

SUPPLEMENTAL EXPERT REPORT

In the Matter of the 2021 Redistricting Plan
3AN-21-08869 CI

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I submit this supplement to my report after reading the following documents in case 3AN-21-08869 CI: *Girdwood Plaintiffs' Opening Brief*; the *Alaska Redistricting Board's Opening Brief on Girdwood Challenge*; and the Affidavit of Peter Torkelson.

1. To understand the impacts of this pairing, we need to consider the relevant district populations in their entirety.

In his affidavit, Mr. Torkelson takes Girdwood as a separate and distinct entity for the purposes of the Alaska Redistricting Board's ("ARB's") consideration. By disregarding the entirety of District 9 (consisting of South Anchorage and Turnagain Arm, including Girdwood), he creates and then takes down a straw man. For this reason, it is my opinion that most of Mr. Torkelson's affidavit can be disregarded without further comment.

However, the argument the Board dismisses with respect to Girdwood is the same as the argument it advances with respect to JBER. To this extent, Mr. Torkelson's discussion raises relevant points. As concerns JBER, if we assume that most of the military members legally residing there vote in the JBER #2 precinct in District 23 (consisting of Ship Creek, Government Hill, Northeast Muldoon and JBER), then they comprise approximately one quarter of the voters in District 23, or one eighth of any senate district in which they are included. Thus, the situation of JBER voters is the same as that of Girdwood voters. "Girdwood lacks sufficient population to control even who is elected to represent its house district let alone its senate district. Girdwood lacks the population to control *any* state election."¹ The same is true of JBER.

Left out of these calculations are the facts that South Anchorage forms the bulk of the population in the Girdwood/South Anchorage district, and North Anchorage forms the bulk of the JBER/North Anchorage District population. To understand the impacts of this pairing, then, we need to consider that urban neighborhoods comprise the bulk of District 23. The Downtown area, Ship Creek, the Alaska Railroad neighborhood, the Port of Anchorage, Government Hill, and part of Northeast Anchorage including a section of North Muldoon are all part of District 23.

2. The ARB makes an unsupported statement that "if JBER is paired with downtown Anchorage, JBER's ability to elect a senator of its choosing will be usurped by downtown

¹ Alaska Redistricting Board's Opening Brief on Girdwood Challenge, p. 27 (emphasis in original).

Anchorage.”² In addition to the point made above, that JBER has too small a population to elect a senator, we cannot accurately predict, for reasons described below, how either District 23 including JBER or District 19 (Downtown Anchorage) will vote.

Based on the voting histories of Districts 9 (South Anchorage, etc.), 10 (Eagle River Valley) and 24 (North Eagle River) we have a reasonable sense of how they will vote. However, the voting histories of Districts 19 (Downtown Anchorage) and 23 (North Anchorage, etc.) are unclear and, as a result, so is our ability to predict their likely voting pattern.

When thinking about dilution issues in the creation of senate districts, it would be helpful to project the likely voting patterns of these two house districts and the combined senate district. A district’s past voting history ideally provides a basis for such a prediction and if the composition of a new district is little changed from that of a previous district, we may presume continuity in the pattern of its voting history.

One confident prediction we can make, then, is that since the boundaries of House Districts 10 and 24 and their politically conservative voting pattern have changed little since 2013, their influence on a paired district will be strongly conservative.

As far as districts that have experienced substantial change are concerned, there are two compounding factors that limit the ability to make predictions.

First, there have been an increasing number of absentee, early, and questioned ballots. This complicates the ability to track precinct voting history because these categories of ballots are not attributed to precincts. For Districts 19 and 23, roughly a third of the votes in 2014 and two thirds of the votes in 2020 are absentee, early, and questioned ballots.

Second, where a district boundary has changed and encompasses precincts or parts of precincts from previous proclamation maps, precinct voting history becomes increasingly unclear. The less resemblance a district has to earlier maps, the more its history and therefore our ability to project future voting patterns is obscured.

If we knew that a precinct previously voted in a certain way, then we might be able to account for a particular portion of that district that is now in a new district.

But with so many votes no longer associated with the voters’ precincts, this is not possible.

This limitation on extrapolations from the precinct level applies to predictions about the voting patterns of precincts JBER #2 and Girdwood, and we would extend Torkelson’s caution³ about the unreliability of 2020-precinct-level-voting preferences back to 2014. Because of this, we have been cautious about predictions of future voting. So, for instance, we cannot reliably predict how precincts JBER #2 or Girdwood would vote in state elections.

² Alaska Redistricting Board’s Opening Brief on Girdwood Challenge, p. 1.

³ Affidavit of Peter Torkelson, p.4, fn. 1.

3. Testimony and other data also do not support the ARB's stance that the military has such strong connections and affinity with Eagle River that other possible pairings would be prejudicial. In fact, commonalities and affinities between different segments of the civilian population and the military correspond to differences in rank, income and social characteristics of the military population.

While ethnic/racial and income characteristics of higher-ranking military members resemble those of the Eagle River population, officers comprise only 18% of the armed forces.⁴ The population characteristics of the majority of military personnel more closely resemble those of other parts of the municipality. In terms of ethnic/racial diversity, 77% of all officers and 88% of those in the higher ranks identify as white, as compared to 67% of all enlisted personnel.⁵ Andrew Gray testified to the ARB that, based on his analysis and comparison of census tracts and precinct boundaries, JBER's population, "with 60.7% of the voting age population identifying as white and just under 40% identifying as non-white," is even more diverse than that of the military overall.⁶

This diversity shapes, for example, the possibilities for and actual locations of off-base housing choices. On militarytownadvisor.com, "Top 'Off-base' Neighborhoods" for JBER lists ten neighborhoods with user reviews.⁷ Of these, only 1 (#5) is an Eagle River location. The others range through the Anchorage area and beyond, including two locations in Wasilla. Officers can afford a wider range of housing and may come from more financially secure backgrounds, but as Andrew Gray points out, recruits most often come from low-income backgrounds: "more than 80% of military recruits come from households unlike those in Eagle River. And if lower enlisted choose to live off base, they inevitably end up in lower-cost housing in Mountain View, north Muldoon, or even in my neighborhood in midtown."⁸

As previously noted, JBER is only one segment of District 23. However, to the extent that the ARB argues that pairing District 23 with District 24 (North Eagle River) best serves the military population, it is important to note that, given its overall ethnic diversity, JBER is not particularly well served by such a pairing.

While we noted above that we cannot predict how Districts 19 and 23 are likely to vote, the military population's demographics suggest that minority issues are much more likely to be of interest and concern to JBER voters than they are to the voters of Eagle River; and the ethnic/racial information provided by the ARB⁹ indicates that District 23's population is even more ethnically diverse than that of JBER:

⁴ <https://taskandpurpose.com/news/how-many-officers-in-us-military/>.

⁵ <https://crsreports.congress.gov/product/pdf/R/R44321>.

⁶ ARB2-500282.

⁷ <https://www.militarytownadvisor.com/off-base-housing/neighborhood-subdivision-review/AK/5/elmendorf-afb/results>.

⁸ ARB2-501611.

⁹ ARB2-501899.

District	%White
19	53
23	57
24	75
10	76

The larger picture is that JBER is currently well-served as an ethnically diverse precinct within an ethnically diverse house district.

Pairing District 23 with District 24 (North Eagle River) risks minority dilution and creates the same problems as did the gerrymandered pairing of Eagle River/Chugiak with South Muldoon.

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DATE

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