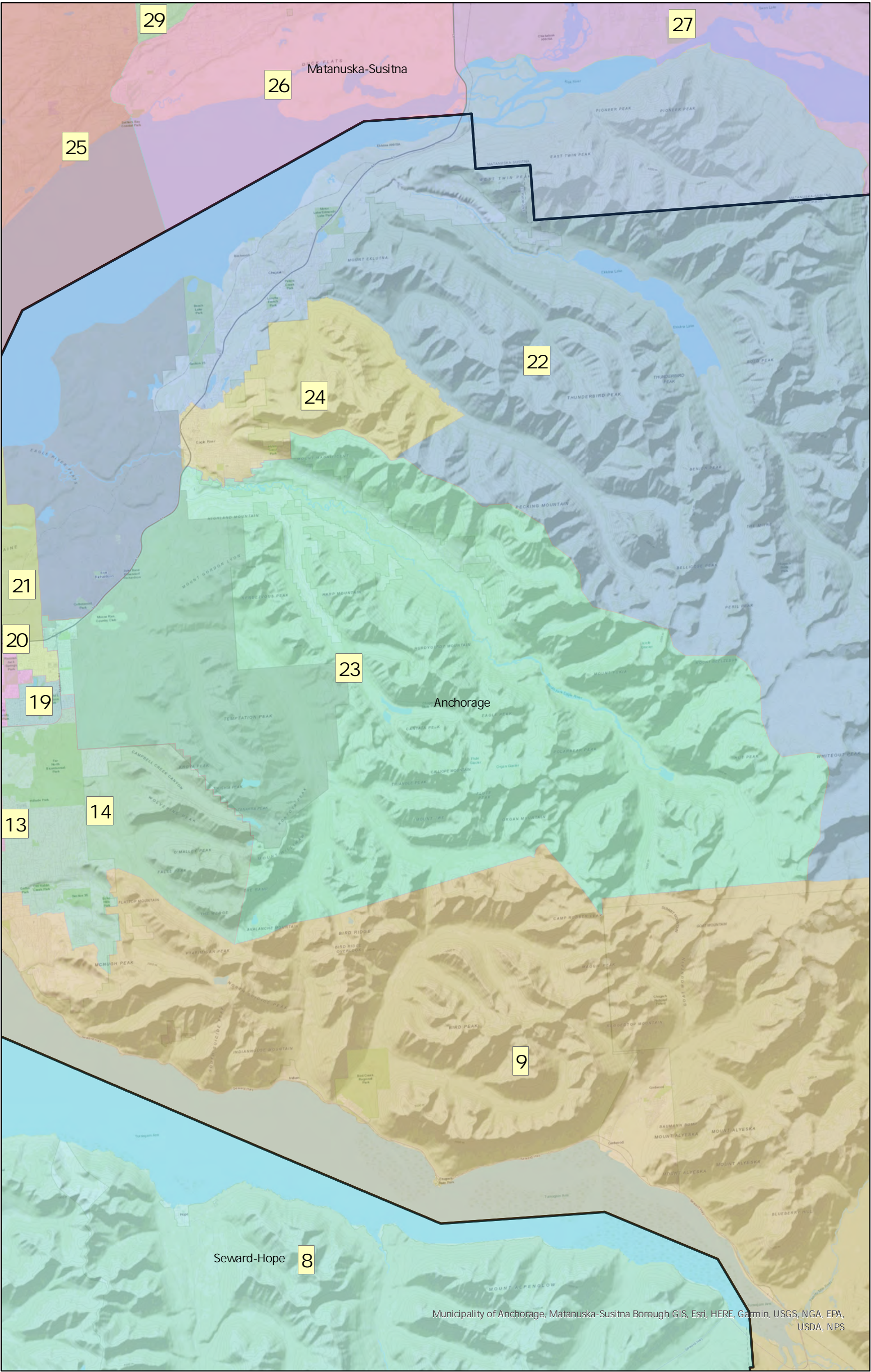
0 0.38 0.75 1.5 Miles

Election Data Services

Alaska House Districts
Board Composite 1

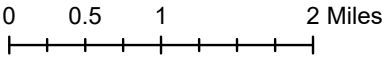
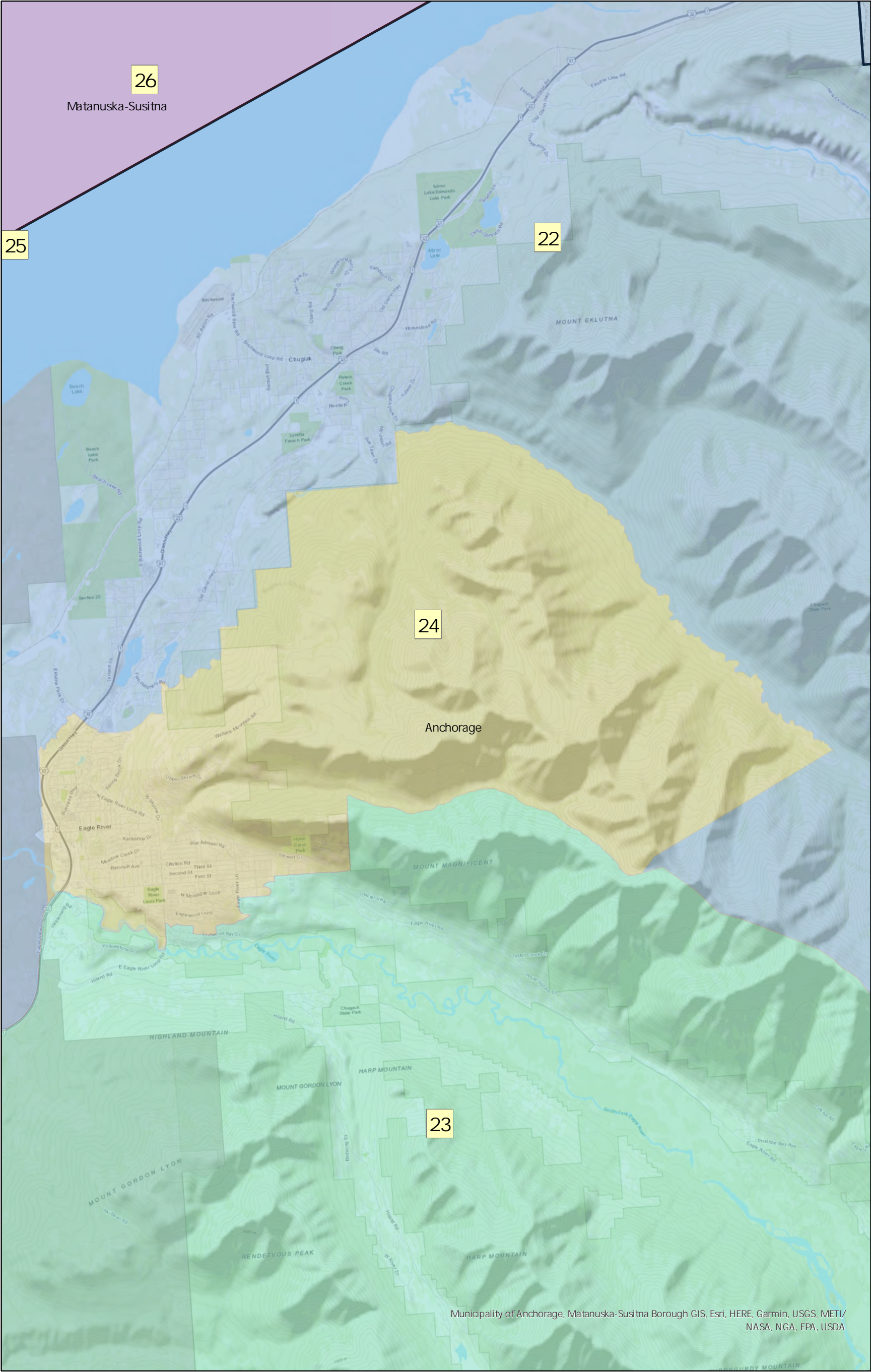
District
22

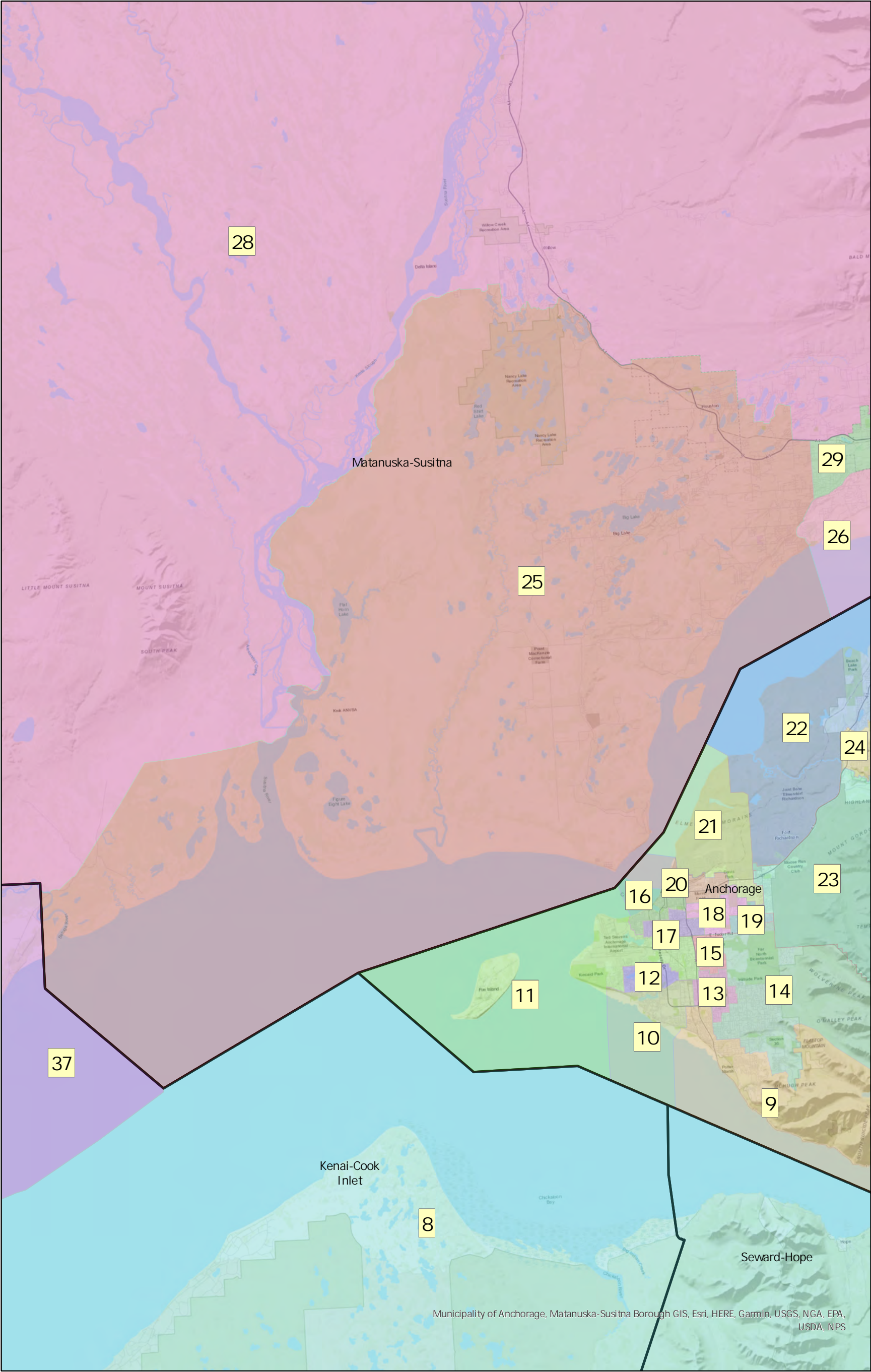




0 1.5 3 6 Miles

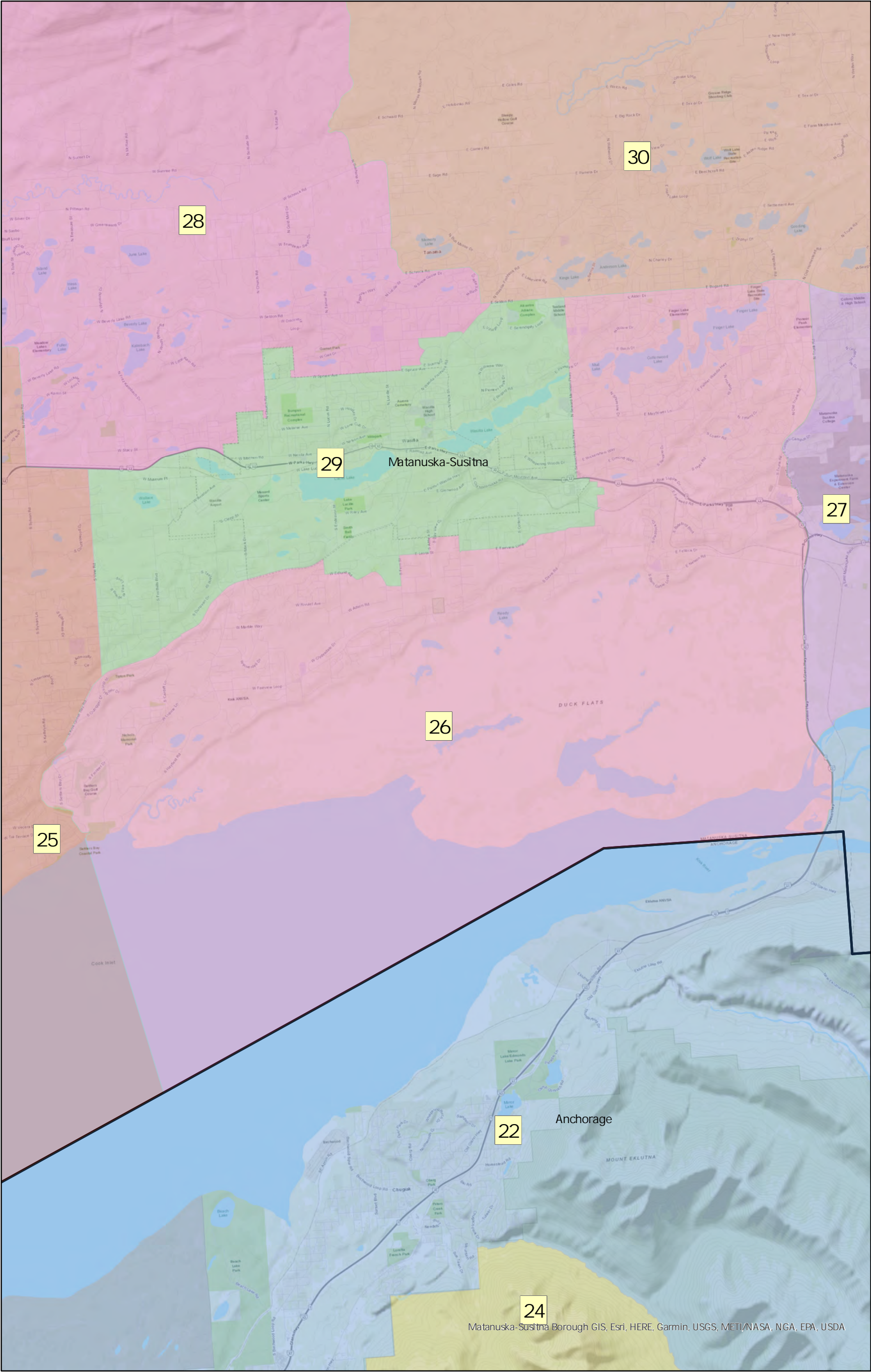
Election  Data Services





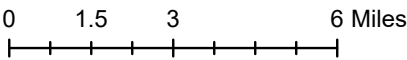
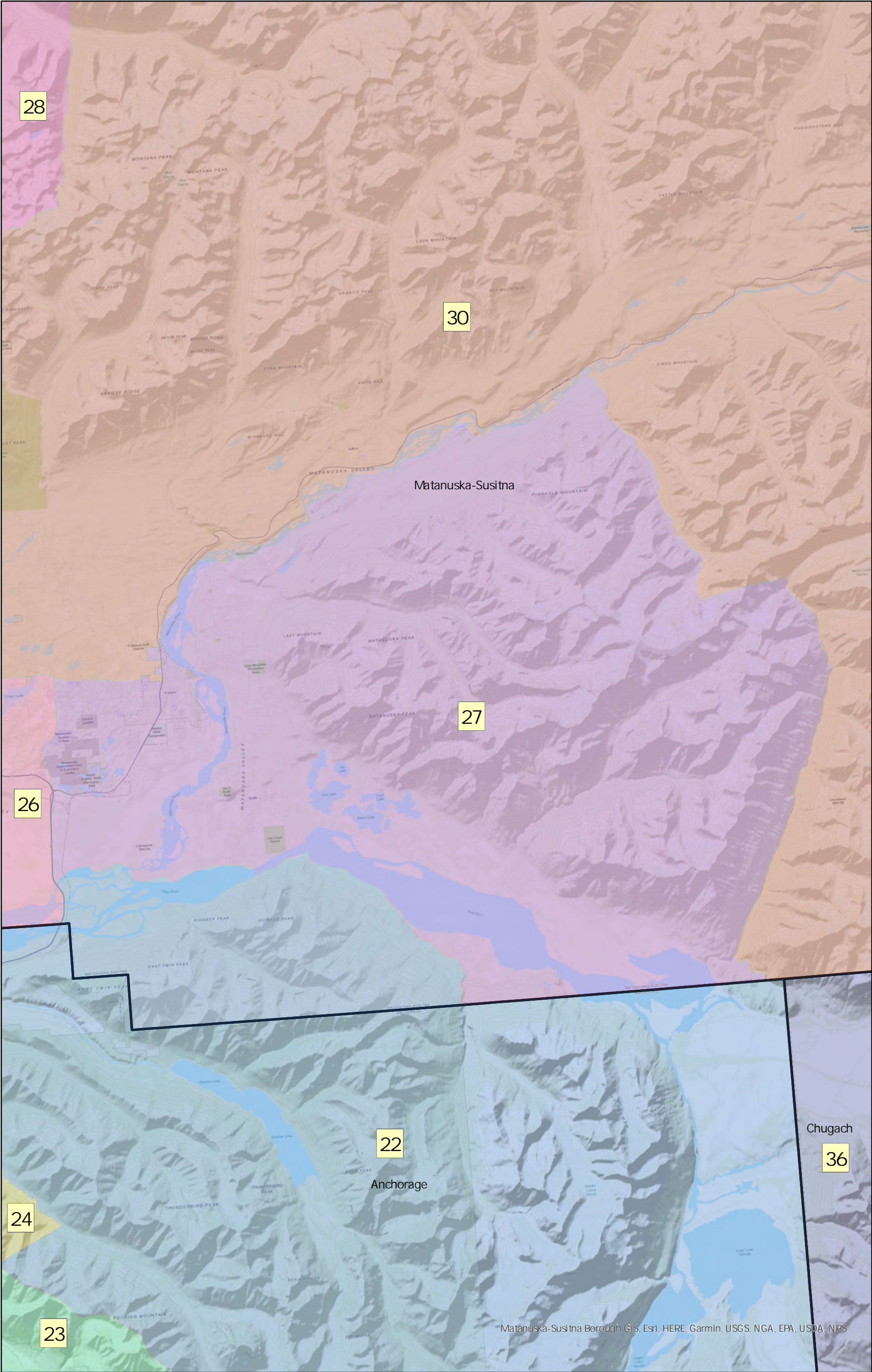
0 2.5 5 10 Miles

Election Data Services



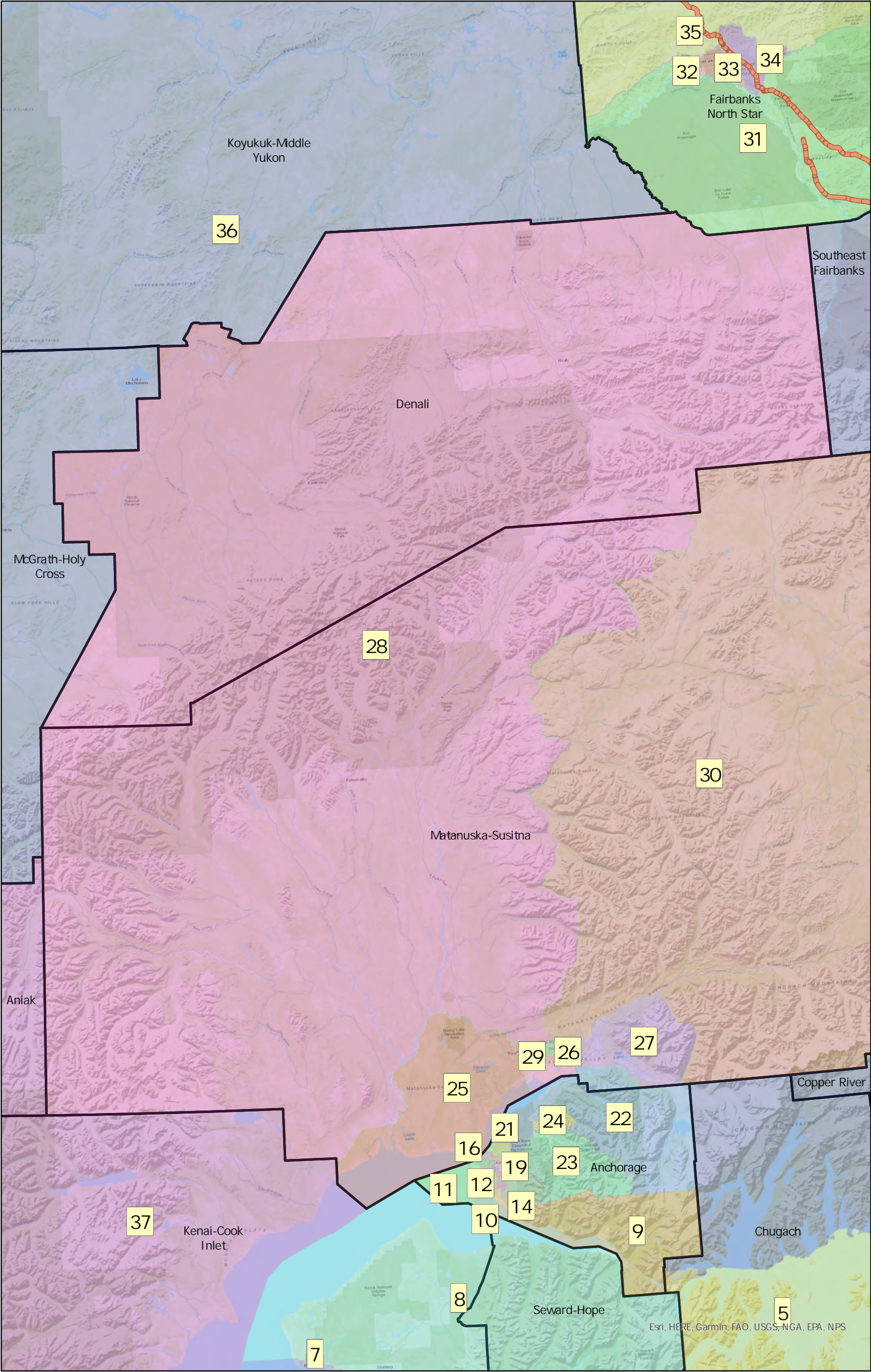
0 0.75 1.5 3 Miles

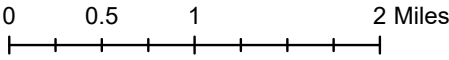
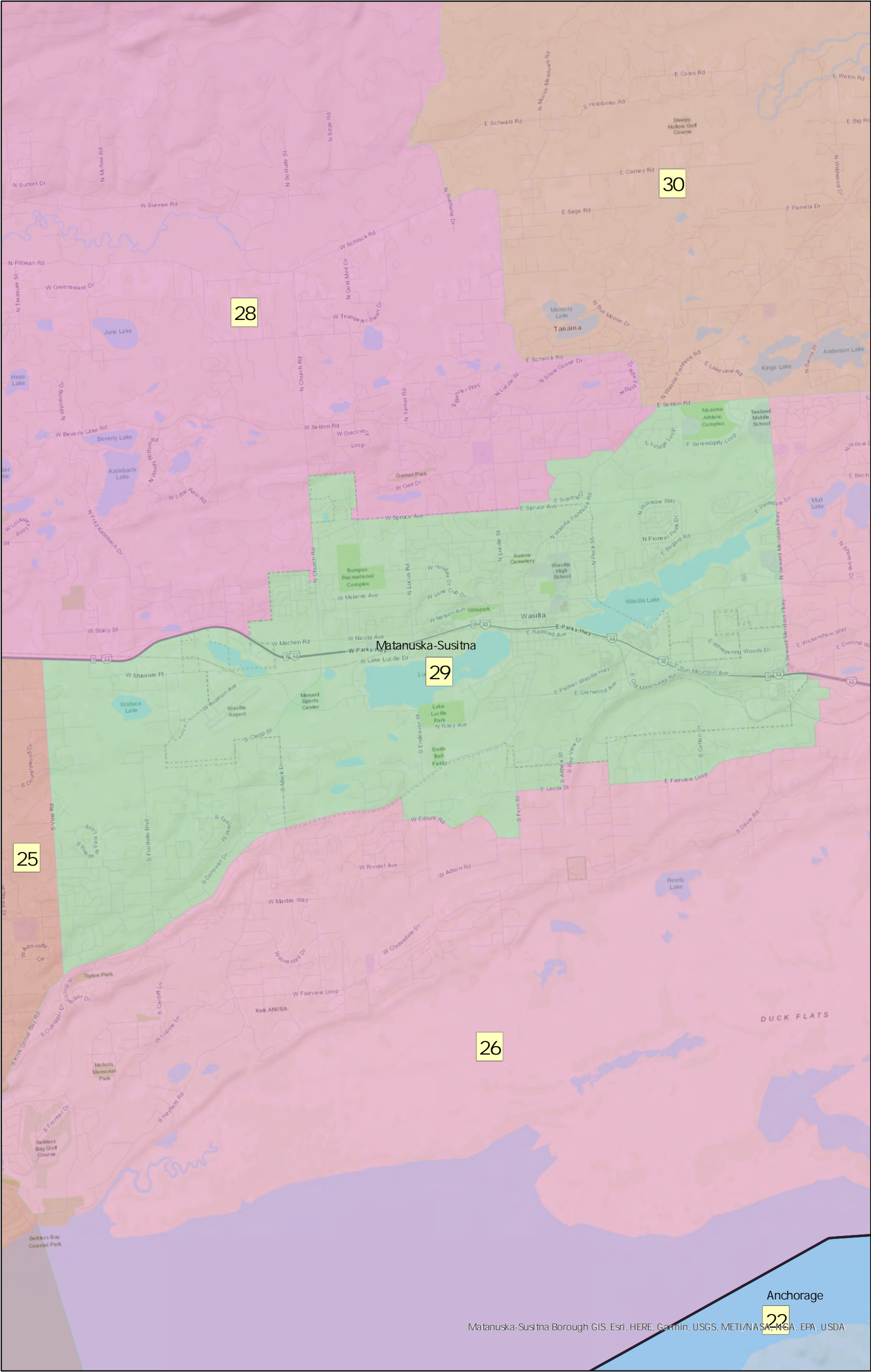
Election  Data Services

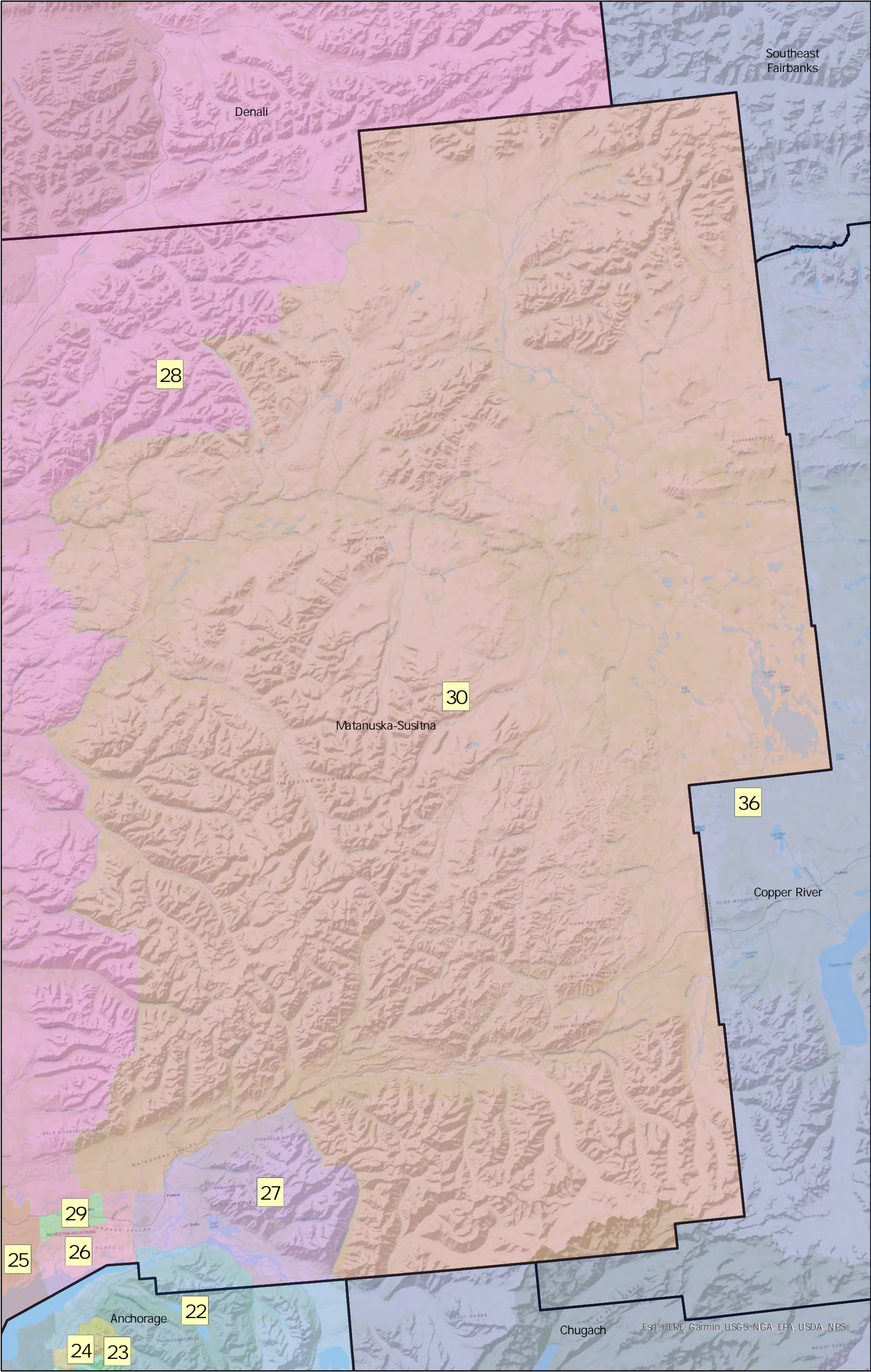


Alaska House Districts
Board Composite 1

District
28

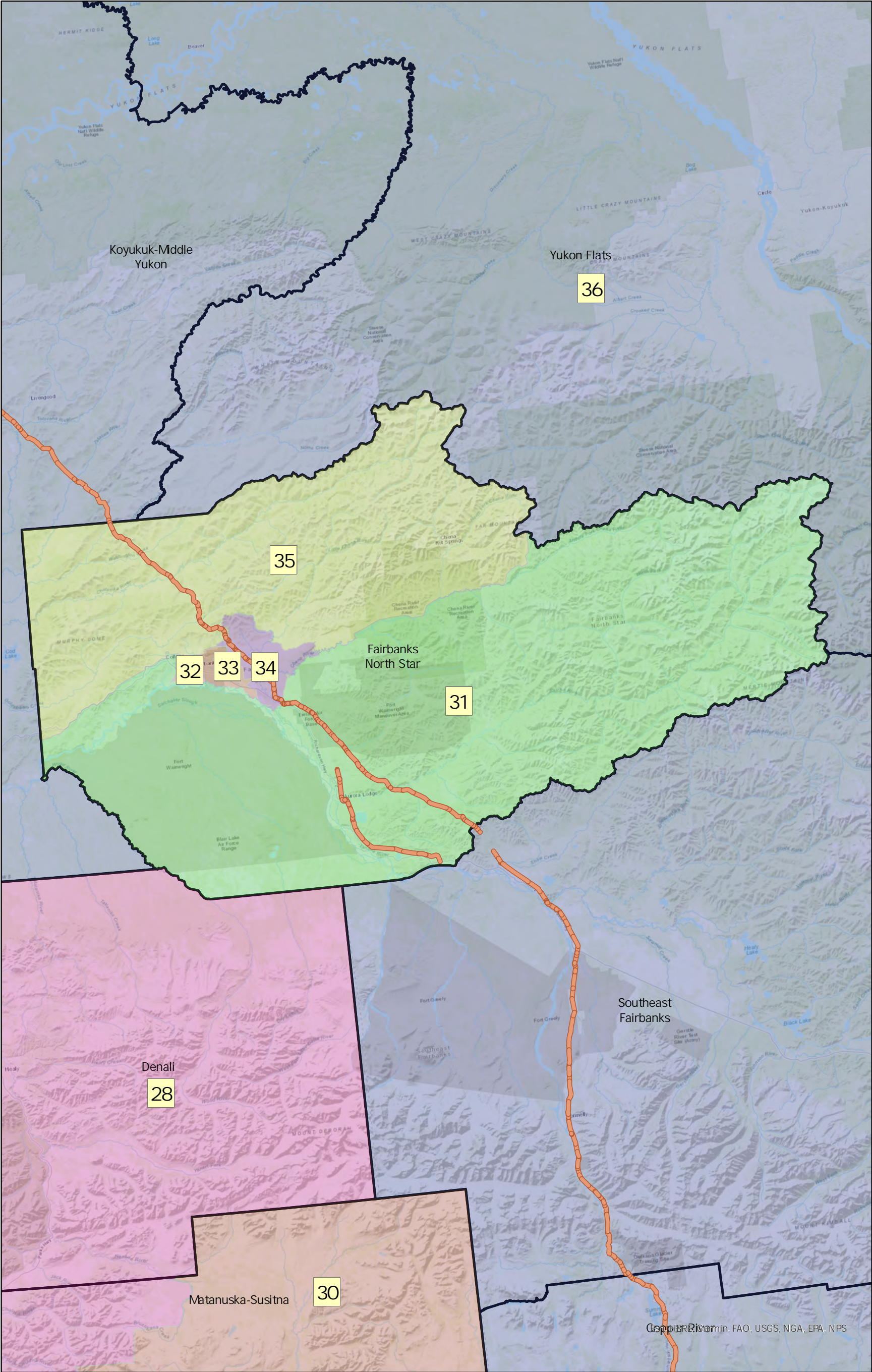






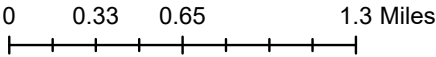
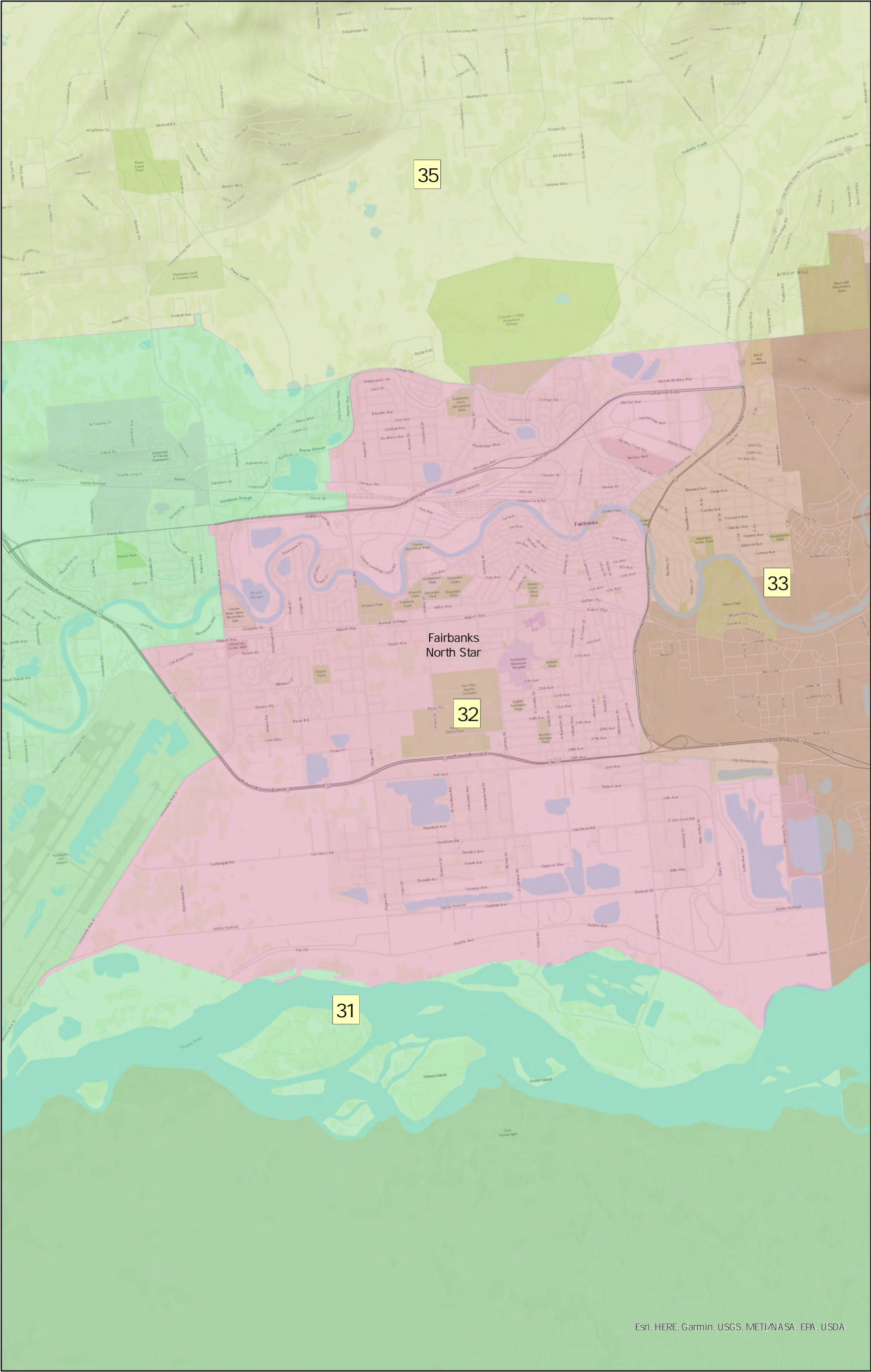
0 5 10 20 Miles

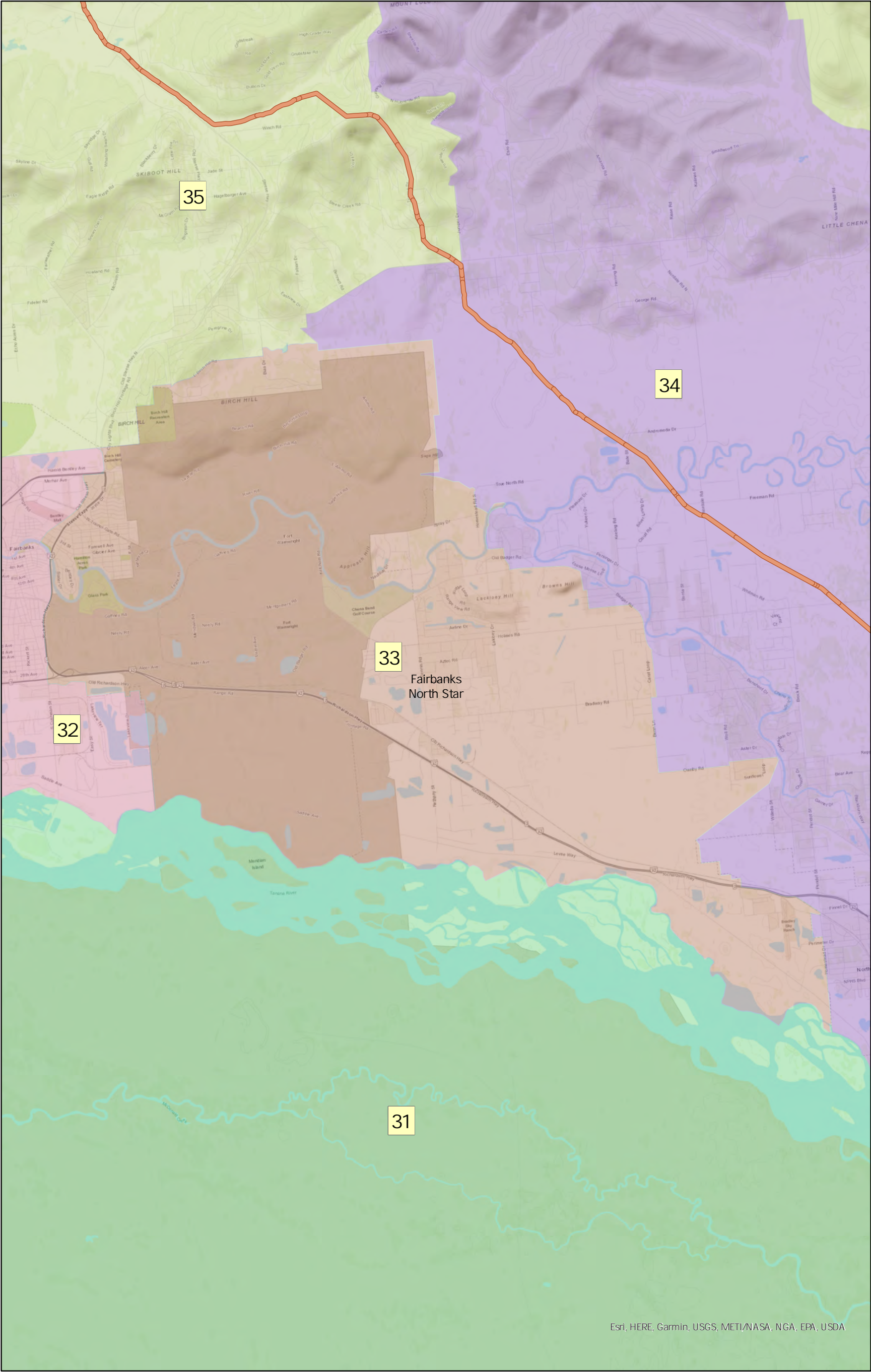
Election Data Services



0 5 10 20 Miles

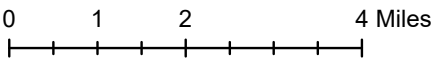
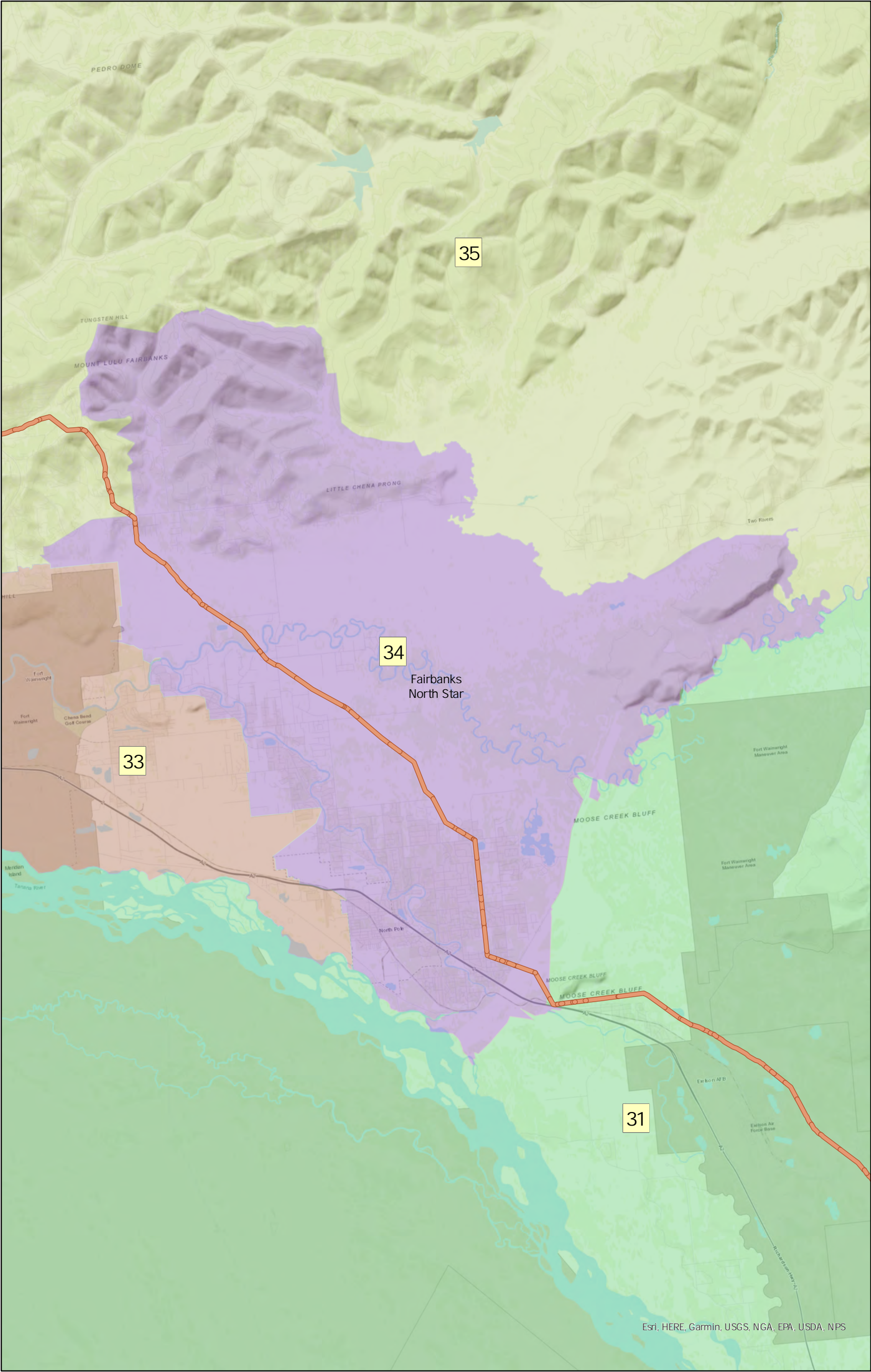
Election Data Services

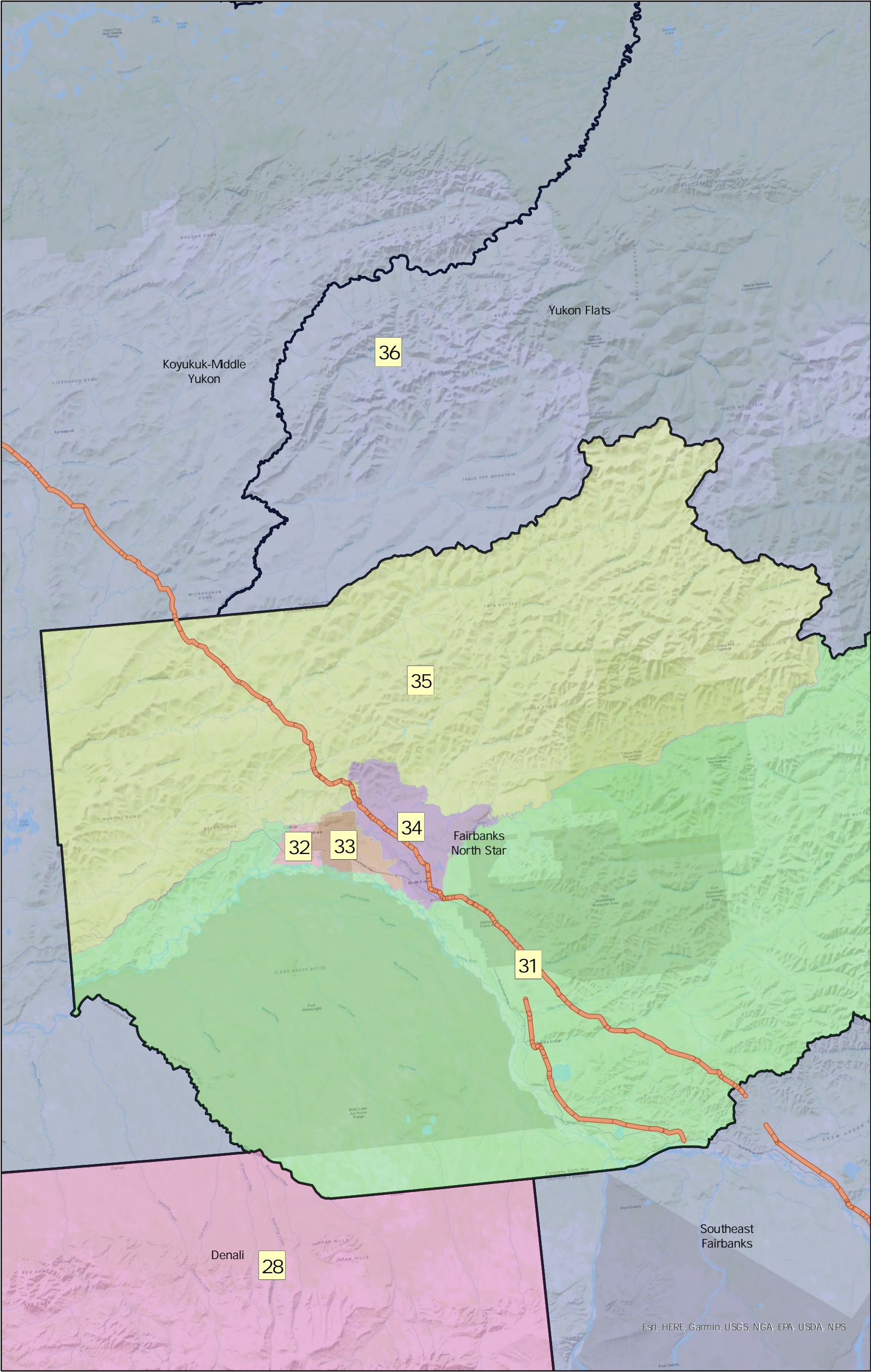




0 0.5 1 2 Miles

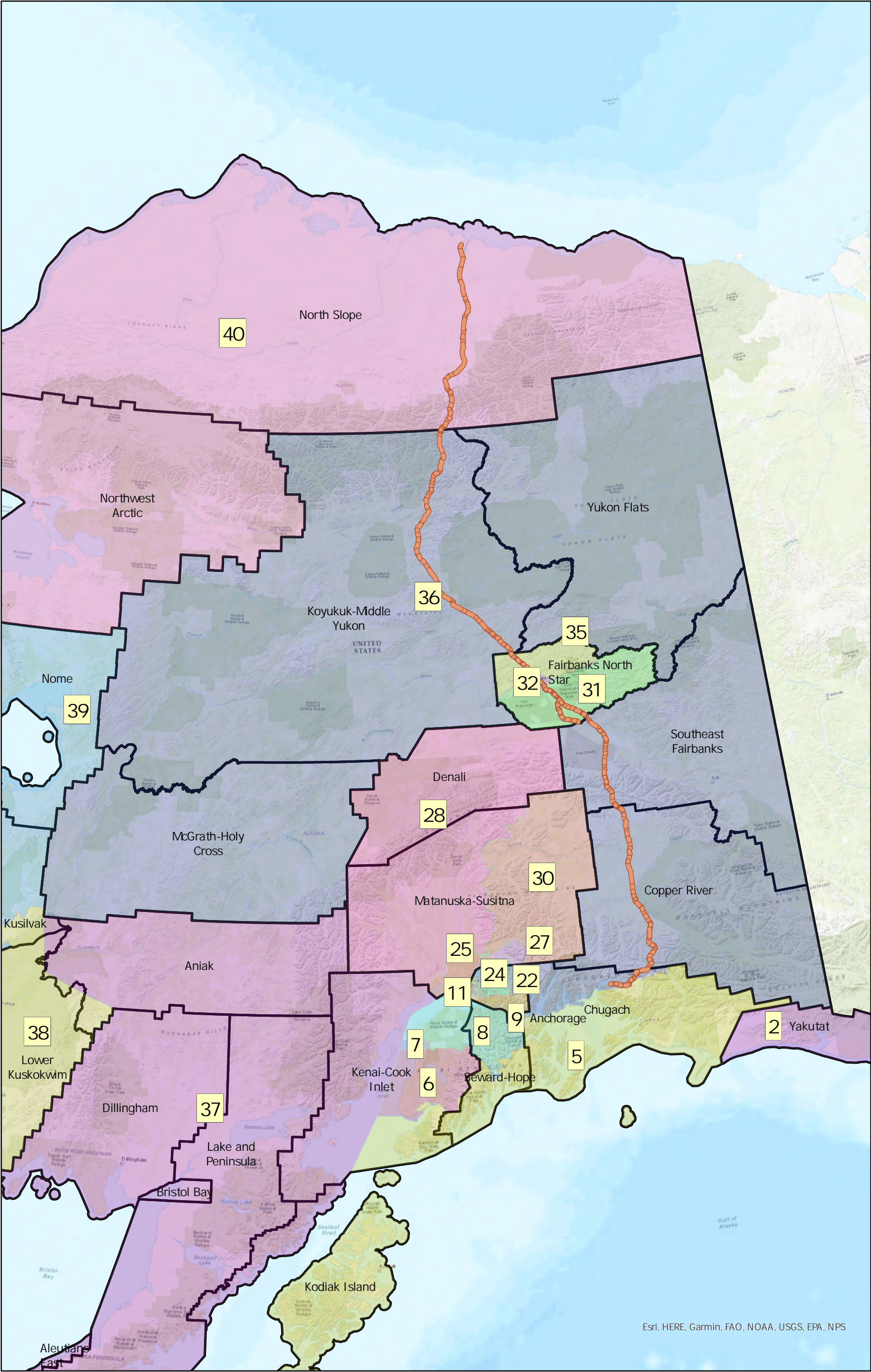
Election  Data Services

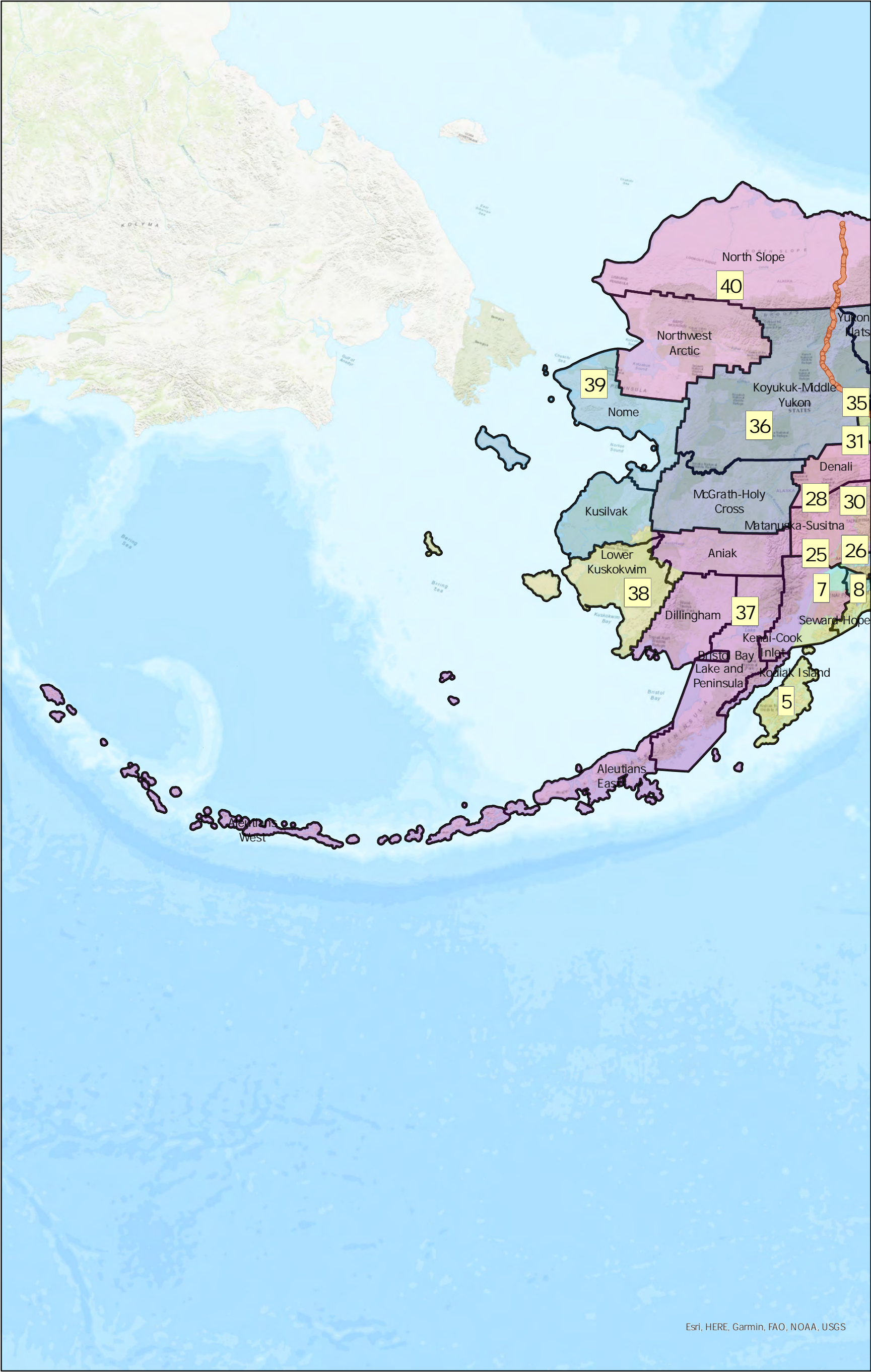




0 5 10 20 Miles

Election Data Services



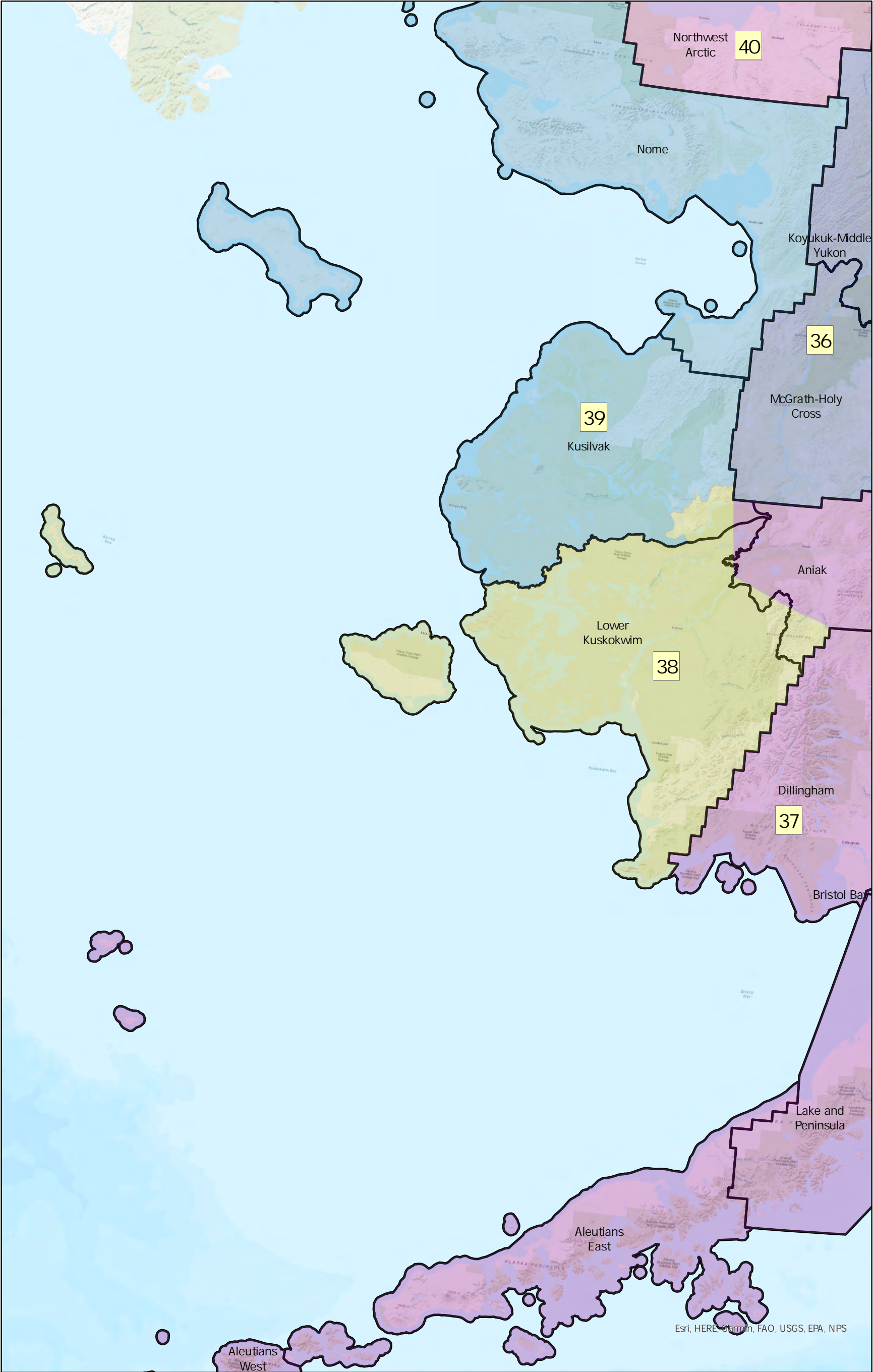


0 85 170 340 Miles

Election  Data Services

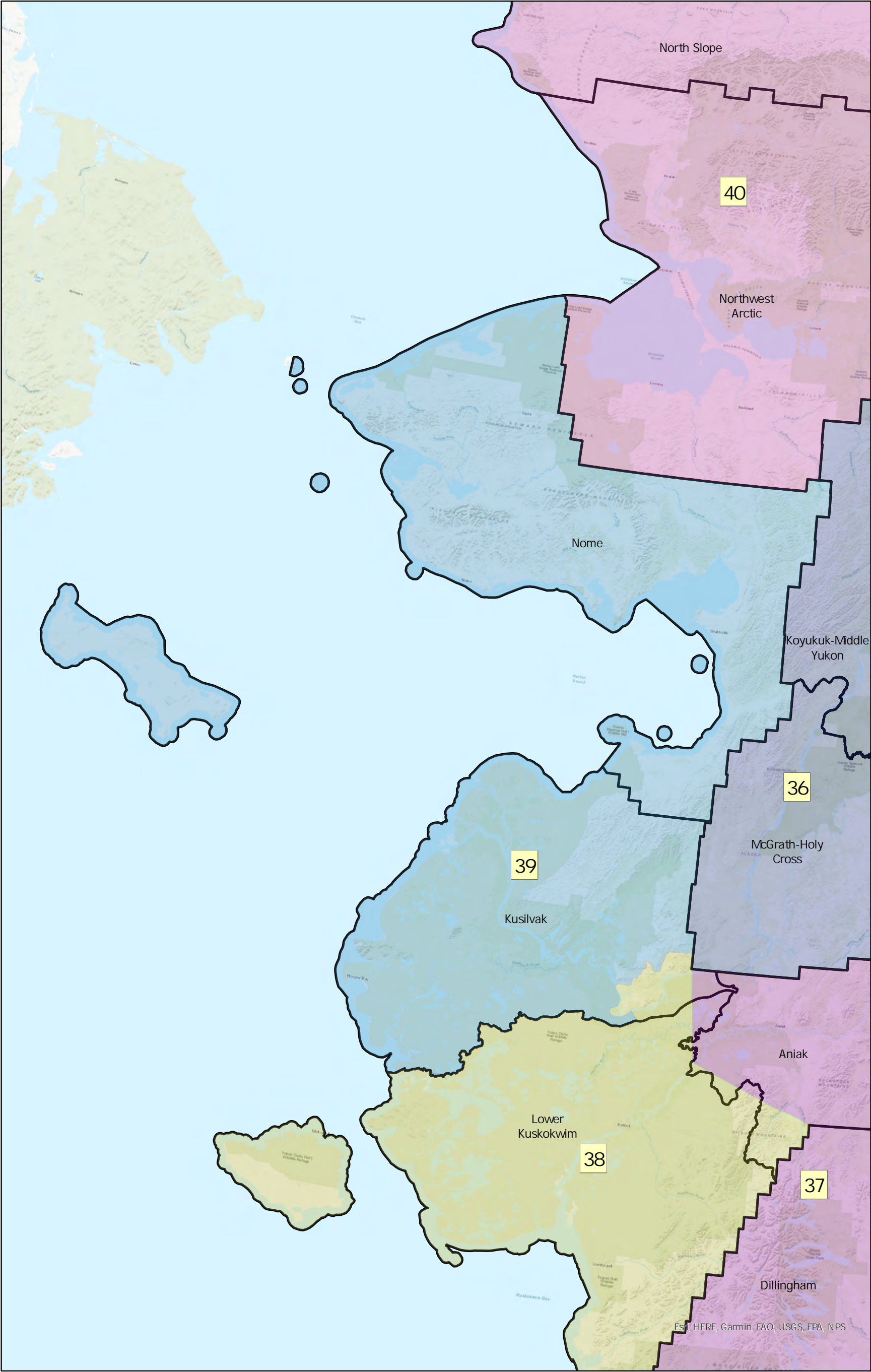
Alaska House Districts
Board Composite 1

District
38



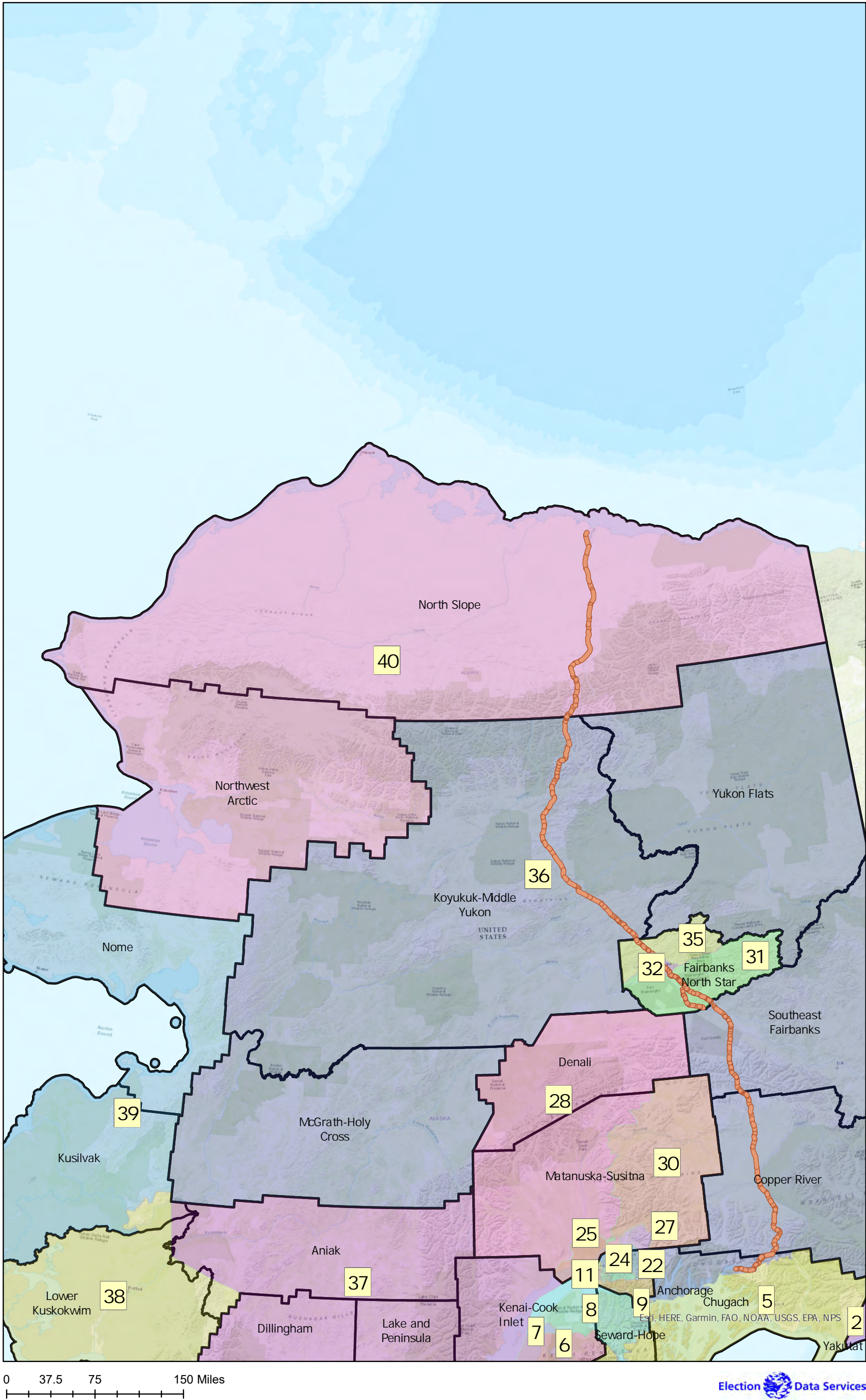
0 25 50 100 Miles

Election  Data Services

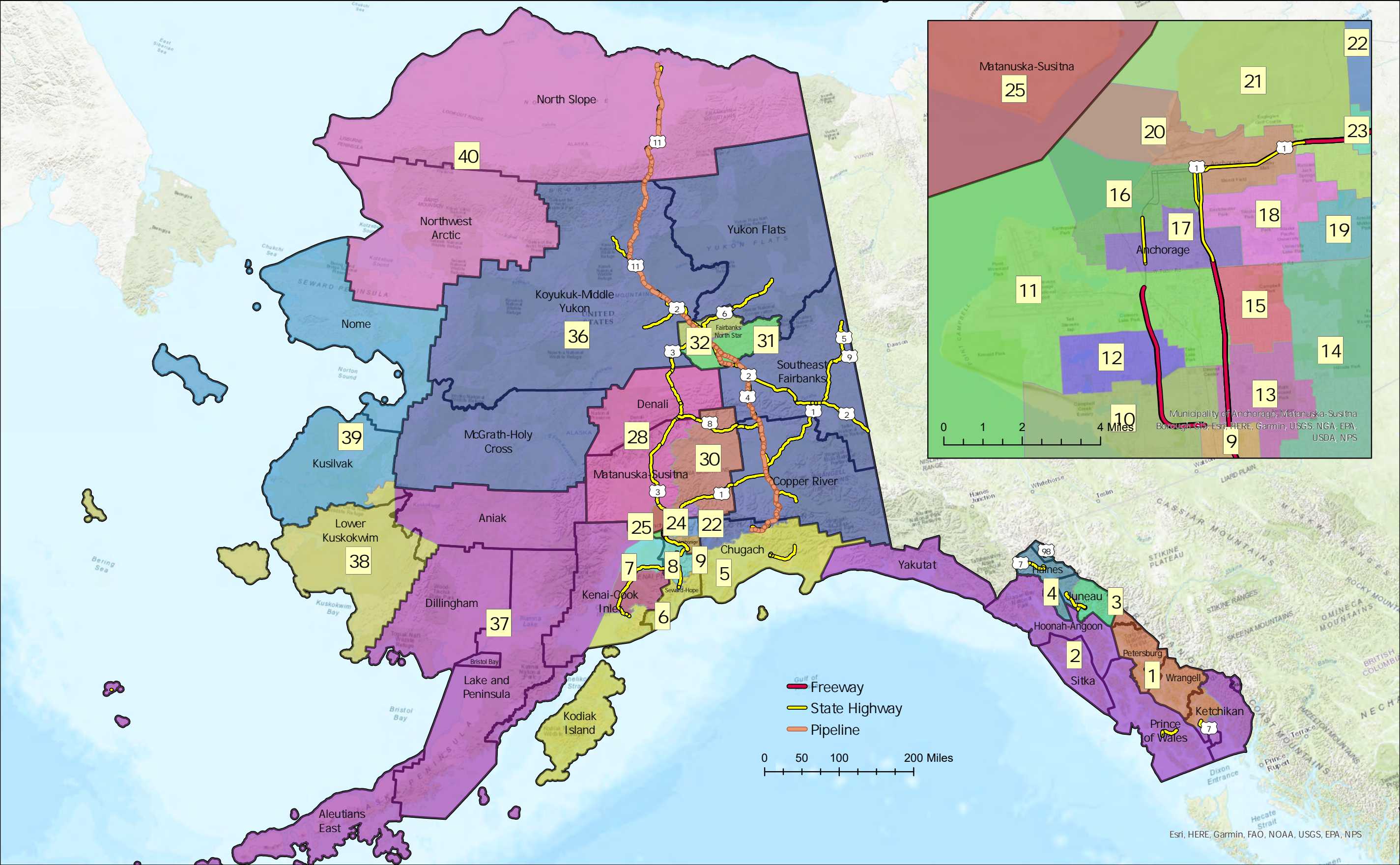


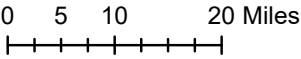
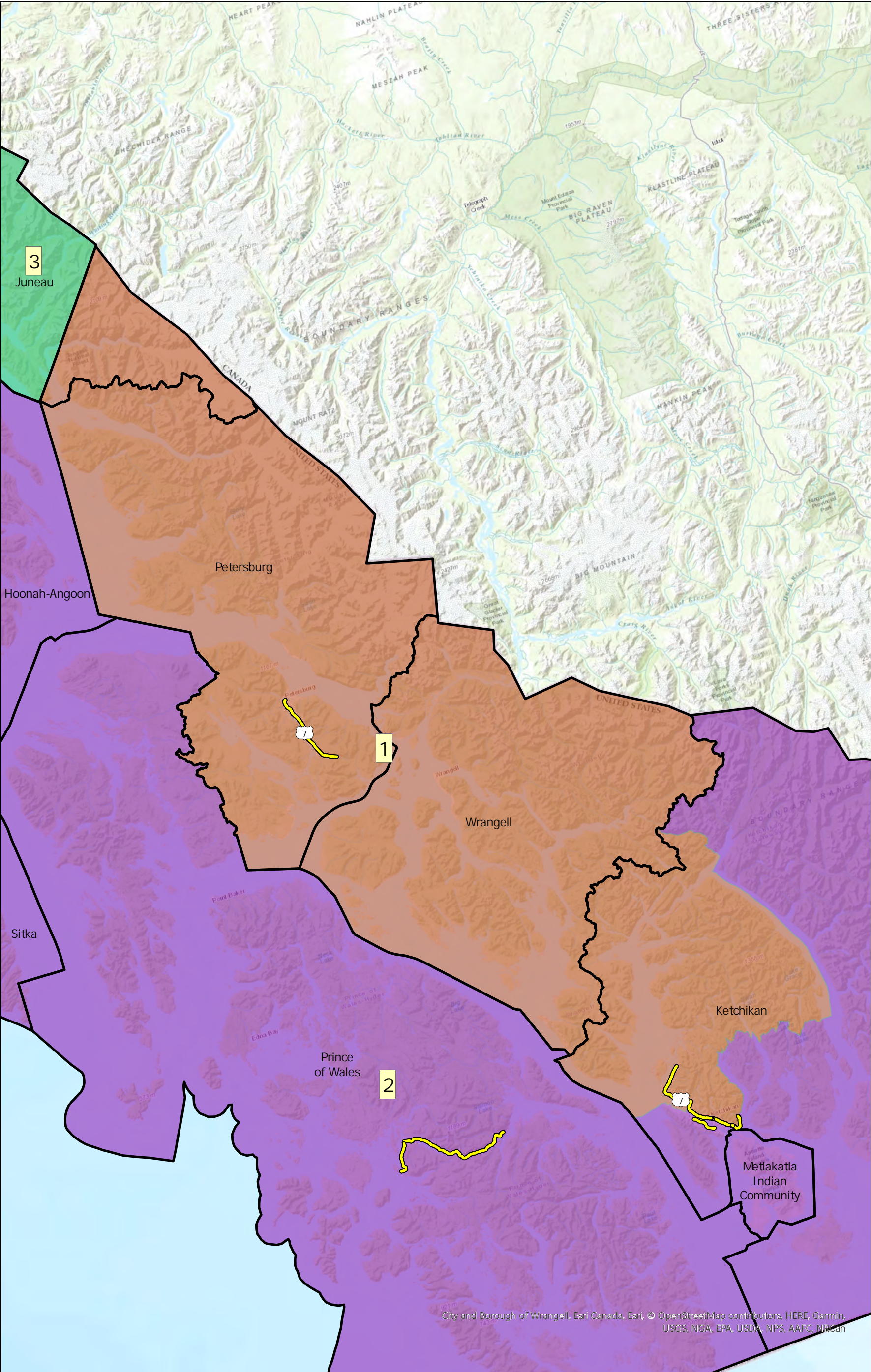
0 20 40 80 Miles

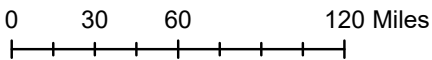
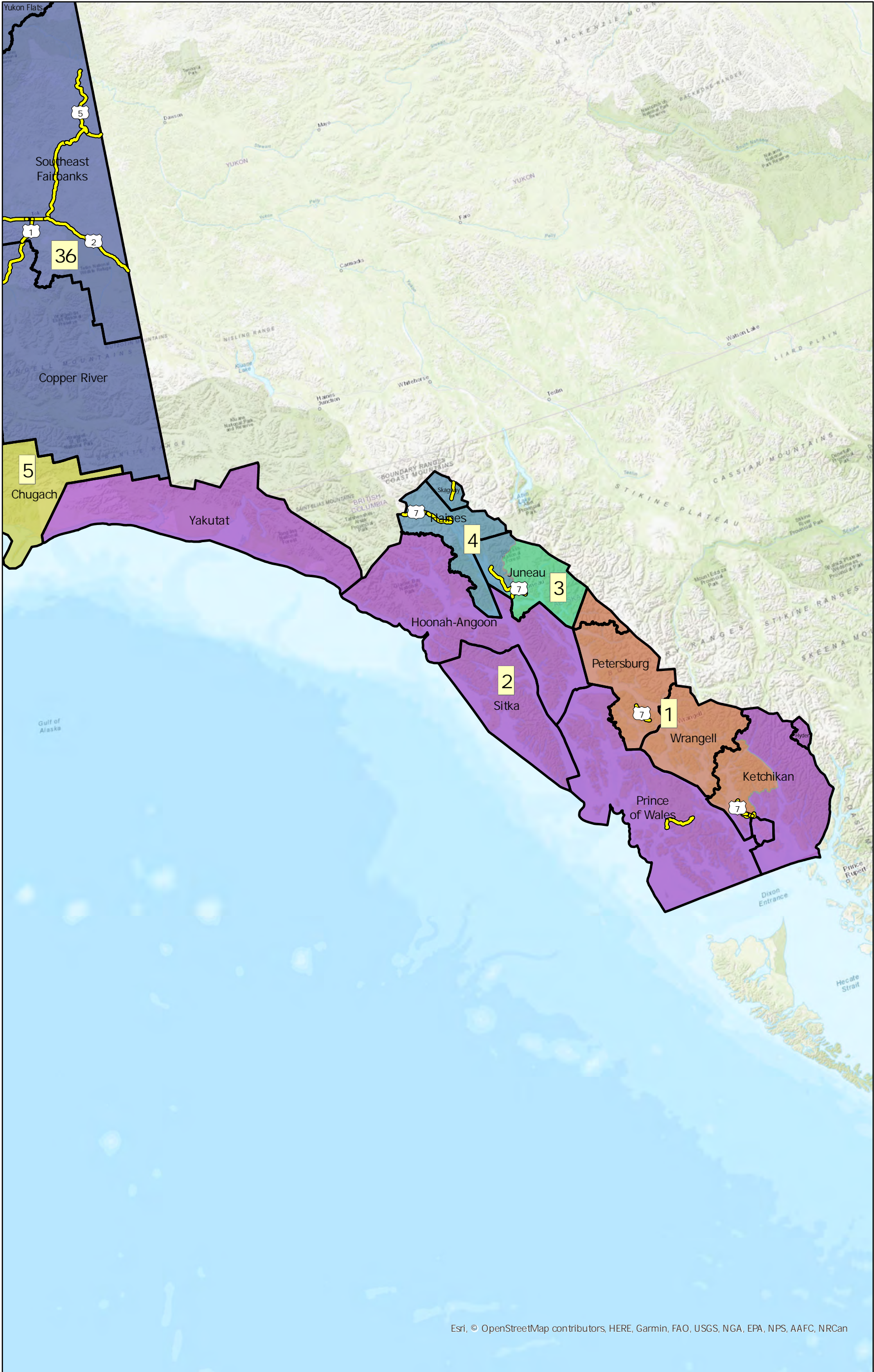
Election Data Services

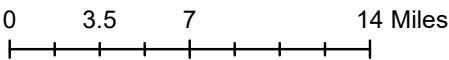
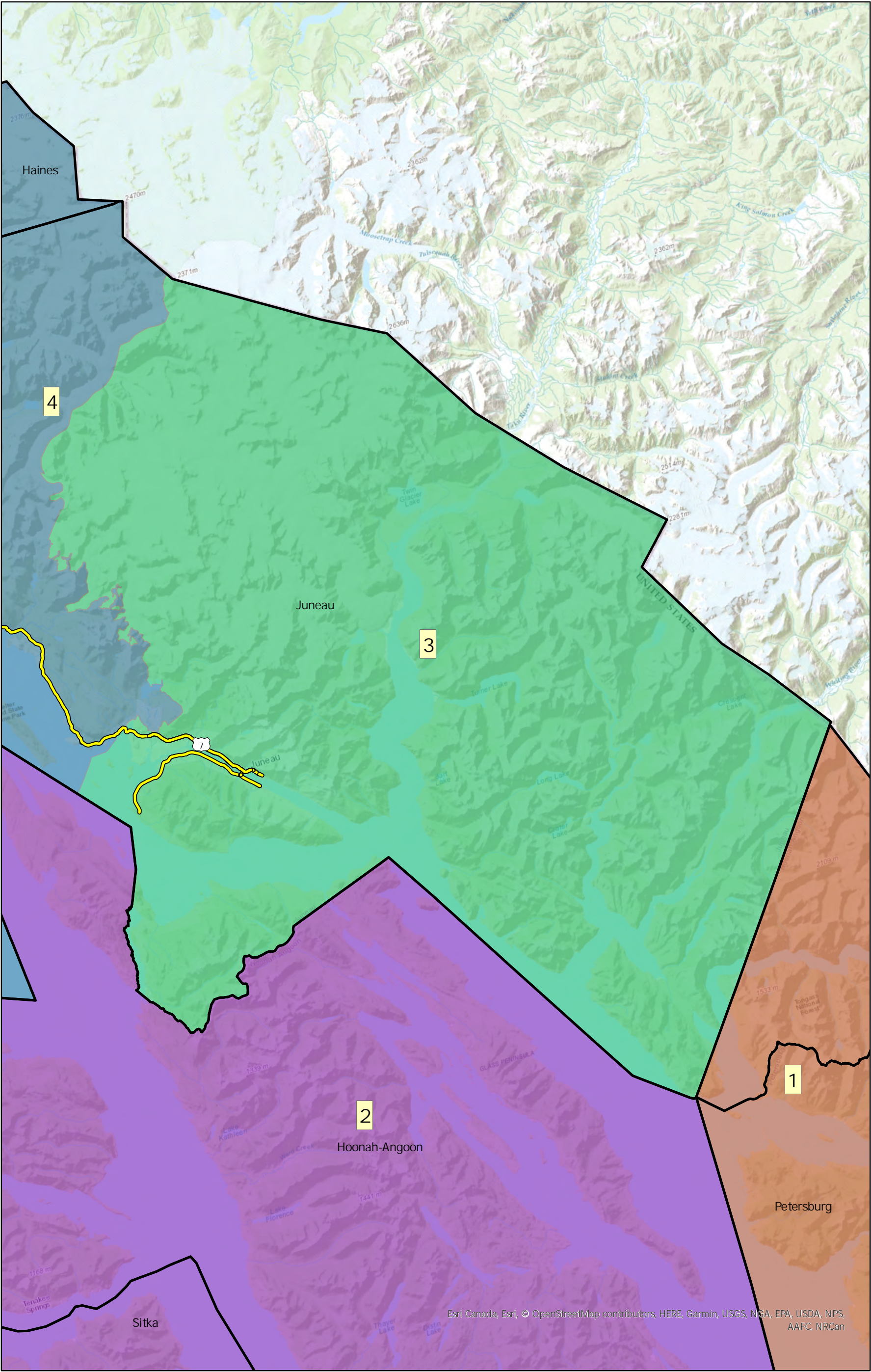


Alaska State House Plan - Senate Minority Caucus Plan

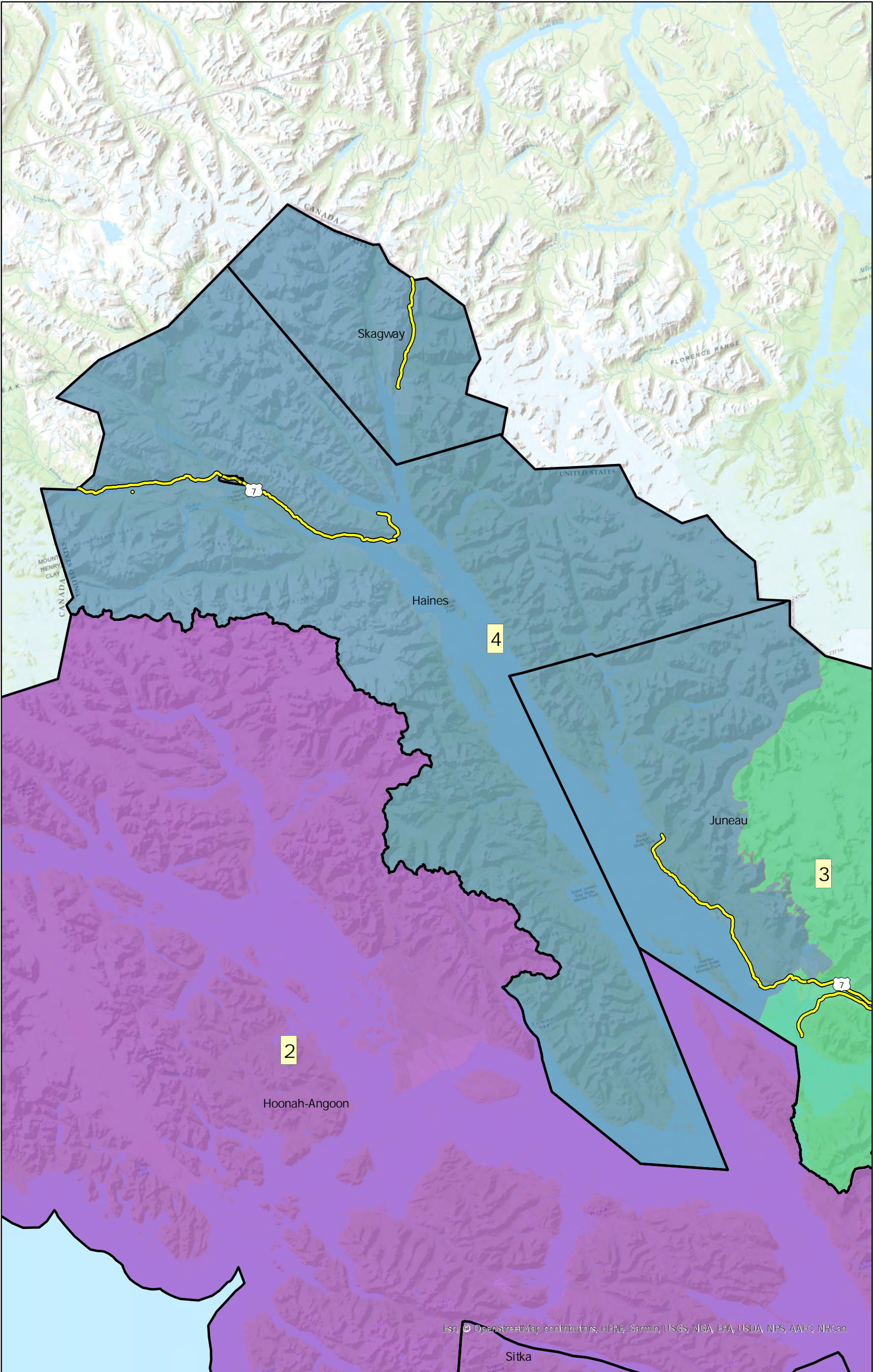








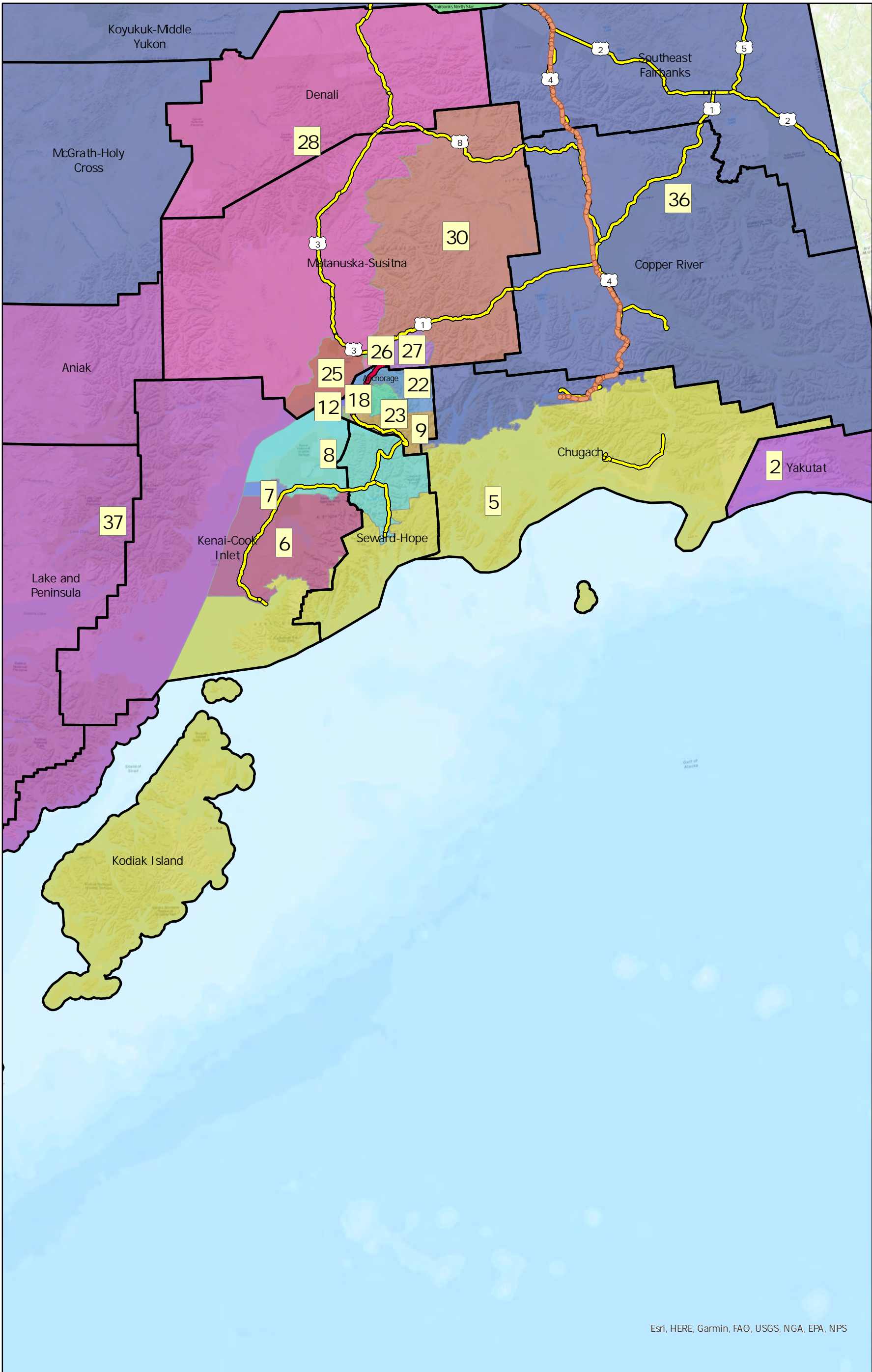
Esri Canada, Esri, © OpenStreetMap contributors, HERE, Garmin, USGS, NGA, EPA, USDA, NPS, AAFC, NRCan



0 5 10 20 Miles

Alaska House Districts
Board Composite v.2

District
5



Esri, HERE, Garmin, FAO, USGS, NGA, EPA, NPS

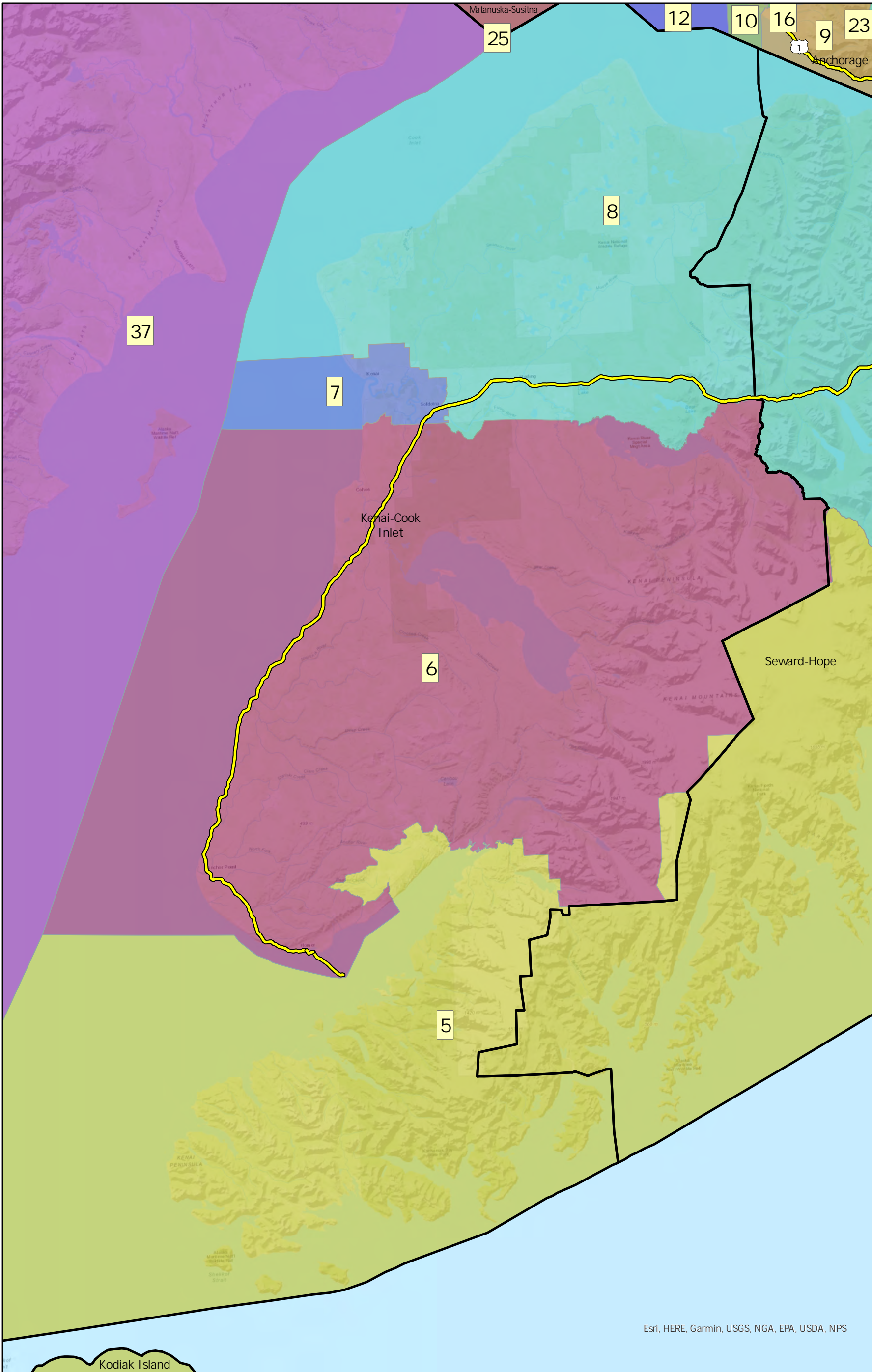
0 25 50 100 Miles

Election Data Services

EXHIBIT H
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Alaska House Districts
Board Composite v.2

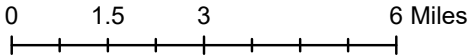
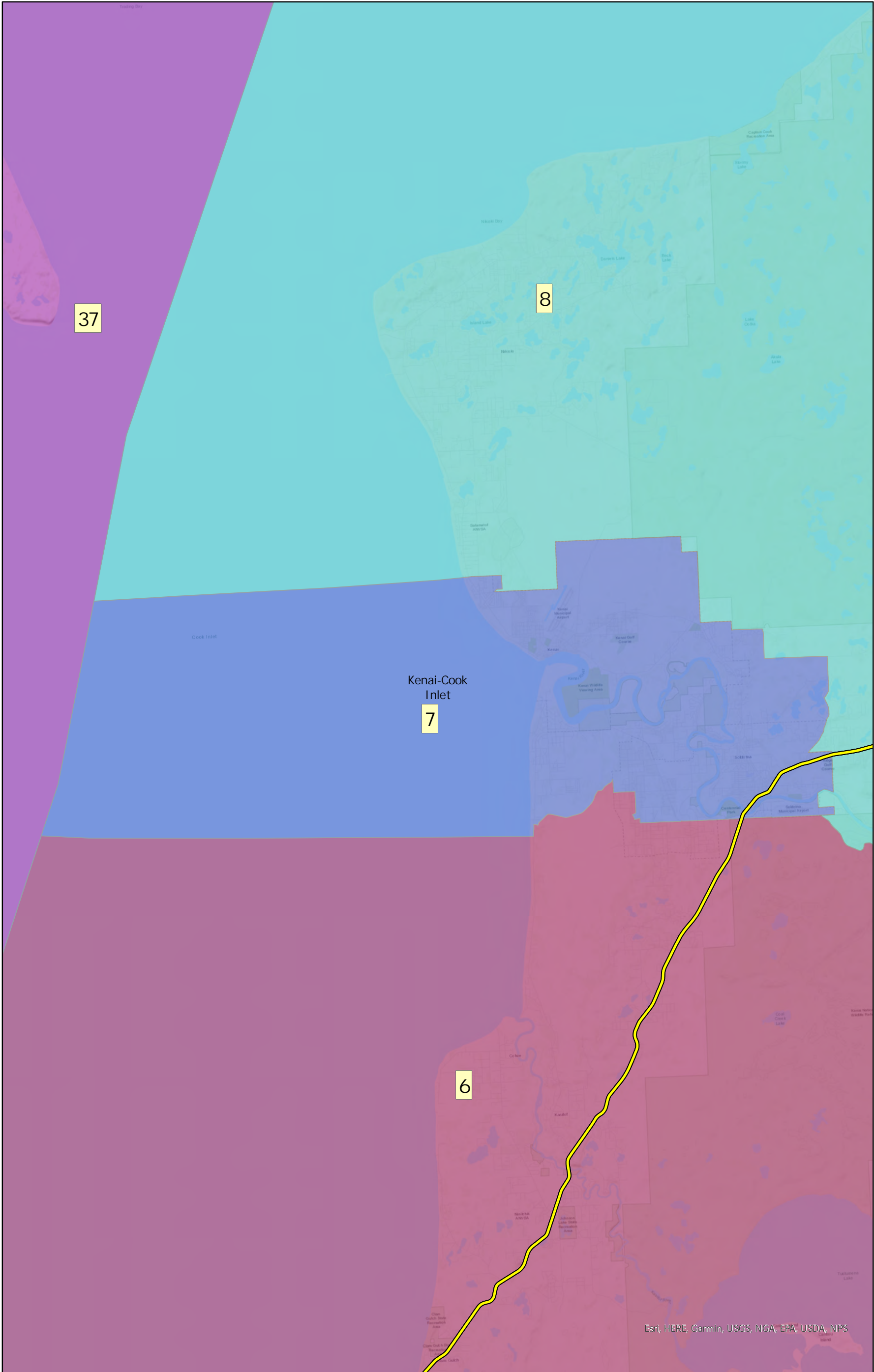
District
6



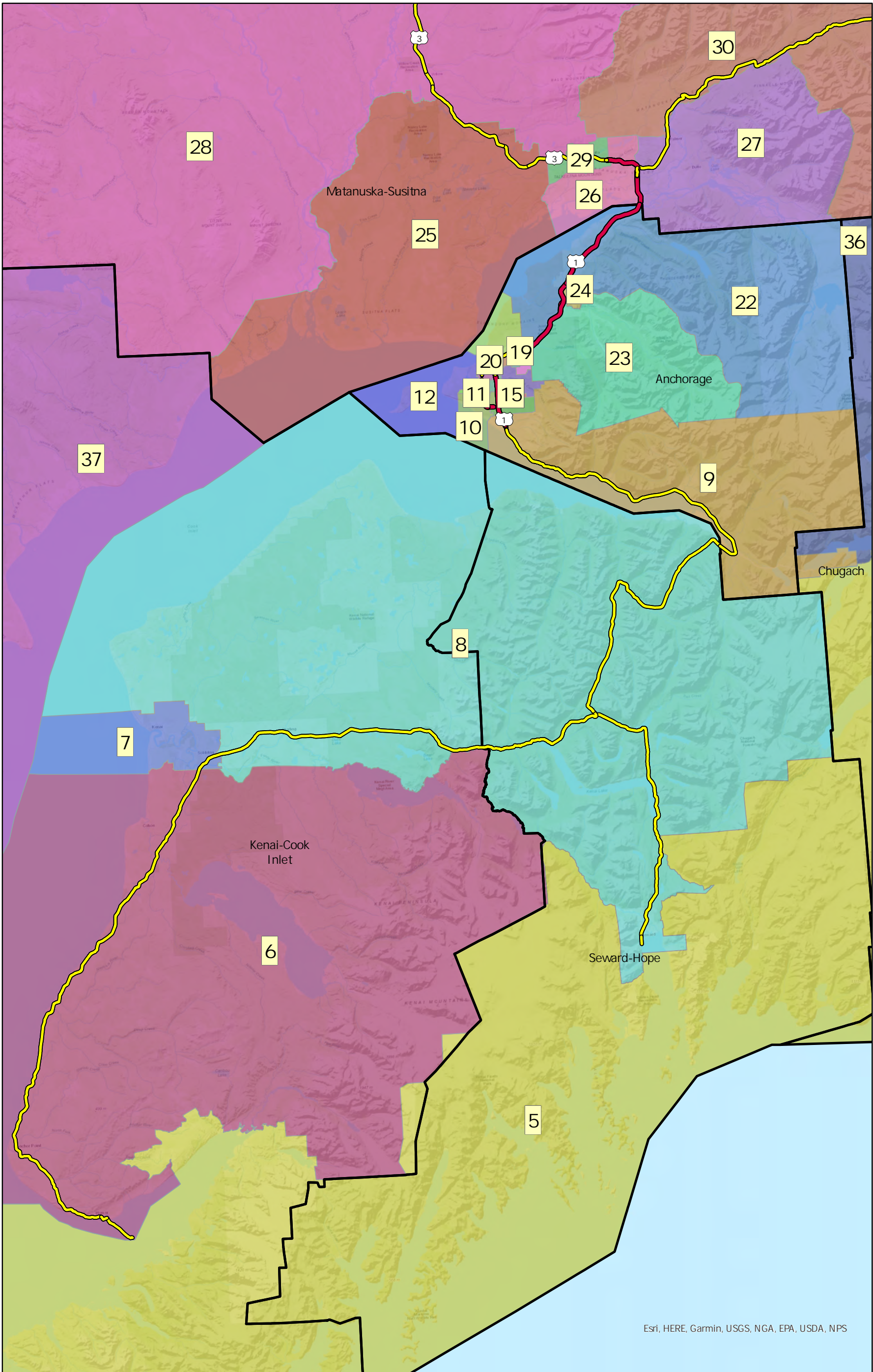
0 5 10 20 Miles

Election Data Services

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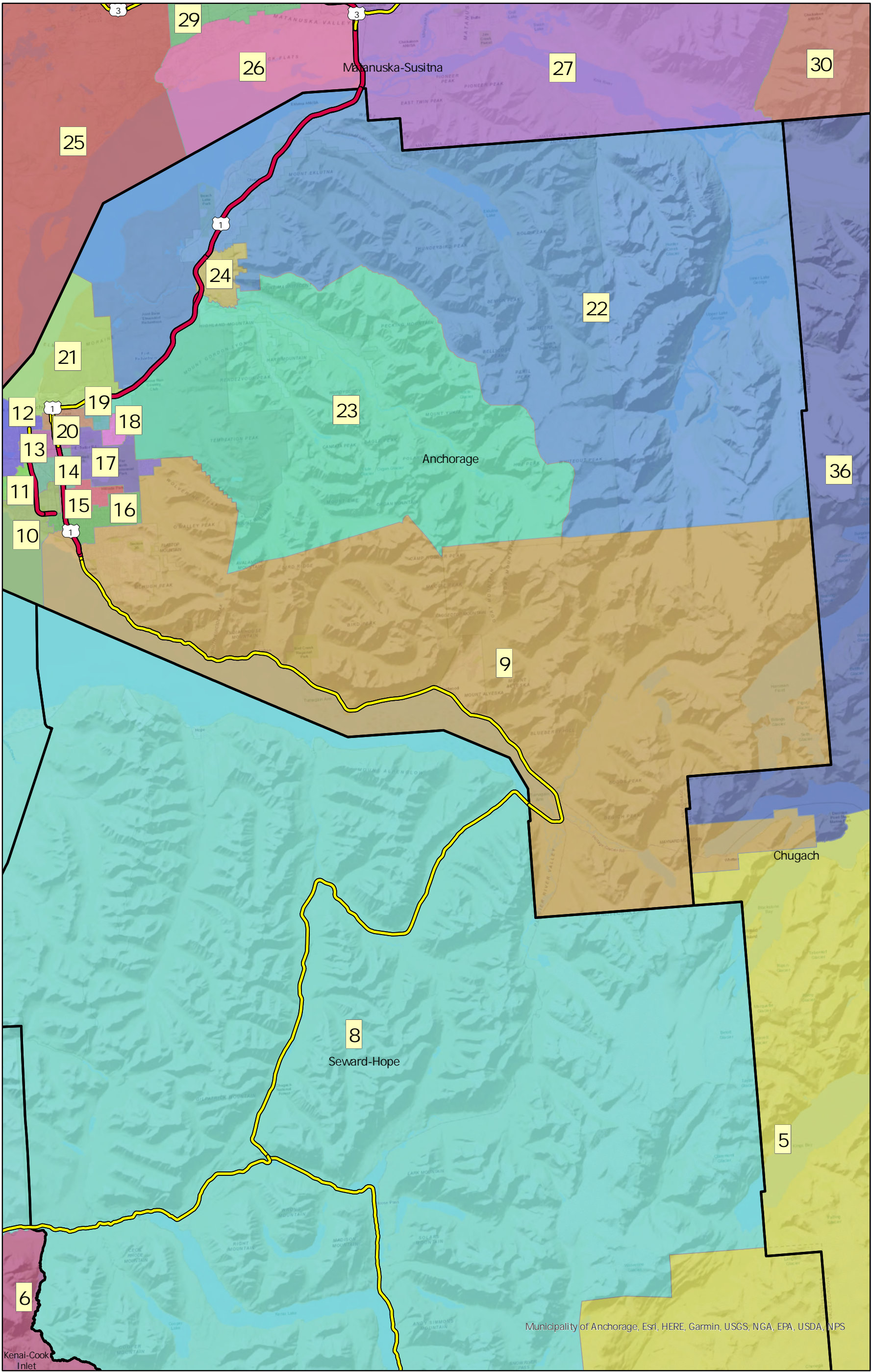


Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

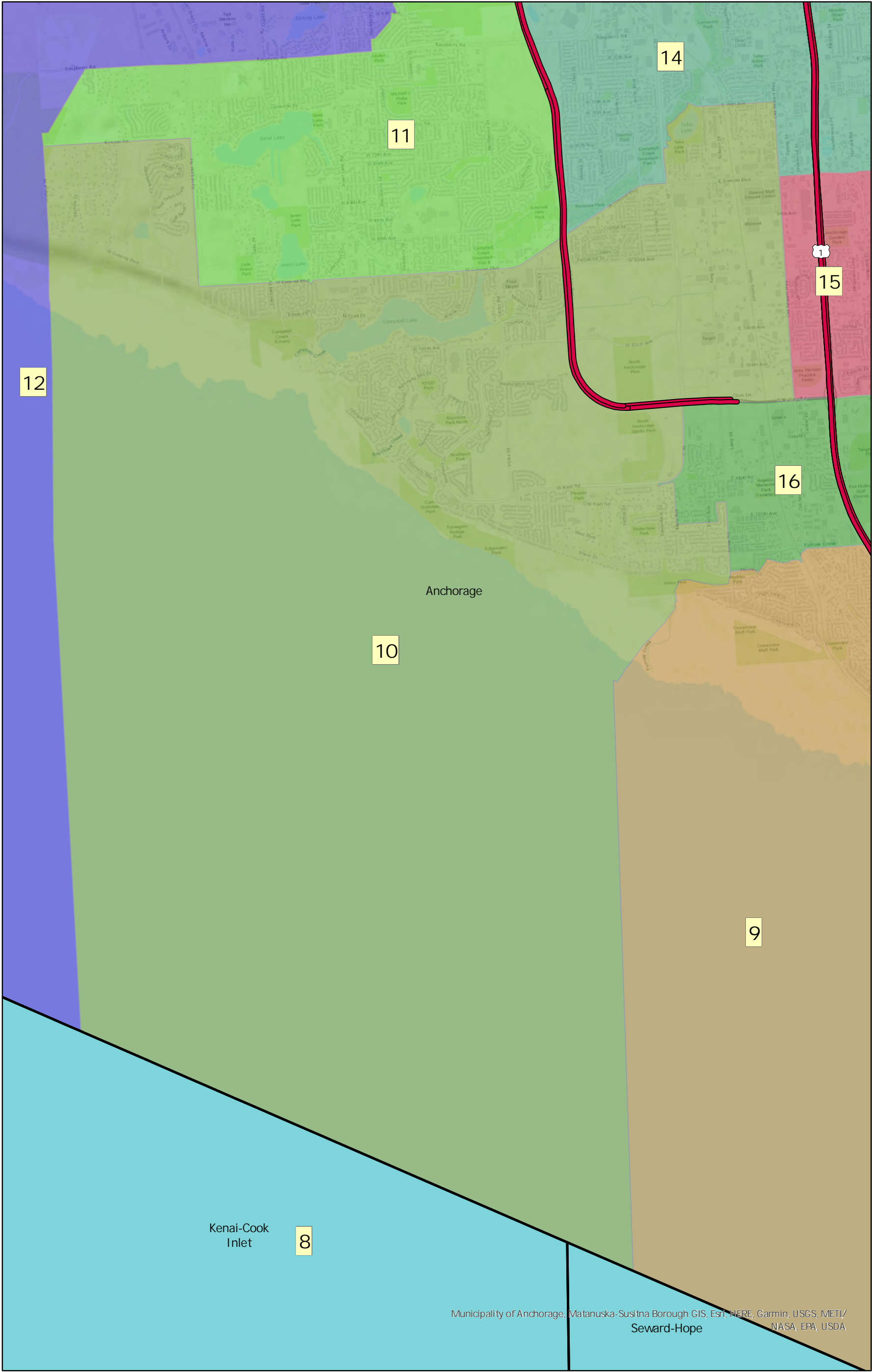


0 5 10 20 Miles

Election Data Services



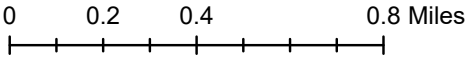
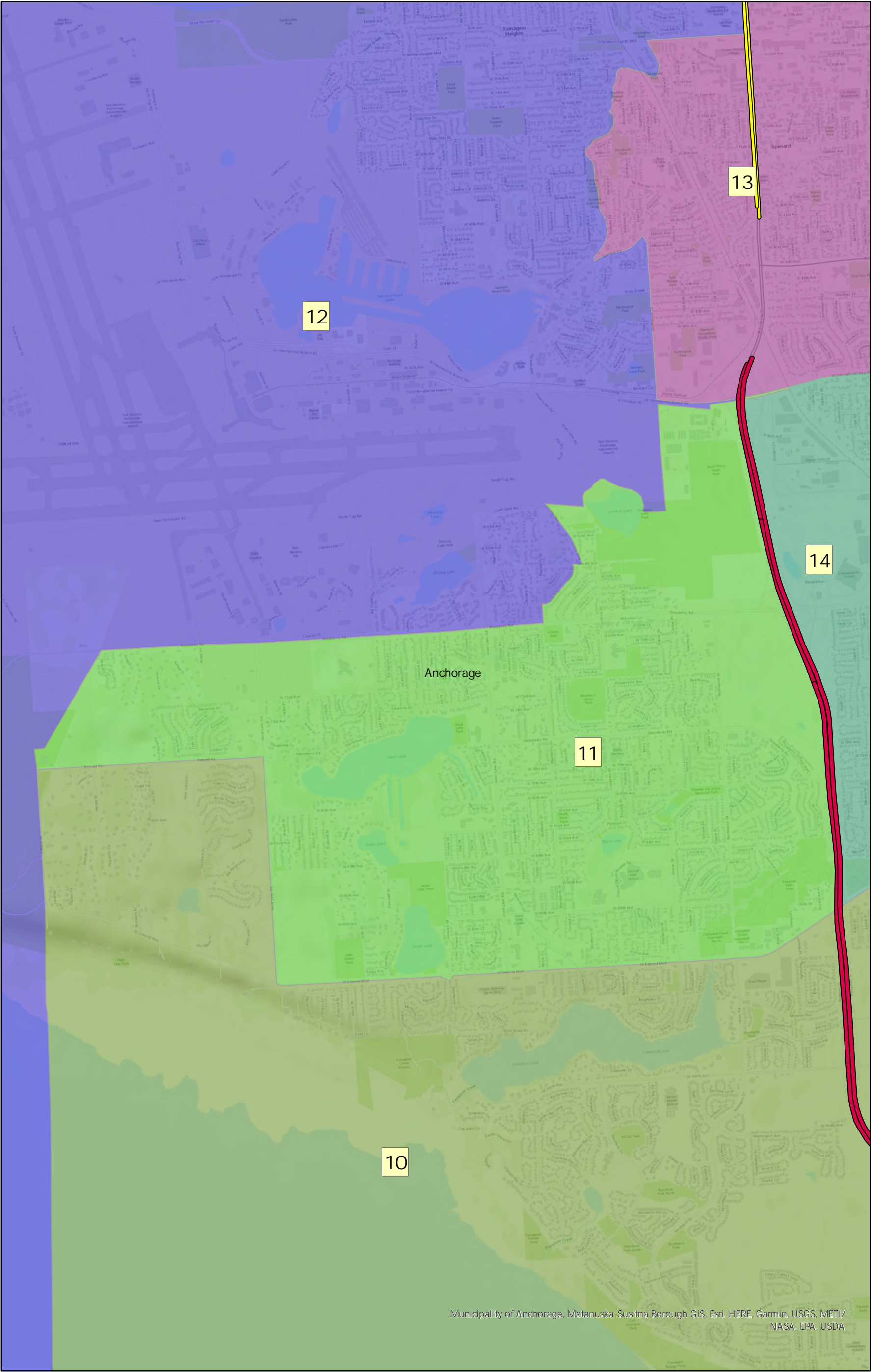
0 2.75 5.5 11 Miles

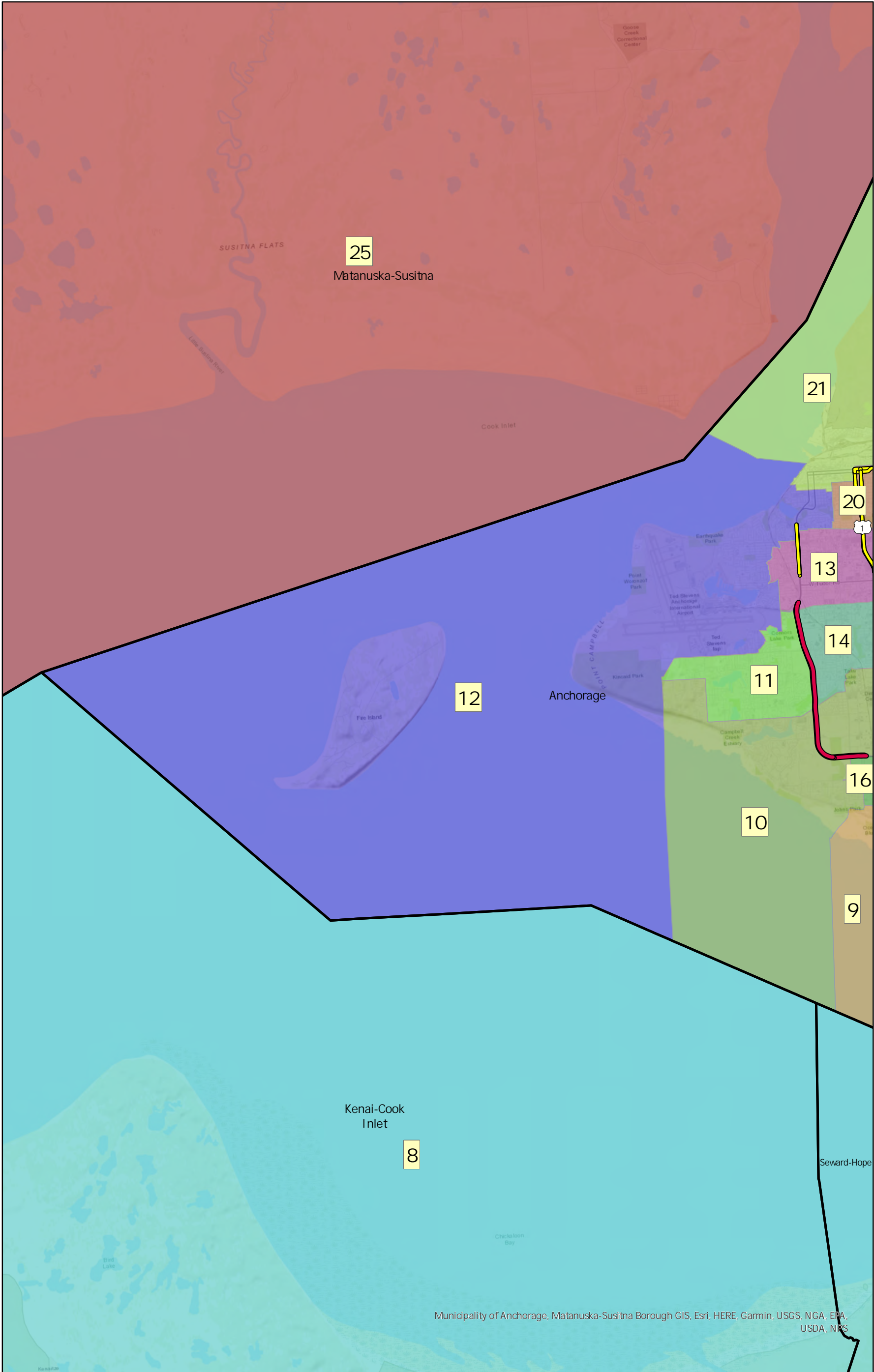


0 0.3 0.6 1.2 Miles

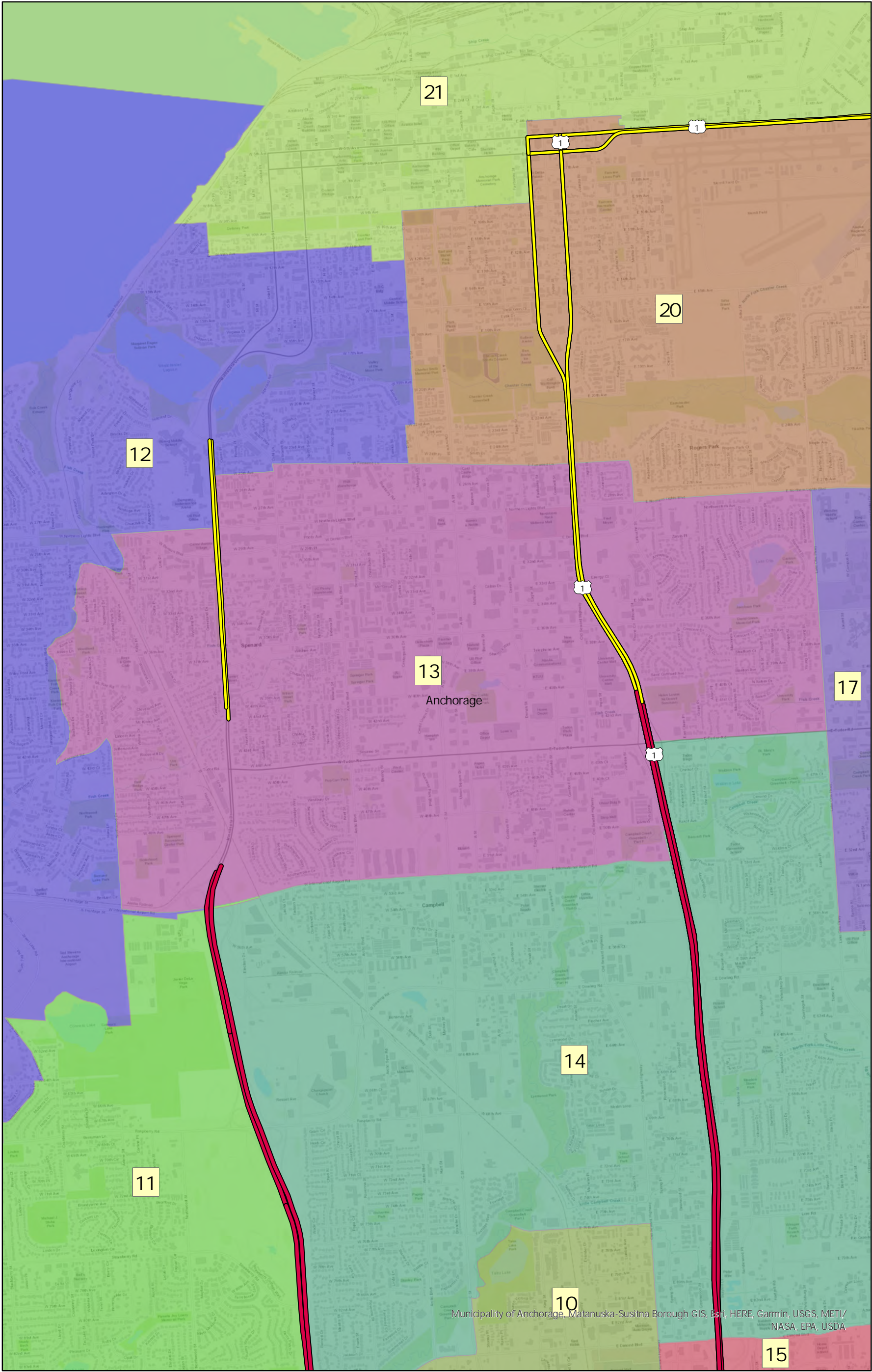
Election  Data Services

EXHIBIT H
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0 1 2 4 Miles



0 0.17 0.35 0.7 Miles

Election Data Services

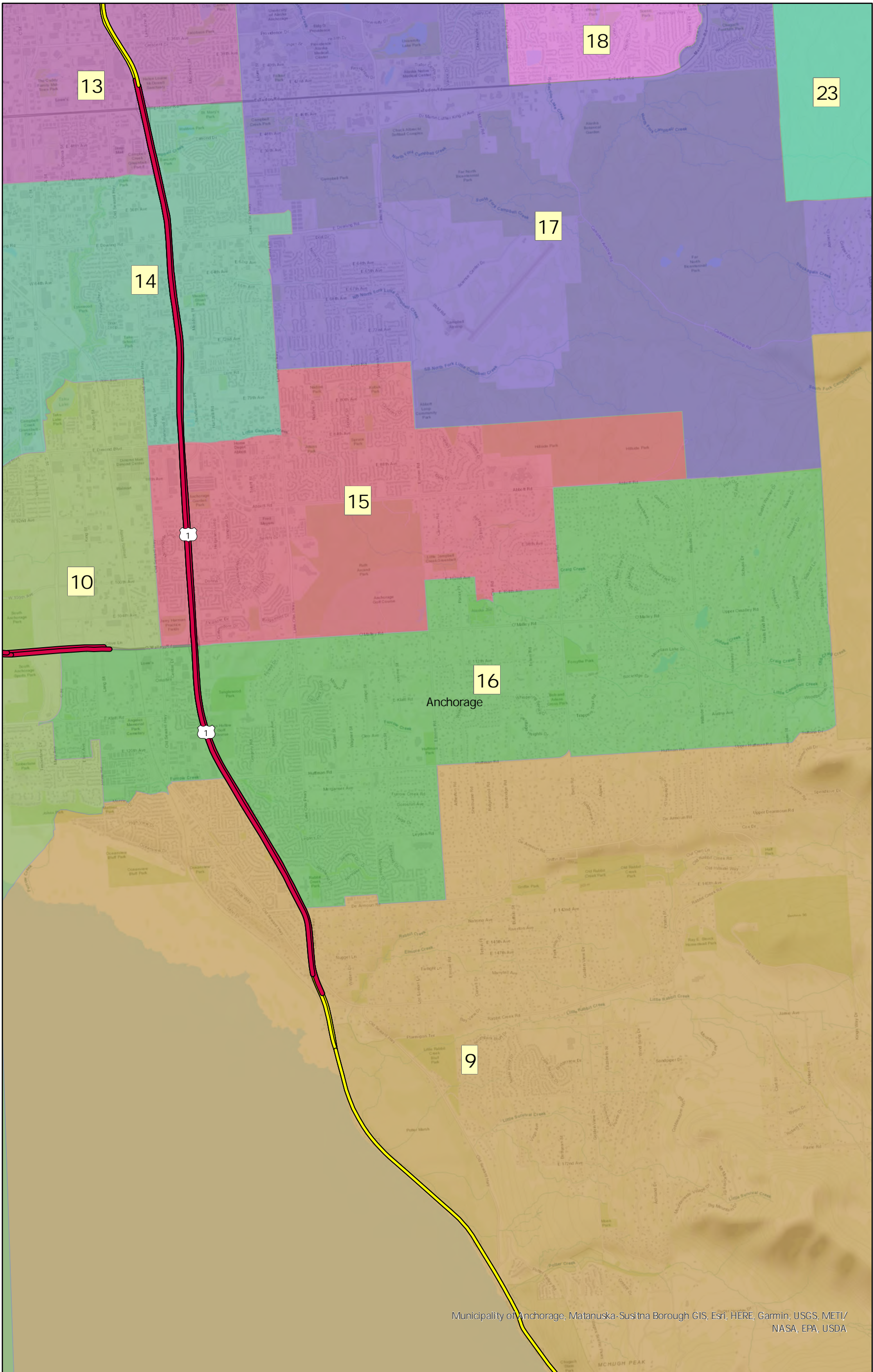
EXHIBIT H
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District
14



District
15

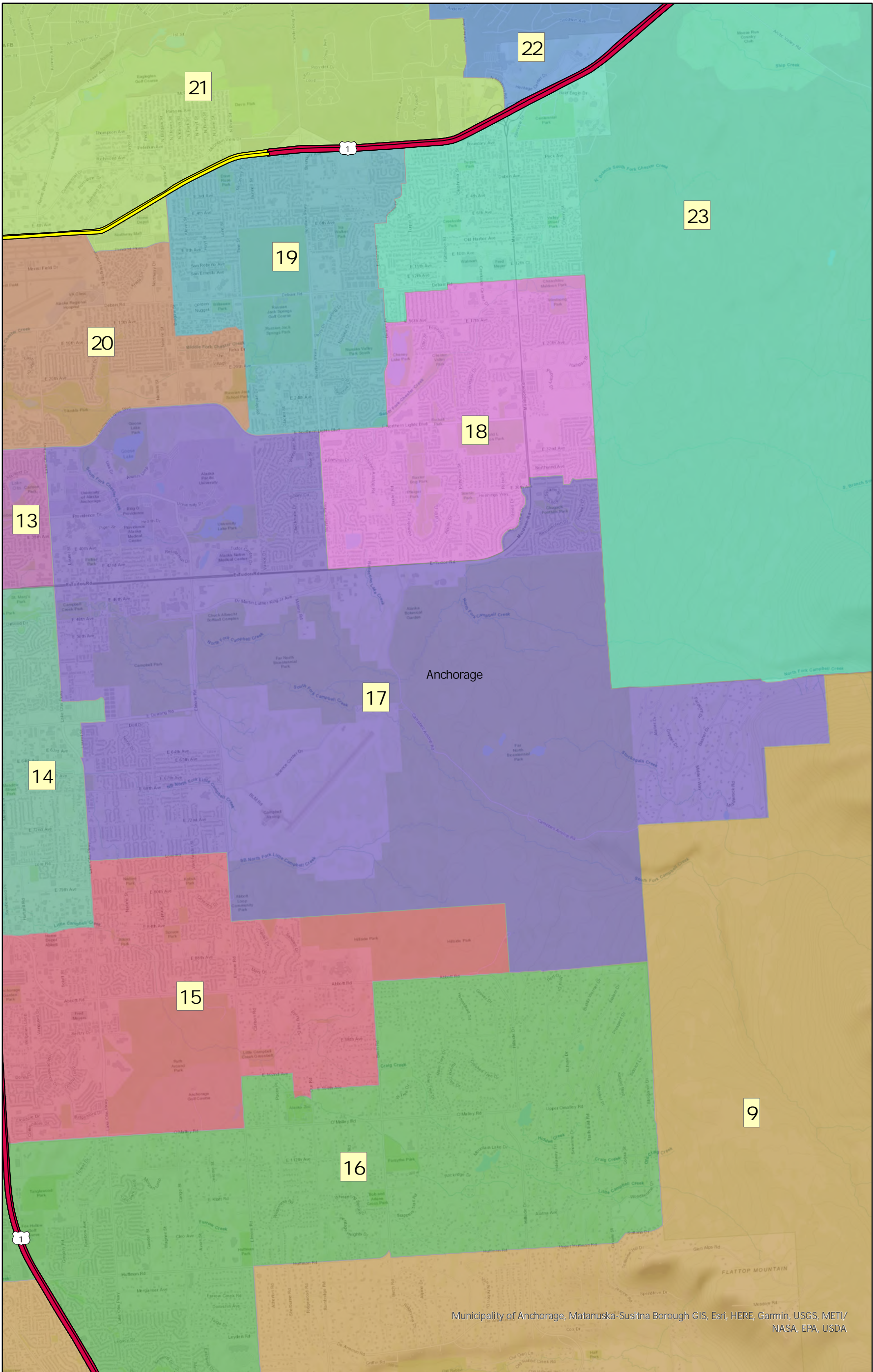




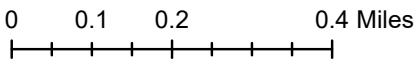
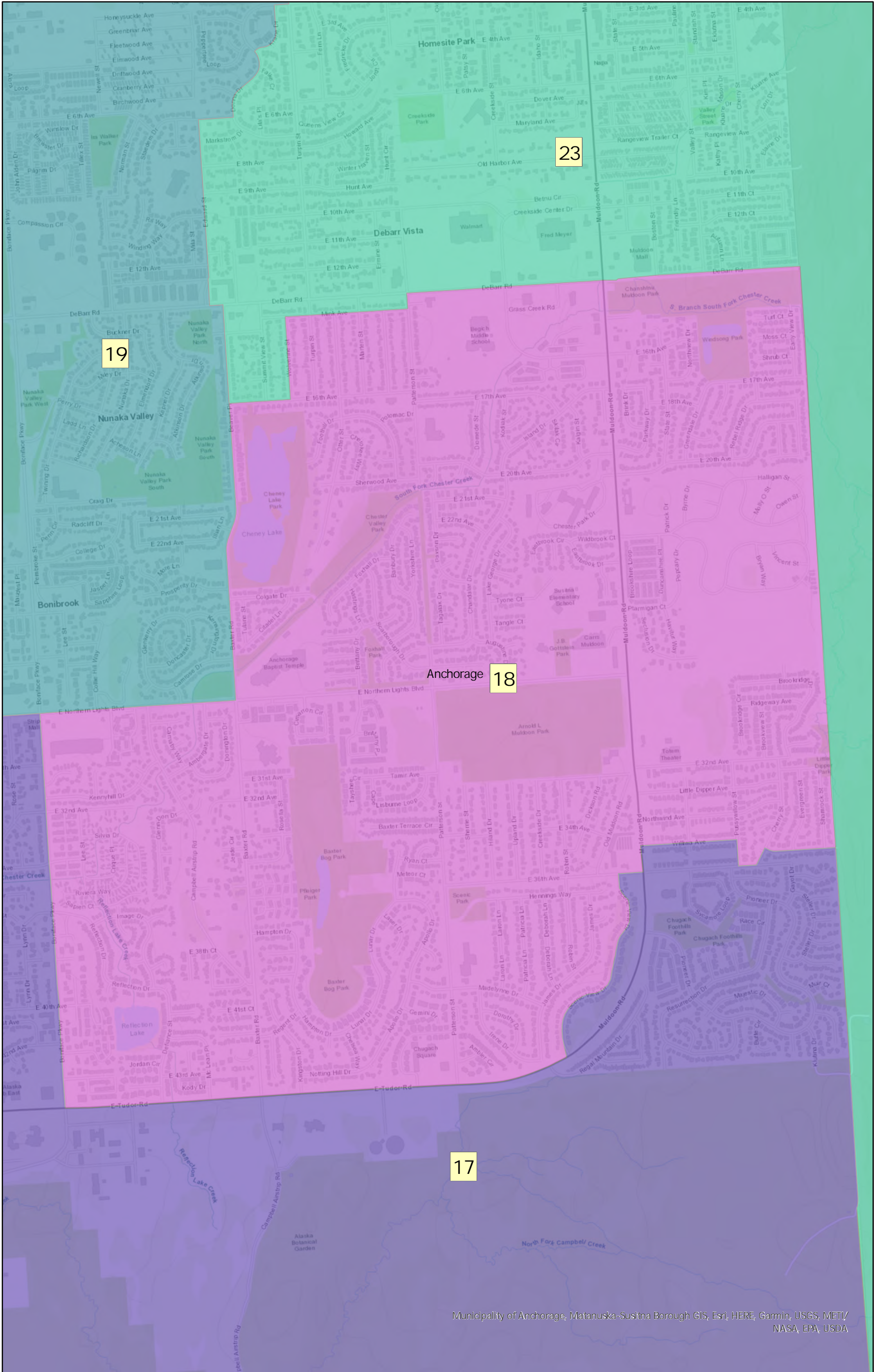
0 0.33 0.65 1.3 Miles

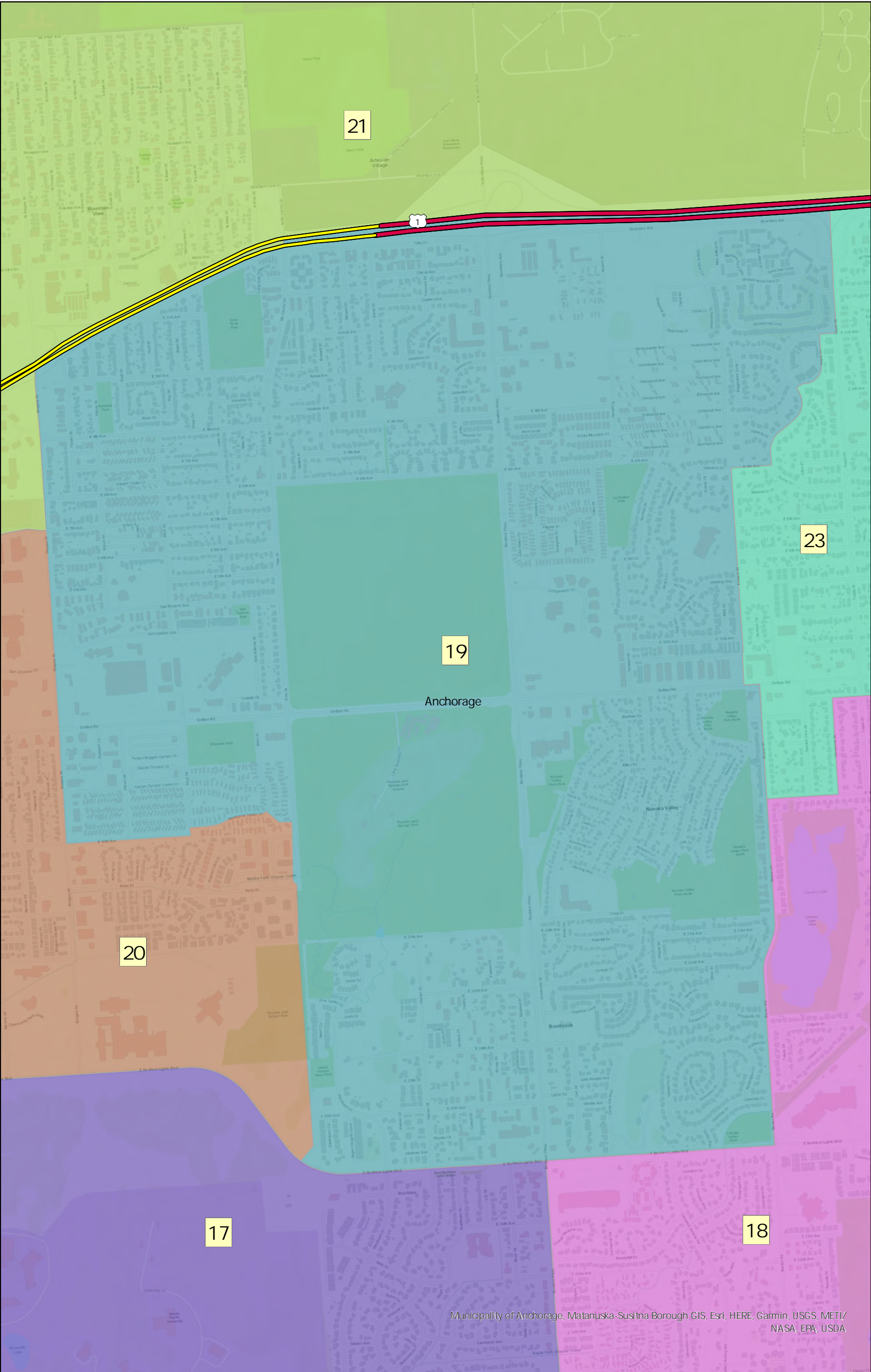
Election  Data Services

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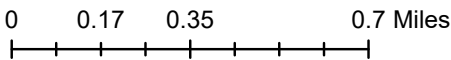
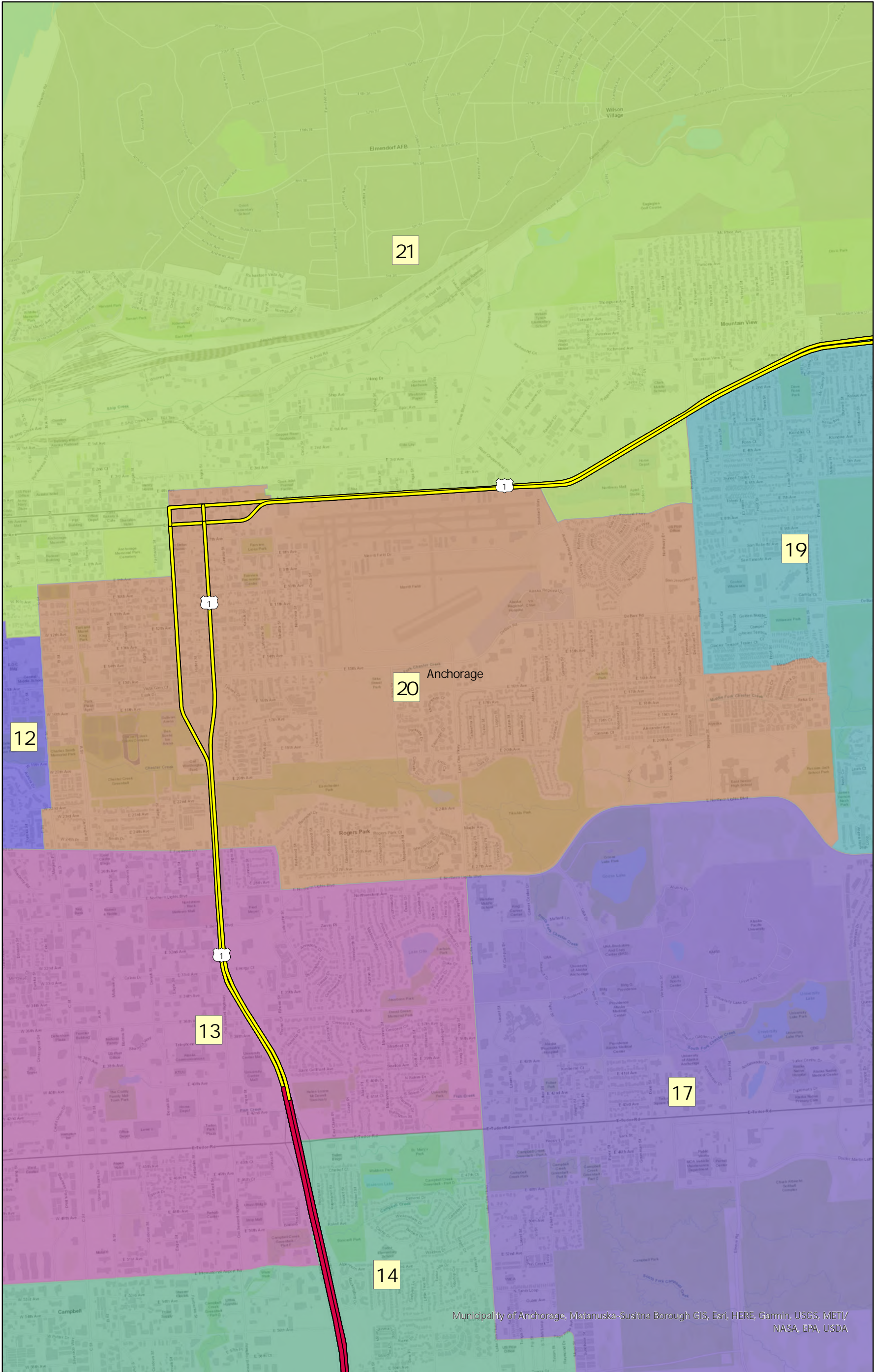


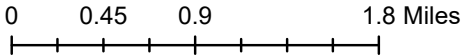
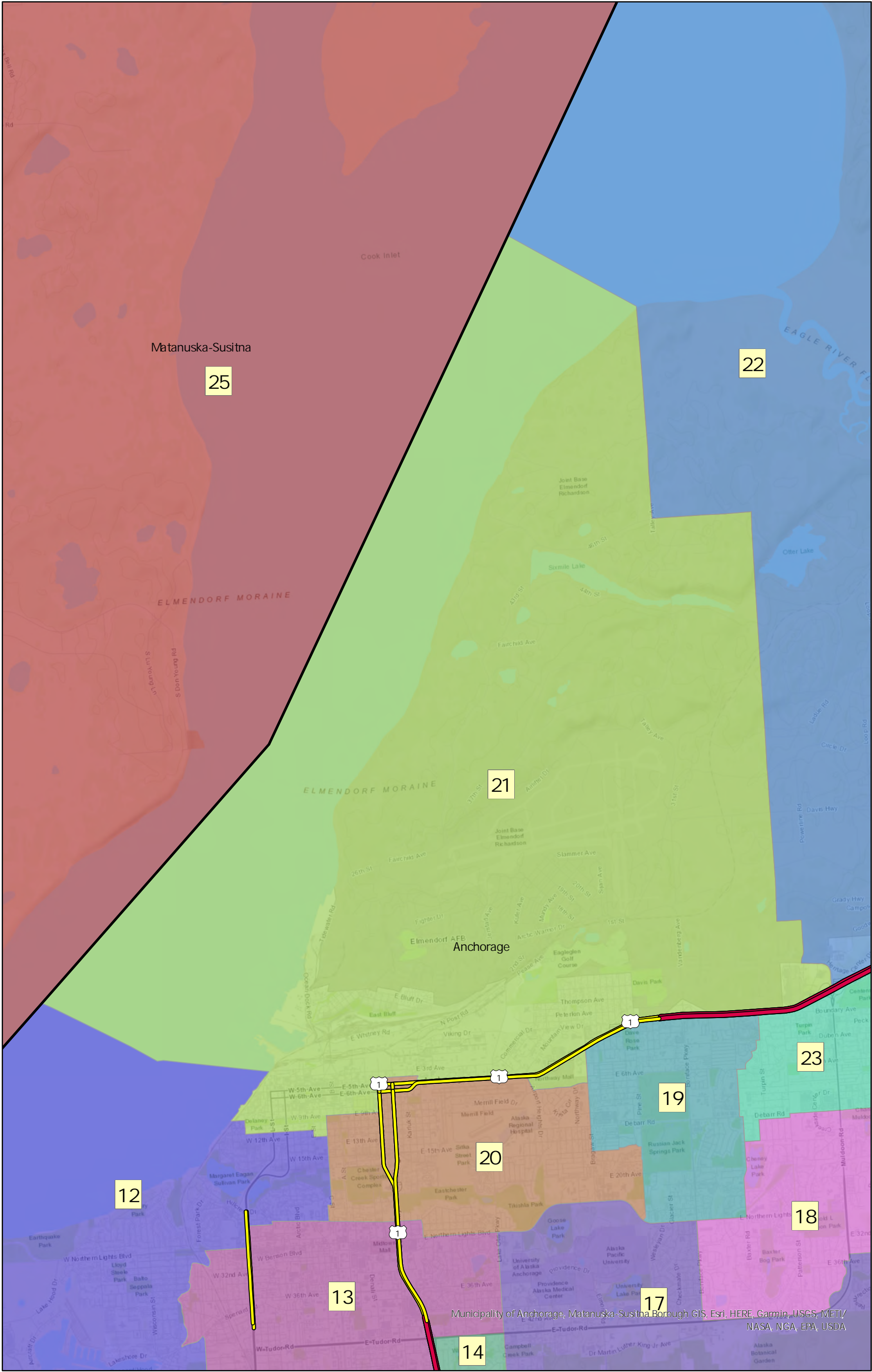
0 0.33 0.65 1.3 Miles

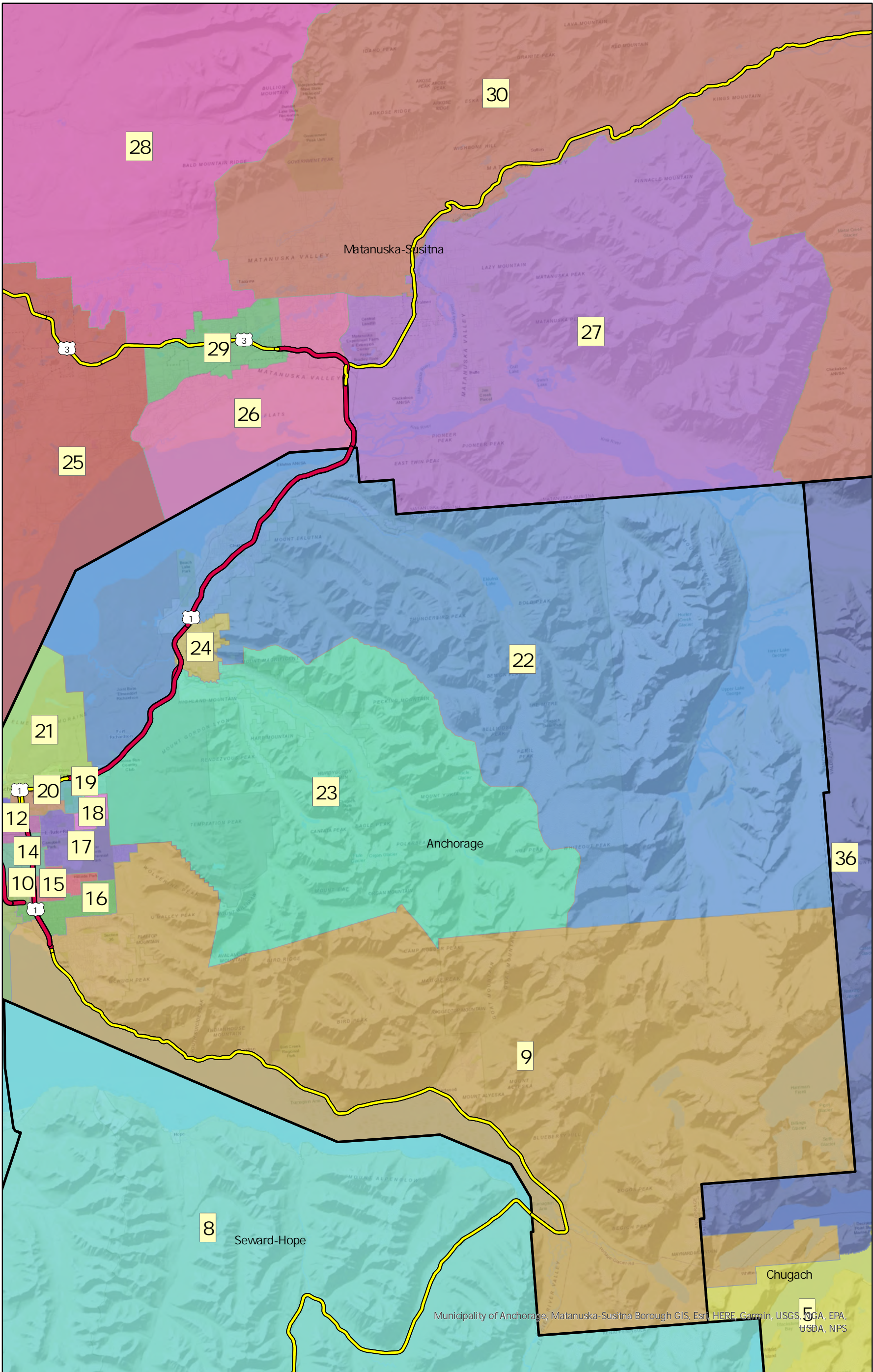




0 0.1 0.2 0.4 Miles



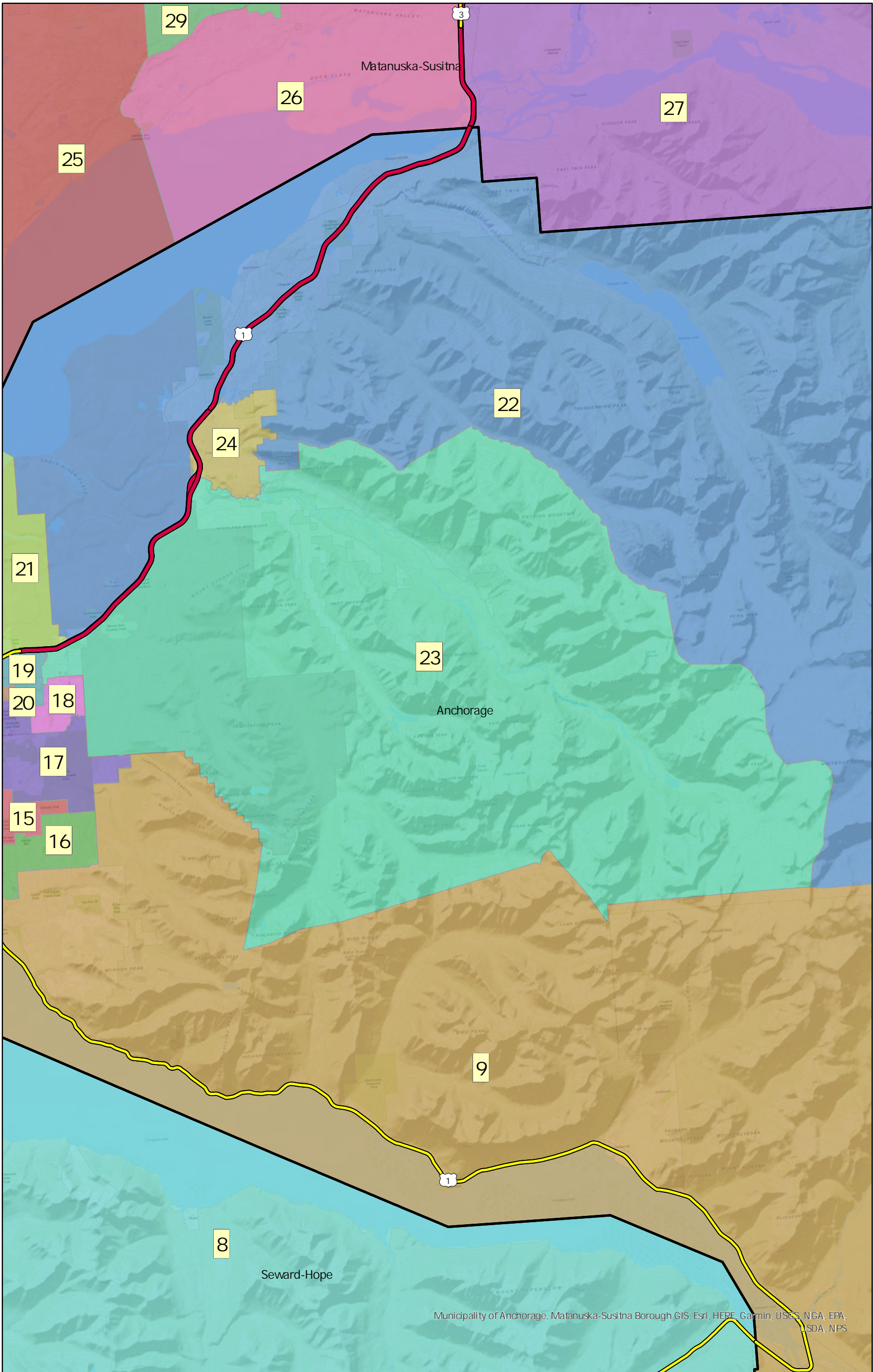




0 2.75 5.5 11 Miles

Election Data Services

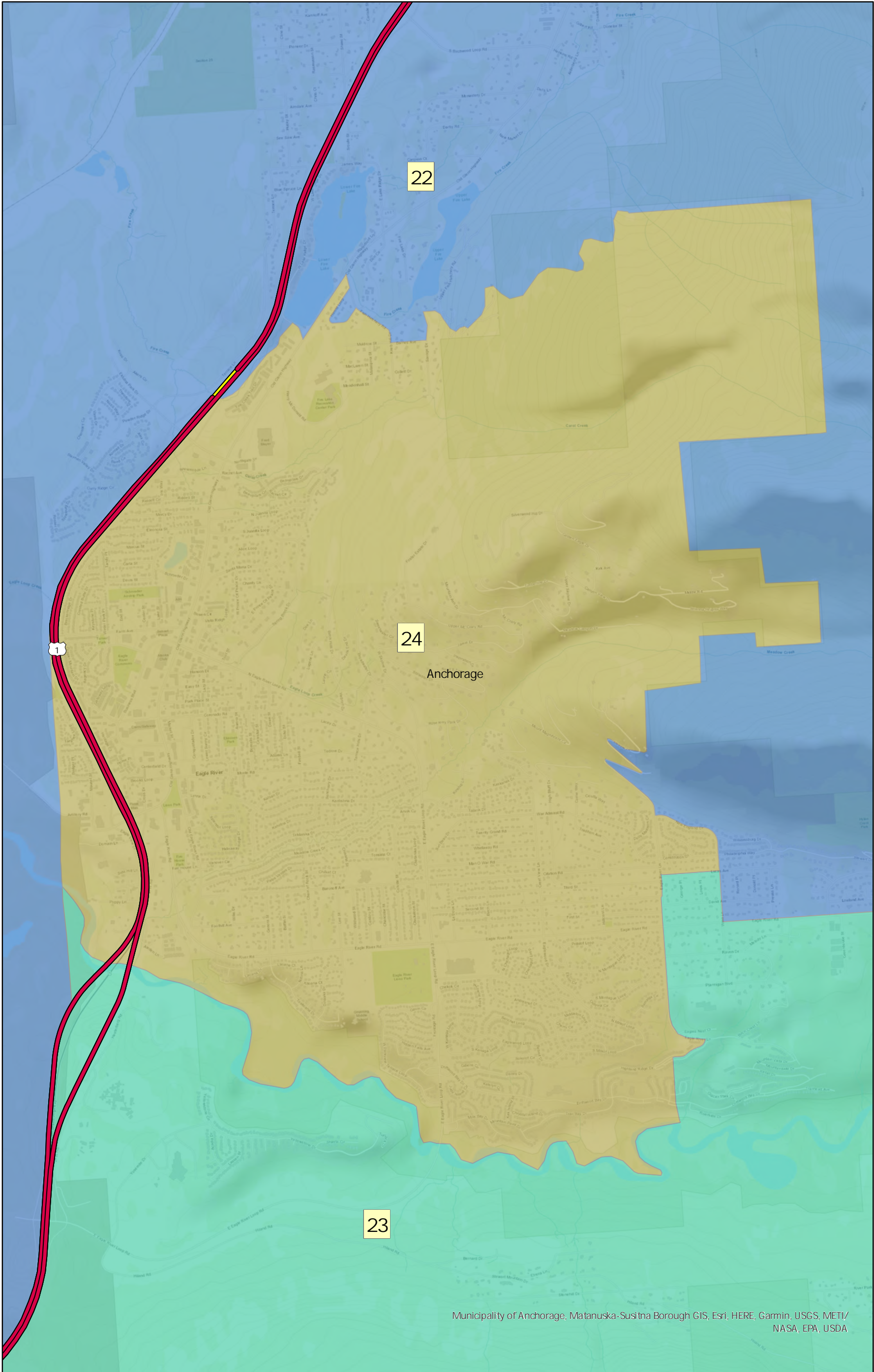
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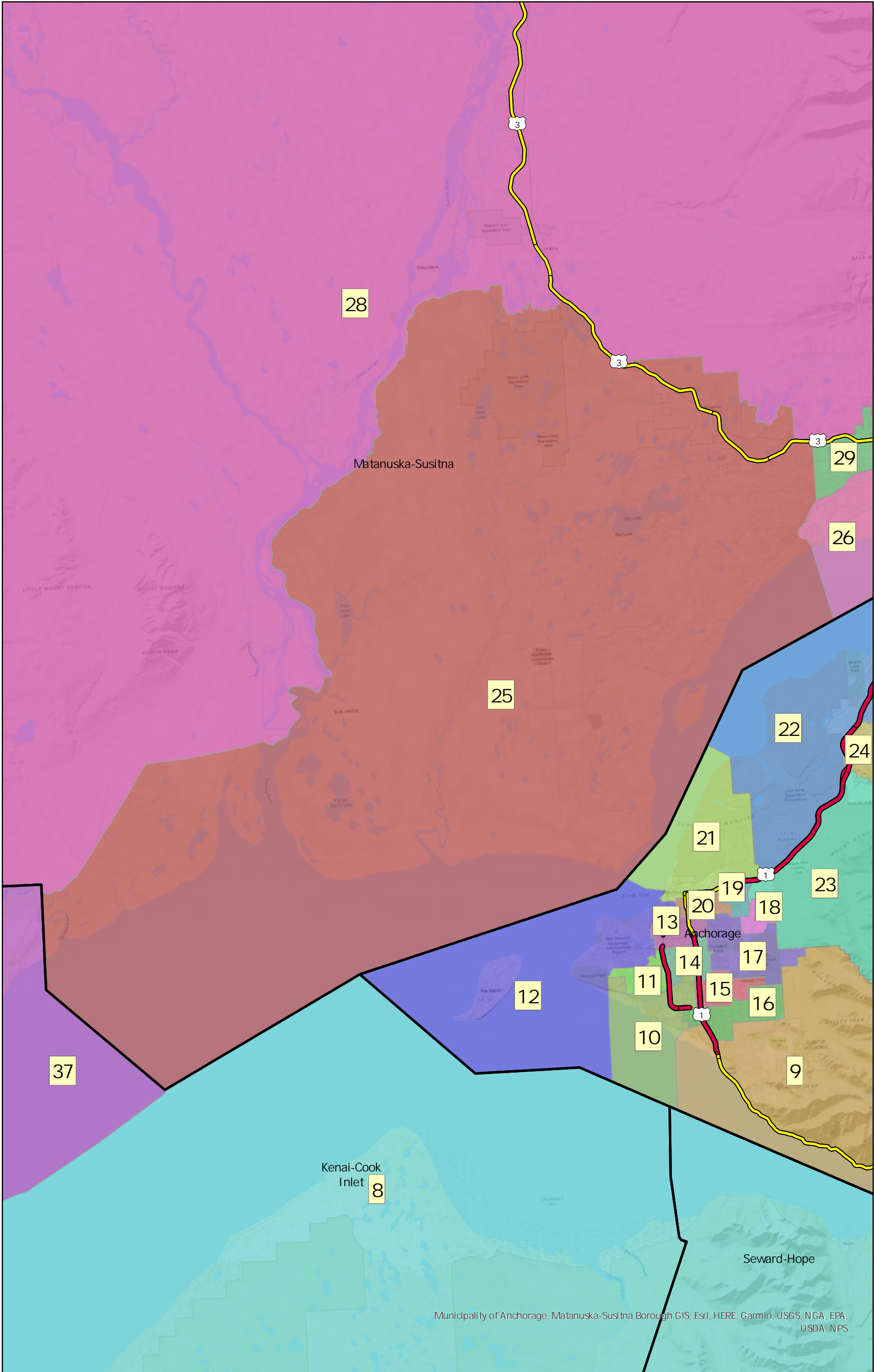
0 1.75 3.5 7 Miles

Election Data Services

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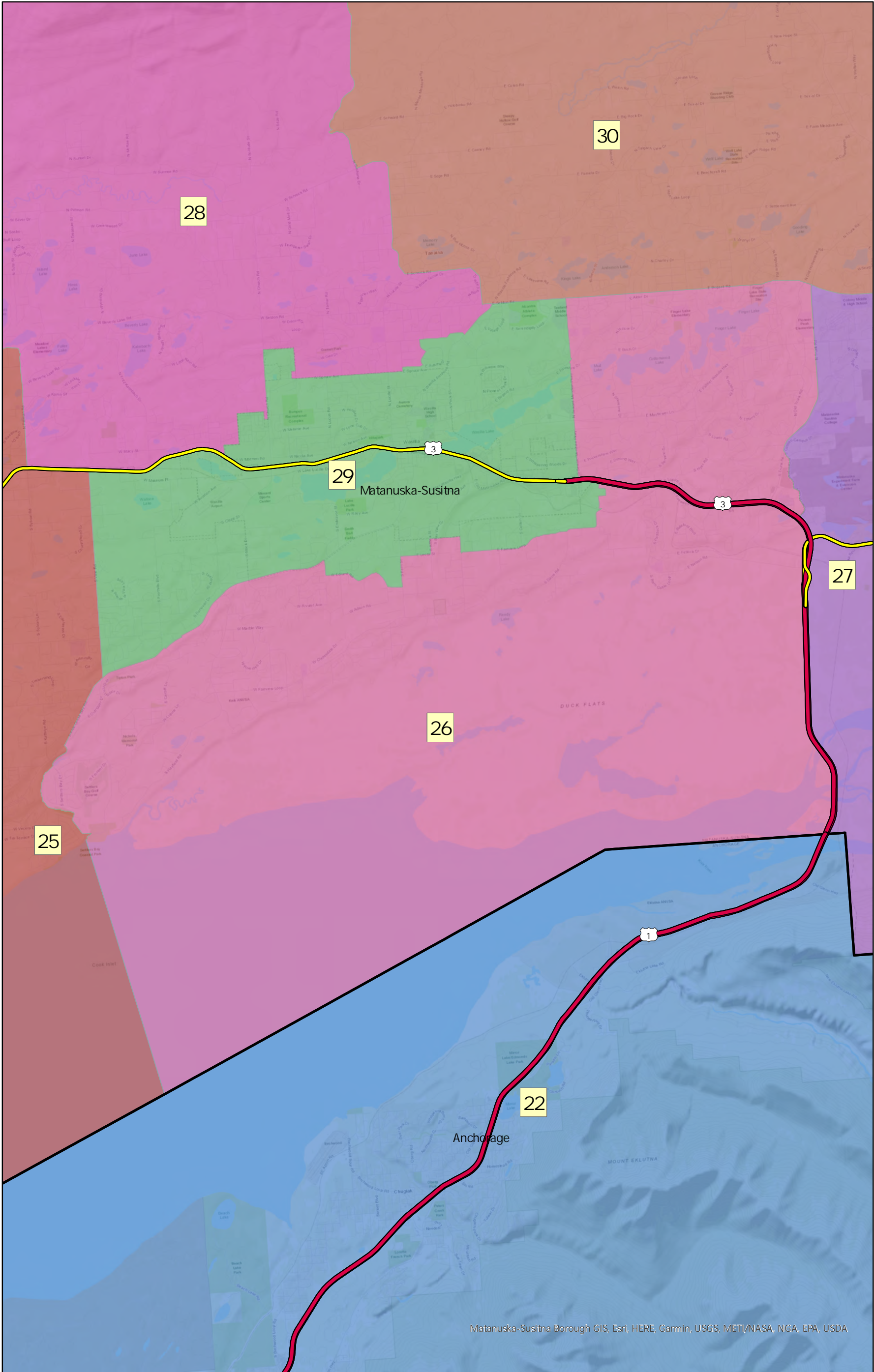
0 0.17 0.35 0.7 Miles



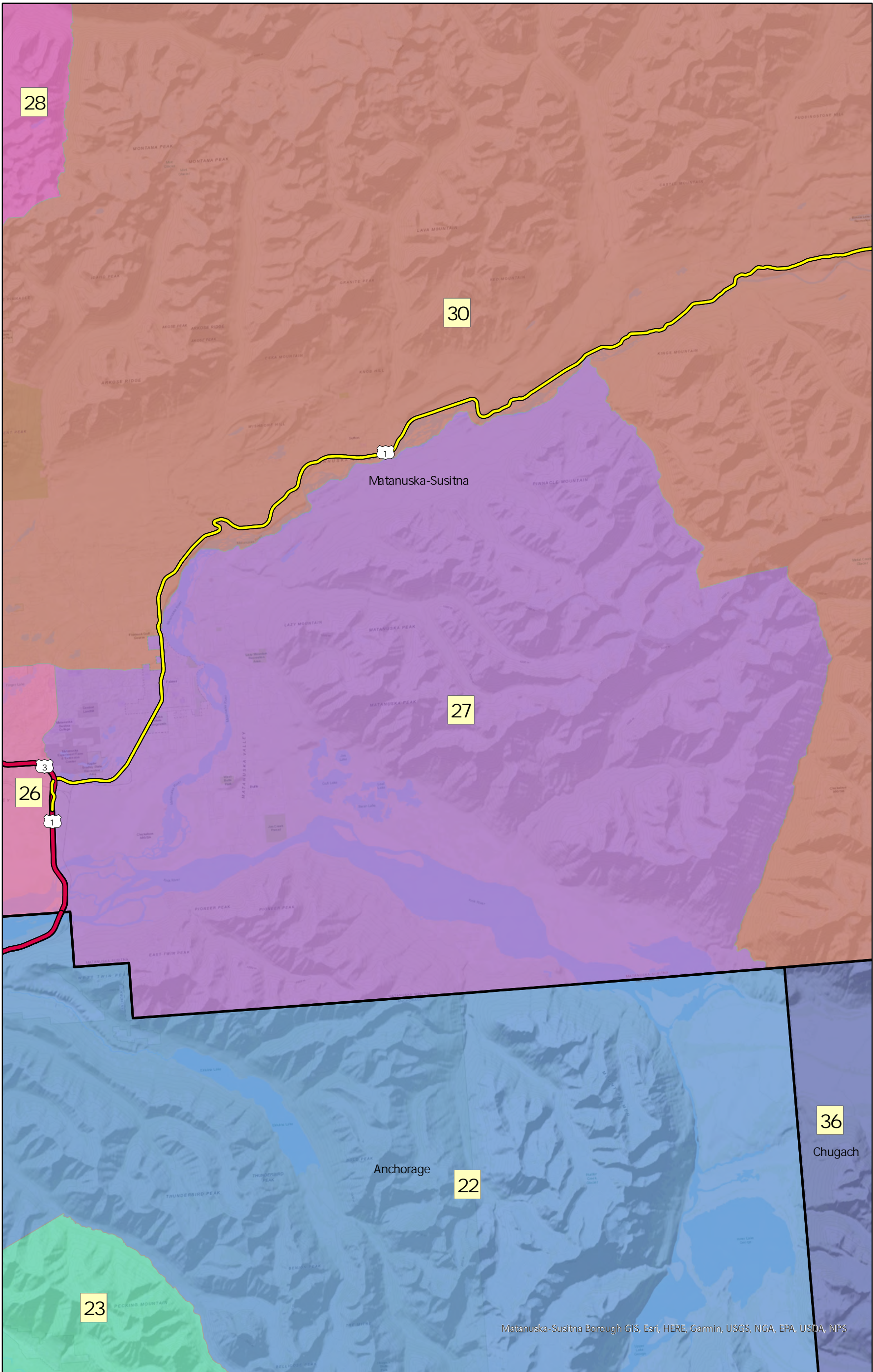
0 2.5 5 10 Miles

Election Data Services

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0 0.75 1.5 3 Miles

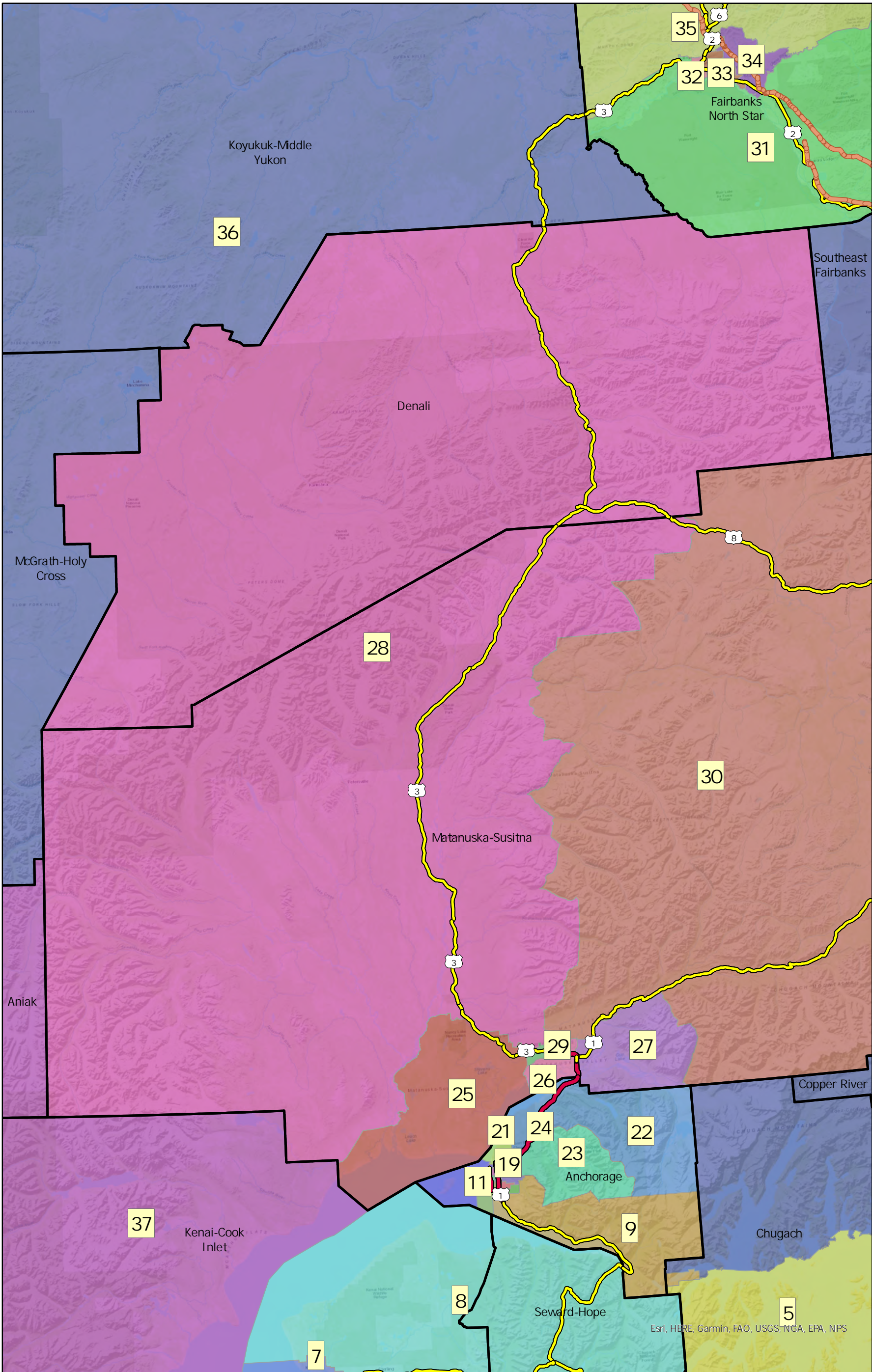


Matanuska-Susitna Borough GIS, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

0 1.5 3 6 Miles

Election Data Services

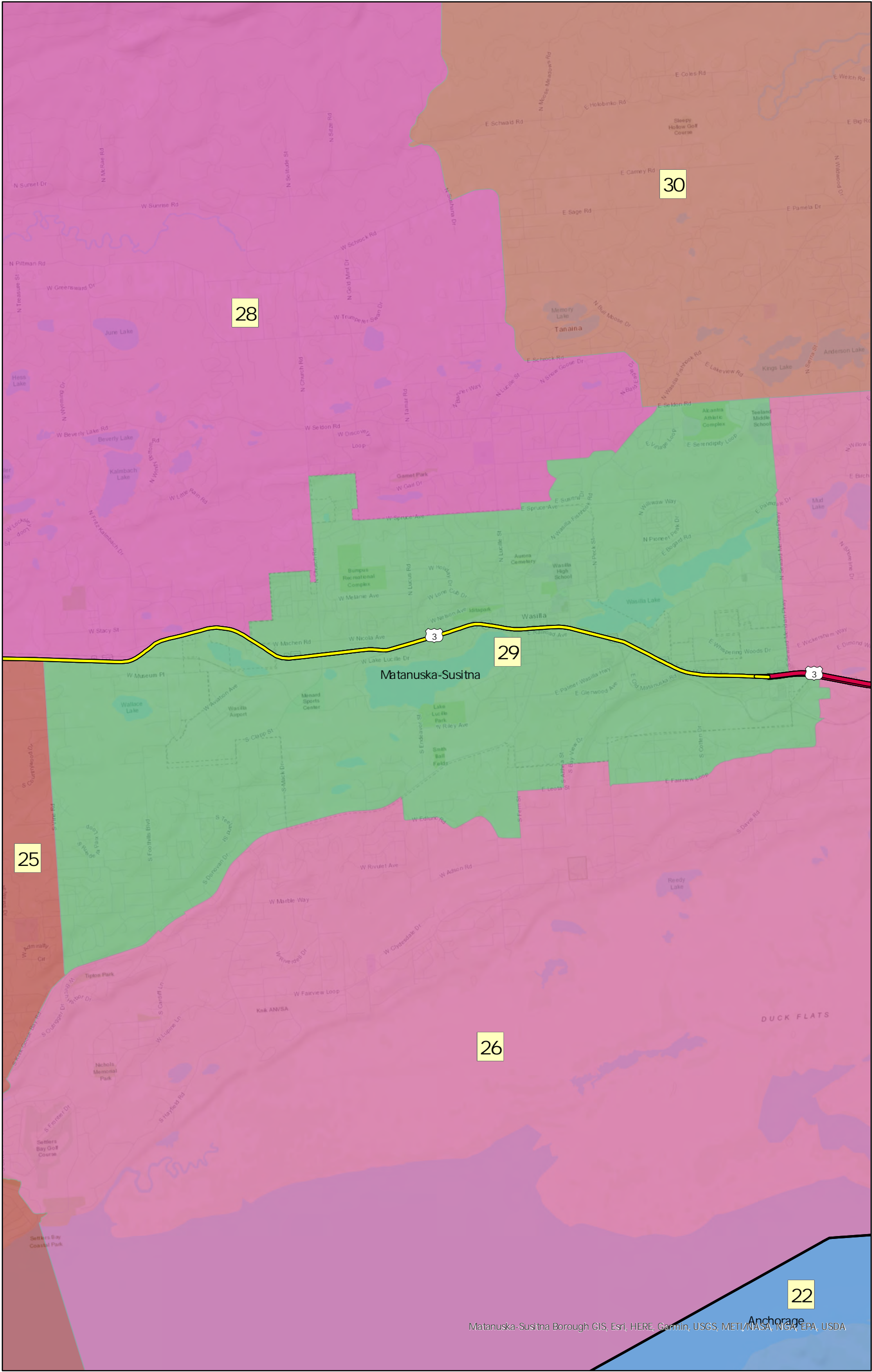
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0 10 20 40 Miles

Election Data Services

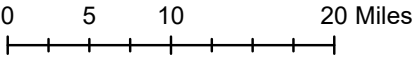
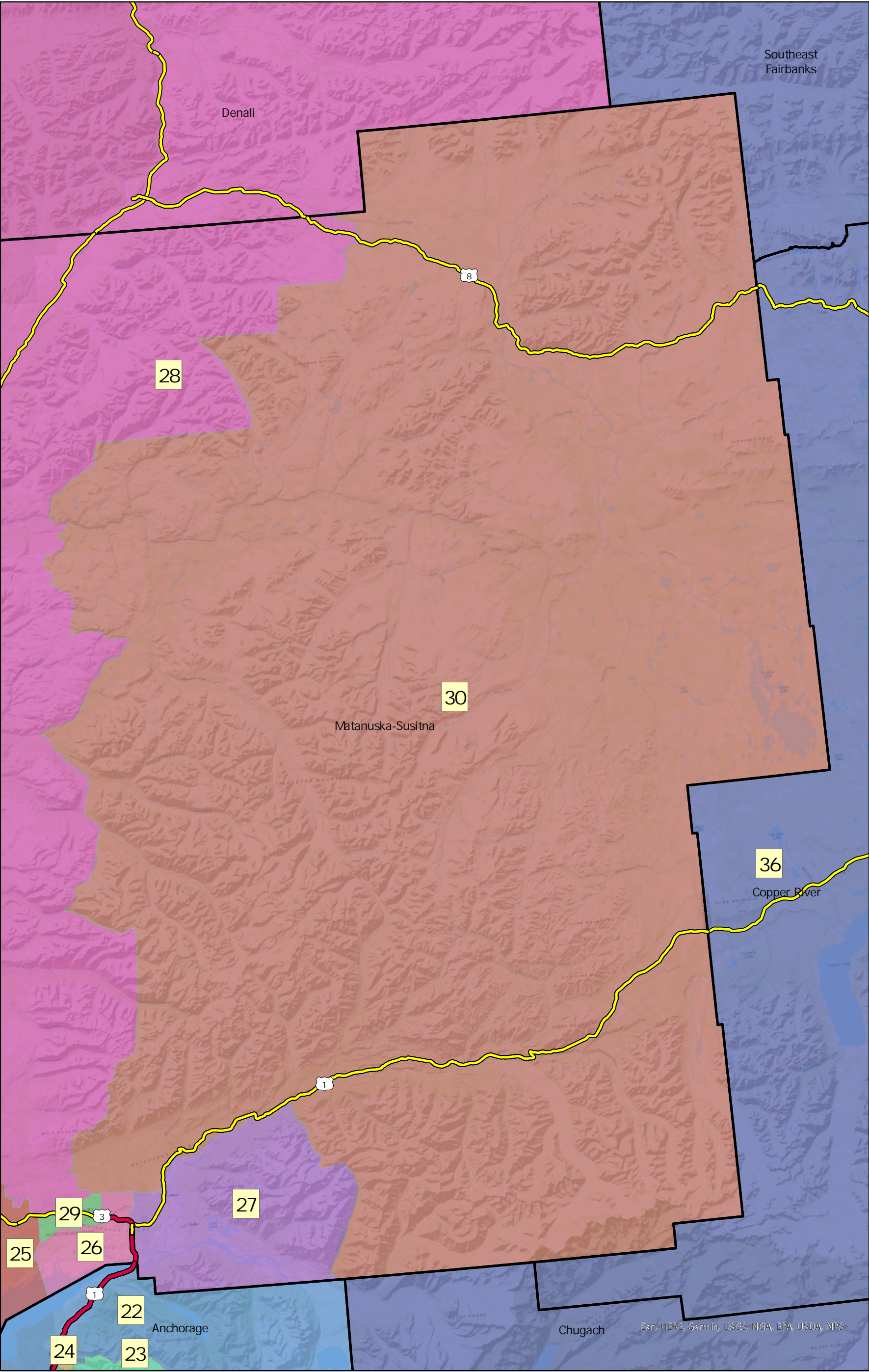
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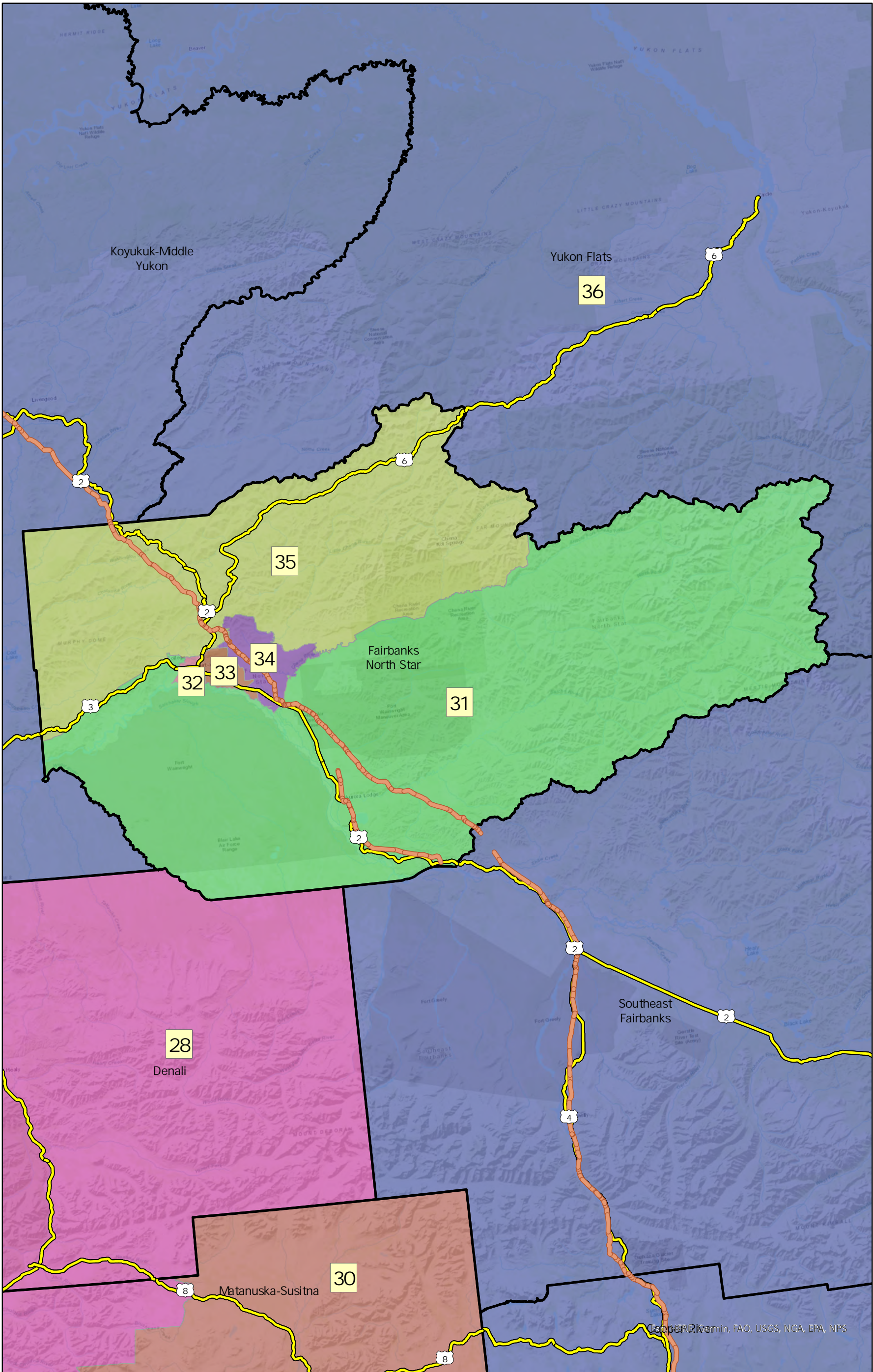


0 0.5 1 2 Miles

Election Data Services

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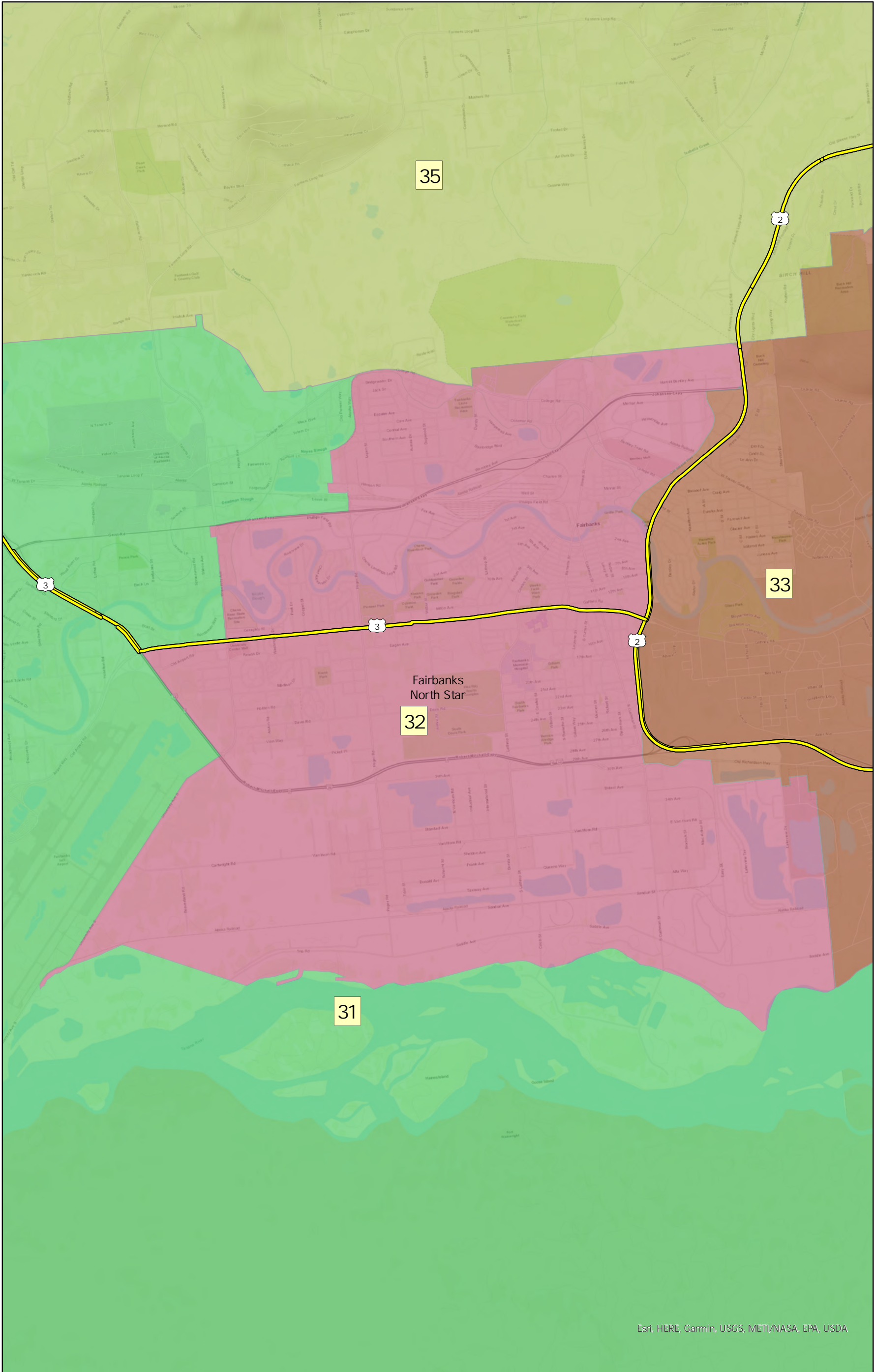




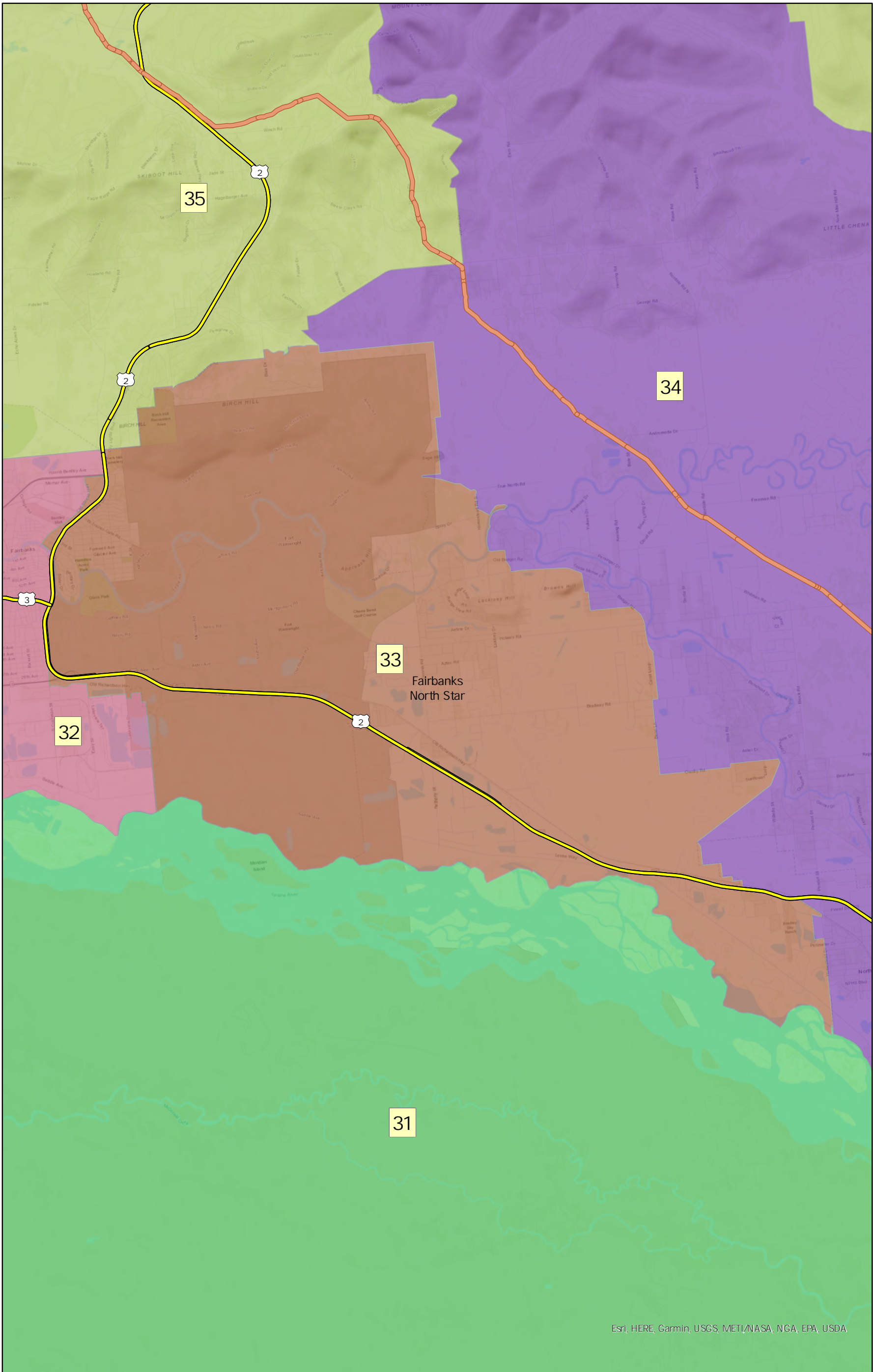
0 5 10 20 Miles

Election Data Services

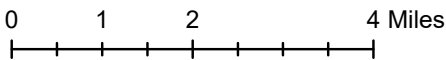
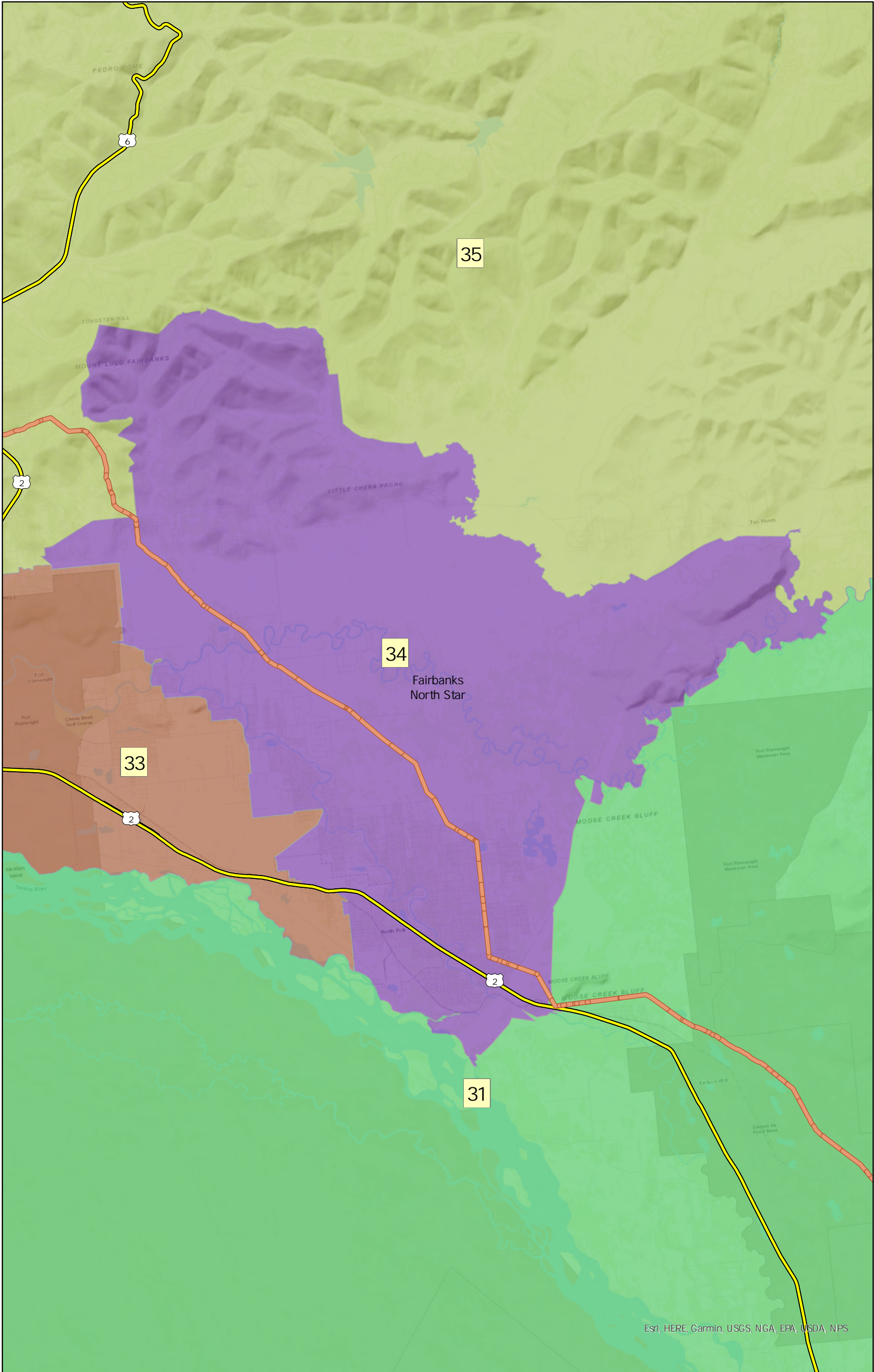
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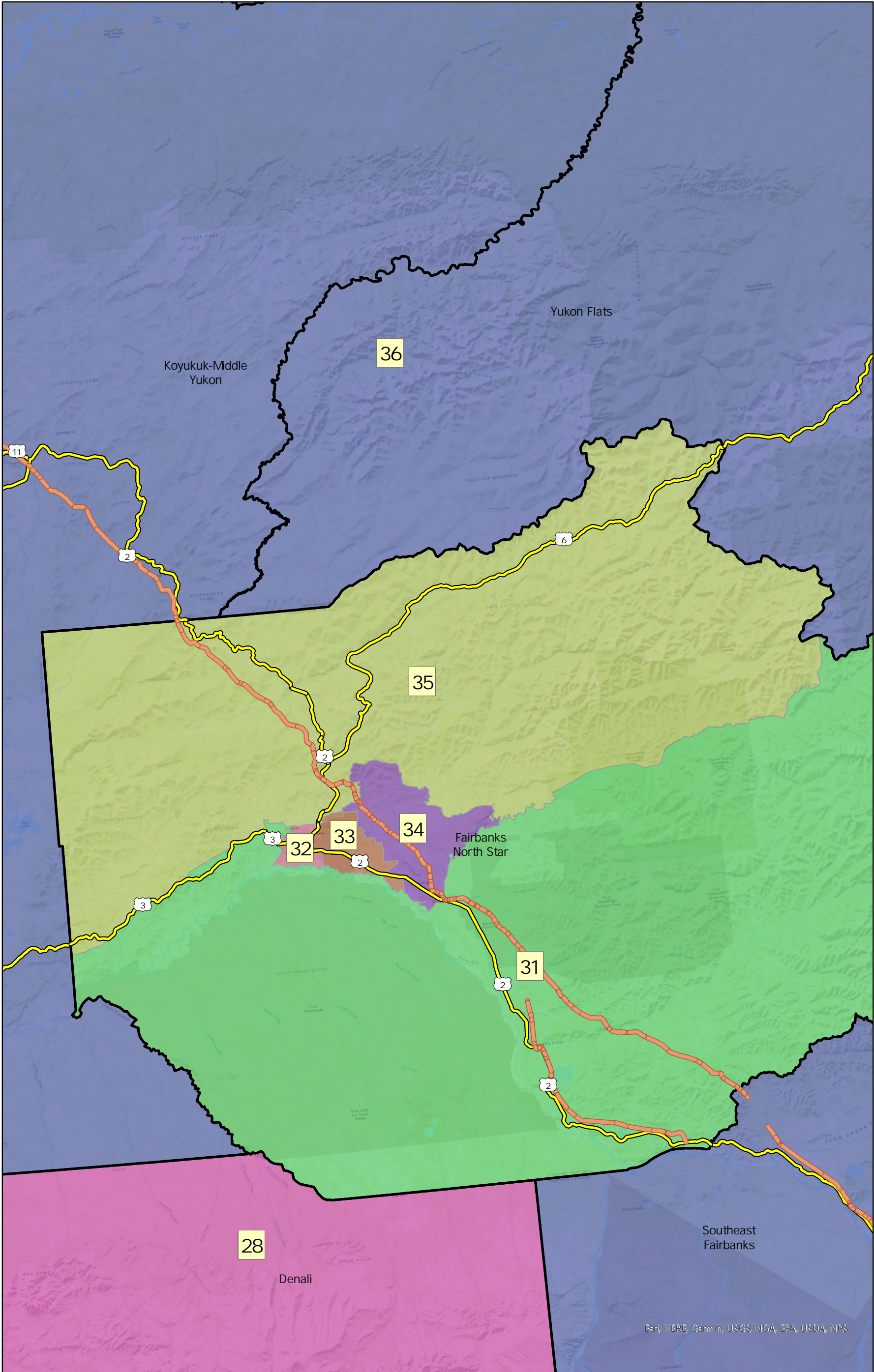


0 0.33 0.65 1.3 Miles

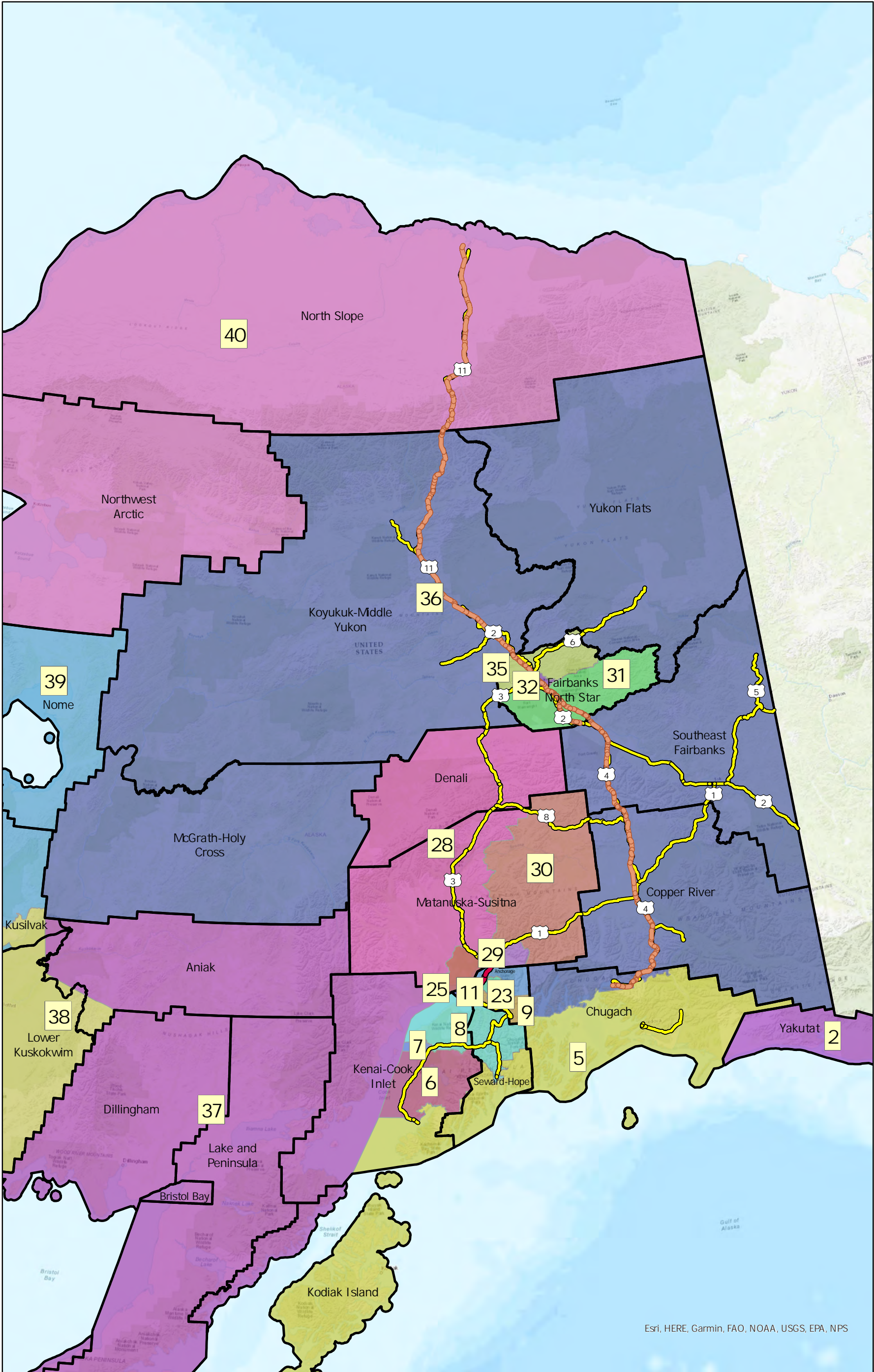


0 0.5 1 2 Miles





0 5 10 20 Miles

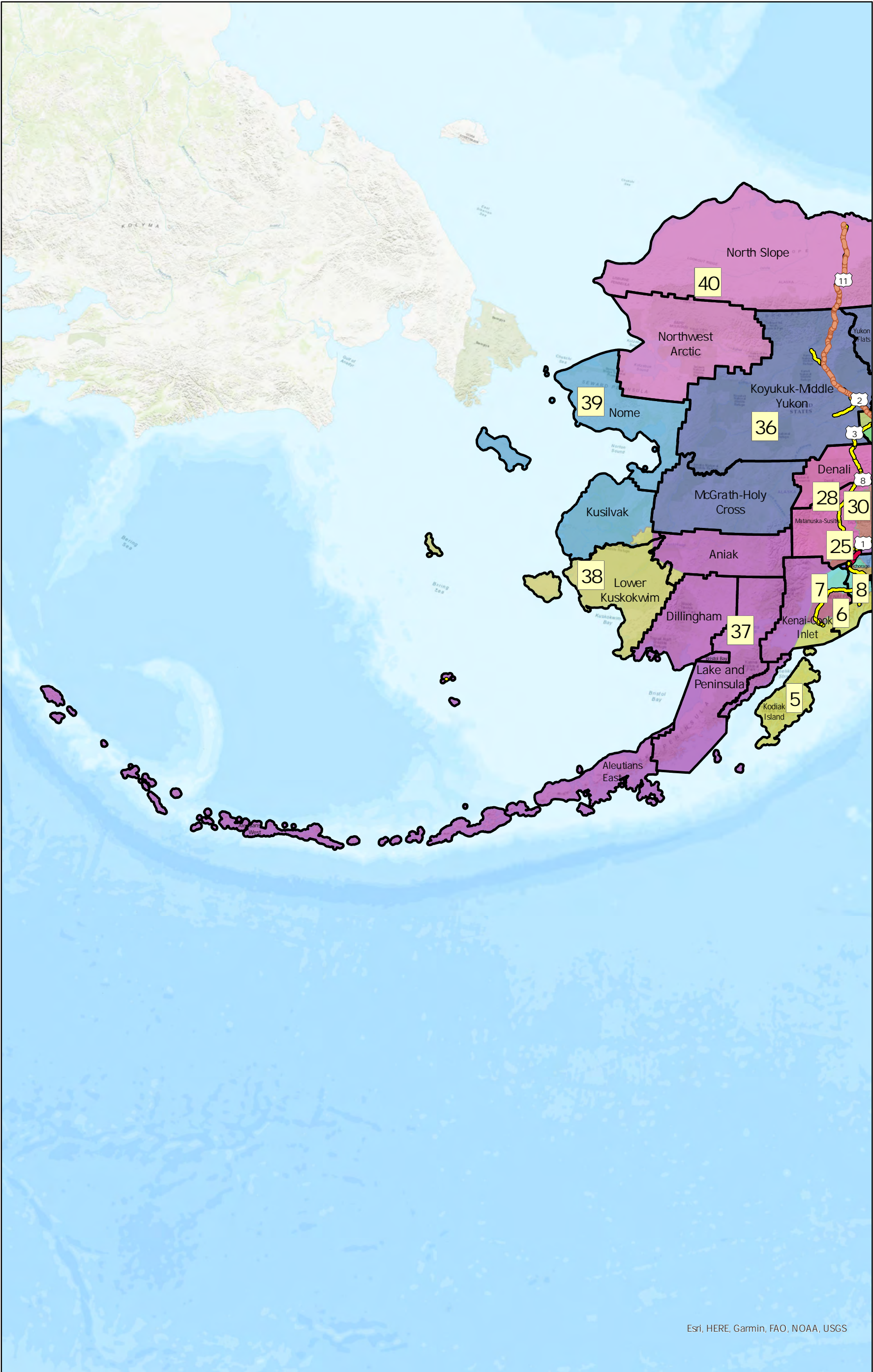


0 37.5 75 150 Miles

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

Election Data Services

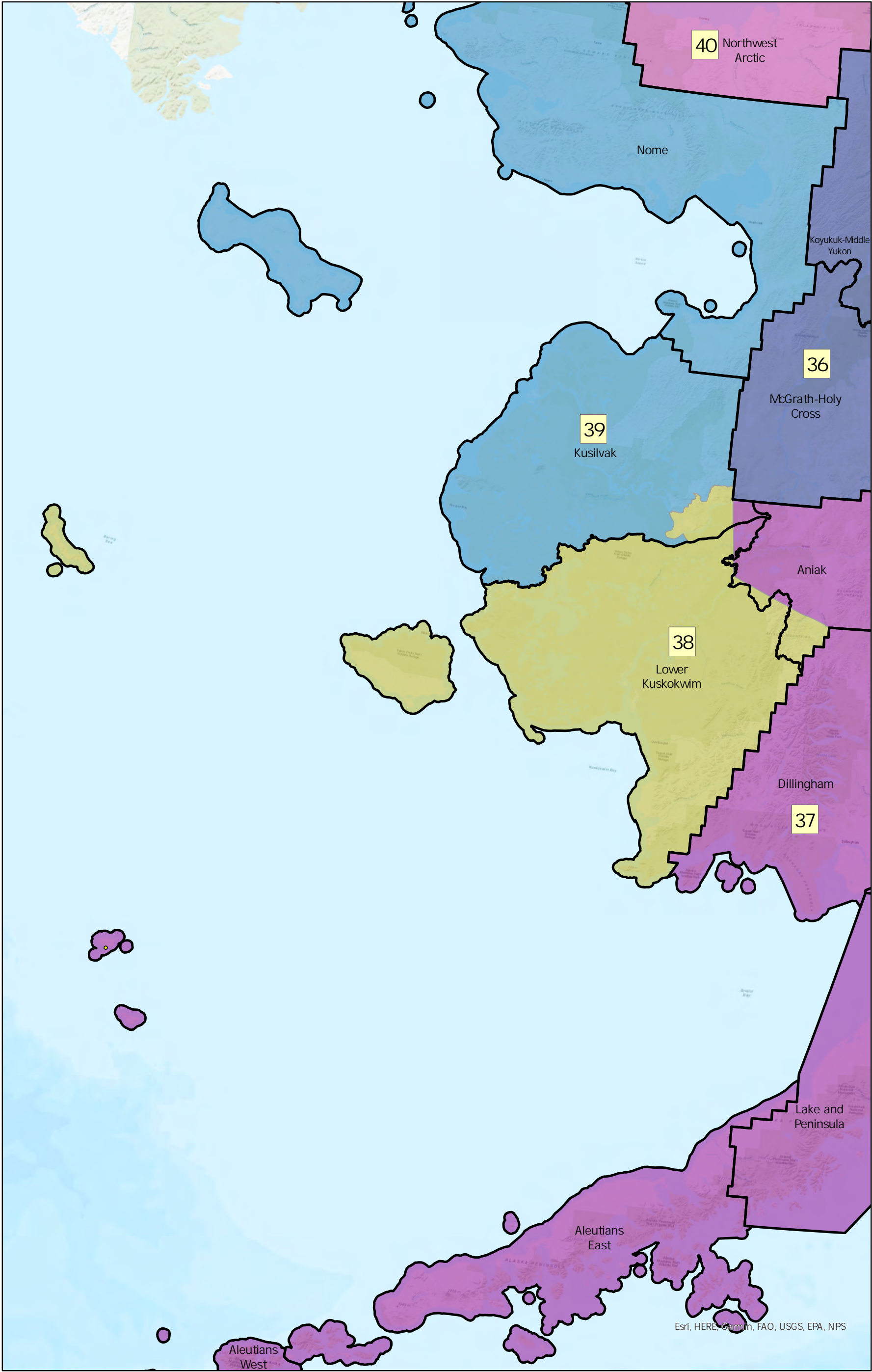
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0 85 170 340 Miles

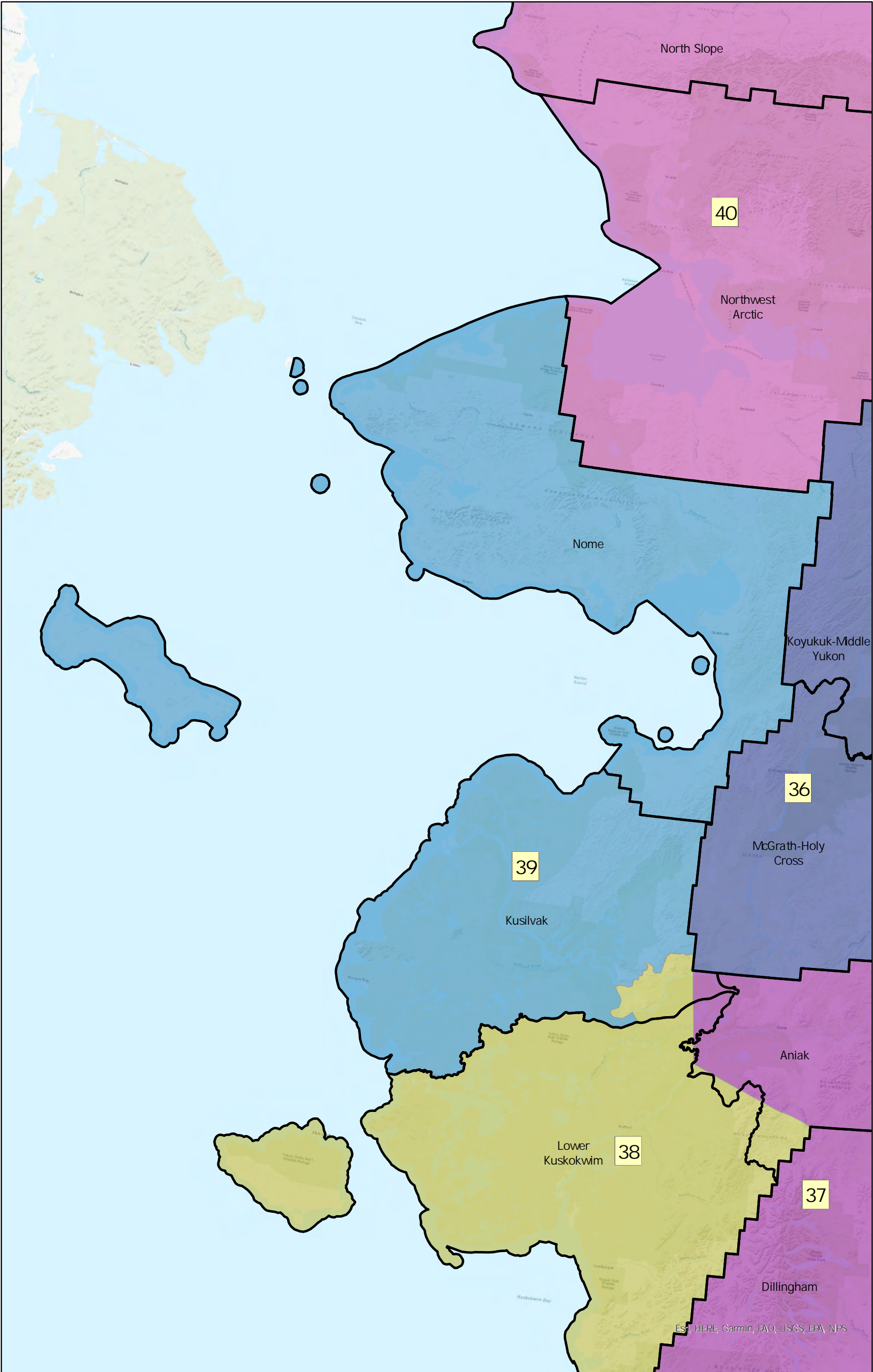
Election Data Services

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0 25 50 100 Miles

Election Data Services



0 20 40 80 Miles

Alaska State House Districts - Board Composite v.2

