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2023 EL PASO COUNTY REDISTRICTING COMMISSION

Final Report

The 2023 El Paso County Redistricting Commission adopted a county commissioner redistricting plan on August 15, 2023. This report explains the Redistricting Commission's findings about the competitiveness of district elections under this plan, as well as the plan's compliance with a hierarchy of criteria described in C.R.S. § 30-10-306.3. This report is required by C.R.S. § 30-10-306.3(3)(c).

REDISTRICTING CRITERIA

The El Paso County Redistricting Commission used a hierarchy of statutory criteria to create the 2023 county commissioner redistricting plan. See C.R.S. § 30-10-306.3. These criteria are summarized below.

1. Population Equality and the Voting Rights Act

The Commission made a good-faith effort to achieve mathematical population equality between commissioner districts, with no more than 5% deviation between the most and least populous districts in El Paso County. C.R.S. § 30-10-306.3(1)(a). The Commission also complied with the Federal Voting Rights Act, 52 U.S.C. § 10301. C.R.S. § 30-10-306.3(1)(b). The Voting Rights Act prohibits plans drawn for the purpose of, or that result in the denial or abridgement

of, the right of any citizen to vote on account of that person's race or membership in a language minority group, including diluting the impact of that racial or language minority group's electoral influence. See C.R.S. §§ 30-10-306(4) and (6)(f) (describing the population data used during redistricting).

2. Communities of Interest and Compactness

The Commission preserved communities of interest and whole political subdivisions (e.g., cities and towns) as much as reasonably possible, and ensured that districts are as compact as reasonably possible. C.R.S. § 30-10-306.3(2). A community of interest is any group that shares one or more substantial interests that may be the subject of action by the Board of County Commissioners, is composed of a reasonably proximate population, and should be considered for inclusion within a single district for purposes of ensuring its fair and effective representation.

3. Political Competitiveness

Finally, to the extent possible, the Commission maximized the number of politically competitive districts in the County. C.R.S. § 30-10-306.3(3). Competitive means having a reasonable potential for the party affiliation of the district's county commissioner to change at least once between federal decennial censuses. Competitiveness may be measured by factors

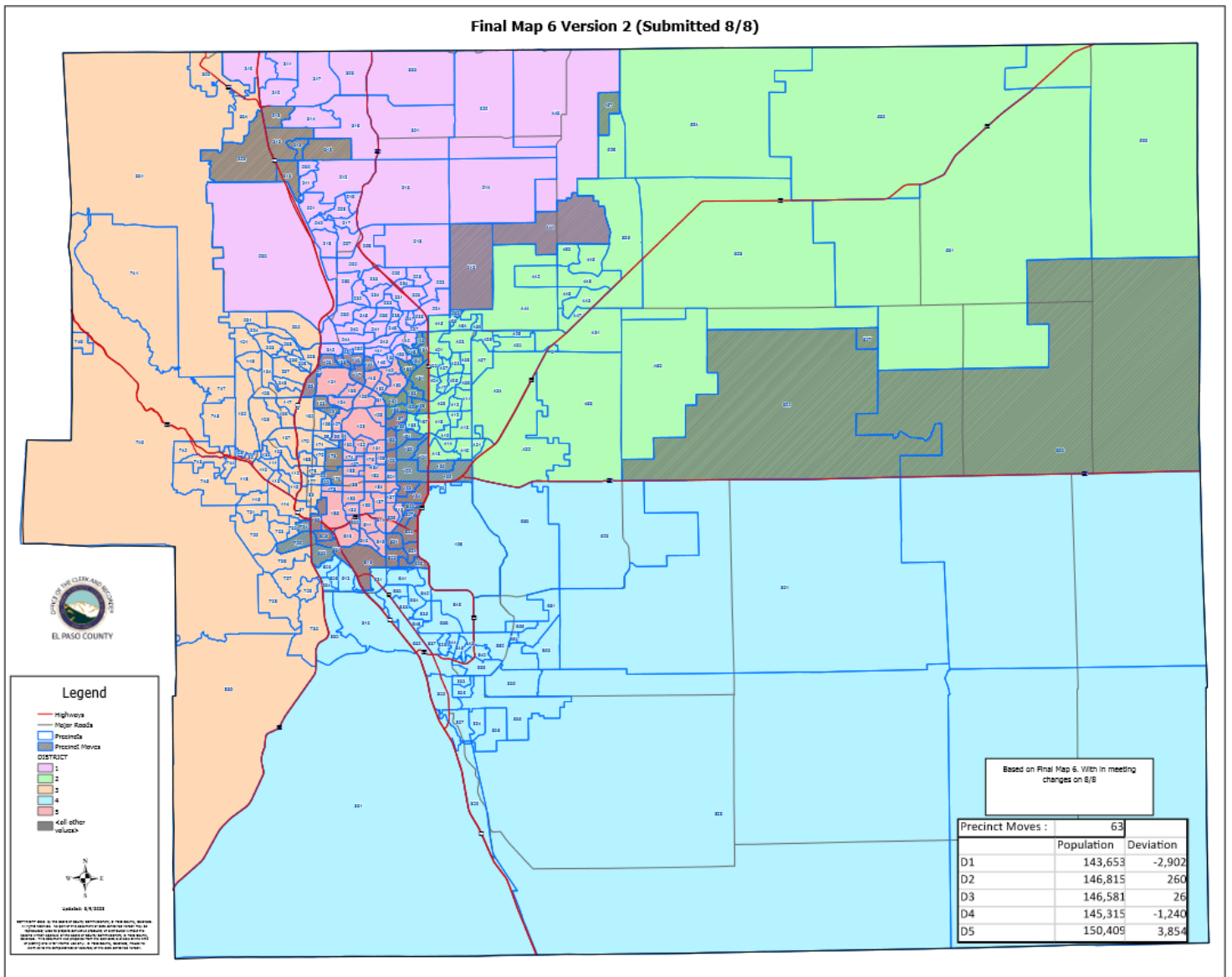
such as a proposed district's past election results, a proposed district's political party registration data, and evidence-based analyses of proposed districts.

PROHIBITED CONSIDERATIONS

The Commission did not adopt a plan drawn for the purpose of protecting one or more incumbent members, or one or more declared candidates, of the board of county commissioners, or any political party. Additionally, the Commission did not adopt a plan drawn for the purpose of, or that results in the denial or abridgement of, the right of any citizen to vote on account of that person's race or membership in a language minority group, including diluting the impact of that racial or language minority group's electoral influence. C.R.S. § 30-10-306.3(4).

THE ADOPTED PLAN

The Commission adopted "Final Map 6, Version 2" as the county commissioner redistricting plan:



This map was submitted to the Commission on August 8, 2023. Based on Commission instruction, 30 precincts in southeast Colorado Springs were consolidated into a single commissioner district. The map also keeps Fountain, Fort Carson, Security, Widefield, and Hanover together. A summary of relevant data for the districts in this plan is included in this report. As explained below, this map satisfies the criteria for determining county commissioner districts described in C.R.S. § 30-10-306.3.

1. Population Equality and the Voting Rights Act

a. Population Equality

The overall range in population deviation between the most and least populous districts in the adopted plan is 4.61%. This is less than the 5% deviation permitted by statute. C.R.S. § 30-10-306.3(1)(a). The total population of each district is as follows:

District:	Total Population:	Target Deviation:
1	143,653	-2,902
2	145,680	-875
3	146,581	26
4	146,450	-105
5	150,409	3,854

b. The Voting Rights Act

The Voting Rights Act (VRA), 52 U.S.C. § 10301, prohibits the drawing of districts that dilute the voting power of members of a racial or language minority group. The U.S. Supreme Court established the analysis that is applied to determine if such dilution occurs in *Thornburg v. Gingles*, 478 U.S. 30 (1968). The Supreme Court recently reaffirmed the *Gingles* analysis in *Allen v. Milligan*, 143 S. Ct. 1487 (2023).

To prove a violation of the VRA under *Gingles*, plaintiffs must satisfy three “preconditions.” First, the minority group in question must be sufficiently large and geographically compact to constitute a majority in a reasonably configured district. A district is reasonably configured if it comports with traditional districting criteria, such as being contiguous and reasonably compact. Second, the minority group must be able to show that it is politically cohesive. Third, the minority group must be able to demonstrate that the white majority votes sufficiently as a bloc to enable it to defeat the minority group’s preferred candidate. *Allen*, 143 at 1503. If the plaintiff satisfies these three preconditions, the plaintiff must also show, under the totality of circumstances, that the political process is not equally open to minority voters. *Id.*

Here, based on demographic data concerning voting-age minorities in the overall record compiled by the Commission, El Paso County does not have a minority population that is

sufficiently large and geographically compact enough to constitute a majority-minority district in and of itself. However, based on voluminous public input, the Commission identified thirty majority-minority precincts in the southeast portion of the City of Colorado Springs. The plan adopted by the Commission places all 30 of these precincts in Commissioner District 5, preserving this community of interest while also accounting for the municipal boundary of the City of Colorado Springs. See C.R.S. §§ 30-10-306(6)(c)(III), -306.3(2)(a).

The following table shows the racial ethnicity of the voting age population in each new commissioner district:

Districts	Total / %:	Hispanic or Latino:	Black:	White:	Asian:
1	TOTAL:	10,382	3,453	84,515	4,726
	%:	7.23%	2.4%	58.83%	3.29%
2	TOTAL:	14,941	5,431	76,088	3,923
	%:	10.18%	3.7%	51.83%	2.67%
3	TOTAL:	11,850	2,817	95,928	2,835
	%:	8.08%	1.92%	65.44%	1.93%
4	TOTAL:	20,671	9,477	65,305	3,286
	%:	14.22%	6.52%	44.94%	2.26%
5	TOTAL:	28,520	10,736	66,405	3,053
	%:	18.96%	7.14%	44.15%	2.03%

Comparing the data from the previous table to the racial ethnicity of the voting age population in each commissioner district as it existed before the 2023 redistricting process reflects the following changes:

Districts	Total % / Variance:	Hispanic or Latino:	Black:	White:	Asian:
1	TOTAL:	+0.29%	+0.11%	+0.29%	-0.02%
2	TOTAL:	-1.44%	-0.35%	+1.61%	+0.09%
3	TOTAL:	-1.02%	-0.4%	+0.93%	-0.05%
4	TOTAL:	-1.82%	-0.75%	+3.66%	-0.05%
5	TOTAL:	+3.81%	+1.4%	-7.18%	+0.1%

2. Communities of Interest and Compactness

The Commission received extensive public comment about communities of interest in El Paso County and the importance of district compactness. The plan adopted by the Commission preserves whole communities of interest and whole political subdivisions as much as reasonably possible. It also features districts that are as compact as reasonably possible. See C.R.S. § 30-10-306.3(2).

The plan minimizes the number of cities and towns split between two or more commissioner districts; however, due to the size and population of the City of Colorado Springs, divisions were required to ensure population equality amongst the districts while still preserving communities of interest. The plan also places Fort Carson, Peterson Air Force Base, and

Schriever Space Force Base within Commissioner District 4, and does not split the Air Force Academy or NORAD between districts:

COMMUNITIES OF INTEREST & COMPACTNESS (Towns & Cities):		COMMUNITIES OF INTEREST & COMPACTNESS (Military):	
City / Town:	Commissioner District:	Military Installations:	Commissioner District:
Calhan	2	USAFA	1
Cascade	3	Fort Carson	4
Colorado Springs	1, 2, 3, 4, 5	Peterson AFB	4
Fountain	4	Schriever SFB	4
Green Mtn. Falls	3	NORAD	3
Manitou Springs	3		
Monument	3		
Palmer Lake	3		
Peyton	2		
Ramah	2		
Rush	2, 4		
Yoder	2, 4		

Similarly, the plan preserves school districts as much as reasonably possible. However, some school districts were split between two or more commissioner districts due to the

population constraints imposed by law on the Commission. See C.R.S. § 30-10-306.3(1)(a). The placement of each school district is as follows:

COMMUNITIES OF INTEREST & COMPACTNESS (School Districts):	
School District:	Commissioner District:
Academy School District 20	1, 2, 3
Big Sandy SD 110J	2
Calhan SD RJ1	2
Cheyenne Mtn. SD 12	2, 3
Edison SD 54	4
Ellicott SD 22	2, 4
Falcon SD 49	1, 2
Fountain/Ft. Carson SD 8	3, 4
Hanover SD 28	4
Harrison SD 2	4, 5
Lewis-Palmer SD 38	1, 3
Manitou Springs SD 14	3

COMMUNITIES OF INTEREST & COMPACTNESS (School Districts):	
School District:	Commissioner District:
Miami-Yoder SD 60	2, 4
Peyton SD 23	1, 2
RE-2 Fremont-Florence SD 39	3, 4
Widefield SD 3	4
Colorado Springs SD 11	1, 2, 3, 4, 5

Lastly, the Commission received extensive public comment about a community of interest in southeastern Colorado Springs. This area contains a concentration of Hispanic or Latino residents. The Commission identified 30 precincts in this area and placed all of them in

Commissioner District 5, maintaining the integrity of this community of interest. The 30 precincts are shown below:

COMMUNITIES OF INTEREST & COMPACTNESS (Southeast Colorado Springs):		COMMUNITIES OF INTEREST & COMPACTNESS (Southeast Colorado Springs):		COMMUNITIES OF INTEREST & COMPACTNESS (Southeast Colorado Springs):	
Southeast Colorado Springs (Precincts):	Commissioner District:	Southeast Colorado Springs (Precincts):	Commissioner District:	Southeast Colorado Springs (Precincts):	Commissioner District:
137	5	609	5	625	5
169	5	610	5	626	5
180	5	611	5	627	5
182	5	612	5	901	5
184	5	614	5		
185	5	615	5		
187	5	616	5		
190	5	619	5		
193	5	620	5		
194	5	621	5		
199	5	622	5		
601	5	623	5		
605	5	624	5		

All divisions were supported by a preponderance of evidence within the Commission’s overall record.

3. Political Competitiveness

Finally, to the extent possible, the Commission maximized the number of politically competitive districts in the County. C.R.S. § 30-10-306.3(3). Competitive means having a reasonable potential for the party affiliation of the district’s county commissioner to change at least once between federal decennial censuses. Competitiveness may be measured by factors such as a proposed district’s past election results, a proposed district’s political party registration data, and evidence-based analyses of proposed districts. The Redistricting

Commission used all three factors to assess the competitiveness of the districts and determined that the adopted plan maximizes the number of politically competitive districts.

One factor considered by the Commission was recent election results. The El Paso County Clerk and Recorder's Office presented election results from the following races to the Commission to help assess the political competitiveness of the districts in the adopted plan:

1. 2020 US President
2. 2022 US Senator
3. 2022 Colorado Governor
4. 2022 Colorado Secretary of State
5. 2022 El Paso County Clerk and Recorder
6. 2022 El Paso County Sheriff

The above races were selected to give the Redistricting Commission data about how voters in the area behaved on a national, state, and local level. The results in the selected elections were sorted to reflect the new district lines, then compared to the election results of the previous county commissioner boundaries. Those calculations are as follows:

3rd Criteria - Political Competitiveness FINAL MAP 6 (VERSION 2):

District:	DEM:	DEM %:	REP:	REP %:	Total:	Deviation:	Deviation from Current:
US PRESIDENT:							
1	31,226	36.14%	52,400	60.64%	86,412	+24.50%	+0.25%
2	28,371	35.99%	47,452	60.19%	78,841	+24.20%	+1.12%
3	45,731	49.38%	43,975	47.49%	92,602	+1.90%	+2.67%
4	24,536	42.02%	31,268	53.55%	58,389	+11.53%	+2.06%
5	32,077	51.24%	27,733	44.30%	62,607	+6.94%	+4.83%



3rd Criteria - Political Competitiveness FINAL MAP 6 (VERSION 2):

District:	DEM:	DEM %:	REP:	REP %:	Total:	Deviation:	Deviation from Current:
US SENATE:							
1	25,290	36.08%	42,563	60.72%	70,102	+24.64%	+0.96%
2	22,569	37.44%	35,322	58.60%	60,281	+21.16%	+0.57%
3	36,374	49.94%	34,329	47.13%	72,842	+2.81%	+3.39%
4	17,140	44.54%	19,713	51.22%	38,485	+6.69%	+2.27%
5	22,651	53.16%	18,068	42.40%	42,609	+10.76%	+4.51%



3rd Criteria - Political Competitiveness FINAL MAP 6 (VERSION 2):

District:	DEM:	DEM %:	REP:	REP %:	Total:	Deviation:	Deviation from Current:
GOVERNOR:							
1	27,938	39.75%	40,933	58.24%	70,287	+18.49%	+0.58%
2	24,518	40.56%	34,151	56.49%	60,451	+15.94%	+0.39%
3	38,874	53.22%	32,700	44.77%	73,040	+8.45%	+3.25%
4	18,362	47.62%	18,940	49.12%	38,560	+1.50%	+2.05%
5	23,755	55.65%	17,660	41.37%	42,689	+14.28%	+4.33%



3rd Criteria - Political Competitiveness FINAL MAP 6 (VERSION 2):

District:	DEM:	DEM %:	REP:	REP %:	Total:	Deviation:	Deviation from Current:
SECRETARY OF STATE:							
1	25,186	36.15%	42,660	61.23%	69,670	+25.08%	+0.75%
2	22,376	37.36%	35,423	59.15%	59,889	+21.79%	+0.55%
3	35,703	49.37%	34,665	47.94%	72,315	+1.44%	+3.28%
4	16,781	43.87%	19,979	52.23%	38,249	+8.36%	+2.18%
5	21,945	51.86%	18,618	44.00%	42,312	+7.86%	+4.49%



3rd Criteria - Political Competitiveness FINAL MAP 6 (VERSION 2):

District:	DEM:	DEM %:	REP:	REP %:	Total:	Deviation:	Deviation from Current:
EL PASO COUNTY CLERK & RECORDER:							
1	21,612	32.13%	45,652	67.87%	67,264	+35.74%	+0.80%
2	19,920	34.13%	38,447	65.87%	58,367	+31.74%	+1.00%
3	31,571	45.11%	38,415	54.89%	69,986	+9.78%	+3.34%
4	15,369	41.13%	22,001	58.87%	37,370	+17.75%	+2.56%
5	20,514	50.08%	20,448	49.92%	40,962	+0.16%	+5.71%



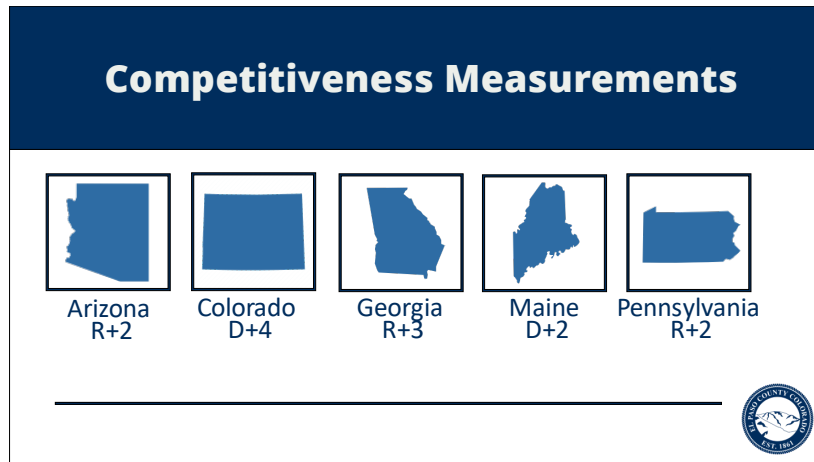
3rd Criteria - Political Competitiveness FINAL MAP 6 (VERSION 2):

District:	DEM:	DEM %:	REP:	REP %:	Total:	Deviation:	Deviation from Current:
EL PASO COUNTY SHERIFF:							
1	22,248	32.87%	45,441	67.13%	37,689	+34.26%	+0.78%
2	19,909	33.98%	38,689	66.02%	58,598	+32.05%	+0.77%
3	32,298	46.06%	37,828	53.94%	70,126	+7.89%	+3.16%
4	15,120	40.51%	22,204	59.49%	37,324	+18.98%	+1.91%
5	20,225	49.11%	20,954	50.89%	41,179	+1.77%	+4.42%

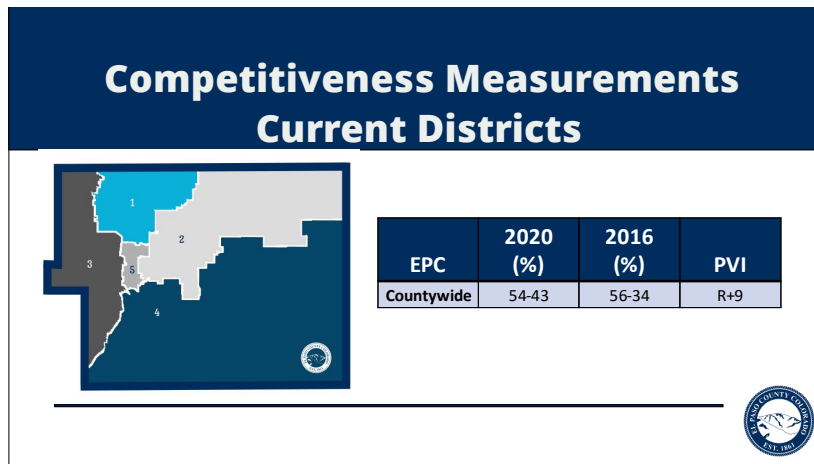


The Redistricting Commission also weighed evidence-based analysis in the form of the Cook Partisan Voting IndexSM (“Cook PVI” or “PVI”). The Cook PVI is a widely accepted measurement of the underlying partisan preferences of a district. The measurement is used in every recent edition of the Almanac of American Politics and regularly referenced by mainstream news media in political reporting. The system works by examining the percentage the major-party candidates for United State President received in a district over the last two election cycles and comparing that to the national average. A number is assigned based on that calculation that usually favors either Republicans or Democrats. According to Cook, a “score of D+2, for example, means that in the 2016 and 2020 presidential elections, that district performed an average of two points more Democratic than the nation did as a whole, while an R+4 means the district performed four points more Republican.” Because the Republican presidential nominee only won roughly 46% of the national vote during the last two cycles, a Cook PVI favoring Republican doesn’t necessarily mean that a Republican is favored to win the district.

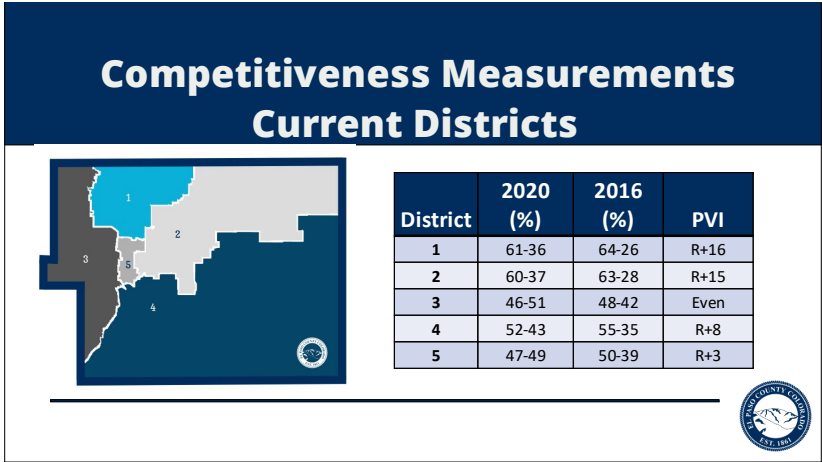
For comparison purposes, the following chart shows the PVI range of various states U.S. President Joe Biden won in 2020.



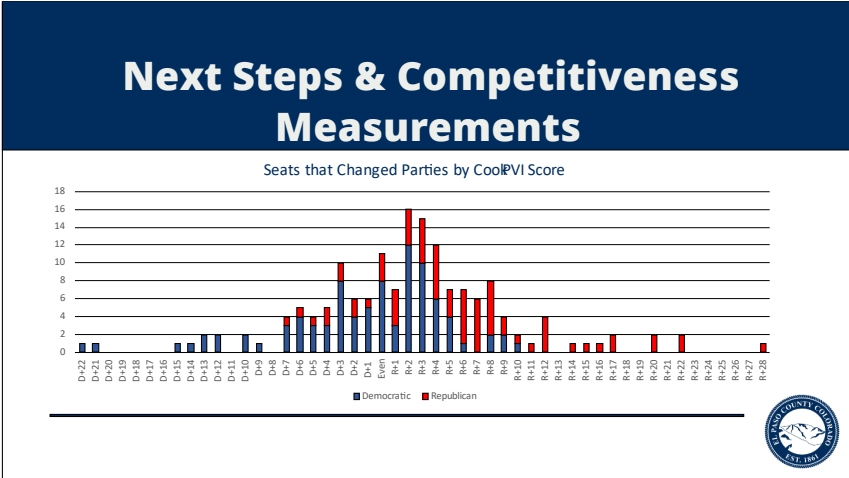
The next chart displays the PVI of El Paso County and shows that the county is approximately 9% more Republican than the country as a whole.

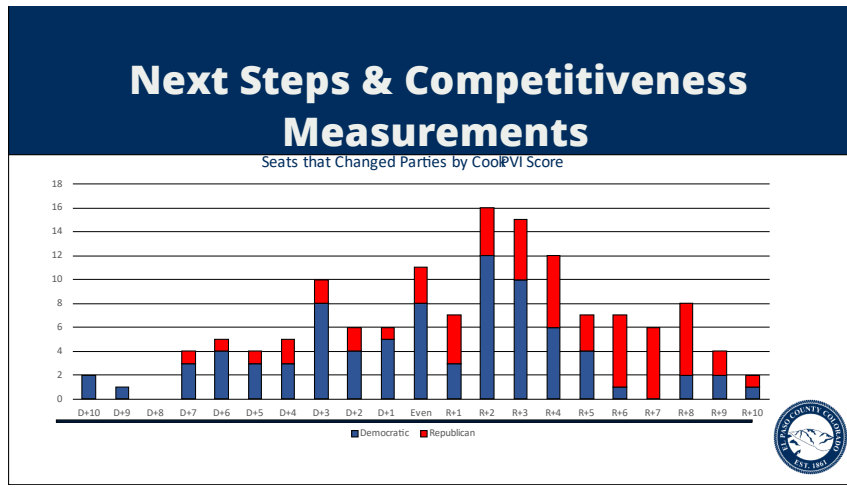


The baseline PVI of the county commissioner boundaries as they existed before redistricting is shown in the chart below.

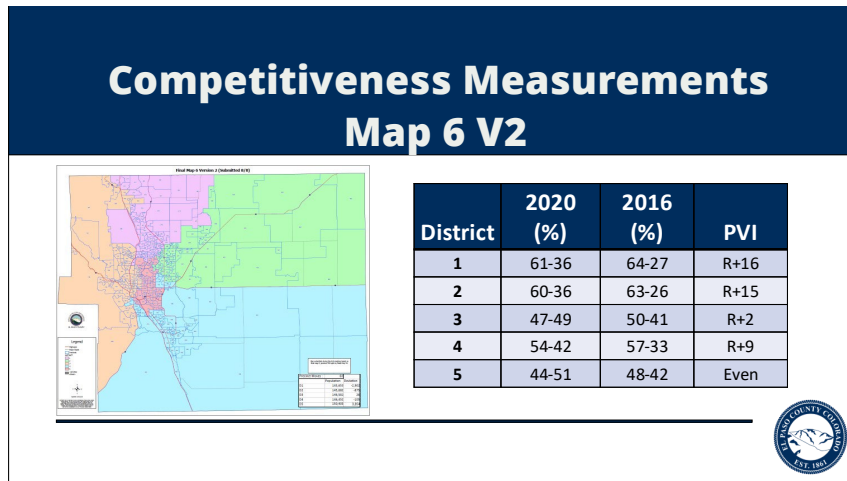


The next two charts examine every congressional seat that has changed partisan affiliation over the last ten years, the PVI of the district, and which party won the seat based on the PVI score. The first slide shows every seat that changed partisan affiliation, and the second slide excludes anomalies on both ends of the spectrum. Based on the PVI scores of where most of the seats changed partisan affiliation, the Commission determined that a reasonable range of competitiveness is anywhere from D+3 to R+3.





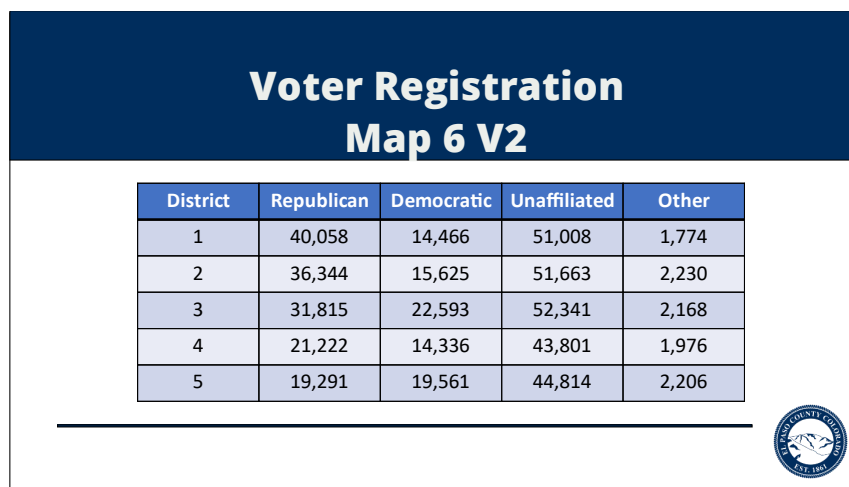
The following chart shows the new PVI of each commissioner district based on the final adopted map.



Based on this evidence-based evaluation methodology, commissioner districts three (R+2) and five (even) firmly fall within the competitive range with a reasonable likelihood of changing partisan affiliation at least once over the next ten years. The final plan also has one district that


moved one point closer to the “even” range compared to the previous commissioner district boundaries.

Finally, the last chart shows the voter registration figures for every district based on the final adopted map.



**Voter Registration
Map 6 V2**

District	Republican	Democratic	Unaffiliated	Other
1	40,058	14,466	51,008	1,774
2	36,344	15,625	51,663	2,230
3	31,815	22,593	52,341	2,168
4	21,222	14,336	43,801	1,976
5	19,291	19,561	44,814	2,206



The voter registration figures in district five are close between the two major political parties, with Democrats holding a slight edge. The voter registration numbers are somewhat close in districts three and four, though their past results suggest diverging levels of competitiveness. For this reason, the Redistricting Commission emphasized evidence-based and results-focused analysis as opposed to measuring competitiveness off party registration alone. Overall, the final plan creates at least two districts that are politically competitive.

CONCLUSION

The plan adopted by the 2023 El Paso County Redistricting Commission reflects the extensive record compiled by the Commission. It also complies with the hierarchy of criteria described at C.R.S. § 30-10-306.3. This plan will best serve the interests of El Paso County voters in future elections.