

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 WILLIAM M. HICKS

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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 William M. Hicks and I have been a registered voter in the State of Hawai'i since around 2005.

3. I am also a retired Navy Captain with a combined 48 years of service both on active duty in the U.S. Navy and as the civilian Director or Deputy Director of Submarine Operations at COMSUBPAC.

4. I have lived 28 of the last 36 years in the Enchanted Lake neighborhood in Kailua on O‘ahu. I am currently the Kailua Neighborhood Board Chair, but submit this declaration in my personal capacity.

5. I first got involved in the 2021 reapportionment process when I learned that the Hawai‘i Reapportionment Commission had proposed that my House district wrap around beyond Makapu‘u Point into the Portlock neighborhood of Hawai‘i Kai. Subsequently, I submitted written and oral testimony to the Reapportionment Commission, including several proposed redistricting maps for O‘ahu.

6. I prepared these maps to show to the Reapportionment Commission that the Makapu‘u wraparound House and Senate districts were unnecessary and that adhering to all constitutional criteria was both possible and preferable.

7. On January 16, 2022, I submitted a map for the senate districts on O‘ahu to the Reapportionment Commission for consideration. Attached as Appendix E is a true and correct copy of this map, which is also available on the State of Hawai‘i Office of Elections website at https://elections.hawaii.gov/wp-content/uploads/v1231OahuSenateHicks_0116_compare.pdf.

8. To create the January 16, 2022 O‘ahu senate plan, I used as a starting point the map for the house districts on O‘ahu that the technical committee permitted interaction group presented to the Reapportionment Commission at its January 13, 2022 meeting. I then utilized the proposed house districts, which presumably had been vetted by the technical committee

permitted interaction group, to create each senate district by simply joining two appropriate adjacent house districts together.

9. Also on January 16, 2022, I submitted a map for the congressional districts for Hawai'i. Attached as Appendix G is a true and correct copy of this map, which is also available on the State of Hawai'i Office of Elections website at <https://elections.hawaii.gov/wp-content/uploads/submitCongressionalHicks.pdf>.

10. To create the January 16, 2022 O'ahu congressional plan, I also used as a starting point the map for the house districts on O'ahu that the technical committee permitted interaction group presented to the Reapportionment Commission at its January 13, 2022 meeting. I then also utilized the proposed house districts as building blocks to create Congressional District 1 by joining 25 O'ahu house districts together. I also utilized the remaining house districts on O'ahu and the neighbor islands to create Congressional District 2. The congressional districts so created had a total population deviation less than the requisite 1%. When this congressional map is compared to my proposed senate map for O'ahu, a single senate district does cross over the congressional dividing line on O'ahu, however, all 51 house and 24 out of 25 senate districts are wholly contained within a congressional district.

11. I prepared a PowerPoint presentation to describe the January 16, 2022 Hicks Oahu Senate and Congressional Plans and submitted it as part of my written testimony for the January 20, 2022 Reapportionment Commission meeting. Attached as Appendix R is a true and correct copy of this presentation, which is also available on the State of Hawai'i Office of Elections website at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>. After preparing the presentation, I realized that it was four house

districts of the technical committee group's proposed maps, not six as the presentation states, that crossed congressional district lines.

12. I reviewed the maps for the 2021 Final Legislative Reapportionment Plan to determine the house districts that overlap with multiple senate districts and the senate districts that overlap with multiple house districts. I also used these maps to determine the legislative districts that overlap both congressional districts. Attached as Appendix P is a true and correct copy of a spreadsheet that I prepared describing these overlaps.

13. As I testified on numerous occasions to the Reapportionment Commission, my main complaint with the 2021 Final Legislative Reapportionment Plan is that they did not wholly include house districts within senate districts, making it less likely that elected officials will have a shared understanding of their community's needs, complicating legislative coordination, and making it more difficult for neighbors to effectively advocate for their common interests to the Legislature.

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

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

William M. Hicks

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