

KATHRYN SZELIGA, et al.,

Plaintiffs

v.

LINDA LAMONE, et al.,

Defendants

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* IN THE
* CIRCUIT COURT
* FOR
* ANNE ARUNDEL COUNTY
* CASE NO.: C-02-CV-21-001816

NEIL PARROTT, et al.,

Plaintiffs

v.

LINDA LAMONE, et al.,

Defendants

* * * * *

* IN THE
* CIRCUIT COURT
* FOR
* ANNE ARUNDEL COUNTY
* CASE NO.: C-02-CV-21-001773

SUPPLEMENTAL FINDINGS OF FACT

This matter came before the Court on April 1, 2022, on a hearing relative to the 2022 Plan proposed in response to this Court’s Order, dated March 25, 2022, hereinafter referred to as the “2022 Plan.” Arguments of counsel were heard, and testimony was taken. Upon consideration of the arguments, the record, and the evidence adduced at the hearing, the following supplemental facts were adduced:

1. Defendants’ Exhibit AL, representing the 2022 Plan, was admitted into evidence.
2. Kimball William Brace was called to testify. Mr. Brace is the President of Election Data Services, located in Manassas, Virginia, which was begun in 1977 by him. The business focuses on two aspects: (1) redistricting across the country and (2) election administration.

3. Defendants' Exhibit AO was admitted into evidence, which Mr. Brace identified as the Compactness Report for the 2022 Plan, created at his behest by Citygate GIS. The report reflects the various scores related to compactness of the 2022 Plan, including Polsby-Popper, Inverse Schwartzberg, Reock, and Convex Hull.

4. The link on the top of the first page of Exhibit AO, when opened, reflects what is contained in Defendants' Exhibit AQ, as admitted.

5. The last page of Exhibit AO is a summary of the various compactness scores for each of the eight Congressional districts in the 2022 Plan, based upon each of the four scales.

6. Defendants' Exhibit AP was admitted into evidence, which reflects the Compactness Report regarding the 2021 Plan. Exhibit AP was compared to Exhibit AO to show the significance of the change in most of the four scores related to the eight Congressional districts. Mr. Brace acknowledged, with respect to the Reock score, his score of the 2021 Plan reflected "a little bit of difference" with Mr. Trende's Reock scores, and he could not account for the difference.

7. When comparing the 2022 Plan to the 2021 Plan, Mr. Brace noted that the Reock scores were "stable," the Polsby-Popper score was 50% higher in the 2022 Plan than in the 2021 Plan; the Inverse Schwartzberg score was 25% higher in the 2022 Plan than in the 2021 Plan; and the Convex-Hull score was 17% lower in the 2022 Plan than in the 2021 Plan. All of the changes in the various scores reflect a greater compactness in the 2022 Plan from the 2021 Plan.

8. Mr. Brace opined that there was a substantial improvement in compactness in the 2022 Plan.

9. Mr. Brace was not asked to analyze population parity, contiguity, county splits or “due regard for political subdivisions,” as well as compliance with the Voting Rights Act, in the 2022 Plan.

10. Mr. Brace did not testify regarding the Maryland Citizens Redistricting Commission Plan (“MCRC Plan”).

11. Mr. Trento used Exhibits 6-A, 6-B, 6-C, and 6-D, from the original trial between March 15, 2022 to March 18, 2022, to point out that, again, the Reock score was stable and that the other scores place the 2022 Plan in a better position vis-à-vis compactness under Mr. Trende’s analysis than the 2021 Plan.

12. With respect to county splits, and whether “due regard [was] given to political subdivisions,” Mr. Trento noted that there were nine splits in the 2022 Plan. Mr. Dickson, on behalf of the 1816 Plaintiffs, proffered that there were ten splits in the 2022 Plan, while Mr. Popper, on behalf of the 1773 Plaintiffs, urged that there were nine or ten splits.

13. Messrs. Dickson and Popper questioned the protrusion from District 2 into District 7 of the 2022 Plan, for which no demographic data had been adduced during the hearing. While the Defendants assert in admitted Exhibit AM that the protrusion from District 2 into District 7 is necessary to comply with the Voting Rights Act, the Plaintiffs asserted that there was nothing adduced during the hearing to support that notion.

14. With respect to population parity, Mr. Trento referred to Defendants’ Exhibit AL, which reflects the population of each of the eight Congressional districts in the 2022 Plan. The population deviations among the districts appear to be nominal.

15. With respect to contiguity, Mr. Trento offered that all of the Congressional districts were contiguous. There is no crossing of the Chesapeake Bay in the 2022 Plan.

16. Exhibit AM, which reflects the Senate Bill 1012 Floor Report, was admitted into evidence.

17. Exhibit AN, which reflects the 2020 and 2010 Census Population by Jurisdiction, was admitted into evidence.

4/1/2022
Date


LYNNE A. BATTAGLIA
Senior Judge