

CHAIRPERSON: Professor Nathaniel Persily

SPECIAL MASTER NATHANIEL PERSILY: We'll begin in one minute to give some people the opportunity to join who haven't yet. Okay, let's get started. Good afternoon. I'm Nick Persily. I've been appointed Special Master for this case. As was the case 10 years ago, the Connecticut Supreme Court has appointed me because the Connecticut Revision Commission has not yet been able to agree on a Congressional map.

The order of the Supreme Court issued on December 23rd is quite specific. I'm to propose a plan and issue report audit before January 18th. In developing the plan, the court has ordered me to modify the existing districts only to the extent reasonably necessary, to comply with the following legal requirements.

District shall be as equal in population as practicable. District shall be made of contiguous territory. The plan shall comply with the Voting Rights Act.

The order prohibits me from considering the residency incumbents or candidates and prohibits consideration of party registration, statistics or election return.

The order also specifies that the plan shall not be substantially less compact than the existing congressional districts, and, in no event, shall the plan substantially violate timelines more than the existing districts.

The Court ordered me to conduct a hearing by January 11th. This hearing was supposed to take place on Friday, but was postponed, due to weather-related state-wide office closures. So, I thank the participants for flexibility and rescheduling today.

The deadline for filing plans and signing up to speak was January 4th. The following people have registered to speak. We'll begin with Representatives of the

Republican and Democratic Members of the Commission. A coin flip conducted by the Court staff determined the order of those speakers.

Then we'll have a representative from the Secretary of State's Office Ted Bromley, who will field questions from me about election administration considerations that should affect the plan, and then we'll proceed with others, who have signed up in alphabetical order.

And so, the speakers that I have are -- to start State Senator Kevin Kelly; then State Representative Matt Ritter; Ted Bromley, then Attorney Aaron Bayer; State Representative Jay Case; State Representative Gregory Haddad; Benjamin Proto, the Chairman of the Connecticut Republican Party, Assistant Deputy Speaker Pro-Tempore Hilda Santiago and Ryan Scala.

If there's someone who's not on that list, who should be please text or send a chat to Kirstin Breiner who was one of the co-hosts for the meeting. And by way of introduction, let me also thank the staff of the Commission in the Court, for facilitating this hearing, under expedited and difficult certain circumstances; Paul Hartan and Alison Chandler in the Courts office, as well as Kirstin Breiner, Jim Tamburro, Paul Alderucci, Alison Zawadski, Tom Spinella and Beth Waters. Thank you all for coming here today.

Because we've had some cancellations, I'll be a little more relaxed with the time restraints that we're previously advertised. So, if the commissioners would like to take about 15 minutes each to -- with their opening remarks, I may pepper you with questions while you're doing that, but will likely try to be quiet.

And then, we'll move to Mr. Bromley, and then the remaining speakers can have about five minutes each to present their remarks. So why don't we start with State Senator Kevin Kelly. I'm sorry but you're muted [laughs]

SENATOR KELLY (21ST): Thank you very much, Dr. Persily, for this opportunity to address you. As an administrative matter to begin, I just like to note that the Commission's Democratic Members didn't file a brief last week, which was not in compliance with the original Court order. And, therefore, the Republican Members do reserve the right to respond to that brief.

Before you is a map submitted by the Republican Members of this Commission, and it complies with the Court's December 23rd, 2021 order in full. The map makes the least change to existing Congressional districts to meet the minimal requirements, necessary to comply with considerations of population, equality, contiguity, the Voting Rights Act and applicable Federal laws, compactness and town lines for the following reasons.

Number one, the overall changes to the Congressional districts in our proposed map are minimal, with an average of 96.5% retention. The proposed map used the existing Congressional lines as a basis for drawing the revised lines. Changes are made to reflect population growth and decline.

Two, equal in population. Based on the 2020 census, the target population for each of the five Congressional districts is 721,199. In the proposed map, all districts are within one person.

Three, all of the districts in our proposed map are contiguous. Four, the map is in compliance with the Voting Rights Act of 1965, as amended, and any other applicable Federal laws. Five, our proposed map is not substantially less compact than the existing congressional districts.

And six, our proposed map does not violate town lines more than the existing congressional districts. In fact, our proposed map reduces the number of towns

splits from five in the current congressional map to four.

Moreover, the proposed maps follow the lines enacted in the adopted Connecticut House and Connecticut Senate plans. Town splits were arranged to reduce the creation of unnecessary voting districts. And this was a concern that was raised by multiple towns in written testimony at hearings before the Reapportionment Committee. Our proposed map addresses those concerns.

The Republican Members submitted maps that fully -- a map, that fully complies with the Court's order for a least change map. However, at this time, it is important that I also explain why Republican members have urged the Court to consider maps based on traditional redistricting principles, and not that of the least change map.

When the ultimate goal is to have the least amount of change possible, the end result preserves the status quo. And when the status quo includes gerrymandered districts, as well as well-recognized reduction in competition, the status quo cannot be allowed to continue unchallenged.

The goal of redistricting must be the protection and value of the core Democratic Principle of one person one vote, while at the same time making sure that the voices of all communities of interest are not diminished through creative line drawing to equalize population that reduces political power by cutting those communities in parts or placing them in regions where they are unfamiliar.

Redistricting is the long-held tradition that enables all people to be fairly represented by their govern. By requiring least change maps, the court does not consider the possibility that the current map has any flaws that conflict with these core Democratic principles we are duty bound to protect.

The US Supreme Court described traditional redistricting principles as being more than just an equalization of congressional districts based on population, but to also include the need for compactness, continued -- contiguity, conformity to political subdivisions, and respect for communities of interest to protect against the diminishment of the one person, one vote goal. The current Congressional map, which was adopted in 2002 and subjected to only minimal changes in 2012, does not honor the principles of compactness or communities of interest.

The lobster claw that makes up the first district proves the point. The history of the lobster claw goes back to a political gerrymander designed to provide two incumbent members of Congress the opportunity to run for reelection. Based on the 2000 Census results, Connecticut's Congressional delegation was reduced from six members to five members.

The Members of the 2001 Reapportionment Committee, produced a map that would allow representatives from the fifth district a resident of Danbury, and from the sixth district, a resident of New Britain to run against each other for the newly redrawn Fifth District seat. This created the First District's bizarre shape, which fails to comport with traditional redistricting principles.

Just because a gerrymandered map was established in the past does not make it right today. The very system is designed for us to periodically review population trends and shifts, and to correct these maps to maintain the principle of one person, one vote. It is our duty not to turn a blind eye to past failures to fulfill our redistricting principles, but rather to confront them and correct them.

Therefore, while the Republican Members submit a map and compliance with the Court's order, we also recommend that the Court consider a good government

map that focuses not just on least change map, but rather on the traditional principles of redistricting. The people of Connecticut will be better served by adhering to the redistricting principles enunciated by the US Supreme Court, namely compactness and communities of interest.

However, in the event this Court rejects our good government map recommendation, we believe our proposed map is the best map to comply with both the order of the Court and also the interests of the people of Connecticut.

Once again, Dr. Persily, I thank you for the opportunity to be with you today, and to present our position, and if you have any questions.

SPECIAL MASTER NATHANIEL PERSILY: Thank you. Let's turn to Mr. Ritter, and then I'll actually have questions for both of you afterwards, if that's okay. Mr. Ritter?

REP. RITTER (1ST): Thank you, Doctor. And thank you to everybody. Senator Kelly, it's nice to see you, and thank you for your remarks. And I see other Members of the General Assembly here on both sides and look forward to hearing your testimony.

Let me start off by saying this. I am very proud of the work that the Commission was able to do or the Committee was able to do prior to this, and even trying to negotiate Congress. And so, just the public understands.

And very, very short order with a very, very late census in a Bipartisan way, nine people were able to come to an agreement unanimously to redraw the State House Representative maps and the State Senate. That's 187 districts, nine nothing. And I don't want anyone to have a takeaway that there wasn't a lot of effort on all sides to be three for three and get Congress done as well.

And so, I want to personally thank Senate President Looney, Senate Majority Leader Duff, Majority Leader Rojas, Representative Perillo, my dear friend Representative Candelora, Senator Kelly, Senator Formica, and John McKinney working with them has been a real pleasure.

I am personally disappointed, Mr. Special Master, that we're at this process, but it's not from not trying, we all worked very, very hard to get there. But these things are difficult to do, particularly in a tight timeframe.

And although this process should be used infrequently, it is nice that our State Constitution provides for a mechanism, by which we can fairly in a timely and trustworthy way and objective way draw Congressional maps to the extent that the Commission is unable to come to an agreement.

As Senator Kelly touched on, right, the cornerstone of this is, is to alter the existing district lines as little as reasonably possible. And, I believe, the map that the Democrats submitted does just that. There are no new town cuts, it buys to the Voting Rights Act, it equalizes population in the districts, it maintains the contiguity of the districts, and does not reduce their compactness, all things Senator Kelly alluded to as well.

And so, I also would say that it's not as if maybe perhaps in other iterations of this process, you saw two extreme maps. I think people did try very different -- in a very clear, honest way to try to follow the Court's instructions. But I do believe that our map does that best. But I do want to comment on one thing that was said, in a very respectful way, about this notion of reduction in competition. That was a quote from the earlier testimony. Hey, I don't think that that was part of the Court's order, but I would say this, to the extent people want to look at numbers and the public understands.

In 2018, the Second Congressional District has currently drawn -- and the Fifth Congressional District has currently drawn, were run -- were won by the Republican candidate for governor. I will repeat that. The Second CD and the Fifth CD is currently drawn. The Republican candidate for governor won both of those districts. So, the idea there's no competition, I don't think the stats back that up. But candidates do matter, and we'll acknowledge that.

But the alternative plan submitted by the Republican side, now again, thoughtful put in, but I believe our plan here is closer to the requirements of the Court's orders. Mainly, again, there are no new split towns. And to the extent that the real fight seems to be based upon Torrington, I do want to get into the data on that.

We moved 71,736 people to new districts with our proposal. The other plan, which unifies one town, Torrington, does it by moving, approximately, 125,000 people, as opposed to 71,000. So, the amount of disruption, I believe, is significant. You're talking, you know, quick math here. 50,000 people in one plan being moved versus the other. So, we believe that if you're looking at those side by side, that's something to consider.

The last thing I would say too going back to 2001 is, you know, that was the process that they agreed to. And, again, the Court didn't ask anybody consider what happened 20 years ago. But I do know that the Court had taken into consideration 10 years ago, and there is a starry decisis element in redistricting. And that seems to be part of their order, which is what we've had for the last 10 years, we're not going to make major modifications.

So, the history of it, how it came to be, again, not part of it, but also, "Hey, that's how they got there in 2001." And I can tell you to all nine people on this commission, we'd all say the same thing. Whatever got you there to make it Bipartisan, good



for you, because it's very difficult to get there in the first place.

So, for all those reasons, Doctor; we appreciate you from California and Stanford University, helping the State of Connecticut try to get through this process with the Supreme Court, and glad to answer any questions that you have.

SPECIAL MASTER NATHANIEL PERSILY: I'll say, although I'm in California, has spent four my happiest years in Connecticut, so I used to be a constituent there.

Let me just do something a little out of the ordinary here, which is to see whether it is possible for you all to go back to the bargaining table, given the fact that you've now crystallized your plans and in response to the Court's order.

Do you -- I'm going to ask you -- I suppose I can order it. But I'm going to ask you, just in the next 48 hours, if you would be able to meet one more time, to see whether that plans that you have brought forth in this process, whether there is a middle ground. Because you are -- as you - if you're not in a national perspective, as you know, I'm doing this around the country, you are -- you all are pretty close to each other. If you cannot come up with a full plan, that would -- that you could agree upon, I would ask that you -- if there are sections of the plan that you can agree upon.

For example, the splits in in Shelton or the splits in in Glastonbury, which I think that -- I can't tell from the briefs, whether -- that you all are committed to one way of slicing those towns versus another. But if you cannot come up with, at least, a full plan that, perhaps, you can come up with a partial plan.

And I'll say also just in response to Senator Kelly's, but this would not preclude urging a good government map on the Court as well. But just to see if we -- if there is some daylight here. Because I can tell

you from my experience, having done this, as you know many times sometimes, I come up with a plan that pleases everybody.

And so, if there's a way that we could focus the disagreement so that if they are continuing that are not actually existentially disagreeable, but then you can agree on, I would appreciate if you could maybe take one last attempt in the next 48 hours to see if it's possible to come up with a plan.

Because I think Senator Kelly makes very good points about the progeny of this map, as well as the need to, you know, to reconsider some of -- some of the lines that have been there for a long time, but, of course, I'm constrained by the Court's order. You are not as constrained.

But if you are able to come up with a map then I would adopt it and urge the Court to adopt that, I think the Court would have no problem even if the Commission were able to meet after I issued a map.

But that's -- I -- you don't need to respond now. But if you have any thoughts on that process just to have one more conversation to see whether parts of the map or, hopefully, an entire map might be possible by Members of the Committee. Senator Kelly, does that seem like something that's worth pursuing? Or is that a fool's errand?

SENATOR KELLY (21ST): Yes, I certainly welcome the opportunity to continue the progress. I mean, at the outset, Speaker Ritter, was -- I'd like to align my comments with him that there -- this was a very positive and productive. You know, albeit we did have our differences. And we made sure the other parties knew what our differences were. But it was a respectful process. And I also like him -- are very happy that we were able to get through 187 Legislative districts.

It was just when, you know, Congress entered, I'm going to say that -- it was put on the agenda and the lack of time. We had to have a truncated process here because of the census data. So, I more than -- yes, I would welcome the opportunity to continue, to see if we can't do something now, in light of the process that we've done to get to where we are today.

SPECIAL MASTER NATHANIEL PERSILY: Okay, Speaker Ritter is that amenable to you? You're muted.

REP. RITTER (1ST): Yes, I am. Doctor, I will do -- and thank you, Senator Kelly. I will reach out to the other three members on the Democratic side -- Senator Looney, Senator Duff and Majority Leader Rojas, and I will let them know of your request. Both for either, you know, an agreement on the whole thing or even part of it. We'll talk to our staffs, and we will be in touch in the next 48 hours. Absolutely. Be glad to do.

SPECIAL MASTER NATHANIEL PERSILY: So let me just set a deadline of January 12th at noon Eastern Time for you to just get back to me under clock, either with a -- hopefully with a plan that then will make my role here irrelevant. Or another communication as to how we should proceed, either by giving me a partial plan, a full plan or if you need more time, and you think you're close to a deal.

So, I wanted to just try one more time, because I think they -- because it -- if it can be a model for the country as well, you all have worked through the State Legislative process in a way that I think is admirable, and I'm bringing a national perspective to this as well with State perspective, and thinking that if it is at all possible for the process to work as originally intended, as opposed to getting the Courts involved, I think that would be optimal. So, thank you for your willingness on that.

Mr. Bromley, unless you all have any other question, I don't have any particular questions for you all

beyond that. I did have some questions for Mr. Bromley, based on what Senator Kelly had said about the -- coincide in nature, the election administration issues with the Congressional districts and the State House Districts. So, unless, Mr. Bromley, you have -- I don't know if you have anything -- opening that you want to say? Otherwise, I'll just ask you about that issue.

DIRECTOR TED BROMLEY: I do not, Mr. Special Master. Please, fire away.

SPECIAL MASTER NATHANIEL PERSILY: So the issue has been raised as to how important it would be to have the Congressional map lines coincide with State House lines, in order to reduce the number of ballots per town. Can you talk to that issue as to -- so if you could speak to it, generally, as to the challenges that would be posed for election administration and at the town level, from having what would amount to sometimes four or five -- well, four, five additional ballots that they would have to administer, how important is it that the Congressional map onto the State House lines? This is something that 10 years ago, we actually didn't consider. So, I'm interested in your perspective, from an elected administration perspective.

DIRECTOR TED BROMLEY: Sure. So, yes. So, essentially, in our State statutes, once an Assembly Senatorial or Congressional District line is set in a town, it automatically creates a voting district. And so, the more that the lines do not overlap, the more that the lines cut towns into various different slices, the more voting districts that are created for those towns.

And also, you know, depending upon the combination of offices, you know, State Senate State, Rep and Congress, each time the ballot differs by one of those offices, then of course, it creates a different ballot style. I think in Connecticut in and of itself, we have 169 towns. And I think the last time that we

did count, we had over 800 different ballot styles in amongst the 169 different towns.

So, obviously, with our elections administration, with the fact that we use tabulators and paper ballots, of course, printing those variations and making sure that each polling place is provided with the appropriate ballot so that those -- so that the voters are voting for the appropriate candidates. All of those are challenges. And, of course, anytime that you increase the number of voting districts and then polling places in a municipality, then the challenge would be increased.

SPECIAL MASTER NATHANIEL PERSILY: So, one question I have is whether the -- a minimal departure from the State House map -- whether the size of the departure matters. And by that I need, you know, one of that the -- on the one hand, it seems like, well, you should know -- if you can get it as close as possible to the State House map, that's great, because it would eliminate the different pilots out.

But if you did -- if you're off by just a little and no -- nobody has put forward a map where you can do it exactly on the State House lines, then there's the challenge that you're going to get a very small number of people with a different ballot style, which causes problems in terms of anonymity in the ballot and like. And so, can you speak to that issue as to with it -- obviously, if it can be coterminous with the State House lines, that's optimal, but given the point -- is a small departure or a big departure, once you depart, does it make a difference? How big the departure is or how non-coincided that might take?

DIRECTOR TED BROMLEY: Sure. So, essentially --right, once you depart, and you make those districts, whether they be a small, what we refer to in Connecticut as a splinter district, or whether it be a large, or essentially a polling place has to be created, poll workers have to be hired and a different ballot style has to be created.

And I think that, in an election, we do have those currently, where we have some voting districts in some of our towns that are, you know, less than a thousand, that's for sure. But I think equally as important would be whenever you have a primary in one of those towns. Because we have experienced it, where you know, one of those splinter districts, and we're having a primary for particular major parties, and all of a sudden, we're talking 50 voters or less, that may be eligible to vote in that particular small district creative.

SPECIAL MASTER NATHANIEL PERSILY: Okay. I don't know whether Senator Kelly or Speaker Ritter have anything they want to add on that. Otherwise, I'll just move on to the speaker list. Okay?

SENATOR KELLY (21ST): Just one comment or observation. I do know in a State Rep District in my hometown of Stratford, I'm not sure I think it was 2018. It could have been 2016. I'm not positive of the year. But there was an election where there was a split, and albeit on a state representative basis, but there were two different districts.

And they mixed up in a bad rainstorm, and they mixed up the ballots, where 76 people voted in a State Representative District on another ballot, and then the race was only won by about 19 votes. So, it's - - wherever you can reduce this type of potential exposure, I think, it just makes the process better and more trustworthy from the electorate's perspective.

SPECIAL MASTER NATHANIEL PERSILY: Thank you. All right. Now we'll move to the list of speakers. Thank you, Mr. Bromley. I've got...

DIRECTOR TED BROMLEY: You're very welcome. Thank you.

SPECIAL MASTER NATHANIEL PERSILY: I've got Aaron Bayer the next

speaker.

ATTORNEY BAYER: Thank you, Professor Persily. I'll be brief. I represent the Democratic Members of the Reapportionment Commission. I'll be brief because I think most of these issues have been addressed in the materials we submitted last week.

Very simply to echo the comments of Speaker Ritter, the plan we submitted, complies with all of the requirements of the Supreme Court's order, and in addition moves tens or thousands of fewer people to new districts than the Republican Members plan does. And the Republicans plan really moves many more people because of its effort to unify one town, Torrington, in a single district, as we've demonstrated in the supplemental brief we filed on Friday, there's really no reason to move that many additional people.

It can be done in other ways. We proposed one of them for Your Honor to look at if it's -- if it's continuing example, that also unifies that town in a single district, still moves tens of thousands and fewer people into new district and complies with all of the other requirements of the Supreme Court's order, and has the same kind of effect in the few towns, where there's crossover -- there would be changes in their -- a mix -- synchronization of the Congressional districts with the State House and Senate district, so the same effect on that, but still moves many fewer people. So, I think it is the preferable plan and the one -- ours is the one that complies the most with the Supreme Court's requirements.

The only other comment I'd like to make is to address, with respect Senator Kelly's comments about doing broader changes that go beyond the Supreme Court's order in the interest of avoiding a gerrymandered map of -- when he can -- pursuing what he refers to as a good governance map.

I think that's -- that is wrong. And it also tends to give people reason to doubt the legitimacy and

validity of the process, both within the reapportionment Commission and this process, Professor Persily.

There is nothing wrong with the 2001 map. It is the last map that both parties agreed to through a negotiated Bipartisan agreement in the Legislative process. That's a good thing. And very little has changed in those districts last -- 10 years ago and, today, and that's why those lines persist.

The idea of using traditional redistricting plans to submit a wholesale different kind of map is not consistent with good government because it would have a much more politicized judicial process, as opposed to deferring to the legislative process that successfully produced the map that exists today.

The Supreme Court's reliance on traditional redistricting principles, as you know, is a directive to those parties that are involved in the legislative process, and the Supreme Court's directive to Courts that end up involved in overseeing a redistricting process is the opposite. It's to do as little as possible and defer as much as possible, and make only those changes necessary to meet constitutional or statutory requirements.

That is a -- that is a good government approach when we find ourselves in a situation that we're in today. And I think people should have confidence in that approach, as being the right thing to do and have confidence, both in the Commission and in Your Honor's process today.

SPECIAL MASTER NATHANIEL PERSILY: Thank you very much. Next, we have State Representative Jay Case. Can you unmute?

REP. CASE (63RD): There we go. Here they you both. Good afternoon, Special Master. It's good to be here today.



As we heard a lot of speaking on one particular small city and that is Torrington. The Redistricting Group really did a lot of work in the northwest corner. We're taking the small town of Goshen, who had two State reps, and move that down to one and, therefore, moving Torrington from three State reps down to two, which was very well received by the registrars because as you can imagine having three reps to Senators and two Congress people, it's very difficult to get all those ballots out and get those ballots correct.

So, what we're really asking is going back to what Senator Kelly and Representative Ritter talked about, you know, that process went very well. I'm moving those small towns in the Northwest corner down to a lower number of representation and taken so that we can have one Congressional District, most likely the Fifth District, in the way it fits in.

And if you look at Torrington, Torrington right now is surrounded by the fifth, and the fifth is just down the mill. Torrington has been fleeing because of the amount of ballots that it has to put out in different ways, and here are a number of polling districts in Torrington and polling districts have 400 people, some polling districts have thousands. And by moving the fifth, as Senator Kennedy has said, it would only make sense to that one section, and that would bring the small city of Torrington in with the larger city of Waterbury on that side of the state, so you'd have two cities working together, as they do in a lot of different things in State government.

But my point for being here today is to please take a look at Torrington, and make sure that we can do something for those registrars that have been pulling their teeth out with the number of candidates that they've had. And the State has done that on our end, and we hope we can do that to our end. And that I thank you very much for your time.

SPECIAL MASTER NATHANIEL PERSILY: Thank you.  
Representative Gregory Haddad is next.

REP. HADDAD (54TH): Thank you, Professor Persily. I represent a district in Eastern Connecticut, it's Mansfield, it's also home to the University of Connecticut. And so, I know that Professor Persily is probably the best way to address you, and I appreciate your effort.

I appreciate the opportunity to testify with you at this public hearing. I served on the Reapportionment Committee until September 15th of last year, and was privileged to work with Senator Kelly, as Co-Chair of that Committee. One of the accomplishments of our work together was to schedule and conduct four public hearings, three in-person and one virtual, that provided multiple opportunities for the public to address the Committee directly and to help guide our work.

One aspect of redistricting that became clear to me, as I served on the Committee and listened to testimony is that there are many different and important goals and objectives that can be legitimately considered in drawing a fair plan. It's striking that these varying goals are often very subjective and all times -- sometimes conflicting with each other. The full range of traditional redistricting criteria can be applied to create hundreds of permutations of plans that each meet the standards for a fair plan.

Our State Constitution, of course, has established a Bipartisan process that creates -- that encourages a balanced and collaborative and cooperative Legislative Committee to take into consideration these competing criteria, as well as public concerns into select a single plan out of many possibilities to adopt as a fair and lawful outcome.

As a resident of Eastern Connecticut and a long-time observer of the Legislative process, I remember the decisions that were made to reach the compromise congressional plan adopted in 2001. We've heard about how that compromised and affected some towns in

Western Connecticut. And I think it's important to remember that there were major changes as part of that compromise throughout the State, and particularly in Eastern Connecticut, we're changes to our second Congressional District, we're very significant.

And so, we can all acknowledge that well some residents of Torrington feel their town should be treated differently, now I think it should be noted that fifth -- that something that it should be in the fifth, others feel their district should be entirely in the first, I'm sure that others see real value in the opportunity to have two members of Congress represent Torrington.

However, at this stage in the process, the Court should not be about resolving a particular concern about one town. That could have been properly dealt with during the Legislative process by the Commission. When that process fails, the Court should take a more limited role, as our Supreme Court has recognized and its instructions to you.

I think it's interesting that the plan submitted by Republicans make changes to address perceived problems, citing traditional redistricting criteria in Western Connecticut, but following -- but follow an entirely different approach in Eastern Connecticut. This is plainly apparent in the plan submitted by the State Republican Party and also true, in a more limited fashion by the plan, submitted by the Republican Commission Members. The plans mostly use the minimal change approach the Court ordered, in my part of the State, while making more expansive changes in the West.

In the second District, Republican plans completely ignore concerns that were -- have been raised, similar to the ones that they addressed in Torrington. In Southfield and Madison and in Middlesex County, in Davenport...

KIRSTIN BREINER: You have one minute remaining.

REP. HADDAD (54TH): The same kinds of arguments about compactness, communities and interest and impact of changes from 2001 can also be made. Their selective application of the criteria in the West will result in a very different political impact than if a more consistent approach had been taken across those -- the plan. Of course, political goals are not supposed to be addressed in these Court proceedings. And if the Special Master was considering changes, based on the full range of traditional criteria, including compactness, communities' interest, cores of prior districts, and the range of redistricting criteria in Eastern Connecticut and elsewhere, that we would see a very different plan.

I believe if the Court were to take this approach, you would be obligated to clearly and state that all of the options were on the table and we're open for consideration, and then provide an avenue to receive public input from around the State, perhaps, through multiple public hearings as the Committee did. That's not what the Court ordered, of course, nor should the Court have ordered a comprehensive redrawing of the map, or the kind of -- of the kind of complicated debate that is properly should occur before undertaking such a massive revision. This is the approach that our State Constitution encourages in the Collaborative Bipartisan Legislative process.

So, in closing, I would just say that I understand -- I don't like the lobster claw much either. But I would note that that map is the legitimate result of a collaborative legislative process, incorporating countless judgments that resulted in a true Bipartisan compromise. And while certainly not perfect, the plan adopted in 2001, has withstood the test of time as lawful and was subsequently used as the basis for the current plan by the Court when revisions were made in 2001, and 2011.

If a comprehensive revision was not possible in the legislative stage of the process this year, the Court

is correct to select for itself a limited approach that makes minimal changes to the existing districts in order to comply with the law. And I appreciate that your directive to the Commission is to look at this, again, be -- that would be an appropriate way to address these issues, rather than taking on that responsibility for the Court itself.

And so, thank you very much for your having the public hearing and hearing me out. I appreciate your work on this issue.

SPECIAL MASTER NATHANIEL PERSILY: Thank you very much. I have on the list, Ben Proto is next.

BENJAMIN PROTO: Good afternoon, Professor, thank you for allowing us the opportunity to speak with you today. We've submitted two plans, which we believe comply with most all of the Court's orders, and we readily admit that does not comply with the least change possible. And we do this for a few reasons. Most notably, a lot has been talked about in 2001. And that came about, as you and everyone on this call is well aware for a political reason, and only a political reason.

Two Congressman -- Congresswoman and Congressman, one lived in Danbury, one lived in New Britain, they had to get -- put into the same district, and it had to occur. Our plan, we believe, brings about contiguous districts and puts towns together that share interests. I don't believe there's anyone on this call who can tell anyone on this call or in the State of Connecticut, what any town in the Northwest corner has an interest with any town east of the Connecticut River. They don't, but yet they're together in the same Congressional District.

The State of Connecticut recognizes the City in New Britain and the City of Hartford to be inextricably linked by any number of ways, not the least of which was spending over \$0.5 billion to build a bus way between New Britain and Hartford, not New Britain and

Danbury. There used to be the Judicial District of Hartford, New Britain until it was split into its own separate Judicial District.

New Britain rightly belongs with Hartford. And by putting New Britain with Hartford, you create a district, in which a Hispanic candidate has the potential to win a congressional seat, by putting New Britain into the Fifth District. That becomes highly unlikely.

The problem with the claw, as everyone I think will admit privately, is its political. It's politically gerrymandered to fix a problem that occurred in 2001. And what I find most interesting is that all five members of the House of Representatives in the State of Connecticut, along with our two Senators, but our five members, voted for a Bill this year that, legislatively, does away with political gerrymandering, which is what the current plan does for the obvious reason in 2001.

And simply because something was good in 2001, or the politically expedient thing to do in 2001 does not mean it is the correct thing or the politically expedient thing to do in 2021 or '22 other than to protect the interest of five sitting Congressman, which should not be a consideration.

So, Professor, while we understand we don't comply with the least change possible, we wanted to submit two mass -- one of which has a minimally split towns of three, and one of which has a proportional population with four split towns, reducing the number of splits that currently exist, to show that it can be done, it can be drawn, in fact, that creates four strong democratic districts and a district that would be a toss-up, it creates a district in which a minority candidate can be elected to the United States Congress in the State of Connecticut, unlike the plans that exist today.

So, all in all, Professor, while we understand and readily admit, as I said, it does not comply with the minimally -- the minimal change possible, it is for the purpose of showing the Court, and yourself, as I'm sure you're all aware, as you've looked at it, that it is possible to do this.

It creates better districts, more politically compact districts, towns that are more compact, more contiguous with each other, have more in common with each other, share what we have in the State of Connecticut, in a lot of ways, the regional COGs system. Since we don't have counties in the State of Connecticut, we utilize the COGs system, who share more in common they actually serve together.

And in regards to the ballot issue, I found that interesting -- an interesting conversation, it would seem that the multiple permutations of ballots result from the number of split House towns -- split House districts and split towns, as opposed to the Congressional District.

KIRSTIN BREINER: You have one minute.

BENJAMIN PROTO: The town is wholly within one Congressional District. Regardless of what House district you're in, you're all getting the same Congressman on that ballot. So, I'm not sure the ballot analysis works on the Congressional level, I think it's more appropriate to the House as those are we have more of those and more split towns with House districts.

Professor, again, I'm not going to take a lot of your time. We wanted to put that before you. We wanted the public to understand what is out there, and that this can be done in a better way. And we appreciate your time. We appreciate the Court's time. And I'd like to thank all nine members of the Commission for the time that they've put into this over the last number of months. I had the opportunity and privilege of doing this in 2001, as a staff member in the House.

It's not easy as you know, it's a lot of time, it's a lot of heartaches, and they did a phenomenal job of working together. So, thank you for that.

SPECIAL MASTER NATHANIEL PERSILY: Thank you. And next on our list, we've got Assistant Deputy Speaker Pro-Tempore Hilda Santiago.

REP. SANTIAGO (84TH): Hi, good afternoon. Can you hear me?

SPECIAL MASTER NATHANIEL PERSILY: Yes.

REP. SANTIAGO (84TH): Okay. Great. Thank you. Thank you, Dr. Persily for the opportunity to be heard in this important issue. My name is Hilda Santiago, and I'm a State Representative from the 84th District, representing just Meriden. I want to address two points in the brief that I have been allotted - in the brief time that I've been allotted.

First, let me address the plan that has been submitted by the Republican Members of the Commission. While I respect the fact that this plan is an honest attempt to follow the order laid out by the Supreme Court, I am concerned that the racial diversity of my Congressional District, the Fifth, is reduced, specifically, amongst the Hispanic and Latino population percentage.

While it changed at about 21% to 20% isn't a massive shift, I don't think it's necessary to change it at all. It is vitally important to me and to my community that I represent to be able to influence elections. And while I know that you are not permitted to take politics into consideration, I believe that a least change plan should also be at least change to racial diversity plan, if possible.

My second point concerns the map that has been submitted by Mr. Proto and the Republican Party. This map similar to the map that was proposed 10 years ago



that I testified against when I was a Meriden City Councilor.

What concerns me that the most is moving Meriden and in Britain out of the Fifth Congressional District and the effect that that would have in breaking up what, I believe, to be a strong community of interests among Latinos in Meriden, New Britain and Waterbury.

Meriden Waterbury and Danbury have been in the same Congressional District since 1965. The beginning of redistricting on the one-person one-vote requirements in Connecticut. That means that the legislator -- that the legislature redistricting Commissions on the Court have all had the opportunity to move those places in a different district and have decided against it in over 55 years. New Britain has been part of the district with these cities now for 20 years, as you remember with the two Congresswoman Nancy Johnson and Congressman James Maloney.

I like to speak about my experiences as a member of the Hispanic Latino Community and as a legislator who represents a diverse town in the Fifth District, to give more perspective to the community of interest, I think it's just between these cities.

And I want to explain that in the City of Meriden, a population of 60,000, 51% to 52% of the school community is, basically, Hispanic. We have a very small Black population and a very small other minority population. The population now in the City of Meriden is about 16,000 Latinos. And I would say about maybe eight to 9,000 African-Americans.

We have a connection to the city of New Britain. We have families that live close, that share the same music, the same language, even the history of both -- of both -- of towns. We have a shared interest also with the City of Waterbury.

Waterbury is -- I mean Meriden is almost what I usually say, the center of the universe, because we're

almost in the middle of the State. I know that Berlin is but we're almost like 20 minutes to 15 minutes away from a lot of other towns. And that's sometimes that's why people move into Meriden.

But I want to, you know, show that the commonality between these towns, as far as, like I said before language, food, music, we have been able to elect more Latinos into the State Legislature, and putting us into the third Congressional District is breaking up a lot of that power that we have gotten in the last 20 years because of our commonality.

So, I am not in favor of getting Meriden in out of the Fifth. I'm not in favor of moving New Britain out of the Fifth. And, unfortunately, the State Representative from New Britain couldn't speak today because his family is having some health issues.

But we have to also think that, as far as being Hispanic, we would like to have a Congressional person when they run in our district, but it's not only because they're Hispanic, but they should be running on their own merits too. And they should be also -- have the commonality of all these towns together. Right now, if that happens, you're breaking up the common ties that we have, as a Hispanic-Latino community.

So, I don't want to go over my time. So, I will end my remarks there. But I want to thank you, again, for this opportunity and also to thank the Commission for all the work that they've done in putting these maps together.

SPECIAL MASTER NATHANIEL PERSILY: Thank you very much. And now, our last speaker is Ryan Scala.

RYAN SCALA: Good afternoon, Professor Persily. And before I start, I was told I can share my screen to show the maps that I -- I've submitted for testimony so everyone can see them

while I talk. Okay.

SPECIAL MASTER NATHANIEL PERSILY: You should have those -- yeah, you should have that ability now.

RYAN SCALA: Okay, there we go. All right, let me just get my testimony up here. Gotta move it. Okay.

And good afternoon, everybody. My name is Ryan Scala. I live in Avon, Connecticut, and I'm a Public Policy graduate student at UConn. I am also a Member of the Princeton Gerrymandering Project, which works with State partners and performs nonpartisan analysis to try and eliminate gerrymandering nationwide. I'm testifying today for the record, as a resident, not on behalf of Princeton, regarding the decennial redrawing of the State's Congressional districts.

One of the metrics states organizations use to gauge if a map is gerrymandered or not, is if communities of interest or COIs are split. COIs are groups that can be similar racially, economically, geographically, et cetera.

Many other fair map advocates and I believe that because of the similarities, these communities should have the opportunity to vote as a block for someone that represents them. I'd say the current commit -- Congressional map does not preserve regional communities of interests.

So, for example, the current map splits the Naugatuck Valley, splits the Farmington Valley, splits the Litchfield Hills. And this dilutes the influence voters in these regions have -- should have.

I have submitted two maps as part of my testimony today. The one you see right now is map A. And, obviously, this is I guess what Senator Kelly would call a good governance map. Obviously, this goes beyond what the Court order allows you to do a special master.

But this map preserves regional communities of interest. And it's what I would personally like to see implemented. This map also improves on compactness, splitting minority representation and competitiveness scores that you could find on the day's redistricting website.

And for -- no, I know you can't use election returns for your map drawing, but just for the record, President Biden does win the most competitive seat in my map of the District Five by around six percentage points. So, in my testimony, I have this version of the map, which is, without municipalities, this is when I have after this, just show the municipalities when it -- within each district. And it shows - yeah, it shows, if you have an upright, you know, the minority in the -- in the population, each the scores from days redistricting, compactness, metrics, and then county splits.

So, if I had this upright, you could look at that. So, you look at that at your own leisure. But I know the Court order that you have to follow -- you have to follow might not allow you to draw a map that is as different from the current one as a map A was.

So, this is the second map I've submitted. This is map B. It's a least change map, that also tries to unite some of the split communities of interest I talked about. So, in this map, it's with Colebrook, and Winchester, which is up in the northwest corner in the -- with the rest -- with the rest of the Litchfield hills and the fifth district, and it pairs Oxford with Beacon Falls, the town of Naugatuck, and the lower Naugatuck Valley, all within the third district.

Obviously, most of the scores and statistics relating to this map are similar to the current one, because it is the least change map. But I -- in the PDF, there are similar there is a municipality map with the districts and racial, voting age population

metrics and the scores, and the same thing for map A -- I have for map A.

So, I hope that you see -- use these maps as guides when making your deliberations. Thank you for your time, and I'm willing to answer any questions you may have.

SPECIAL MASTER NATHANIEL PERSILY: Thank you very much. Thank you to you. And thank you to all the speakers, who presented today. Very much appreciate it.

As I mentioned at the beginning, I have, basically, eight days, by which to finalize my plan and to issue a report. Hopefully, the negotiations that I've sparked earlier, you know, will make my role irrelevant. And so, I look forward to hearing from Members of the Commission in 48 hours. Like I said noon on January -- noon of January 12, please file with me, either hopefully a final plan that you've arrived that or partial plans or some other filing that guys would be going forward.

So, between now and the next Monday, or next Tuesday, I will be drawing a plan and doing the -- I should say I certainly been drawing the plans already. But I'm eager to see what the -- what the Commission could come up within 48 hours.

Again, I want to thank all the Court staff and Commission staff who helped out with this hearing, and I will use everything that I heard today in my report, so thank you very much, and we are adjourned.