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SCPW No. _____

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

WILLIAM M. HICKS; RALPH BOYEA;
MADGE SCHAEFER; MICHAELA
IKEUCHI; KIMEONA KANE; MAKI
MORINOUE; ROBERTA MAYOR;
DEBORAH WARD; JENNIFER
LIENHART-TSUJI; LARRY S. VERAY; and
PHILIP BARNES,

Petitioners,

vs.

THE 2021 HAWAI‘I REAPPORTIONMENT
COMMISSION AND ITS MEMBERS; THE
STATE OF HAWAI‘I OFFICE OF
ELECTIONS; and SCOTT NAGO, in his
official capacity as Chief Elections Officer,
State of Hawai‘i,

Respondents.

DECLARATION OF MATEO
CABALLERO

DECLARATION OF MATEO CABALLERO

1. Except as otherwise explicitly provided, the following statements are true and accurate to the best of my knowledge and belief.
2. My name is Mateo Caballero and I am duly licensed attorney in the State of Hawai‘i representing the Petitioners in the above-captioned matter.
3. Based on my conversations with all Petitioners, the information provided about them in the Petition is true and correct and they all are prepared to submit declarations to that effect if necessary.

4. Attached hereto as Appendix A are true and correct copies of the maps for 2021 Final Legislative Reapportionment Plan, available on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/wp-content/uploads/HawaiiUnitRegions.pdf> for the Island of Hawai‘i, <https://elections.hawaii.gov/wp-content/uploads/MauiUnitRegions.pdf> for the islands of Maui, Lāna‘i, Moloka‘i and Kahoolawe, <https://elections.hawaii.gov/wp-content/uploads/KauaiUnitRegions.pdf>, for the islands of Kaua‘i and Niihau, and <https://elections.hawaii.gov/wp-content/uploads/OahuUnitRegions.pdf> for the island of O‘ahu and all other islands not specifically enumerated.

5. Attached hereto as Appendix B are true and correct copies of all agendas of the 2021 Reapportionment Commission meetings, available on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

6. Attached hereto as Appendix C are true and correct copies of all written summaries of the 2021 Reapportionment Commission meetings, available on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

7. Attached hereto as Appendix D are true and correct copies of rough transcripts by my paralegal of various relevant portions of the 2021 Reapportionment Commission meetings, available on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/> and on YouTube at <https://www.youtube.com/channel/UCxSC4DC5HxSHx-2knh89p3g>.

8. Attached hereto as Appendix H is a true and correct copy of a redline showing the changes that the rules committee permitted interaction group proposed to the Rules of the 2011

Reapportionment Commission and which the full Commission adopted on July 20, 2021 as the Rules of the 2021 Reapportionment Commission. The redline is available under the meeting materials for the Reapportionment Commission’s July 7, 2021, meeting on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

9. Attached hereto as Appendix I is a true and correct copy of one of the slides used by reapportionment staff in their presentation explaining their method for extracting non-permanent residents from the Census data at the August 26, 2021, Reapportionment Commission meeting. The slide is available under the meeting materials for the Reapportionment Commission’s August 26, 2021, meeting on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

10. Attached hereto as Appendix J is a true and correct copy of a table included in Appendix D (Non-Permanent Population Extraction for 2011 Reapportionment and Redistricting—Addendum) to the 2012 Supplement - Legislative Reapportionment Plan and Senate Staggered Terms prepared after *Solomon v. Abercrombie*, 126 Haw. 283, 270 P.3d 1013 (2012). The Appendix is available on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/2011-reapportionment/>.

11. Attached hereto as Appendix K is a true and correct copy of the Standards and Criteria for the reapportionment of congressional and legislative districts adopted by the Reapportionment Commission at its September 9, 2021, meeting. The Standards and Criteria document is available under the meeting materials for the Reapportionment Commission’s

September 9, 2021, meeting on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

12. Attached hereto as Appendix L are true and correct copies of various resolutions and minutes passed by 11 neighborhood boards on O‘ahu rejecting or expressing disapproval about the Reapportionment Commission’s proposed legislative reapportionment plans. Upon information and belief, these boards represent roughly 300,000 O‘ahu residents.

13. Attached hereto as Appendix M is a true and correct copy of the Proposed Final State House Plan for Oahu that the technical committee permitted interaction group presented to the Reapportionment Commission at its December 22, 2021, meeting. The map is available under the meeting materials for the Reapportionment Commission’s December 22, 2021, meeting on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

14. Attached hereto as Appendix N is a true and correct copy of one of the slides used by reapportionment staff in their presentation explaining the updated extraction numbers for military non-permanent residents at the January 3, 2022, Reapportionment Commission meeting. The slide is available under the supplemental meeting materials for the Reapportionment Commission’s January 3, 2022, meeting on the State of Hawai‘i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

15. Attached hereto as Appendix O is a true and correct copy of one of the slides used by reapportionment staff in their presentation about the changes to the proposed legislative districts by the technical committee permitted interaction group at the January 13, 2022, Reapportionment Commission meeting. The slide is available under the meeting materials for the Reapportionment Commission’s January 13, 2022, meeting on the State of Hawai‘i Office of

Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

16. Attached hereto as Appendix Q is a true and correct copy of one of the slides used by reapportionment staff in their presentation about the changes to the proposed legislative districts by the technical committee permitted interaction group at the January 26, 2022, Reapportionment Commission meeting. The slide is available under the meeting materials for the Reapportionment Commission's January 26, 2022, meeting on the State of Hawai'i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>.

17. Attached hereto as Appendix S are true and correct copies of the proof of voter registration provided to me by all Petitioners from the State of Hawai'i Office of Elections website.

I declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, February 23, 2022



Mateo Caballero