

# EXHIBIT 21

**Spencer, Aminta**

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**From:** Hall, Adam  
**Sent:** Tuesday, November 2, 2021 4:43 AM  
**To:** Bridges, Matt; O'Neil, Ali; Adam Bartz; Avalos, Paulette; Walkinshaw, Brady  
**Subject:** RE: Similar States w Legislative Data

I agree with everything Matt has said and want to add three points to help frame this morning's conversation:

- 1) I think the reason we are struggling to figure out a next step is that we lack an actual representation of what the number set does to the map. In other words, what is the practical, on the ground, consequence of such an agreement? My belief, also outlined in Matt's email below, is that the only way you get the outcome the House negotiators are contemplating is by carving up big cities into many districts and offsetting them with rural voters.

I believe the House should draw this map because it will both demonstrate 1) whether it is even possible and 2) allow us to better demonstrate our concerns through the prism of the statutory requirements. It's difficult to provide real feedback until we know whether these estimates even "add up" on a statewide basis or what pieces of public feedback they are in tension with. As previously mentioned, I worry that we have gotten a lot of public feedback on a lot of issues, none of which have to do with competitiveness. To sacrifice that feedback in service of numbers picked out of thin air is concerning.

- 2) I want to revisit the need for asking Joe Fain to make an offer this week. I believe that making this request will both give our team enough time to get a map representation of the House's plan, develop feedback, and force the Republicans to actually put forward a legally-compliant map.
- 3) Finally, I want to address this whole question of CVAP, R-performing district in Yakima. I have no doubt that it is possible to draw a majority minority CVAP district that elects Republicans to office, especially if the Senate seat is up during the midterms. What the Brennan Center has repeatedly stressed to me over the last several months is that **the legal standard set by the federal courts and Congress is not whether a map is comprised of a certain percentage of Latinos** (which appeared to be the question during the last cycle), **but whether the district empowers the minority group to elect candidates of their choice**. That is the right guaranteed in the 14<sup>th</sup> Amendment and the federal voting rights act. Agreeing to a district that is 50.1 percent Latino by CVAP, but does not perform for those voters is both a violation of federal law and inconsistent with the principles articulated by the public throughout this process.

Adam Hall  
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**From:** Bridges, Matt <Matt.Bridges@leg.wa.gov>  
**Sent:** Monday, November 1, 2021 7:38 PM  
**To:** O'Neil, Ali <Ali.O'Neil@leg.wa.gov>; Adam Bartz <adam@senatedemocrats.org>; Hall, Adam <Adam.Hall@leg.wa.gov>; Avalos, Paulette <Paulette.Avalos@leg.wa.gov>; Walkinshaw, Brady <Brady.Walkinshaw@redistricting.wa.gov>  
**Subject:** RE: Similar States w Legislative Data



Attached is a fuller analysis of what I started below. It includes all 49 partisan legislatures (no Nebraska). Using a simple trendline for D vote shares, Democrats WA would be expected to have 63.3% of all legislative seats, or 31 LDs (3<sup>rd</sup> tab). That's not a shot in 31 LDs, that's actually holding all 3 seats in 31 LDs. If you mix the two parties so that which one has the majority is immaterial, Democrats in WA would be expected to have 68.1% of all legislative seats, or 33+ LDs (4<sup>th</sup>

tab). The difference between the two models is that Republicans tend to be more brutal in redistricting, so larger D majority states do not have as large a D leg majority as similarly-situated R states. Either way, Washington is a clear outlier among its peer, 55-60% presidential vote states (D states: CO, NJ, IL, OR, DE, CT; R states: UT, IN, MO, KS, SC, MT, LA, MS). Our legislature looks like it is from a state that national Democrats win roughly 52-48, not 58-42 (and, to be clear, in federal elections since the current lines were drawn, federal elections in WA have very much been in line with 58-42).

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**From:** Bridges, Matt <[Matt.Bridges@leg.wa.gov](mailto:Matt.Bridges@leg.wa.gov)>

**Sent:** Monday, November 1, 2021 5:49 PM

**To:** O'Neil, Ali <[Ali.O'Neil@leg.wa.gov](mailto:Ali.O'Neil@leg.wa.gov)>; Adam Bartz <[adam@senatedemocrats.org](mailto:adam@senatedemocrats.org)>; Hall, Adam <[Adam.Hall@leg.wa.gov](mailto:Adam.Hall@leg.wa.gov)>; Avalos, Paulette <[Paulette.Avalos@leg.wa.gov](mailto:Paulette.Avalos@leg.wa.gov)>; Walkinshaw, Brady <[Brady.Walkinshaw@redistricting.wa.gov](mailto:Brady.Walkinshaw@redistricting.wa.gov)>

**Subject:** Re: Similar States w Legislative Data

I would also add that I think the need in some quarters to make a deal could potentially be reframed. In the past, 4 commissioners (generally 4 white men) have gone into a smoke-filled room and carved up the state, often to the detriment of people of color. Representation matters, and with different commissioners, either the outcome will be different (lines drawn to empower underrepresented communities) or the process will be (the maps go to the court). Instead of "failing" the D commissioners are refusing to sell out the people of the state to the partisan interests of the Republican minority.

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**From:** Bridges, Matt

**Sent:** Monday, November 1, 2021 5:24:20 PM

**To:** O'Neil, Ali <[Ali.O'Neil@leg.wa.gov](mailto:Ali.O'Neil@leg.wa.gov)>; Adam Bartz <[adam@senatedemocrats.org](mailto:adam@senatedemocrats.org)>; Hall, Adam <[Adam.Hall@leg.wa.gov](mailto:Adam.Hall@leg.wa.gov)>; Avalos, Paulette <[Paulette.Avalos@leg.wa.gov](mailto:Paulette.Avalos@leg.wa.gov)>; Walkinshaw, Brady <[Brady.Walkinshaw@redistricting.wa.gov](mailto:Brady.Walkinshaw@redistricting.wa.gov)>

**Subject:** Similar States w Legislative Data

Brady,

Below is data I just pulled from NCSL. These are all the states where, in 2020, the presidential vote was similar to ours, with one party winning by roughly 19%. I grabbed all of them that I saw between about 17% and 21%. For those states, I then pulled the partisan breakdown of the state legislatures. Washington is the ONLY state where the breakdown is within 40%/60%. The average of all other state chambers is 68.8% for the majority party. In WA, that works out to 33.7 districts. The next closest state by this measure is Oregon, at 61.9%. That would be 30.3 districts in WA. The most extreme (outside of Rhode Island, which has some well-known quirks in this regard) is Utah, at 77.3%. That would be 37.9 seats. So to be at all like our peer states Democrats should hold roughly 32-36 districts in WA. We have 28. Fighting for the status quo is losing.

Matt

	Senate D	Senate R	Sen D %	House D	House R	House D %
Connecticut	23	12	65.7%	41	24	63.1%
Delaware	14	7	66.7%	26	15	63.4%
Illinois	41	18	69.5%	73	45	61.9%
Indiana	11	39	22.0%	29	71	29.0%
Kansas	11	29	27.5%	41	84	32.8%
Louisiana	12	27	30.8%	35	67	34.3%

Mississippi	16	36	30.8%	46	75	38.0%
Missouri	10	24	29.4%	48	114	29.6%
Montana	19	31	38.0%	33	67	33.0%
New Jersey	25	15	62.5%	52	28	65.0%
Oregon	18	11	62.1%	37	23	61.7%
Rhode Island	33	5	86.8%	65	10	86.7%
South Carolina	16	30	34.8%	43	81	34.7%
Utah	6	23	20.7%	17	58	22.7%
Washington	28	21	57.1%	57	41	58.2%