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MICRC

20240129-900 Meeting

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>> CHAIR ORTON: As Chair of the Commission I call this meeting of the Michigan Independent Citizens Redistricting Commission to order at 9:00 a.m.

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Members of the media who may have questions before, during or after the meeting should direct those questions to Edward Woods, III, Executive Director for the Commission, at Woods E3@Michigan.gov or 517-331-6309.

For the public watching and the public record I will turn to the Department of State to take note of the Commissioners present.

>> MS. SARAH REINHARDT: Good morning, Commissioners. Please say present when I call your name and disclose where you are remotely from, and I will start with Elaine Andrade?

>> ELAINE ANDRADE: Here from Imlay Township, Michigan.

>> MS. SARAH REINHARDT: Donna Callaghan? Donna, can you hear us? I see Commissioner Callaghan but it looks like she may be experiencing technical difficulty so we will return to her. Juanita Curry?

>> COMMISSIONER CURRY: Present and attending from remotely from Detroit, Michigan.

>> MS. SARAH REINHARDT: Anthony Eid? Brittini Kellom?

>> COMMISSIONER KELLOM: Present attending from Wayne County Michigan.

>> MS. SARAH REINHARDT: Rhonda Lange?

>> COMMISSIONER LANGE: Present attending remotely from Reed City Michigan.

>> MS. SARAH REINHARDT: Steve Lett?

>> COMMISSIONER LETT: Attending from Lee county floor.

>> MS. SARAH REINHARDT: Marcus Muldoon?

>> MARCUS MULDOON: Present from Carlton Michigan.

>> MS. SARAH REINHARDT: Cynthia Orton?

>> CHAIR ORTON: Present attending remotely from Battle Creek Michigan.

>> MS. SARAH REINHARDT: Rebecca Szetela? Janice Vallette? Janice? Janice, can you repeat? Commissioner Vallette, if you can hear us, can you repeat if you said present already, we were unable to hear it? All right, one moment. All right let's continue. Erin Wagner?

>> COMMISSIONER WAGNER: Present attending remotely from Charlotte, Michigan.

>> MS. SARAH REINHARDT: Richard Weiss?

>> COMMISSIONER WEISS: Attending from Saginaw Township, Saginaw Michigan.

>> MS. SARAH REINHARDT: I will return to Donna Callaghan? Janice Vallette? All right nine Commissioners are present and there is a quorum.

>> CHAIR ORTON: Thank you Sarah Reinhardt as a reminder to the public watching you can view the agenda at www.Michigan.gov/MICRC. I would now entertain a motion to approve the agenda.

>> COMMISSIONER LETT: So moved.

>> Second.

>> CHAIR ORTON: It's moved and seconded that we approved today's agenda is there any discussion on the motion? Seeing none, all in favor of approving today's agenda raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay. The ayes have it and the agenda is adopted.

So Vice Chair Janice, are you able to hear us yet? Doesn't sound like it, okay, so without objection we will begin the public comment portion of the agenda. Hearing no objection we will proceed with public comment. Individuals who have signed up and indicated they would like to provide live remote public commentary to the Commission will now be allowed. I will call your name and our staff will unmute you. If you are on the computer, you will be prompted by the Zoom app to unmute your microphone and speak. If you are on the phone a voice will say that the host wants you to speak and prompt you to press star six to unmute. I will call on you by name. Also please note that if you experience technical or audio issues or we do not hear from you from three to five seconds we will move on to the next person in line and return after you are done

speaking. If your audio does not speak e-mail us and we will help you trouble shoot during the next public comment period or at a later meeting. You have 90 seconds to address the Commission.

First in line to provide public comment is James Gallant.

>> COMMISSIONER ORTON: While he is coming on, Commissioner Vallette, I see you have your hand up can you hear us now? You are muted. Janice, you are muted.

>> COMMISSIONER VALLETTE: I'm here. Do you want to finish it, or do you want to finish it?

>> CHAIR ORTON: You can.

>> COMMISSIONER VALLETTE: We are waiting for James Galant.

>> MS. SARAH REINHARDT: Commissioner Vallette can you let us know where you are joining us remotely from.

>> COMMISSIONER VALLETTE: I'm in Highland Township Michigan.

>> MS. SARAH REINHARDT: Thank you.

>> COMMISSIONER EID: I also signed on, Commissioner Eid, remotely joining from Detroit, Michigan.

>> MS. SARAH REINHARDT: Thank you and that first participant is not present.

>> COMMISSIONER VALLETTE: Okay next in line is Laura Lacey you have two minutes to address the Commission please allow a moment for our staff to unmute you.

>> MS. SARAH REINHARDT: Apologies that is 90 seconds.

>> COMMISSIONER VALLETTE: My script says two minutes okay 90 seconds.

>> My name is Lori and I live in Huntington wood in current House District six my District abuts District 7 and 8 and would be changed in some max under consideration. However I am not here just because I care about my District but also because I care about the fairness of every District and the fairness of the redistricting process. Just as I was on team lions, I'm on team MICRC. Out of 161 districts drawn by the Commission only 13 need to be redrawn. Nothing in the Court's decision calls into question the independent Commission process. The voter approved amendment that approved the Independent Commission states only the Independent Commission shall adopt maps where challenges result in Court ordered remedies. This committee has the awesome responsibility that comply with the Court order and cannot fall to a single special master working in secret and without input. With maps I recommend either the Trillium map or Daisy map version one. They both have good partisan scores and the Trillium affects three and the Daisy map does not any. I appreciate the pioneering work and for the opportunity to comment.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. Next in line is Ryan Reese please allow a moment for our staff to unmute you.

>> Can you hear me Commissioners?

>> COMMISSIONER VALLETTE: Yes.

>> Reverend Brian Reese House District 14 among the affected are districts thanks for the time to hear us out and your work on the Commission. I speak today to remind you to pay attention to all of the different rubrics that are involved that have been explained by Dr. Handley last week in particular do not ignore the median and mean methodologies and the efficiency models to help to ensure that partisan fairness is fully addressed. On that subject. And the subject of those bodies of populations which cross as COI over 8 mile. I find that the Trillium map is not a very good way of addressing both of the sets of concerns which brought the Commission back together. The COI concerns across 8 mile are not addressed well by that map. And I would recommend looking at other maps for that. It is important to keep this to the districts that are specifically affected by the Court order. But nevertheless be mindful of partisan fairness while doing so. Thank you very much for your time. And we will talk to you tomorrow.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. Next in line is Chris Gilmer hill. Please allow our staff a moment to unmute you.

>> MS. SARAH REINHARDT: That participant is not present.

>> COMMISSIONER VALLETTE: Thank you, next in line is Steven Walker please allow our staff a moment to unmute you.

>> Hello.

>> COMMISSIONER VALLETTE: Hello.

>> My name is Steve Walker and I live in southwest Detroit. I appreciate being able to address the Commission. I want to make two comments about controversies I heard last week and then I have a question. First of all, I want to talk about Melvindale. If you're not aware of it, Melvindale is 60% Yemeni. And when I drive through Melvindale, I don't drive down every Commercial Street, I don't see any Yemeni businesses or markets or restaurants. In the same vein when I drive in Allen or Lincoln Park, I don't see any Yemeni establishments. I'm not an Arab but assume when Yemenis go out to shop or go to one of their restaurants, they go to Dearborn so it seems clear to me Dearborn would be their community of interest. And I think the maps should reflect that. I think it was a tragic they were not included in your Arab Congressional District you drew three years ago. People brought up the issue of school districts. There is two school districts on Allen Park. One is the Melvindale north Allen Park District. The other one which is majority of Allen Park is the Allen Park school District. Obviously the Yemeni live in the Melvindale north Allen Park District and not connected with the rest of Allen Park. Secondly.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. Next in line is Robert Dindoffer, please allow our staff a moment to unmute you.

>> Hi folks, can you hear me?

>> COMMISSIONER VALLETTE: Yes.

>> Okay, hi everybody, the comment I wanted to provide this morning I believe you all are going to have feedback from your VRA counsel related to the maps today and I just wanted to suggest that if they don't already do this that a good lawyer or a great lawyer will be able to take those maps and kind of if not rank them at least put them in groups in terms of risk levels. A great lawyer probably won't tell you that any of them comply with the VRA with certainty. Or that any of them don't comply with the VRA with certainty. But will be able to kind of give you a sense of what the risk level of each is. And if you all want to avoid you know as I'm thinking about it a special master drawing the maps for you, hopefully your counsel will be able to kind of point you in the direction of which ones are riskier versus less risky in that regard. That's it. Thank you.

>> COMMISSIONER VALLETTE: Thank you for addressing the Commission. That concludes our public comment. Please feel free to e-mail public comments to the Commission at redistricting@Michigan.gov. Or submit public comments on the mapping portal off the Commission's website at www.Michigan.gov, we appreciate whichever way you choose and invite you to keep sharing your thoughts.

>> CHAIR ORTON: Thank you, Commissioner Vallette. Next on our agenda is unfinished business 5A maps submitted to the Commission. Without objection I will ask our Executive Director Edward Woods III to provide this option.

>> MS. SARAH REINHARDT: Commissioner Callaghan has joined; can you share where you are joining remotely from.

>> DONNA CALLAGHAN: Joining remotely from Mexico, thank you.

>> MS. SARAH REINHARDT: Thank you very much.

>> CHAIR ORTON: Yes.

>> MR. EDWARD WOODS: Good morning, Commissioners, how are you?

>> CHAIR ORTON: Good.

>> MR. EDWARD WOODS: Unfortunately we have lost one of our leaders. You know, one of our distinguished gentlemen who was ensuring we had our matrix. If you remember Doug was very good about identifying the matrix, the committees, the Sunset and getting that information out. He was one that was very big on organization. An order. And we wanted to take an opportunity to offer a moment of silence. And honoring Doug and his life as a father, as a colleague, a distinguished worker, someone who gave his all to ensure that we operate in a spirit of excellence and unity and we would be remiss if we did not acknowledge his life and his contributions to this Commission. Without a moment of silence. So wherever you are, if we could just take this opportunity to have a moment of silence on behalf of Commissioner Doug Clark. Who served admirably as a member of the Commission, a Chair and Vice Chairperson of the Commission and chaired a number of subcommittees and whose impact on this Commission will not be quantified but appreciated and respected not for what was done up front but also done behind the scenes so the Commission operated in a true bipartisan fashion in the spirit of proposition 201802 when the citizens of Michigan

created the Michigan in the first place. So at this time can we just take a moment of silence on behalf of Doug. And his contributions not just to us but his distinguished career but most importantly during the family and insurmountable loss. Amen. At this time we would like to open the floor for anyone that would like to provide a tribute on behalf of Doug Clark, our distinguished Commissioner, if anyone has something to share, something to say, we would like to open up the floor on behalf of the Commission at this time in honoring his life. And I will turn it back to you, Commissioner Orton?

>> CHAIR ORTON: Thank you. Commissioner Lett?

>> COMMISSIONER LETT: Yeah, I would just like to say that over the period of time that I worked with Doug, we became very good friends. He was always forthright. Listened to everybody and will be missed as an excellent comrade and working on these maps.

>> CHAIR ORTON: Thank you. Commissioner Kellom?

>> COMMISSIONER KELLOM: I think I speak for all of us or most of us, but Commissioner Clark was just an extraordinary human being. He will be missed, and my heart also goes out to his family that I'm sure is dealing with such a tremendous loss. I think that it's just emphasizes that all of us sitting here are human. And we are doing this work and also being very normal people and especially having to take care of my grandmother during this process I have a special soft spot for Commissioner Clark's family, and he will be missed.

>> CHAIR ORTON: Thank you, Commissioner Curry?

>> COMMISSIONER CURRY:

>> CHAIR ORTON: You're muted.

>> COMMISSIONER CURRY: I just want to say that Doug Clark was a very fine gentleman and a friend, and he is going to be well missed. I'm so glad I had the opportunity to speak with him a few days before he passed. And we shared a lot of things that he was in a good mood. And he is probably ready to meet his maker. And so he is going to be missed. I became a friend of his and he was a friend of mine. And we shared often times lunch or something together. And I'm going to miss him. And I know his family is going to miss him too. We wish them all the best.

>> CHAIR ORTON: Thank you. Commissioner Eid?

>> COMMISSIONER EID: Very, very sad for me Doug was kind of a role model, someone to look up to. Someone that I learned a heck of a lot from. And he was a fighter. I mean, the way he was able to go about doing this work while fighting through his illness I just think says everything about his character. I think this work perhaps gave him some purpose to keep fighting but I'm glad he is now at rest and doesn't need to fight any more.

>> CHAIR ORTON: Thank you. I would second what everyone has said. Doug became a great friend and I feel like he was kind of a mentor in this process. And I do feel for his family who must miss him a lot. I miss him already. And we were blessed to

be able to work with him. Okay, so we will move on to agenda item 5A. Maps submitted to the Commission. So without objection I will ask Executive Director Woods.

>> COMMISSIONER SZETELA: Commissioner Orton this is Commission Szetela I joined and calling in remotely from Wayne County.

>> CHAIR ORTON: Thank you. You're muted, Edward.

>> MR. EDWARD WOODS: Thank you. We are kind of in between meetings because there is a meeting we are working on as well as while this Commission is going on to get prepped at this time. So Commissioner Orton I don't know if there is any mapping that may need to be done or if there is anything that people wanted to adjust, I don't think there is, but if there is, it may be helpful if we pivot to that right now. Because Mr. Fink will be joining us shortly as well as Ms. Reinhardt who is already here. We want to talk about the mapping process and procedures. So right now if there is anything to do with mapping that needs to be done and there might not be and which is a very realistic possibility. It might be good if we could pivot to that.

>> CHAIR ORTON: Okay so we will discuss unfinished business 5C which is mapping. I feel like on Thursday or Friday, whatever day, last Friday, we kind of had wrapped up working on the collaborative maps. And there were no other changes that people wanted to make but, if there are, now would be the time to do that. Does anyone have anything to address with that? I don't see any. Then I think until we have Mr. Fink, oh, who is here now, so Mr. Fink?

>> Nate Fink: Hi good morning, Commissioners. I apologize for not being able to join right away here. I'm on another Zoom call. But I would like to switch over to a different device so we can have this discussion assuming we are ready to have it now on the mapping, on the deliberation's procedure document. Is that -- are we ready?

>> CHAIR ORTON: That is the mapping process and procedures 5B is that what you are ready to discuss?

>> Nate Fink: Yes, that is correct.

>> CHAIR ORTON: We ready.

>> Nate Fink: If you just give me a moment, I have to switch over to my other device so if you give me just three minutes.

>> CHAIR ORTON: Okay.

>> Nate Fink: Okay, thank you.

>> CHAIR ORTON: Please proceed, Mr. Fink.

>> Nate Fink: Thank you very much and I thank everybody for their patience. I believe Mr. Woods has; Director Woods has a copy of the recommended deliberations procedure document.

>> MR. EDWARD WOODS: Okay, let me put it up for you. Hold on.

>> Nate Fink: Thank you. Okay, thank you. So this was originally drafted or, well, these were based on part of the 2021 deliberations procedures that or process that the Commission had in place. Obviously we are under a different circumstance right now.

And so Sarah Reinhardt had put together a version that was tailored for the current purposes. And then we made some recommended revisions to that. In part, it was just kind of cleanup and clarification. So some of the terms, the defined terms like draft maps, alternate drafts and other terminology that has a certain specific definition, excuse me, definition that's in the mapping procedure document. There's like a box at the top of the mapping procedure document that has certain defined terms. I just used those same terms here just so that it's clear for the record.

So, for example, draft maps capital D, capital M is a collaborative map that the Commission has put together and alternate draft would be an individual Commissioner's submission that they were submitted. Not through the collaborative process but just an independent map. And then because this version I don't think, yeah, the version you are looking at does not have the red lines but again it was sort of tightening it, cleaning it up and made an explicit reference to the some of the timing issues that we have, the February 2nd deadline and then the public comment period.

So if you can continue through here, you will see the deliberations schedule. I just tweaked that a little bit, added that you could, assuming time permits, begin deliberation on the maps tomorrow perhaps. Conceivably this afternoon if there is enough time after the VRA presentation and if everybody has time and availability perhaps could commence then. So this is, you know, just kind of a rough estimate and recommendation.

We would certainly recommend that prior to deliberation sessions Commissioners independently review research and familiarize themselves with the draft maps and alternate drafts that have been produced by the Commission or Commissioners so that you're well informed on the various constitutional criteria and the individual differences between the different maps so that you can have a meaningful deliberation and discussion of those maps.

Then we recommend that the commission review as a group, you know, during the public meeting each complete collaborative map produced by the Commission. And the complete collaborative maps are those maps that were provided for VRA analysis. There were 14, I believe, maps that were submitted and described by the Commission as collaborative and then of one individual map submitted by Commissioner Szetela, I believe. I see a couple questions which I can.

>> CHAIR ORTON: Would you like to take those now or after you are done?

>> Nate Fink: Sure.

>> CHAIR ORTON: Okay Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, we have not received a copy of this document yet nor have we received red lines I'm assuming it will be sent out today.

>> Nate Fink: I can share those and there is some tweaking I was doing with it and sort of a lot going on this morning, but I can share that.

>> CHAIR ORTON: Commissioner Lange I assume you have the same comment?

>> COMMISSIONER LANGE: Yes, I was going to ask about the red lined copy, thank you.

>> Nate Fink: Just to be clear the red lines will show the differences between the version that Ms. Reinhardt shared on Friday, and you know so that is what the red lines will show, those differences.

Edward, did you want to -- I think you may have removed it.

>> MR. EDWARD WOODS: I removed it, I'm about to send those changes.

>> Nate Fink: Okay do you have the red lined version?

>> MR. EDWARD WOODS: Yes, I do know, and everybody can have it at the same time. Let me go-go back and put it up. If you check your e-mail Commissioners, you should have that right about now.

>> CHAIR ORTON: Thank you.

>> MR. EDWARD WOODS: Is everybody able to see my screen?

>> CHAIR ORTON: Yes.

>> MR. EDWARD WOODS: Okay.

>> Nate Fink: Okay, I'm just looking through with the red lined version so I can discuss it easier.

>> CHAIR ORTON: Do you want it up?

>> MR. EDWARD WOODS: We can put it up.

>> Nate Fink: No that's okay, we have it here. You have the recommended process for reviewing the maps so that again the complete maps would be those that were submitted for VRA review. We recommend that the Commission and again most of this was pulled from the 2021 procedure or at least modified with it. So the Commission should discuss each map as, you know, in some, you know, perhaps alphabetical order as we suggested here or some other way. But just to systematically go through each map as they are presented, review the Michigan constitutional ranked criteria, noticing the -- noting differences between the districts as they are drawn. Communities of interest, partisan fairness. Discussion of the pros and cons of the map and any further distinguishing factors. Recommend using the collaborative mapping format. And that the Commission may adjust draft maps based on updated public comment and additional analysis from consultants. So you will have to have a discussion of that. You will see what the VRA analysis shows this afternoon. And in response to that and other public comments that you have been continuing to receive the Commission could decide to make some adjustments to these draft maps before determining which of those to send on to the Court and for the formal public comment period in February.

Commissioners are encouraged to take notes on the preferences so you can, you know, keep your thoughts organized and keeping in mind that notes are notes on redistricting maps are considered public records and may be subject to public disclosure. Edward, if you could scroll down. Thank you.

So there is a provision here about the Commission should discuss if a limit shall be placed on the number of maps moved into the public comment period and if so what number of maps will be approved to move forward. My understanding is that in 2021 there was a discussion of possibly capping the number of maps at a certain set, you know, number. I think there was discussion about possibly setting it at three for each group. Then of course it was Congressional, Senate and House. Ultimately I believe the Commission did not set a hard cap. I think you will see I had a comment in the red line that Edward sent around that was sort of directed to Edward but is, you know, perfectly open to discussion on the concept. Initially I was inclined to recommend some kind of cap. But having thought about it more I wouldn't recommend that the Commission set a just sort of a hard number as this certain number of maps that get advanced to the public comment period. Frankly my inclination is the more the merrier at this point. You can send them off, see what the public thinks of the different maps. If there are additional comments raised during the public comment period it would be good to have different maps to choose from when you get deciding what map to adopt. But the Commission can of course have that discussion about whether to set some sort of hard cap on that number. But ultimately, I would not recommend doing that.

If the Commission does do that, then there would be a procedure that you would need in order to filter out which maps you are sending forward. So there was a procedure that was in the 2021 version that had sort of two rounds of voting. I won't get in details now. If the Commission decides to set a cap on the number of maps set forward, we will implement some kind of voting procedure. Otherwise my recommendation would be that the Commission just takes each map one by one and just decides by majority vote which map would go forward for public comment and be sent to the Court.

And just to be clear as to the particularly for the new Commissioners and really for everybody and the public when I say sent to the Court, and we've been saying that throughout this process over the last couple weeks, at this stage by sending it to the Court we don't mean that this is you know one of the final maps or a map that has been adopted by the Commission as the final map. The Court has required the Commission to provide and submit its proposed maps it's sending out for public comment. Those should be provided to the Court by February 2nd, which the Commission will do. And then the Commission will hear public comment for the next few weeks up to I believe it's February 23rd. Have a public hearing and then ultimately vote on which map the Commission decides to adopt by March 1st. I think Commissioner Szetela has a question.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: I have a question about this alternate draft language you have in here. The last sentence where it says that the Commissioner must provide the data matrix VRA analysis, partisan fairness compactness is fine, but VRA analysis

this language says the Commission must submit the map by Friday and we don't have the VRA analysis yet. So I ask to have the VRA analysis taken out because that is not something that is within our control as Commissioners and certainly not something we had on Friday we could submit with an alternative draft.

>> Nate Fink: My intention there was not to suggest the VRA analysis component had to be included with the submission. With the submission on Friday. Because as you correctly point out obviously you didn't have the VRA analysis. You still don't have it, right, it will be provided this afternoon. And the concept was that in order to be eligible to be an alternate draft it had to be submitted by 3:00 on Friday and if it was eligible for an alternate draft. Alternately when that alternate draft assuming in this case Commissioner Szetela that you decide to send it on for public comment, then it should then include all of those components because by then you will have the VRA analysis because it will have been provided. So we can tweak that language if you think it needs clarifying, but that's what I was trying to do with it.

>> COMMISSIONER SZETELA: Yeah, I would appreciate that. Thank you.

>> Nate Fink: So obviously we jumped ahead a little bit to that provision. But this -- the recommendation is that I believe that the Constitution contemplates that an individual Commissioner can submit a map to be sent on for public comment. And I believe that was the practice during the last round of mapping. And here I think it's appropriate for the Commission to allow each Commissioner to offer an alternate draft. At this point we are just talking about Commissioner Szetela's map that was submitted on Friday. And but, you know, it should be, you know, a uniform policy that would apply across the board. Those are the recommendations. Commissioner Szetela, I don't know if your hand is still intended to be up or not.

>> COMMISSIONER SZETELA: No it was not. Let me try to take it down, sorry.

>> Nate Fink: And I believe that's it. Just looking over at the actual red lined version. But, yeah, you will see I had a couple of comments that were included in there. The first one was just about a comment related to whether the Commission would want to allow for the continued tweaking of maps throughout this week before ultimately deciding on which maps to send on. Again, I ultimately my recommendation is that you do that. That you at least allow for that. You don't have to do it ultimately but at least allow for that. And then there was also a comment about whether or not to include the cap, the time I was inclined to include it when I first drafted it but then having thought about it, I'm not inclined to do that. So that's pretty much it. Happy to answer any additional questions. That anybody has.

>> CHAIR ORTON: Are there any questions for Mr. Fink? Or any comments about this document in general? Okay I don't see any. So when can we take action on this document?

>> Nate Fink: Well, if I'm going to make the clarification on that VRA component, this particular document that Director Woods shared I guess needs a little bit of editing so I

would recommend that you perhaps take a vote on adopting the process with the caveat that we will clarify that language at the end.

>> CHAIR ORTON: Commissioner Lange? Oh, Commissioner Wagner, I see your hand.

>> COMMISSIONER LANGE: Commissioner Callaghan can go -- Commissioner Wagner can go first.

>> COMMISSIONER WAGNER: We are supposed to get documents 24 hours before meetings. And this is kind of thrust on us. So I would not be voting on it, and I would not be happy voting on something that I have not perused personally and given attention to, thank you.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: I guess I'm going to parrot what she said our rules state 24 hours' notice. There are going to be slight changes made. We've already done this once. And if there is a vote today then I'm going to abstain. I believe we have to say that in advance. So if there is a vote today, I will be abstaining. Thank you.

>> CHAIR ORTON: Director Woods?

>> MR. EDWARD WOODS: Just want to remind the Commission that the process that we use to kind of articulated is we will have a presentation on Friday. And then, you know, a vote on Monday so that you would have an opportunity to see it. I do know that Mr. Fink referenced a change that was referenced by Commissioner Szetela with regards to that. And so Chairperson if we could consider getting that changed back to the Commission and then letting the Commissioners take a look at it later today, I hope that would work. Because the whole idea of the presentation, you know, we are moving quite quickly and quite rapidly throughout this process with the deadline was intended to have a presentation and have comments, you know, after the presentation so they could be incorporated into the document. You know, looking at the document and opportunities for clarity with regards to that. So I don't want anyone to think that we, you know, ignored the process, the process was, you know, that we shared was we were going to present on Friday so everyone would have an opportunity to see it and offer comment and then bring it back based on the comments received and some cleanup so that the Commission was clear on the process. But once again, I know people want to see that change in language. And so I think if we provide that hopefully the Commission would be willing to consider that after lunch. Thank you.

>> CHAIR ORTON: Commissioner Wagner?

>> COMMISSIONER WAGNER: That is exactly what I was just going to say if y'all want to clean it up, present it to us before lunch so we can peruse during lunch I would be more than happy to consider it at that point. Thank you.

>> MR. EDWARD WOODS: Thank you, Commissioner Wagner. I appreciate that.

>> CHAIR ORTON: Okay anything else on that? Then we will take it up again after lunch.

So back to unfinished business 5A maps submitted to the Commission. I think without objection I will ask Director Woods to facilitate that. I see a hand, Mr. Brace?

>> KIM BRACE: Yes, Commissioners. I wanted to report to you what we have. We have received from Commissioner Szetela her map. Apparently what we have discovered is that one of our staffers ended up uploading a different map, an earlier map of representative Szetela's. We have the correct one that she submitted this morning to us. And we have uploaded that to the website now. So that the correct map is up there. We are updating the tables and all the information on that side. So that is now updated to reflect the plan that she had submitted on Friday afternoon at 2:58.

>> CHAIR ORTON: Okay, thank you. Director Woods?

>> MR. EDWARD WOODS: Yes. Mr. Fink is on, and he can facilitate 5A. So I will defer to him.

>> CHAIR ORTON: Okay, Mr. Fink?

>> Nate Fink: Thank you Madam Chairwoman and Director Woods. We were asked to provide our perspective on potential risks involved with the Commission ultimately adopting maps that were submitted by outside groups. And, you know, brought in through the Commission's mapping process but that it originated as a map drafted by someone else outside the Commission.

As the Commission knows, the Commission per Court order must not use racial data in drafting the maps. And the unjustified predominant use of race in moving people in and out of districts is not permitted.

If in a map most of the lines were drawn by someone else, and someone else predominately drew based on race, there is a possibility that the Court will find that motive legally significant. Now, we don't know exactly how, you know, that will necessarily play out. But the Commission should be aware that there is risk in ultimately the motive of a particular map drawer from an outside group's motive that is somehow discovered to have used race, then that could pose a risk to the viability of a particular map in the eyes of the Court.

Now, that said, it's of course valuable to look at maps and weigh input of all types from the public whether it's through public comment or through suggested maps, proposed maps, there are risks along these lines that are, you know, difficult to control from, to control for. Particularly when you're looking at maps that were drawn by, you know, an outside group or outside individuals and then brought in. So our recommendation is that when you go through your deliberations process and ultimately if you decide to send through some of those maps to public comment and to the Court that when you are deciding which plans to or which plan to ultimately adopt that you take those risks into consideration.

You just need to sort of just keep that in mind as you are going through this process. And beyond that I don't have much more I don't think.

>> CHAIR ORTON: Thank you, Mr. Fink. Are there any questions or discussion about this? So what I hear you saying is there would be potential risk in going with any map that we did not draw in public meetings so that we saw how every line was drawn?

>> Nate Fink: There is certainly risks. There are lots of different moving parts with this whole process, right? But in this circumstance when the Court has instructed the Commission not to use racial data in drafting maps, when you have I mean it's sort of logical right, if you have outside groups that submitted maps, you know, we weren't there with them when they were drafting the maps. Now, the Commission brought these maps in and has, you know, at least in some circumstances I think done some you know modifications to some of the maps. And from what I can see, and the public can see in working with those apps in our public meetings the Commission was not considering racial data or anything like that in doing that work. But, you know, we weren't there. The public wasn't there when these outside maps were drawn. And so there is a potential risk that ultimately there could be information or evidence that comes in, that you know one of those maps or more of one or more of those maps was somehow drawn using racial data which would run afoul of the Court's instructions. So there is risks that the Commission should balance when making those considerations.

>> CHAIR ORTON: Okay, thank you. Anything else on that? Okay, so and we have addressed unfinished business 5A, B and C. And we can't take care of our new business, our Voting Rights Act analysis until 1:00. So unless there is something else that we can complete before then, I think we take a long lunch recess and come back at 1:00.

>> MR. EDWARD WOODS: If I can, I would like to give a partial report.

>> CHAIR ORTON: That would be great.

>> MR. EDWARD WOODS: If that would be helpful. I would really appreciate some Commission feedback based on, you know, what's taken place on the last -- over the last week with regards to feedback, getting feedback from the public. So I'm going to take the opportunity to share my screen and then we can go from there. Let me know if you are able to see the screen.

>> CHAIR ORTON: We can see it.

>> MR. EDWARD WOODS: Okay, perfect so just to kind of a recap, you know, the Commission has been meeting Tuesday, Wednesday, Thursday, 16, 17 and 18th remotely and have gone through the mapping process in an open and transparent manner. We've heard presentations from SMCOC, East -- Southeast Michigan Council of Government as well as City of Detroit neighborhood department as well. Last week we had in person meetings in Detroit. We were at the Huntington Place, better known as Cobo Hall. Where we were independent maps and collaborative mapping but mostly a collaborative mapping process. And hearing from citizens, both in person and remotely. We did that Wednesday and Thursday. And also did that on Friday. This week we are having our meetings from 9-1 you know with regards to mapping. The

Commission has satisfied with the mapping process, there is no need to continue 9-1 then also from 2 to 6. But the preference if we were to leave early was to start or we will just keep the schedule, I'm sorry, just keep the 2:00 schedule. Then tomorrow 9-1 and 2-6, Wednesday 9-12 and 1-6 and then Thursday 9-1 and 2-6. For February, we already have a regularly scheduled meeting on the 8th of February. And as you already know we have one on the 1st. But to look at our dates in February, I shared the first February 8 we have a regular meeting from 10-2. And then on the 5th we talked about having a public hearing and what I would like to suggest is doing it on the 5th as we look at doing a virtual meeting.

>> CHAIR ORTON: Excuse me you said the 5th but the 15th.

>> MR. EDWARD WOODS: The 15th, thank you. The 15th is looking at doing a virtual meeting similar to Commissioner Lange's town hall meeting but that would actually be the meeting for the day and then moving the in person public hearing in Detroit to the 21st and 22. Where we would actually go to Detroit. I would like to reach out and thank give a shout out to Mr. Brady who has been very instrumental in helping us identifying spots in Detroit where we could actually go into the community. So instead of being actually at the Huntington Place we will look for a community location that has free parking. That will allow us to bring our AV team to come in and host the public hearing where people can come, have bus transportation and just make it a little bit easier for people to get to on the 21 and the 22nd. And so I want to kind of have a discussion with the discussion with regards to this plan. In terms of meeting dates. Actually consult with your calendars. Instead of doing one public hearing we will do two. And to show due diligence and you know not doing the bare minimum. And making sure we do one on the east and the west side of Detroit so just kind of want to get your feedback with regards to this meeting schedule for February. Knowing that the first is already on the schedule and the 8th but talking more about 15, 21 and 22. With our meetings there is in-person and Commissioners not able to make it you can join remotely. But just wanted to kind of share the schedule and get some feedback.

>> CHAIR ORTON: Any questions? On that? Are you wanting our like calendaring feedback right now? Or do you want us to get that to you?

>> MR. EDWARD WOODS: I kind of want to know it right now because we have to move post haste with securing sites. And getting, you know, the audio-visual team there to make sure they can come. And you know I worked with MDOS, so I know it works for them. But there is other people we need to consult, schedules need to be adjusted. So that we can make this happen. As you all know that this is a production, not a shoot from the hip-type operation.

>> CHAIR ORTON: Okay just to clarify the first three dates are just virtual and then the 21 and 22 of February is in person?

>> MR. EDWARD WOODS: That is correct, thank you.

>> CHAIR ORTON: Does anyone have anything? I can say I don't have any conflicts. Anyone else? I don't see anything. Commissioner Callaghan?

>> DONNA CALLAGHAN: I'll have to attend remotely.

>> MR. EDWARD WOODS: That's fine.

>> CHAIR ORTON: Okay I don't see anything else.

>> MR. EDWARD WOODS: All right.

>> CHAIR ORTON: Do you have anything else, Mr. Woods at this time?

>> MR. EDWARD WOODS: Well, I'm assuming that Commissioner Orton we are declaring consensus, and I can move forward with these dates?

>> CHAIR ORTON: If not speak now or forever hold your peace. Looks like it.

>> MR. EDWARD WOODS: Already, thank you.

>> CHAIR ORTON: Mr. Brace, do you have something?

>> KIM BRACE: Yes, Commissioner. I wanted to alert everyone that indeed up on the website there is the new plan. I also wanted to at least let people see some of that. And so I wanted to share my screen with you. Can everyone see this?

>> CHAIR ORTON: Yes, we can see it.

>> KIM BRACE: Okay, this is the by Districting site where all the plans are uploaded. You see that this latest one has from Commissioner Szetela has the FC, so this is the new version to make sure that and it's the 26th from that side. What it does is that it lets us communicate with the public a number of different things. And one can see there is an attachment column here and the attachment column, if you click on this, it will bring up a PDF file that we have created for the plans, for each of the plans. And what it has is it has a map of the plan, both in original Autobound version and my acrobat is not doing right. So it has the map and then another version of the map that shows an overlay with the Hickory plan on top of the map. And then it also has the political fairness reports, all the tables in there. This is for everyone, every map there is. And if I go over to the spirit of Detroit map, and open up the comment Section, you will notice that the number of comments identified here we have three comments on the spirit of Detroit map. So if I open up the spirit of Detroit map, one can end up seeing the map itself like what we have seen before. But it also lets us see the various comments and where they came in from. So we have three comments, and they are on the right-hand side of the people, the public that has commented on this plan and where they are commenting from or where their comments are focused on. You can see the dots that have been put up on the map to show where those comments are coming from. And those comments are on the right-hand side, color coded to see where they are. All of this is viewable and there on our public website. And so this is how we are communicating with the public.

The other tables, we have forwarded those for example, the population tables, those are more complex. And those are excel files. We have sent those on to Director

Woods so that he can put them up on the other website that's connected with your website. So that both areas are where materials can be reviewed and looked at.

>> CHAIR ORTON: Thank you, Mr. Brace. Commissioner Wagner?

>> COMMISSIONER WAGNER: I just noticed when you pulled up spirit of Detroit there was not an FC behind that. Did we not do that with that map as well?

>> KIM BRACE: No. I'm sorry we have done that with all of the maps now. And they have all been updated.

They do have -- we are using the FC version of the maps.

>> COMMISSIONER WAGNER: I just noticed when you pulled it up, I did not see an FC at the end of it so thanks.

>> KIM BRACE: We did not put them for the newer updated stuff on the website because we didn't want to add additional 15 plans. So but they are using the FC data set now.

>> CHAIR ORTON: Okay, I saw a hand, but it went away, so I assume you don't want to say anything. Director Woods?

>> MR. EDWARD WOODS: Yes, Commissioner Szetela would you like an opportunity to share your map even though you have the right to forward it with the public, so they know the map that you submitted.

>> COMMISSIONER SZETELA: Not right now.

>> MR. EDWARD WOODS: Would you want to do that later today?

>> COMMISSIONER SZETELA: Later today would be fine.

>> MR. EDWARD WOODS: So Commissioner Orton I would suggest that Commissioner Szetela has an opportunity after the lunch to submit or to share her map with the public in which she did.

>> CHAIR ORTON: All right, yes, we will do that.

So unless there is anything else I mistakenly said 1:00 we would be coming back but I see on the agenda it's actually 2:00. So unless somebody has something else, I would entertain a motion -- Mr. Fink?

>> Nate Fink: All right, I wanted since we are altogether here and there is no confusion about that just a question directed to Director Woods. We had had sort of a back-and-forth discussion about whether it would be 1:00 or 2:00 so I wanted to get confirmation from him. I believe the VRA, Mr. Braden, is available at 1:00 or 2, I talked with him this morning.

>> MR. EDWARD WOODS: Sure. Seeing that we have time, Commissioner Orton, maybe we can -- first of all let me ask Ms. Reinhardt is it possible for us to reconvene at 1:00? Knowing that I think is that possible within our parliament rules or a detriment?

>> MS. SARAH REINHARDT: It's from 9-6 and breaks that occur within that time period is with the direction of the Commission and one is fine if that is the will of the Commission.

>> CHAIR ORTON: Okay Commissioner Wagner, do you have something?

>> COMMISSIONER WAGNER: A quick question can we have the amended mapping procedure during this long lunch break, thank you.

>> Nate Fink: No problem. I will send it over to Director Woods to send on.

>> MR. EDWARD WOODS: I would like to recommend Commissioner Orton we go to the 1:00 time.

>> CHAIR ORTON: Great. I would entertain a motion to recess until 1:00.

>> COMMISSIONER LETT: So moved.

>> COMMISSIONER WEISS: Second.

>> CHAIR ORTON: Okay it's moved and seconded we take a lunch recess until 1:00. So is there any discussion? All in favor raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay. Okay, then we are in recess until 1:00. .

[Recess until 1:00]

>> CHAIR ORTON: I call the independent redistributing Commission bag to order at 1:00. Will the secretary please call roll?

>> MS. SARAH REINHARDT: Absolutely. Commissioners please say present when I call your name. And if your location has changed from what you disclosed this morning, please also let us know where you are attending from. I will call on Commissioners in alphabetical order starting with-Elaine Andrade?

>> ELAINE ANDRADE: Present.

>> MS. SARAH REINHARDT: Donna Callaghan?

>> DONNA CALLAGHAN: Present.

>> MS. SARAH REINHARDT: Juanita Curry?

>> COMMISSIONER CURRY: Present.

>> MS. SARAH REINHARDT: Anthony Eid? Brittini Kellom? Rhonda Lange?

>> COMMISSIONER LANGE: Present.

>> MS. SARAH REINHARDT: Steve Lett?

>> COMMISSIONER LETT: Present.

>> MS. SARAH REINHARDT: Marcus Muldoon?

>> MARCUS MULDOON: Present.

>> MS. SARAH REINHARDT: Cynthia Orton?

>> CHAIR ORTON: Present.

>> MS. SARAH REINHARDT: Rebecca Szetela? Janice Vallette?

>> COMMISSIONER VALLETTE: Present.

>> MS. SARAH REINHARDT: Erin Wagner?

>> COMMISSIONER WAGNER: Present.

>> MS. SARAH REINHARDT: Richard Weiss?

>> COMMISSIONER WEISS: Present.

>> MS. SARAH REINHARDT: I will return to Anthony Eid?

>> COMMISSIONER EID: Present.

>> MS. SARAH REINHARDT: I will turn to Britt Kellom? And Rebecca Szetela? 11 Commissioners are present and there is a quorum.

>> CHAIR ORTON: Thank you very much. So next on our agenda is new business 6A Voting Rights Act analysis. I see Director Woods has his picture on. I wonder if you wanted to say something before we turn it over to mark Braden?

>> MR. EDWARD WOODS: Yes, I need to check to make sure they got the e-mail so they can log in. So while we do that, just want to alert the Commission that Mr. Braden and he will be accompanied by Taylor Thompson, are going to join us to provide a Voting Rights Act analysis on the 14 maps submitted by the Commission then the individual maps submitted by Commissioner Rebecca Szetela. Then after that the Commission can make a decision how it wants to move. But we do want to reiterate that after the voting rights analysis is the first redistricting criteria. But for the maps that we move forward we definitely want to make sure we are following and attesting to each of the 7 ranked redistricting criteria before they go to the public. So that will be a part of our process. So we are starting it right now with looking at the first ranked criteria. In terms of ensuring equal population and compliance with the Voting Rights Act. In addition to that, obviously we will be ensuring that we comply with the Court order as well. But our main responsibility is dealing with the 7 ranked redistricting criteria. So we will give them a chance to get on and then once they get on, they will go ahead and continue with their presentation.

>> CHAIR ORTON: Okay.

Commissioner Szetela, can you tell us if you are on?

>> COMMISSIONER SZETELA: Yes, I'm on. And dialing in remote from Wayne County.

>> CHAIR ORTON: Thank you. Okay, I see that we have Mr. Mark Braden and I saw Taylor Thompson. Okay, so without objection, I will ask our Voting Rights Act counsel, Mr. Braden and Mr. Thompson to facilitate the VRA analysis. Hearing no objection, please proceed.

>> Mark Braden: Good afternoon, everybody. I think we have the proverbial what everyone is expecting us to do is a PowerPoint. Every time there is a lawyer doing a presentation there is a PowerPoint, but I do think it will help following along. Let me just go to the first Page, which is tell you what I'm doing. I'm going to provide a brief summary of the requirements of the Voting Rights Act. I know that this has been discussed before with most of the members of the Commission or all of the members of the Commission, but I want to walk through sort of the broad outline of it. It won't take too long. Then we will go actually into the details of the presentation, which will be a review of the House plans provided by the Commissioners too and Dr. Palmer, Dr. Handley and myself have done a review of the plans. And principally what that review of the plan is, simply put, is addressing the opportunity of Black voters to elect

representatives of their choice to the Michigan House. Straightforward. What I won't do is offer any opinion on any plan's compliance with the Michigan constitutional requirements. I will offer only an opinion on draft plans compliance with the V RA.

If we can go -- so quickly on Gingles the defining definition of how you recognize a violation of the Voting Rights Act or what the Voting Rights Act requires, to prove a violation or to have a concern about the Voting Rights Act you must have a minority group that sufficiently is large and geographically compact to constitute a majority in a reasonably configured District.

Reasonably configured District is an important, some people would say in addition to the earlier Gingles test. This is language directly from the most recent Supreme Court decision involving durational drawing Congressional plans in Alabama. So constitute a majority in a reasonably configured District. The minority group must be able to show that it's politically cohesive and the minority group must be able to demonstrate that the white majority votes sufficiently as a block to enable to defeat the minority's preferred candidate. This is legally significant polarized voting is what we are talking about here to use the various phrases that are commonly brought up in these cases. Let me jump over to the next slide.

Then we have after you find legally significant polarized voting then the Plaintiffs must demonstrate that under the totality of the circumstances, the challenged political process here in house districts that political process to elect people from the House in Michigan is not equally open to minority voters. And so this is a broad test fairly fact dependent and the Court's look at that sort of local analysis of local political circumstances. But in the case of Michigan, there's really no genuine issue before us that Gingles requires a review. Gingles requires a view of the Michigan House plan compliance with the V RA. The Commission, its experts, the Court and even the Plaintiffs who have sued us agree that legally significant polarization is present. So there's no question that a plan that the Commission would propose needs to be in compliance with the Voting Rights Act. Otherwise, you don't comply with the very first one of your constitutional requirements in the Michigan Constitution.

So the scope of the review. I'm not reviewing the plans for compliance with Michigan constitutional requirements. First of all I'm not competent to do that because those requirements require a knowledge of local circumstances which I lack. And much of that discretion is solely assigned to the members of this Commission. So I'm not in the position to talk about your state constitutional requirements. But they are very important. Because any opinion on compliance is based on the assumption that reviewed proposed districts are reasonably configured and that race was not impermissibly used with the plans. I'm looking at the plans and what I'm looking at complies with the Michigan Constitution and race was not used drawing the plans.

The question before us, in analyzing is it does a particular House plan provide a reasonably equal opportunity for Black voters to elect their candidates of choice? That

answer is not based upon how many majority-minority districts are in a plan. Or any set race target. The answer is based on how many districts will likely perform with the election of the Black voters' candidates of choice.

The State of Michigan through the Commission in deciding whether to create majority minority districts, cross over districts or some combination for compliance with the V RA. That is in your discretion.

It's possible to create plans in any number of different ways, as you, I think members of the Commission already know. The number of possible plans you can draw is, in fact, enormous. So two types of elections are considered in trying to figure out whether a particular District is likely to elect the candidate of choice for the minority community. You have to elect the candidate of choice of the minority community, that candidate has to win a general election and has to win a primary election is how our system works.

So the general election analysis is done, again, most of the members of the Commission are familiar with this already, and analysis plans based upon recompiled election results. You look at prior elections, you recompile them in the districts and you determine whether or not the candidate of choice of the Black community has won. Primary elections are significantly more complicated in Michigan because we have a lack of data. We don't have the election results that we can really use to determine candidate of choice of the Black community in most of your primary elections. So we looked at it using a different method which I think is equally value did. And I believe the Court will view is equally valid and, in fact, the master who is working with the Court, I also believe will view this type of approach as equally valid.

That our analysis primary plans relies on the estimate of Black and white turnout in a democrat primary elections.

With an eye on whether the Black turnout is likely to exceed the white turn out in a proposed District. A -- the reasonably equal opportunity and analysis is not a guaranty of any particular election results. We are involved with political science here. We are not involved with chemistry. So voters don't act according to some set rule. They vote different ways at different times; turnout goes up and down in number in a primary varies from year to year. If you do a chemistry experiment and you have a certain amount of oxygen atoms and a certain number of height atoms and know what the temperature and pressure is, you know if you will get ice or water or water vapor. It's not the case here.

We can tell you from looking at history and looking at turnout numbers what the likelihood of one side winning, Black voters getting their candidate of choice, but we cannot assure anything because voters are not controlled by prior analysis. This is a reasonably equal opportunity to elect, not a guaranty of any election results. So let's move on to what we actually did. Okay, here are two charts listing the plans that we have reviewed. And you will see that there are 25 districts. And you will see them listed here and basically what you have is two different scores for general election results.

There's a composite score which is what most political scientists like. Then there is the Biden-Trump score which is what pretty easy for everybody to understand. And they don't have to worry about how the composite score was created. You can see there really isn't any difference or very little difference here.

And you will see that in the composite score, you know, there are 20 districts in the general election. Where the candidate of choice is likely or we believe is certainly has more than a reasonable opportunity to elect their candidate of choice. And Biden election results show the same thing. So this one is pretty straightforward in an area we are looking at, I don't believe there is really any doubt or any way to contest these numbers. So you can see all the plans. And the more difficult issue is in the primary. So if we can flip over to the primary results.

Here is the same chart looking at democratic primary turnout and democratic primary to the total electorate and the candidate of choice, and it would be Black candidate of choice is likely to win. And you will see this is based upon the notion that there is an equal opportunity for the democrat, for the Black candidate of choice to win, equal opportunity, if the primary turnout electorate is majority Black. We have a majority system. So if the majority of electorate turn out in the democratic primary is Black, we are postulating they have an equal opportunity to elect their candidate of choice.

There is a different way to look at this, which is the second chart there, the numbers are not much different, they slightly are different. Which is the overall potential primary pool. The first one is based upon actual turnout numbers. The second one is based upon potential turnout numbers. In other words, the number of Black democrats in that particular District. That would be the universe of people who could theoretically vote in a democratic primary would be likely to vote. So you see here the various numbers of the plans.

And I am comfortable, it seems to be relatively clear from these numbers, that you can, assuming plans are, and we can flip over I believe to the next one. We can go back to this.

Let me just tell you what this shows. This shows the distribution of Black voting age population by plans. And you will see a surprising correlation, not surprising correlation between the plans that have extremely high districts with Black voting age population are pretty much at the bottom down here and they generally are at the bottom of the number of districts that they will create. So let's go back to the prior one and let me -- how this affects our analysis.

I'm more than happy to opine to the Commission that Daisy two, Peony and Peony two are in my opinion, and I think are likely to be viewed by the Court, the master and the Court as complying with the Voting Rights Act. And Promote the Vote, I am not prepared to opine on simply because I do not know my understanding, and I may be wrong about this, but my understanding is the Promote the Vote plan is a plan that was

received from an outside group. So I'm not able to opine on -- I don't feel comfortable assuming that that plan was drawn racially blind.

And plans that are drawn not racially blind in the initial drafting, I think in likelihood do not comply with the Court's order. And are so not reasonably configured.

>> CHAIR ORTON: Mr. Braden we have a hand by Commissioner Kellom, can you take questions at this point?

>> Sure.

>> CHAIR ORTON: Go ahead.

>> COMMISSIONER KELLOM: Sarah, I don't know if you need me to say I'm attending remotely from Detroit, Michigan. I also had dental work this morning and bear with me because I'm getting nerve pain in my mouth.

>> Oh, sorry.

>> COMMISSIONER KELLOM: So, Mr. Braden and Commissioners you can correct me if I'm wrong Peony and Peony two are also edited versions of what started out to be Promote the Vote. I'm not sure if you know that. But I think that is fruit for discussion as well.

>> Mark Braden: It may be. I do not know.

>> COMMISSIONER KELLOM: Okay.

>> Mark Braden: I'm assuming that the plans were drawn racially blind. And I'm assuming that the plans comply with the constitutional requirements. If those two are not correct, then my opinion on the Voting Rights Act compliance is no good. And that you only comply with the Voting Rights Act in our view if you have drawn a plan that's reasonably configured and to be reasonably configured where we are right now needs to be drawn at least initially blind then has to obviously comply with the other requirements of the Constitution. So and so I am comfortable with any plan, the plans that we have that comply with the state Constitution and were drawn racially blind, that create 11 districts. I'm comfortable and we are comfortable to opine. Those we believe comply with the Voting Rights Act.

Districts plans which produce fewer districts than that, we have some question as to whether they would comply as presently constituted to the Voting Rights Act.

Again, assuming now that does not mean that they could not be adjusted. Certainly, the difference between 10 and 11 is relatively modest. And if you go to the next slide, you will see that the other thing that is likely to be looked at by the master in the Court is the number of districts which some courts would interpret as being packed. And that would also theoretically, again, I don't know the answer to this, but theoretically in some of the plans which are at the ten level would provide you an obvious basis on which to adjust the plan where you might well end up with 11.

The 11 plans work if they are in compliance with racially blind and the other provisions. Everything else, there is an argument they don't comply with the Voting Rights Act. So let me move on, I think we can go on to the next slide. So here it's

basically summarized. Daisy two, Peony and Peony two as they are presently constituted again based upon the assumption of their compliance comfortable that they would comply with the Voting Rights Act.

Other plans who if they used race whether from the outside or internally generated, we don't think comply because we don't think they have reasonably constituted districts.

So that's a lot of talking. We have -- we did not include it in this, but we have data that is available through Kim too, you know, and we will create for the Court sort of a detailed, lengthy explanation about how each of these steps were done. But it's a lot of numbers and it's a lot of paper. But it's clearly all of that is available for the individual Commissioners to review. And assess.

If you have plans that are relatively close, I would believe that if you could make narrowly tailored adjustments to those plans to get to 11 districts as we've identified where the candidate of choice of the minority community has an equal opportunity to elect his candidate of choice, that would be permissible. And I'm assuming to do that you would in all likelihood have to look at race. So in the context of a narrowly tailored effort to comply with the Voting Rights Act, I think the plans that are relatively close now could likely be narrowly tailored to comply. But I don't know the answer to that because I'm, you know, there are a whole variety of factors that you need to comply with. And so whether you can adjust these plans in a narrowly tailored way and still comply with the other constitutional requirements confronting you, I do not know. But plans that don't have 11 districts are certainly going to be vulnerable to a claim they don't comply with the Voting Rights Act.

>> CHAIR ORTON: Looks like we have a couple questions. Commissioner Szetela.

>> If you only have a couple, that is a pleasant surprise.

>> COMMISSIONER SZETELA: Hi, Mr. Braden. So I'm just curious, and maybe I missed it because I know I might not have caught or been paying attention, how did you come up with 11? How did that become the benchmark? And I have another question after that.

>> Mark Braden: That is the number of Districts that can be drawn which the minority community has the equal opportunity to elect his candidates of choice. Now there are many more districts than that in the general election but in the primary election you get to 11, that 11 number, the explanation of what we analyze as an equal opportunity District, that is in a District in which more than a majority of the actual turn out in primary elections is Black. And so by definition you have an equal opportunity to elect the candidates of your choice if you're more than 50% of the people who are actually voting in the election. Does it mean that your candidates will win? No. But it means you have an equal opportunity by simple math. So that is how we came up with the 11.

>> COMMISSIONER SZETELA: Can we go back a couple slides?

>> Sure.

>> COMMISSIONER SZETELA: One more this one. So what is the difference between these two columns again, if you could explain them to me.

>> Mark Braden: The democrat primary turn out is an examination of the voters who went and voted in primary elections based upon race. And so in those numbers reflect a number of districts in each of these plans where the actual turnout in the democratic primary, we project through some statistical analysis, and ecological inference analysis that the turn out in those elections primary were majority Black.

The second column reflects a broader number, which is simply a reflection of the percentage Black of potential, potential primary voters. So the first one reflects actual turn out. The second one reflects potential democrat primary voters. They are very close but slightly different.

>> COMMISSIONER SZETELA: Okay so for my individual map, which is the fifth one down there, is this compliant with the V RA or is it not because it's 11 in one column and nine in the other.

>> Mark Braden: First tell me whether or not the plan for me to know whether it's compliant I have to know whether or not it was drawn race blind.

>> COMMISSIONER SZETELA: It was drawn race blind.

>> I don't believe this complies because we are actually more comfortable with the actual primary turnout because there are different levels of turnout. The fact that the primary pool is equal it's more likely in my opinion, you know, I think the opinion of our two experts and probably more importantly in the opinion of the master for the court is that the important number is the actual democrat primary turn out projection. So I think your plan appears on the face of it to have one less. Actually two less. And it's a little -- yours is a bit of an out liar. I guess if we went to the next Page maybe we could identify why it's an out liar. I would have to actually look at it. Yeah. I'm guessing it's an out liar because of the -- this is the other consideration. Let me do a broader answer here. This is the other consideration that's likely to be considered by the master and potentially the Court too which is the notion of what packed districts are.

So we are comfortable with plans that have isolated packed districts. In fact, as you can see, the packed District question to a large degree drives the overall turn out question too. But when you have, as you do here, four districts in excess of 75%, I'm guessing that, just off the top of my head I'm speculating because they are packed and you end up having a lower Black democratic turnout in those Districts that might reflect the difference between the percentages. I just don't really know. But this is another consideration. As it turns out the plans that we feel comfortable comply, don't, in my opinion, have much of a problem impact. You have one isolated in Peony, but I think that is simply an out liar and I don't see a problem with that. But when you have many or a significant number of packed districts, that's definitely potential indicia of compliance issues. And certainly, if you look at Grofman's writings which I think is a good thing for us to think about because he will be advising the courts districts that have

very high percentage of minority population well this access of performance numbers show a potential vulnerability. So, no, I'm not comfortable with nine districts in your plan. Really for information reasons.

>> COMMISSIONER SZETELA: You said you have detailed analysis, and that analysis could identify what districts need to be changed to raise the metrics; is that correct?

>> Mark Braden: Yeah. We do have detailed numbers that could show you that. If you modify plans so, again, this is not in my hat or my range of advice of, but I will give it any way. If you modify these districts, any districts that you modify I know no way that you could modify districts to comply with the Voting Rights Act without looking at race. So we will assume that the plans were drawn without looking at race. Then I believe, more importantly I believe the Court believes, that then you can modestly, narrowly change move around small numbers to come in compliance with the Voting Rights Act. So it would -- I guess, although I certainly don't know because you have to be really pretty far in the weeds to know that the districts that are at 10 simply by the fact they only need one more are probably can be modified in a simple manner or a simpler manner to comply. Once you get further way from 11 then it probably involves moving around and using race to a larger degree. And I don't know whether at what point using race becomes too much and is no longer narrowly drawn. So I don't have an exact answer for you. I don't think you can go down and realistically think you can tinker with Rose bud or Marigold and get to a plan that would be in compliance as an example. Those numbers only move back up one of the prior slide. I mean when you are looking at eight, you need 11, I think that would be very difficult to do. Maybe it would be simple to do. Maybe there are some changes that are quite minor and it would not involve moving many people. But clearly, it's easier to move Districts that are at 10, you know. Moving it eight is the hardest. Moving it, nine is hard. Moving it 10 is maybe easy, maybe not easy. I don't know. But I think you need to get to 11. I think plans that don't have 11 districts are likely to be vulnerable to attack on the Voting Rights Act. And that combined with maps that have what appear to be packed districts, or a significant number of packed districts raise concerns. So.

>> COMMISSIONER SZETELA: Okay thank you.

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: Thank you, Mr. Braden. Does this analysis make any assumptions on the race of who the candidate of choice is? Or is it just the race of the voters?

>> Mark Braden: The primary turnout and pull number is simply the race of the voters. And, in fact, again, the notion of candidate of choice of the Black community is not a Black candidate. It's the choice of the majority of Black candidates. I got an e-mail this morning from a Black republican Senator in South Carolina, and very popular Senator. But he never once got in sniffing distance of majority of Black voters in South

Carolina. So candidate of choice of the Black community is the candidate that gets the most votes from the Black voters, not skin color.

>> COMMISSIONER EID: Thank you.

>> CHAIR ORTON: Commissioner Lange?

>> COMMISSIONER LANGE: Thank you. Mr. Braden, can we go back to your BVAP one you showed that showed, okay, here is my concern. And I hope you don't mind me expressing it.

>> Please do.

>> COMMISSIONER LANGE: You said you would not opine on Promote the Vote because you couldn't say if it was drawn based on race. But yet I'm hearing that the Peony was also that the Promote the Vote was used on that. And when I look at the breakup on these three top ones as far as where the percentages fall, they all fall almost identical. So there's a concern that if we can't opine if Promote the Vote looked at race then are we setting ourselves up for a fall by using it in the Peony, I guess?

>> Mark Braden: I think that is a legitimate concern to raise. I can't opine on the amount of difference between Promote the Vote and Peony2 and Peony. Clearly, you're getting input in this process and draft plans and draft partial plans and District plans from people who are using race as a consideration without a doubt. So I don't see a problem with you taking a plan and turning it into your own plan even if it comes from a source that was using race. If you got a plan from, you know, a church, Black Baptist church in downtown Detroit who, I've seen plans from churches who say it should be drawn this way. We want to get all of our congregation in our District. Totally a reasonable position to take. That, you know, and you use part of that to draw your plans, then I think that's okay.

So it's really the question of whether it's a predominant factor in the drawing. If these are your plans, they started out somebody else's plan but became the Commission's plan, then I'm comfortable that that's okay.

Where that magic line is I just don't know. I can't really tell you. But if these are your plans and they were affected or started out as somebody else's plans and are your plans, the Commission's plans then I'm okay because the Commission was modifying them and doing them and creating the final versions without using race.

There's no -- let me put another phrase out here without probably won't help by will just say it because it's where the law is. That there's no question that you can be race conscious when drawing the plans. Because first of all, it would not be possible not to be race conscious when drawing a plan. Short of us drugging you. Or to be some type of surgery on you. Because everybody has a sort of notion of what the racial makeup of Detroit is. And understands some of the racial issues.

So there's a big difference between predominately using race and being race conscious. Again, where exactly that line is, I don't know. We are trying to avoid tripping over that by having the plans drawn in the forms of real consideration by you

without racial data up on your screens. That doesn't mean that we actually expect you to forget everything you know about Detroit or Detroit neighborhoods. We just -- that's not reasonable.

I don't know whether that helps as you can tell this is a lot of what you're doing. There is wiggle room at the edges. You, Commissioners, are the folks making the ultimate decision on this. And that's very clear. The questions of community of interest and all the other considerations, the ultimate decision maker in that is this Commission and your members. Assuming the Peony plans are really your plans and not some simple reflection of Promote the Vote, Promote the Vote might be fine if I could see and still make some representation to us, they didn't use race in drawing the plans. But, you know, but I don't have a problem if you -- that you use pieces of plans that came from other sources. But they are really your plans.

>> CHAIR ORTON: Okay, Commissioner Eid?

>> COMMISSIONER EID: So we have already agreed as a Commission not to use race at all when drawing these. So I guess my question is: How do you go from eight to 11 or nine to 11 or 10 to 11 without looking at race? Because.

>> We don't need to fool around on that. If you're not satisfied with the universe of plans, that are available, that comfortably comply with the Voting Rights Act then you need to go back and reconsider how to create additional, how to modify your existing plans to do that. I do not believe it's possible to do that without looking at race in some format. So, yes, the answer is you have to go revisit that if the plans that we say comply are not sufficient, then you will have to go back, you have to use race in a narrowly tailored way. In other words, this is not going back and redrawing big parts of your plan. It's going back and saying, hum, okay, we have 10 here, this 10 plan has one District that's 90%, you know, whatever the number is. And we can move a small number of people around. And come up with 11 districts. That's narrowly tailored. That would be by my definition the definition of the phrase narrowly tailored. It's clear the Court's language is clear that you can use race in a narrowly tailored manner to comply with the Voting Rights Act. If you have what the Commission believes to be the best plan available in your opinion, and your opinion is the one that counts, but it does not comply but it could comply with a tweak, I use that famous legal work tweak some small changes, then pull up the racial data and make the small changes. If that is the plan you think is the best for the citizens of the state, then you should do that.

Otherwise, you're going to need to live with the plans we gave to you, that we said work. Because otherwise I don't think they pass the test of the Voting Rights Act.

>> CHAIR ORTON: Commissioner Kellom?

>> COMMISSIONER KELLOM: Sorry, I lost my train of thought. I do remember one of my questions, Mr. Braden. The slide that is up right now, distribution of BVAP by plan, can you use one of the maps for instance spirit of Detroit map, can you help me

understand what this describes using that map as an example, go in more detail. I want to make sure I have a good understanding of what these dots are and aren't.

>> Mark Braden: Yeah, the dots show the percentage of the voting age Black voting age population in a District. So I've got a little cursor, I assume it shows up on the screen there, I've got somebody, yeah, to the last dot on spirit of Detroit over here the other direction, right over here. Bingo, right there. Okay that is a particular District in the spirit of Detroit. Now I don't know what it is. If we brought up all the data, we could see which District it was. But there is some District in the spirit of Detroit plan that would be 85%. Or 90% Black. And then there are some District in the spirit of Detroit plan which is basically all white or virtually all white down here. And each one of these dots represents a District. And there is a specific Black voting age population in each one of those.

>> COMMISSIONER KELLOM: Okay.

>> Mark Braden: That is really what we are talking about here. Just distribution by voting age population, no more than that.

>> COMMISSIONER KELLOM: Okay.

>> It does not include any of the efforts to analyze turnout or any election results. This is just gross census data by plans. And, again, it's just an effort to give you sort of a notion of what the issues are in some of the plans. And also the fact that if you read various expert reports and various master's reports you will see that many of the people who are fulfill those jobs will look at some of these districts and say that they're packed in excess of the number. So we are committed more to the straightforward turnout numbers especially in the primary. Turnout numbers. And if -- and I feel comfortable that's the best way to determine whether or not the Black community has elected candidates of choice. And as an example the Peony plan here I think that plan complies with the Voting Rights Act even though it has one District that somebody might look at and say it was better. Because it produces 11 districts. And the Black candidate of choice is likely to be elected. Just based upon the Black community controls the democratic primary. So that's what those are there for. They are kind of an additional help. Again, I know talking about using race goes counter to what you have been hearing and what the Court has said to us. But once you get to this stage of the process, then if you're going to try to fine tune there is no way to do it without using race and fine tweaking is what we are talking about here. We are talking about moving significant numbers of flopping back and forth significant numbers of whites and Blacks based upon their race, that's going to be a problem. If we are talking about fine tuning a plan so you get it to be sufficient number of districts, not potentially to violate the Voting Rights Act I think that fits within the four corners of what you can do.

>> COMMISSIONER KELLOM: Okay, so I guess with you saying that now we have permission, which I think I have a great understanding of the semantics of what could be communities of interest and specifically regional and City of Detroit that has

predominately Black population. But you're giving a verbal and physical head nod now we can say Black and African/American without this enormous scare of guilt because now we are at a much further in our process where the tweaking and the small changes would necessitate mentioning that.

>> Yes.

>> COMMISSIONER KELLOM: I reiterate Peony and Peony2 were such negotiable changes to Promote the Vote, I think it confuses for P purposes of the public but also because of legal risk.

>> Sure.

>> COMMISSIONER KELLOM: It is exactly what you're saying, we don't know. You can only assume if someone that someone is telling the truth and they say, yes, this was drawn without race but if you weren't there it's hard from a legal standpoint to verify or validate that as well as for some of those maps other overlays were used that we don't know how they were created because the Commission has a whole did not touch those top three maps. Those were revisions that were made more on a small group or individual basis. So I just want to make sure I have an understanding. Sometimes I think it can be problematic for folks that are not lawyers. There could be a huge dependence if a lawyer said it's okay, their assessment and analysis said this and we can do that and that is not what I'm hearing. I'm hearing you advise with caution, but I just want to make sure that...

>> Yes.

>> COMMISSIONER KELLOM: That everyone else is on the same Page, whether they agree or disagree on making sure your words are understood.

>> Mark Braden: Yes, you were clear and absolutely correct.

>> COMMISSIONER KELLOM: Thank you.

>> Mark Braden: This is complicated, multi-faceted. And if you had a plan that had -- at this moment had a consensus that had an overwhelming consensus and had 10 districts and you could easily change it and make it 11 performing districts, you know, should you do that? And the answer to that is at least in my opinion if you think it's the best plan. Because what I think, I'm not the Judge in the beauty contest here. You folks are the Judge in the beauty contest. I'm just giving you the outside bounds on it.

we are comfortable these plans comply but if they are not the plans the Commission wants but they may want some of these other plans then, again, if you can do this in a very tweaking process, yeah, I don't know why I use the word tweak but I guess that sort of implies a very targeted, very narrow changes where race is only being used in a narrowly tailored way to comply, then I think that would comply. I think that's what the Supreme Court I believe; U.S. Supreme Court would view as complying with the Voting Rights Act. The Supreme Courts never said it has to be the plans can't be considered, race can't ever be considered, clearly it has to be considered to see whether or not you

complied. If you have you are close to compliance and very small changes would get you in compliance and you think those changes are good, then we could be happy to look at the plans with those changes and make the same type of analysis. The analysis process for us is the running the numbers can be done now we have the framework on how to do it relatively quickly, you know, in hours, not days. So if you make small changes, again, I think it's your decision as to how to do everything. If you got some of the plans that are close, and you want to get them, obviously the starting points is looking at districts that have very high -- now again the districts with high very Black voting age population may well make a lot of sense based upon geography and things like that and there are other reasons. So I'm not saying you have to do anything. These are all your decisions. But if plans don't have 11 districts, I'm doubtful, I think they will be vulnerable to attack under the Voting Rights Act.

>> CHAIR ORTON: Is that all Commissioner Kellom? Okay.

>> Mark Braden: Very sound observations.

>> CHAIR ORTON: Commissioner Callaghan?

>> DONNA CALLAGHAN: Okay, so I'm looking at this distribution here and I'm still a little bit confused about what the dots represent. Obviously, there's way more districts in every one of these plans. There is not 11 dots here. What dots are selected? Are these districts we changed? Or I don't understand.

>> There is a universe of 20 districts. Why don't we move back to the prior, or the prior slide and maybe that will help. So we have 25 districts that we examined. Now, some of these districts you are right, are not unchanged. We are just using the standard Metropolitan area, so we have 25 districts. There should be, if I understand correctly, I think I do but maybe I don't, there should be 25 dots in each of these rows.

>> DONNA CALLAGHAN: Okay so you drew a circle around Metro Detroit.

>> Yes.

>> DONNA CALLAGHAN: And counted 25 districts in there and did the analysis based on that.

>> Yes.

>> DONNA CALLAGHAN: Okay, that's helpful. And my next question is I'm a little concerned about this legal term tweak. We had quite a bit of difficulty with the legal term of reasonable changes when we were creating these maps. I'm not sure we will have any better understanding of what a legal tweak is.

>> Well, I use tweak but let me use the language that you would see in the Court opinions. Race can be used in a narrowly tailored manner to comply with the Voting Rights Act. Because complying with the Voting Rights Act is a compelling state interest. So what does narrowly tailored mean? Well, then we weigh into, you know, the little bit of the eye of the beholder of what narrowly tailored means. I think a good starting point and I was using tweak because it seemed like a cute term to use but it's obviously a modest change that is as modest as it could be to get to compliance with the Voting

Rights Act would, in my opinion, be the definition of what is narrowly tailored. So what that means in the exact context of your plans and any individual plan I can't give you that because that's too far into the weeds for me. I don't understand it. Each of these plans I don't know the details or whatever. So what is a modest change? You know, and the answer is what's modest? You know, if you could change two districts, it's impossible to change one District. Well, actually not. Because you have a population range. So theoretically it's possible to move people out of one District but it does not get it above the population and so I guess, in fact, theoretically it's not possible because you changed both districts. So you have to change if you are going to change anything you have to change at least two. So changing two districts sounds pretty modest to me. Now, if you, you know, is that what we are looking at, the number of districts change? Or are we looking -- is modest defined by the number of people moved? I don't really -- there is no answer in some Court opinion which tells you which of it, it is. Again, if you can change it moving the fewest number of people and affecting the fewest number of districts to get to 11, that's the safest thing to do. That makes it easiest for me to defend but I would not suggest to you that's the right way to do it because you have a lot of other considerations which are important. So you might move a few more people around because doing it -- if you didn't move quite that number it would destroy what you believe to be a very strong community of interest. Or it might have a negative impact on your partisan numbers. Which are important too. And so there are a lot of considerations here. The trouble is they are of a nature that as you already know you have a lot of different opinions as to what's a good plan. Because there are a lot of good plans. There is no best plan. So the fewer people you move to get to 11 are the fewer districts you affect, the easier it is to say that it's narrowly tailored. If you are comfortable with the plans that were approved for compliance with the Voting Rights Act. And I think you probably do need to change the other districts, some other districts.

>> DONNA CALLAGHAN: Okay so my last question is do we know; I don't understand the process. If we start making these tweaks. Do we make our changes during one day in a Commission mapping meeting using race or whatever criteria we do to try to get that? And then would we run analysis of changes in real time or do we bundle them all up and let you guys run it overnight if we don't see I mean we have a very limited window here I'm trying to figure out how we want to tweak them and get them reanalyzed and continue the process in a way that allows us to achieve the goal of being finished by Thursday.

>> Mark Braden: I believe, it's easy for me to say because I'm not plugging it into my computer, where we are right now from Kim's hands to the experts, when the experts have the numbers, they can probably run all these analysis in an hour or so.

Now, somebody might be watching this saying don't say that. But the hard part of this is creating the program for it and you plug it in. So assuming we are making modest changes, which I think that is the only changes you can comfortably make if

you're going to use race, then we can analyze those relatively promptly and get them back to you, you know, in an hour or two after getting them. How you want to spend the next two or three days doing this, I don't know. But we can -- whatever you do we can analyze. I think you could, this is your decision, there are a number of plans that look to be -- it would be very difficult to get there I think because of how few districts they have. So you might want to narrow your changes to those to feel good. Now maybe I'm wrong about that. So I don't know what the supports are and what the underlying reasons for these are. But sending us 15 will make the process longer. Sending us two or three new ones to examine and condition will be a shorter process.

>> DONNA CALLAGHAN: I hear you guys are standing by on an as needed basis to get things from us.

>> Mark Braden: Yes, and I'm counting on Kim and Kent to make it all move smoothly.

but we are prepared to do that. We understood looking at these that was a distinct possibility.

>> DONNA CALLAGHAN: Okay thank you. That's all my questions, thanks.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: I have a lot of questions again. So I'm still struggling with the 11 and the reason why I'm struggling with it is because there were ten majority Black districts in the 2010 map. And it seems like maybe the, you know, the bar is maybe being set too high for us to hit 11 and excluding a lot of maps. So that concerns me a bit.

I'm also concerned about this kind of plan or PowerPoint you have where it's identifying packing based on a percentage without actually looking at the map. And I'm wondering can we really accurately Judge packing just based on percentages? Because as we all know Detroit is highly concentrated. It's 77% African/American. And there are districts just for example, I think it was on either the water Lilly or the Lilly I think it's the water Lilly District five which is a very compact District, just within Detroit, so south of 8 mile, and you know it's a nice little box. Yet, clearly based on this has a very high African/American percentage but is that truly packing? Or is that just geography? So how do we make that distinction?

>> Mark Braden: Absolutely it's geography to a degree. No question about that. The question of packing I consider this, we have this, for everybody to view, we -- this is not the principal part of our analysis. Our analysis is based on how many districts can be drawn that are in compliance with your criteria that would be likely to elect the candidates of choice of the Black community.

Assuming, as I do, that the ones we've identified were drawn in compliance with that, and were not drawn using race, then the 11 number really does provide what I would believe is likely the floor of the number of Black districts you can draw that will comply with the Voting Rights Act. Doesn't matter how many you had in the past. This is not a

retrogression test here. This is how many you can draw in compliance. And these are plans presumably drawn race blind. So if you -- you are exactly right. The packed districts I'm sure are a factor of the geography of Detroit. I put this in here only because if you look at much of the literature in this area, by political scientists, many of the Court decisions and look at the work done by people like Rothman they always talk about, they do, in fact, talk about packed districts. You know, there are some notions that somehow or another I'm too close to Bernie Grofman and sense of full disclosure I have known Dr. Grofman for about 40 years. The most recent piece of litigation he was involved with on a master was a case I was on the other side. So I have been on the other side for Mr. Grofman on a number of occasions. And the point here is Grofman talks about packed districts. And there are -- that's simply appears everywhere because that is one way to gerrymander is to, you know, to put -- I'm not saying a packed District makes a plan a gerrymander. Or even two districts that arguably have super majority. I don't believe that at all. But I do believe it's something we should consider. And it also provides you obviously with a way to adjust the numbers in an easy manner to get to 11. Go I think you need 11? Yes, I think you need 11. You can clearly create 11 without doing any serious balance to your state criteria.

>> COMMISSIONER SZETELA: So another question. Specifically about the Daisy-2. So the Court decision knocked down 7 Districts so that was 1, 7, 8, 10, 11, 12 and 14. When the Daisy-2 was drafted the way that it was drafted, was it deleted out those specific districts and it left every other District in the Metro Detroit area. So my concern with the Daisy-2 is you have eight original districts that are still in that plan. And we had a Court holding specifically for the Metro Detroit area in general we had used race to draw those districts and I think that's true with respect to everything else that's still on the plan that is 4, 5, 6, 16, 17, 18, 9 and 13. Those original districts that we drew with the considerations of race under Mr. Adelson are still in that plan. So I don't know how we can say that that plan didn't have consideration of race because it's got so many prior districts in it. And then if you actually look at the plan and what was redrawn, when it was redrawn because those districts that were still standing were left in place when it was redrawn, if you look at District 11 which is kind of Grosse Pointe area, District 11 is virtually identical to plan 10 or District 10 that was struck down by the Court. And then District one which is the southern part of Detroit is virtually identical to District one in the Hickory plan. And so the only other two districts that are different are 12 and 18. I'm sorry 12 and 8 are significantly different. And if you notice looking at this chart those districts would have been truly drawn without reference to race. If you notice, we have two districts on the Daisy that are above 75%. Which I'm going to guess I have not seen the numbers but I'm going to guess that's District 8 and that's District 12. So I just, you know, have some concerns about number one how can we say it's drawn without consideration of race when so many different districts are still in it and were drawn with consideration of race. And then how can we hand back potentially to a Court a plan

with two Districts that are virtually identical to the districts they just struck down on us? Even if it comes out looking great on VRA numbers I still think there are some other issues.

>> Mark Braden: Well, I have to say assumptions as to the quality compliance of the other districts that the Court did not address, I'm not prepared to opine on. The Court did not find those districts drawn in that manner, in an unfair manner there certainly are other districts in the state outside the Detroit area, Flint, as an example, which I understood or where race was considered during the drawing of those districts. If the Daisy plan has Districts that were left over from the prior plans, all these plans have a lot of districts presumably that were left over from prior plans. So I personally I don't see that as a problem. You're right, maybe the Court will. But that's the Court did not hold those other districts as violating the equal protection clause. So we have to correct those districts which the Court said did. And if we don't do anything without those are not a matter of consideration right now. They are lawful press lent.

>> COMMISSIONER SZETELA: What about the two Districts that are just duplicates of what's in the Hickory?

>> Are those districts that were -- if we are redrawing the districts, I'm assuming we are redrawing all the districts that were declared unlawful. I mean I don't know because I was not part of the process. But I'm assuming all the districts that were declared unlawful were, in fact, redrawn.

>> COMMISSIONER SZETELA: Yes. But when?

>> That answers the question.

>> COMMISSIONER SZETELA: Well but when the map was done, they locked districts that were kind of sitting in the middle of the City of Detroit that were not determined by the Court specifically to be unconstitutional. And that forced when the new districts were drawn then basically, they were drawn in exact same way.

>> Are the new districts drawn in the exact same way? I assumed that they are not. I assume the new districts are in fact new districts. I do not know the answer to that. So I can't opine upon the notion of what the districts look like specifically. I can only opine upon the voting age population and turnout issues and the performance issues. If -- I'm assuming that the unlawful districts were redrawn in the Daisy-2 plan. If they weren't, if this is the same plan the Court rejected then it won't be lawful. But if it's not the same plan the Court rejected the districts are redrawn, then it's up to this body to decide whether or not they like the new plan, or not. And you are considering it without turning on the racial numbers, so it's not a racial consideration. If there are districts that people think are unlawful, well, then somebody else can sue you. And it could well be the case. But as I speak right now, the Daisy-2 plan we believe complies with the Voting Rights Act. That's what I'm opining on.

>> COMMISSIONER SZETELA: Thank you.

>> Anything else?

>> CHAIR ORTON: Can I just ask; I see Commissioner Eid's hand but clarification on what Commissioner Szetela was talking about. So assuming -- so we have talking about this Daisy-2 plan we redrew and like she said there were constraints to where we could redraw. So say we redrew and two of the districts look very similar to how they originally looked. But we did draw it without any race data there, so then is there a problem with those? Or do they comply with this order?

>> Mark Braden: I think they comply with the Voting Rights Act, and I don't have any question of that. But the question is, are because you have redrawn them using race, are there other districts surrounding you that were not challenged, that could be challenged as a violation of the Voting Rights Act? And the answer to that is, sure. People could bring another piece of litigation, saying the plan. But if you have redrawn the plan and you have redrawn the districts, I don't think there is a sort of if it's presumably more than de minimus changes obviously you moved one precinct and flipped it back and forth that would not seem to be a genuine effort to comply with the Court's directive. But if you are redrawing and constrained by the geography then you are constrained by the geography. I think you're attempting to comply with the Court order.

>> CHAIR ORTON: Thank you. Commissioner Eid?

>> COMMISSIONER EID: Thanks. I have a few questions and comments if that is okay.

I think what you just said about the Daisy-2 map is absolutely correct. It was asked to be drawn as a District, as a plan that has the least amount of changes. And locked everything except for the districts that were struck down by the Court. It was not drawn using race. And it was also not drawn while looking at the original Hickory map. Now there is obviously a geographic constraint with the river front that the District goes up. But it was not meant to draw the same District that's just the only place you could go with the other districts locked. However, I do find it interesting that it seems, if we could go back one slide, it does seem like there is a correlation between the districts, between the plans excuse me, between the plans that have -- that are the highest on this list, seem to be positively correlated with the plans that change the fewest number of districts.

And the plans that change a greater number of districts seem to be negatively correlated with this list, appearing at the bottom. Now, we know that correlation doesn't always equal causation. But I think that is a, you know, I'm wondering if is there any like legal thing for that, Mr. Braden? Like is there any, you know, legal reason for that, why changing fewer districts might result in better VRA considerations? Because and the only reason I ask this is we heard from General Counsel Nate Fink on a number of occasions now, I think he lost his voice saying this last week if you can change fewer districts to change fewer districts. That is my first question.

>> Mark Braden: First of all, I may have crawled to the top of the wall but theoretically the courts decided I'm only on one side of the wall which is advising you on compliance with the Voting Rights Act. I'm not sure I agree with if that made sense to do that but that is where I am. So I'm a little constrained about anything other than that. The correlation, I don't know because I haven't looked physically what the maps looked like since the Court case. I really am only looking here, at this very narrow issue. I'm assuming that these plans were all drawn without race. I make two assumptions. Plans are not drawn using race. And, two, that they are reasonably configured.

And that's pursuant to all the requirements that you have. Okay, if either one of those is not true, then the analysis isn't any good because the districts will not have been reasonably configured. In other words, you can't -- you don't use race primarily in drawing of the districts, the districts that come out are going to be considered by this Court not to be reasonably configured. I assume that the Commission is doing a good job trying to figure out all the other pieces. When I say a good job I'm sure there is lots of disagreement over what that means but are complying and the Judge whether you are complying or not with something like communities of interest. I would suggest to you is totally, 100% within your discretion. That's just the Constitution decides that for you. Some other things like population, deviation is just a mechanical, it's just a number. So complying with that but your judgment comes in the context of partisan fairness, which you have numbers for. And communities of interest. Those types of considerations I'm assuming you're doing your appropriate work there. And I'm just assuming the plans are right. If those are not right, then my analysis is not any good because as I said this analysis is for plans that comply with the other requirements.

>> COMMISSIONER EID: Okay, can you go to the next slide, please? So I just have two questions about this. When we are using the numbers that were on the last slide we saw 11, 10 and 9, you're using 50% as that benchmark?

>> Mark Braden: Yes, but they are totally different numbers. This is voting age population by the plan. This is a census number. The prior number is election number. It's related to elections. You could have a District that was, you know, 40% Black, BVAP but the democratic primary could be 55% Black. And, in fact, that does happen all the time. So the prior business voting age population, this is just census numbers, the prior plan is election related. Election results and related to trying to go from election results, primary and showing a turn out number. So totally different numbers. They relate to some degree, but sometimes they are further apart than you think.

>> COMMISSIONER EID: Okay, but then are those numbers positively correlated to each other? Like if we improve one would it possibly improve like if you wanted to go from 10 to 11 on the last slide.

>> You're very likely if you change the Black voting age population it would be nice if we could do it and tell you the trial numbers you could use the turn out numbers to adjust. I don't think we can get there. I don't think we can do that. You know, but

surely, yeah, of course they are correlated. If you have a District that's 90% Black, it's going to have, you know, democratic primary is going to be 98% Black in all likelihood. If you have a District that's 42% Black democratic primary number is going to be more like probably 51 or 52% Black but it varies. But the starting point for you, the easiest way to adjust since you don't have the turn out numbers in a format that you can use to draw lines, is to look at voting age population. If you increase the voting age pop, from a very overpopulated arguably overpopulated District Black to a less one, then you're likely to change the numbers. But I don't think I can give you -- I don't think it's available. I can talk to Max and Lisa about it. Dr. Palmer and Lisa about whether we can do that in real time. But I don't think we can. I don't think we can do that. That's probably a step too far. But you are certainly going to likely highly likely to affect that number by changing the voting age population of districts.

>> COMMISSIONER EID: Okay, that answers that. Thank you. And then my last question is as it relates to this 11 districts. I guess my question is you know realistically how big of a difference is there between 10 and 11? If we like some of the maps that like you know, let's just take you know either Spirit or Detroit or Bergamot because they both have ten, if this Commission likes the communities of interest in those maps better, but it's at 10, how does that compare to having 11?

>> Mark Braden: Sure, well, I'm quite confident at 11. I am less confident at 10. That doesn't mean I'm not -- you guys have to make the decision. And we will defend whatever decision you make. But it's 11 number is going to be looked at because the analysis we did is exactly the analysis that Dr. Grofman is going to do. And if he sees that it was quite possible to create districts that comply with all your other requirements and come up with 11 rather than 10, there is a good chance he is going to say you needed to create 11. Is that a guaranty? No. There is an argument that 10 would work. And I'm quite willing to make that argument to the Court in the Grofman that they work. But, you know, that goes from what I think to be a relatively high probability of success, all the districts I think you have drawn properly, have a very, very high degree of probability of being successful. And analyze compliant with the Voting Rights Act if you got 11 districts. You go down to 10, and I'm not betting my car title on it. Just to use a Youngstown Ohio definition of figuring things out and maybe it will be familiar in Detroit, I think. It becomes a much more roll of the dice.

>> COMMISSIONER EID: Thank you Mr. Braden I guess that depends on your vehicle, wouldn't it? This is very informative.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: So one last question can we go back to the prior slide? So I just wanted to correct something that Commissioner Eid said with a correlation of the number of districts locked versus number of districts changed. So if you actually look at this list Marigold Rose bud and sunflower those did change the most districts total including District 16, 17 and 18. But the Peony and 2 and Promote

the Vote changed 15 districts as well. So they also had a very high number of districts other than the specific districts named by the Court that were changed. So I don't think you can draw any correlation between locking districts or not locking districts when you have one batch at the top and one batch at the bottom and they all have many districts changed outside of the 7 that the Court specifically identified.

>> CHAIR ORTON: Commissioner Eid, your hand is up, is that again or still?

>> COMMISSIONER EID: Yeah, I don't believe the Promote the Vote map changed that many districts, but we might want to double check on that. Maybe Peony and 2 did once we made changes, but I think I specifically asked how many Districts the Promote the Vote map changed. And we saw that it didn't change all those districts. But we can look at that and determine.

>> CHAIR ORTON: Okay, Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, it actually does. It changes 4, 5, 6, 9 and 13. It does not change 16, 17 and 18. So it changes many districts.

>> CHAIR ORTON: Mr. Braden, do you have anything further?

>> Mark Braden: We understand the timeframe involved. So I'm, you know, whatever needs to be done to help you make the decision as to what plans to circulate we will do it. And it doesn't matter, you know, if it's later this afternoon or if it's later tonight. Kim stays up late. [Laughter]

And we will stay up late. We will do whatever needs to be done. And I'm available, you know, whenever anybody wants to -- you want to reach out to me. Our goal is to facilitate you being able to get the plans out in a timely manner and so you can adopt a plan that is your plan. As I said before, I'm not here as a Judge of, you know, a beauty pageant, I don't know what districts are the best plans by any stretch of the imagination, I have no notion of that. I'm only looking at this one very narrow issue because it's very important because if you don't pass this you don't get the plan. But what is the best plan is the plan that you guys decide on.

>> CHAIR ORTON: Okay, thank you. Will we receive a copy of the presentation so we can have these?

>> Yes, and there will be back up data that Kim will have if you've got anything additional that you want. But everything we have done is available for anybody to look at. So we will figure out how to put it. Kim you will figure out how to put it in a format that is easy for them to access I'm sure.

>> CHAIR ORTON: Okay, thank you. Mr. Brace?

>> KIM BRACE: Yes, to follow on with what mark was just saying we will attempt to do that, yes. Let me share with you a couple of things that I wanted to bring to your attention and if I can share my screen. There we go. A couple of things, all right, you should be seeing my overall screen that has a bunch of different things on it.

>> CHAIR ORTON: Yes, I can see that.

>> KIM BRACE: Okay, the question that one of the Commissioners had was whether or not the districts had changed. So I brought up the map of Daisy-2. This is the maps that we've created for each of the 15 plans that shows the plan itself in the colors. But it also shows the lines for Hickory on top of it. So for District one that was a question there, there was a little bit of a sliver here where there was a difference done in there, yes, indeed most of District one is the same. But there is a little bit of change on District one.

This is -- these maps are very good to use because we have done cross hatches on the districts that have not changed. And so that gives you a good or a quick view of where there is change or where there is not change. So you can see that these maps are on the my Districting website in the zip file that is there as the attachment, which I mentioned to you earlier today. So you can look at and download these PDFs or JPEGs so you can look at them and have them there as quick looks at the District configurations.

The second point I wanted to point out to you is we have done a table on the overall plan deviations for each of the plans. And if I can -- let me see if I can increase the size of these. Okay this is a table that shows the overall plan deviations for each of the plans. And the reason why this is sorted by the overall deviation, column F, I wanted to point out to you that you had adopted provisions in or thoughts of keeping each District below 2.5%. If you look down here at the bottom, Daisy-2 has one District, the 12th District that is 2.51. And there is and it will still be with under the 5%. But Marigold and Tulip have districts that are higher than 2.5 and coupled with 21 which is the 2.47 high, they go over the 5%. So if you are considering those and you wanted to look at whether or not you would want to bring these two down in terms of deviations to meet your prior guidance, this is why we put together this table for you. Just to give you a clue on what things are. All the other plans are within the 4.96% as you can see in that regard.

So we have all of these there. We have the supporting material that went into the graphics that mark was showing. And as Mark has pointed out, and I think I mentioned it at one point in time, but we do have on the Autobound system, we have that bottom line graphic of the populations. Right now, what you have been seeing for this last week is only shown total population. But we also have a separate active matrix that we can bring in for any plan that shows the race data like what you were seeing before. And so indeed, if attorney Braden has said that could be utilized or looked at, we do have that capability also. We just need to swap out the active matrix with whomever is drawing or helping you out on that side.

So I just wanted to bring out those points for you.

>> CHAIR ORTON: Okay, thank you. Are there any questions for Mr. Brace? Commissioner Eid?

>> COMMISSIONER EID: Hey, Mr. Brace. Thank you for that table. I think it's helpful. If it's not too much work, and if it is let me know, because I know you guys

already have a lot of work on your plate, but would it be possible, at the beginning of your presentation you talked about the hash marks and how that shows which districts changed and which didn't.

>> KIM BRACE: Right.

>> COMMISSIONER EID: Would it be possible to just compile that in a spreadsheet, in an excel spreadsheet of some sort and just say what the map is and how many districts it changed from Hickory? I would find that useful, so we know exactly how many districts each version of each map changed.

>> KIM BRACE: Changed, okay.

Yes. We can do that. I won't have that within the next ten minutes for you, but we will have that tonight for you.

>> COMMISSIONER EID: Whenever you can get it, like I said, you might have other things that are more urgent and if so, deal with those first.

>> KIM BRACE: Yes, yes.

>> CHAIR ORTON: Okay, are there any other questions for Mr. Braden or Mr. Brace? Okay I don't see any others. So next on our agenda is new business 6B mapping considerations. So I assume this is where I'm going to discuss what we are going to do with this information. I believe that Kim Brace or Kent Stigall are going to kick us off with this. Mr. Brace, you are muted if you are speaking.

>> KIM BRACE: I'm sorry, yes indeed actually John Morgan is here, and he is available for doing mapping. He has loaded all of the appropriate plans on his machine. That have gone through that facts checking before. And we have all of that data there. He has the active matrix that only shows total population. We would have to flip him over to the other one that would show race if you wanted to see some of that at this point in time.

>> CHAIR ORTON: Okay, well I'm thinking before we start just doing mapping, we should have a discussion about maybe which plans we are interested in looking at more specifically or working on to try to get them in compliance to move on to public comment. Does everyone agree with that? Other thoughts? I don't see anyone's hand up. So I do see Director Woods' photo or face. Do you have something? No. Okay. Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, I'm just not really clear on having this information what we need to change. Because I feel like we don't really know what we need to change. Because we don't have like any identifications of particular districts where, you know, one is compliant and the other is not. I feel we need to see more information before we can intelligently make a determination as to how to change maps to make them hit that 11 number, they want us to hit.

>> CHAIR ORTON: So in my understanding, John Morgan would be able to show us each of the plans and we would be able to look at this specific numbers so that.

>> KIM BRACE: John would have the plans there. He does not have the additional data that Mark-Braden raised in terms of his slides dealing with primary turnout. That is the one that Dr. Taylor, I'm sorry, Max had been working on and did, utilizing vote history and other elements, that is not in our database for the purposes of the map drawing. So we would need to do a little bit more work to get what are the districts that Dr. Palmer had identified.

>> CHAIR ORTON: And do we know when we could have that information?

>> KIM BRACE: I think it would be fairly soon. Certainly, later on I will talk to Dr. Palmer and see when we can get that information this afternoon.

>> CHAIR ORTON: Okay, Commissioner Lange?

>> COMMISSIONER LANGE: It's been a quick second, just for clarification did you say you wanted kind of ideas on what maps we should look at?

>> CHAIR ORTON: Yeah, that's what I was, where I was thinking we would start.

>> COMMISSIONER LANGE: Okay if I were going to give my opinion, I think we should look at the maps that were done collaboratively by the Commission such as the spirit of Detroit one. The ones that had like Promote the Vote as a big part of it. I have serious concerns about that. Again, because we don't know what went into making those. And they are pretty much done by an outside source. And not the Commission. So I think if we are going to look at ones, we can make changes to maybe the collaborative ones we should focus more on that were done I don't know the word I'm looking for. But you know, wholeheartedly.

>> CHAIR ORTON: In our meetings Lange LAN yeah, thank you.

>> CHAIR ORTON: Yeah, I agree with that. And I have something else with that but Director Woods, you have something?

>> MR. EDWARD WOODS: Yes, I do. And I don't know if Mr. Fink has the same thing, but our litigation counsel will be on tomorrow at 9:00. They just saw this presentation for the first time. As you know the Court required us to bifurcate our Voting Rights Act counsel from our litigation counsel. And that's happened. And so they will have some ideas and some suggestions with regards to what the Commission can do with regards to those maps. But they will need some time to take in the analysis that was shared today. And then provide some recommendations for a presentation tomorrow that will take place at 9:00 a.m.

>> CHAIR ORTON: Okay, Mr. Fink? Do you have something?

>> Nate Fink: I was going to say that and just to be clear they will be able to hopefully provide the Commission with some more guidance in terms of what the legal team's perspective is on what the Commission can and can't do and should be aware of. They are not saying you should move this line here or that line there but it's going to be hopefully giving the Commission some guidance and still allows some time for the mapping team to get the data together and input it. But I do think that Madam Chairwoman your suggestion that the Commission can use some time today to the

extent there are not other issues to be addressed to consider sort of prioritizing the maps that the Commission does want to tackle to the extent that the Commission does want to make some modifications in response to the information that the Commission just learned from the VRA presentation and public comment. Thank you.

>> CHAIR ORTON: Thank you. Commissioner Eid?

>> COMMISSIONER EID: Yeah, I was just going to say we might want to wait to do changes until tomorrow. I'm very curious at what the litigation firm has to say as far as, you know, we already took a vote previously not to use race at all. So we probably need another vote to use it in a narrowly tailored fashion as was just described by Mr. Braden and it might be good to have that in sight from the Baker Hostetler firm before we vote on that, if that makes sense. I don't know. It just makes me wonder if we should do it or not, do you know what I mean?

>> CHAIR ORTON: Yeah, well I agree. We are lacking some information to move forward. But I do think I would like to suggest one thing we could do with some time that we have today is go through the list of our 14, 15 maps and we could maybe make two groups. We could make a group that we know that we can each testify to was drawn without race. Because we did it collaboratively in live sessions. And then another group of maps that we can't testify to because it was given to us by a different group, and we don't know how it was created. Or something like that. Do you think that would be useful? Commissioner Kellom?

>> COMMISSIONER KELLOM: I think it could be useful during the presentation, I highlighted, I was even more discriminate and highlighted the maps with the best scoring and also the most collaborative. And in remembering our conversations about communities of interest because I think as a Commission, we are all very intelligent, but I do think sometimes our hiccup could or we become fearful when we start to over think. And though I do heavily respect Baker Hostetler and I am awaiting their analysis, I sent Commissioner Callaghan a message that said I think these tweaks like not necessarily if we think about poverty, class, it's not changing a cup into a bowl but maybe restraining it and making small adjustments. So I think we know enough about the Detroit area. We have public comment, again, I'm still on the fence about necessarily making changes but when we get to the point it's precincts and neighborhoods and thinking more carefully about who lives in these areas and that will allow us to not make wholesale changes but expand or, you know, contract, right, certain districts in the way that they can create that 11 and some of those maps are closer than others quite frankly once you eliminate maps that are not collaborative and we can't defend this, they suggest a higher legal risk, you have Daisy-2 and spirit of Detroit. And we've talked about our analysis regarding, you know, and Daisy-2, locks in districts and handicapped us from being able to make switches regarding communities of interest. We know spirit of Detroit explored. So I'm with you, Chair Orton. I just think that whether it's two groups

or whatever we definitely have enough information to speak to the maps and what we prefer.

>> CHAIR ORTON: Commissioner Weiss?

>> COMMISSIONER WEISS: I was thinking just as a suggestion since Daisy-2 seems to be pretty close to deviation as in District 12 it's lacking a little population, maybe we could go in and tweak that, get that back where it belongs and then go from there. Thank you.

>> CHAIR ORTON: Okay, all right, Mr. Morgan, could you show us Daisy-2, I guess? And Commissioner Andrade, do you have something?

>> ELAINE ANDRADE: Yes, I was wondering if we could also take out the ones that were down in the eight versus the 11. Those maps we can disregard those because it would not it seems like it would require too much narrowly tailoring to bring them up. Is that possible?

>> CHAIR ORTON: That makes sense to me. I think, yeah, if we just need to have a discussion about how we are going to weed it down to the ones that we feel comfortable with and that we could narrowly tailor. Commissioner Kellom?

>> COMMISSIONER KELLOM: I don't know if we are having the discussion now, but I will start it off. I think we have in ones I would discard, that would be number two Peony, 2, Promote the Vote, Commissioner Szetela's map unfortunately both Trillium maps, Marigold, Rose bud and sunflower. That would leave you with Daisy-2, spirit of Detroit, Bergamot one and two, Tulip and water Lilly unless I'm missing the origins of one of those maps. So that would leave us with 1, 2, 3, 4, 5, 6 maps. And I've already expressed my feelings about Daisy-2. I personally think it will require too much tweaking. And doesn't do a good job of communities of interest. But those would be the two groups.

>> CHAIR ORTON: Okay, Commissioner Lange?

>> COMMISSIONER LANGE: Again I'm just going to stress you cannot eliminate Commissioner Szetela's. It's in the Constitution that she has the right to submit them and she actually in all technicality if we are fixing collaborative maps she could technically go in and adjust her's again. It's a constitutional right whether the map is liked or not, it's her constitutional right. I can't stress that enough. So we cannot eliminate her map. It's in the Constitution.

>> COMMISSIONER KELLOM: It's nothing personal. I just gave it based upon scoring and based upon our legal advice of being sure how a map was drawn. So whether it's a constitutional right or not, that's just my short list as I was spitting them out based upon what was on the presentation. So, again, no harm, no foul. Nothing to do with Commissioner Szetela. It could have been anyone's individual map I would have said their name. I don't have a personal vendetta against anybody.

>> COMMISSIONER LANGE: Just wanted to talk about the constitutional part.

>> COMMISSIONER LETT: Commissioner Lange raises an interesting question on Commissioner Szetela's map. It's my understanding that if an individual Commissioner submits a map that it can't be changed. I would like a legal ruling on that from our counsel either Fink or Baker Hostetler and want an opinion on whether an individual's map can be changed.

>> CHAIR ORTON: Okay.

So I understand that Commissioner Kellom was really good about writing things down really fast. I did not get them written down fast. So I wonder, Mr. Braden, if we could see one of the slides, you know, that listed the maps? I don't remember which slide it was, maybe number three. If that slide could be put up again.

>> KIM BRACE: Commissioner, I just got from the Braden group the slides. And I forwarded them on to Edward.

>> CHAIR ORTON: Okay.

>> KIM BRACE: So I think he should have the whole map set or the slide deck so he could show them.

>> CHAIR ORTON: Okay, great.

>> MS. SARAH REINHARDT: I took a screen shot of it and it's not super great quality but until Edward does that.

>> MR. EDWARD WOODS: I just got the e-mail.

>> CHAIR ORTON: This will suffice. I wanted to write down the ones that are 11 and close to 11. I don't know if anyone else needed it. But, okay, so I'm done with it, and I don't know if anyone else still wants it. I think that's good enough, Sarah, thank you.

>> MR. EDWARD WOODS: And I will forward that right now.

>> CHAIR ORTON: Okay thank you. So do we want to see, I think it was Commissioner Callaghan's or someone suggested to look at Daisy-2, do we want to see that right now? Or do we want to wait until we receive more information tomorrow morning? Go ahead Commissioner Callaghan but you are muted.

>> DONNA CALLAGHAN: Yeah, I'm not sure did we make any decision on which of the 15 maps we want to carry forward with? Because obviously I don't think they can all move forward.

>> CHAIR ORTON: Right.

>> DONNA CALLAGHAN: I think we can boil that list down now in discussion whether we have to vote on the maps individually to say is it still in the go or if we just want to make broad strokes saying eliminate the maps that don't meet a certain criteria but somehow we need to whittle the 15 down to a more manageable number.

>> CHAIR ORTON: I agree and, in my opinion, we can weed out the ones that are not collaborative. And then of course.

>> DONNA CALLAGHAN: I think we can also weed out the ones that scored the lowest from the Voting Rights Act, so that scored eight or below probably. It can't be

fixed with minor tweaks so maybe we should just eliminate those, and we can also take a second vote and eliminate those which we don't believe to be collaborative.

>> CHAIR ORTON: Mr. Fink? Nate Fink: Thank you, Madam, Chairwoman. Commissioner Callaghan's suggestion seems reasonable to me, but that process was at least in Bart contemplated by the procedures that we had discussed this morning, which I sent around. And I would suggest that the Commission take that up. Perhaps now. And just, you know, determine whether it wants to pass the procedure. Because it has this procedure or proposed procedure in place for addressing which maps to move forward on, at least in part. I think at this point the Commission has expressed a desire to at least modify some of the maps before making the final decision on that. But I think perhaps it would be an appropriate time to do that.

>> CHAIR ORTON: Okay, so you're telling us we are getting ahead of ourselves.

>> Nate Fink: Just a little bit.

>> CHAIR ORTON: So then we had that sent to us during our break. The, what do we call it, the mapping procedures and processes document or something like that. I don't see it here.

>> MR. EDWARD WOODS: Let me put it up on the screen. Would you prefer the red line or the clean version?

>> CHAIR ORTON: I think the clean version unless somebody needs to see the red line again.

>> MR. EDWARD WOODS: All right, let me put up the clean version.

>> CHAIR ORTON: We can see that.

>> MR. EDWARD WOODS: I'll ask Mr. Fink if he wants to provide any comments. If he can hear me.

>> Nate Fink: I can hear you. I don't really have much further comment beyond what we discussed this morning. I made the change that Commissioner Szetela had requested at the very end. Where about the VRA analysis and just added the sentence at the end that says that the VRA analysis of any alternate drafts shall also be displayed for public comment and certain sent to the Court. Make sure that is included. Beyond that, I think this is the same document that we had presented earlier. And I think that this Section right above that, Section Two, if you scroll up a little bit, that is where the Commission can essentially decide, yeah, sorry, scroll down, just determining the number of draft proposed maps. So I think from within that provision the Commission can decide to vote on which of the maps to advance. And Commissioner Szetela it looks like she has a question.

>> CHAIR ORTON: Commissioner Szetela?

>> COMMISSIONER SZETELA: I sent a request to change this earlier and maybe you didn't get it in time, Nate. But you know under prior policy we had sort of a process for collaborative maps. And advancing those maps where it was voted on. And then we had a separate process for individual maps so like a parallel process where

individuals can automatically just produce their map and then it gets published for publication without a vote of the Commission. It just automatically advances, and this is kind of combining the two. It does not clearly say one way or another.

But I just want to make sure we are following our prior policy of you know because I have an individual right to submit a map, it just automatically gets published even if it's not voted on by the Commission.

>> Nate Fink: Personally I don't have an issue with that. I think through the public comment period, you know, constitutionally if the Commissioner wants to advance an alternate draft that they can do so. And I did not see this language as limiting that or at least it was not intended to.

>> COMMISSIONER SZETELA: Okay, thank you.

>> CHAIR ORTON: Okay, so I would entertain a motion to adopt this document.

>> COMMISSIONER LETT: So moved.

>> COMMISSIONER WEISS: Second.

>> CHAIR ORTON: Okay it's moved and seconded that we adopt this what was it called? Procedures and something.

>> MS. SARAH REINHARDT: Deliberations process.

>> CHAIR ORTON: Okay, so is there any discussion, further discussion on this? Document? Seeing none, all in favor of adopting this document raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay.

>> COMMISSIONER LANGE: Nay.

>> CHAIR ORTON: Okay, the ayes have it and that document is adopted.

So now that we have adopted that, we can move forward deciding if we want to weed out any plans. We don't have to weed any out at this point. But we can. The ones that were further down the line or that we deem, that we are not interested in improving and moving forward.

Any discussion? About that? Commissioner Szetela?

>> COMMISSIONER SZETELA: So I would like to leave the sunflower in the kind of the mix even if we are not going to work on it today until we are able to see kind of this under lying analysis to see how easily that map could potentially be adjusted. But I think we should definitely take Rose wood I'm sorry Rose bud, Marigold and then the Peonys-2 and 1 and Promote the Vote off.

>> CHAIR ORTON: Okay, are there other comments about that? I personally feel that we should take the maps off that were given to us by outside sources. Because we can't say that they weren't drawn using race.

In fact, I believe some of the groups who did submit maps to us that we were looking at have stated on the record that they did use race to create them. Commissioner Callaghan?

>> DONNA CALLAGHAN: I agree. I think we should remove Promote the Vote and derivative maps that came from that map.

>> CHAIR ORTON: Okay Commissioner Lange?

>> COMMISSIONER LANGE: Would that include the Trillium maps also? Since those came from an outside source.

>> CHAIR ORTON: I believe so.

>> COMMISSIONER LANGE: Okay.

>> CHAIR ORTON: And are there any others? Commissioner Kellom?

>> COMMISSIONER KELLOM: I would agree to removing lower scoring maps as well as maps by outside source. So Peony maps Promote the Vote, Trillium, as well as Marigold, Rose bud and sunflower. That would leave us with 123456 collaborative maps, one individual map. The six being Bergamot one and two, Tulip, water Lilly, Daisy-2 and spirit of Detroit. Bergamot1 and 2 and water Lilly score nine Daisy 11 spirit of Detroit scored ten and I think even out of that bunch there were maps that we did not particularly like we weren't a fan of again because we sent all the maps, we sent all the maps knowing we did not like all the maps.

>> CHAIR ORTON: Right.

>> COMMISSIONER KELLOM: So from that six I think we could get even fewer. But that's my opinion. I mean not just my opinion, it's my opinion comes from listening to you all and so get them adding to the discussion.

>> CHAIR ORTON: Okay Commissioner Callaghan?

>> DONNA CALLAGHAN: I agree we should get rid of the maps that score an eight because there are more than tweaks needed to bring those up to VRA.

>> CHAIR ORTON: I agree. Does anyone have a disagreement with that? So could we see a list again so just so we are all clear about which ones we are -- okay, thank you whoever is sharing, Sarah. Okay, Commissioner Callaghan, your hand is up but I'm thinking it's still up. Okay, Mr. Fink?

>> Nate Fink: I was just going to say, you know, it's fine to go through this process of course and after you go through it, we are not up against our hard and fast deadline yet of course so if after you go through the process over the next couple days and reworking some of these maps, you can always consider going back and revisiting some of these other ones you removed, of course. And you know, just by removing them and taking this action right now does not necessarily remove it entirely from your consideration. But, you know, it makes sense to you know to do what you can to try to narrow the selection, but I just wanted to make that comment just to keep that in mind, thanks.

>> CHAIR ORTON: Thanks Mr. Morgan did you have something? You are muted.

>> MR. MORGAN: Thank you, just one minor point on this regarding what Mr. Fink just said. It is also possible to look at an overlay of one of those previous maps without

looking at the plan itself. So that's just a tool you have at your disposal if you didn't know.

>> CHAIR ORTON: Thank you, Commissioner Lett?

>> COMMISSIONER LETT:

>> CHAIR ORTON: You're on mute.

>> COMMISSIONER SZETELA: Sorry, excuse me. The list that we just had up there, ones we removed and the individual Trillium STL that is not an individual map of mine, that was from MSU so that needs to be removed along with all the Trillium maps and derivatives. Once that is done then I would move at this time that we consider the collaborative maps listed in column A. The individual maps we don't need to consider because it's an individual map and it goes in regardless. So that would be my motion to consider those. As I think Mr. Fink says we can review at a later date but for going on right now column A would appear to be a reasonable review.

>> CHAIR ORTON: Do we have a second? So we have a motion and a second to at this time work or consider column A, the maps in column eight to work on and move forward to presenting to the public. Is there any further discussion on that motion? Seeing none, all in favor of this motion raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay.

>> COMMISSIONER LANGE: Nay.

>> CHAIR ORTON: Okay the ayes have it. And the motion advances.

Okay, so now I don't know that we have the information we need at this point to do anything further with these maps. Does anyone have an idea of something that we could do? Or do we need to wait until tomorrow morning? Mr. Fink?

>> Nate Fink: Thank you and I know I'm talking a lot. But I'm not suggesting that you do this necessarily right now. But I think it would be very beneficial if Commissioners following in the deliberations process guidance that we provided in preparation for tomorrow, before you meet tomorrow, review each of these maps that you intend to go through and potentially make modifications to and think about all of the constitutional criteria as it relates to each of these maps. Including of course, you know, some of the hard numbers of population, deviation, that sort of thing but communities of interest, partisan fairness, that information if you don't have the partisan fairness information, we can provide it. It should be available online and it has been shared. But and all 7 criteria to make sure that you are well prepared to have that discussion tomorrow and perhaps into the next day. Thank you.

>> CHAIR ORTON: Okay, so is that something that people think would be valuable to do together this afternoon? Go through each of the maps and look at the criteria that we can look at, not looking at VRA necessarily because we will get more information on that tomorrow. Commissioner Callaghan?

>> DONNA CALLAGHAN: Yes, I think that would be very helpful. I have been hoping for this discussion for a long time.

>> CHAIR ORTON: Okay then I'm going to suggest that we take a break for ten minutes or so and then come back and have that discussion. Look at those maps. Unless there is any objection. Seeing no objection, then we will take a break until 3:20.

[Recess until 3:20 p.m.]

>> CHAIR ORTON: Assuming everyone is back we can resume. So John Morgan, if you would share your screen and we could just maybe go down that list. It's in the chat. But of the plans that we want to see. Can you see that?

>> MR. MORGAN: I think so. I think I can see that. Also Commissioner Weiss had mentioned wanting to look at the Daisy-2 because it was out of the 2.5 population. So I currently have that one open if you want to start there.

>> CHAIR ORTON: Sure, that's great.

>> MR. MORGAN: Okay then again, we will share it now, but the other thing I would say is that Mr. Brace has, or I can get but I don't have right here the static maps that show the overlay of the maps that were drawn with the Hickory plan, the hash marks. So I think that might be useful to look at as well.

>> KIM BRACE: To interject for a second. I am pulling together those maps into a smaller file. To be able to send to Edward so he can get them to the Commission.

>> CHAIR ORTON: Okay.

>> MR. MORGAN: Okay, so this is the Daisy-2 map. And I was just going to point out what Commissioner Weiss had noticed, that District 12, well Kim Brace brought it up, but Commissioner Weiss suggested that could be something you can change without having additional data. But I understand you're not doing that at this moment. So the District 12 is negative 2.51.

>> CHAIR ORTON: Okay, well, I don't know that we are against doing that at this point. It will be a small, little change to bring it into at least compliance with number one. But what I think we are doing now is kind of going through the list of all of the requirements besides VRA to see if it complies. So we might want to get that one this compliance. Commissioner Eid?

>> COMMISSIONER EID: Yeah, I think that the -- I think there is a discrepancy between the plan the overall plan deviation of 4.98 that is being displayed now and what y'all had shown in that spreadsheet that Kim brought up earlier. Because I think that one said 5 point something so if we want to fix the population first and then go over why we like or dislike this map, I'm just wondering what number we are going with.

>> MR. MORGAN: I think that the Daisy plan was one District was barely out of alignment. There was another plan, I think, that was further out of alignment.

>> KIM BRACE: I had Daisy-2 on the graphic that I was showing you earlier. District 12 minus 2.51.

>> CHAIR ORTON: Okay, so who would like to drive the fixing the populations on that? Commissioner Weiss, since you brought it up, are you interested in doing that?

>> COMMISSIONER WEISS: Well, I am. I have been looking at it off and on the website. Trying to figure the best place to take it because it looks like most of the surrounding districts are pretty much in line. 10 has a little extra in it we could grab. We could take some from 10. I guess, John, if you wanted to take and grab a District or a precinct or something to see how that would look, maybe that one right down at the corner of East Point there. And in 10 is kind of a little angle. Looks like a river or a highway. I guess that is a highway.

>> MR. MORGAN: This one here?

>> COMMISSIONER WEISS: No, come down a little lower, right in that area. I don't know if that would do much.

>> CHAIR ORTON: We are trying to go take it out of 12. 12 is too high, right?

>> MR. MORGAN: No, it's too low, Commissioner Weiss is correct.

>> COMMISSIONER WEISS: And what I was trying to do is take some from 10 and put it to 12 trying that area right there which I'm not sure how big that precinct is and how many people are in it.

>> MR. MORGAN: Are you contemplating the entire precinct?

>> COMMISSIONER WEISS: Depending on the population.

>> MR. MORGAN: I will bring up the labeling on that with the population number. Okay so the entire is 2300. So if you took that out, sorry, 2900, then you would be you probably would be okay on both districts.

>> COMMISSIONER WEISS: What if we were to take where the expressway is just to the left there, just take that area?

>> MR. MORGAN: Okay.

>> COMMISSIONER WEISS: I don't know if that is a good idea, or not. But.

>> MR. MORGAN: Okay and then now what I should do is I should stop here and say this is the actual plan. So if we are going to make changes, I need to close this and copy it. So give me a moment to do that.

>> COMMISSIONER WEISS: Yes, that's good.

>> MR. MORGAN: And again trying to keep this straight. So this will be 29 for today's date, 012924 version one because it's the first map we are looking at today, has District Daisy. Now I should also potentially indicate it's collaborative. We put Daisy-2 on top of this after we had looked at a different one. So with permission I will just put this.

>> COMMISSIONER WEISS: Yes, do it so you can find it again.

>> MR. MORGAN: Yep. And then I'm going to take off the -- well, I don't know. I should ask the question, so the final check just refers to looking for dis-contiguity and also unassigned population. This indicates I ran that check. So here one option would be to keep that designation assuming we won't disrupt that, or I can rerun that at a later date and add it back.

>> COMMISSIONER WEISS: Whatever is easiest for you.

>> MR. MORGAN: Okay, I will keep the designation. Okay so that is 1150 people so doing that from 10 to 11 both will be in population tolerance.

>> COMMISSIONER WEISS: Okay, if you would do that, please.

>> MR. MORGAN: Okay.

>> COMMISSIONER WEISS: All right I guess I like it. Anybody else have any comment on that?

>> CHAIR ORTON: I don't see any.

>> COMMISSIONER WEISS: That's good, I think. All right, thank you.

>> CHAIR ORTON: Thank you. Okay, so I'm wondering, I know Commissioner Callaghan has been very excited to have this discussion about these maps, so I wonder do you want to lead us going through each of the requirements? For the maps? And see how we each feel about them?

>> DONNA CALLAGHAN: Sure, I guess so. The first requirement seems to be do you want to start with this map, with Daisy-2?

>> CHAIR ORTON: Yes, since it's up let's just start with this.

>> MR. MORGAN: Commissioner Kellom has her hand raised.

>> CHAIR ORTON: Commissioner Kellom?

>> COMMISSIONER KELLOM: Sorry, I was trying to eat while my teeth felt normal. This might have already happened, but I wanted to see the Hickory overlay. I know we did this during the presentation, but I wanted to see that again with this map. But I don't want to take it away from Commissioner Callaghan.

>> DONNA CALLAGHAN: Go ahead.

>> CHAIR ORTON: That can happen while we're doing this.

>> MR. MORGAN: Okay and then I will bring that in as an overlay. And then as Kim Brace said, he will soon have the copies of those static maps that have that same information. So give me a moment, I will pull up the overlay. So the outline in dark blue has the existing or the Hickory boundaries and as a reminder for this plan, we discussed earlier that this Daisy-2 plan did not change any District that was not named by the Court. So for example, you see District 5 and 6 are following excessively -- exactly the same boundaries and 9 and 13 as we showed are also the same.

>> DONNA CALLAGHAN: Are we ready?

>> CHAIR ORTON: Sure go ahead.

>> DONNA CALLAGHAN: Going down first is population and VRA. Population seems to be fine now. And VRA will consider we had the score, right? Contiguous districts, we good there?

>> MR. MORGAN: Yes, I ran the contiguity check and it passed that.

>> DONNA CALLAGHAN: All right. The next one is the communities of interest. Who can talk to communities of interest that -- are they -- which ones are good and which ones are maybe we didn't hit the target? Commissioner Kellom?

>> COMMISSIONER KELLOM: I think that's actually why I don't like this map very much at all. Because it's fine, of course, we have to account from you know for 91 something thousand people right with population. But it doesn't do a good job of observing neighborhoods in the Detroit area. And I think even during this map process we have been talking about other areas, but it's in quotations but it's also important to mention like even when we are talking about like Dearborn or Melvindale that is no longer Detroit. While it might do okay things for those areas the Central piece of this argument is doing the best for Detroit. And I'm fine of, you know, these other cities with that is not like Detroit proper. So I think District 8, if I was going to be specific, pulls down again and this is so excuse me if I sound a little bit like a broken record, but it pulls down from those northeast communities all the way down to the new center area. So it doesn't really matter if you are from the Detroit area or not but just imagine your neighborhood being included with a downtown area. And I'm not so sure when I think of representation how one person could manage all of that from a practical standpoint, those different interests when we are thinking of communities and neighborhoods. The overlay makes it a little bit difficult. I think Hamtramck in this is in with nine or part of it. And.

>> MR. MORGAN: Hamtramck is in with nine and Highland Park is in.

>> COMMISSIONER KELLOM: With eight, okay.

So that would be my kind of two cents, and it crosses 8 mile in some areas which, you know, is fine. But I just don't think it does a good job again like we have raised because those other districts are locked. We are just forced to do very specific changes when you have a map like this. So that's my piece about community of interest but there are other hands.

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: Yes. So I agree with much of what Commissioner Kellom said. I don't think this is the prettiest map we have by any means. I will be the first to admit that and don't think it does the best job of communities of interest either. I think there are maps that do a better job than this one at that. I do think there are communities of interest though that are supported by it. First off, since this map only changes the 7 Districts that are required to change, it was all of the same community of interest that we adopted in the Hickory map previously. And while I was drafting it, I mentioned the Detroit community of interest a couple times. What I meant by that it has two more Districts that are located fully in Detroit, being District 4 and District 8. Being fully in Detroit whereas previously those districts were not fully in Detroit. I think you know you also have the communities of interest in the previous Hickory map we can discuss if you want. This is one of the only maps that keeps Melvindale with Dearborn because it did not change District 3. But, yeah, that's about all I got.

>> CHAIR ORTON: I wondered if we could take off the Hickory overlay and put on the neighborhoods overlay to just kind of look at that. How we did with that.

>> MR. MORGAN: Okay, I will set that up. Do you want me to put the names of the neighborhoods on or are you okay with just the boundaries?

>> CHAIR ORTON: Just the boundaries is fine and scroll maybe so we can see the bottom. Okay, thank you.

>> DONNA CALLAGHAN: Any comments on communities of interest or neighborhoods? Okay then how does this map come out on partisan fairness?

>> CHAIR ORTON: Commissioner Eid?

>> COMMISSIONER EID: I'm pretty sure all of the maps we have left score just about exactly the same as Hickory did. But I think there is a table of all of the maps and their partisan fairness metrics.

>> CHAIR ORTON: Yes, I believe you are right.

>> COMMISSIONER EID: Maybe we should pull that up.

>> DONNA CALLAGHAN: Yeah, let's take a look at that.

>> CHAIR ORTON: Mr. Fink?

>> Nate Fink: Thank you Madam Chair. Is someone pulling that up? Or would you like me to?

>> CHAIR ORTON: If you have it, that would be great.

>> Nate Fink: I have a chart, but I didn't know if Mr. Brace or Mr. Morgan had it, if they were going to be pulling it up.

>> MR. MORGAN: Yeah, I don't have that in front of me. So I would look for someone else that has that.

>> Nate Fink: Okay so I have just a spreadsheet that has actually has all of the plans so it would include, I have not purged it, the maps that the Commission had decided at least for now not to consider. During this process. So I will share my screen.

>> CHAIR ORTON: Okay, we can see that.

>> DONNA CALLAGHAN: Could we hide the rows for maps we have de-prioritized? Like Marigold and Peony? Rose bud? Sun flower, the Trillium family? And, yeah.

>> Nate Fink: This is the six plus Ms. Szetela's individual plan which is separated. So I think this is right here are the six that the Commission was currently considering with Daisy.

>> DONNA CALLAGHAN: Looks like everything is pretty close to the same, but Daisy-2 actually has the best score.

>> CHAIR ORTON: Yeah.

>> DONNA CALLAGHAN: If you look across on the criteria.

>> CHAIR ORTON: Right. My comment would be personally they all seem very close. I don't think there is any we should weed out due to the partisan fairness score. So when we look at the others, we can know that they are all basically the same. Commissioner Eid?

>> COMMISSIONER EID: I personally would agree with what you just said, Commissioner Orton. I think I have been one of the, you know, hardest sticklers on

partisan fairness over the past couple years. And to me all of these at least these collaborative maps we have left seems like they lean slightly republican and three of the measures of partisan fairness and slightly democratic in the fourth one. And I think more importantly it matches almost exactly to what we already passed with the Hickory map. To me that's what is important, that it matches or does better than Hickory. And I think all the ones we have left pretty much do that.

>> CHAIR ORTON: Great, thank you for sharing that, Mr. Fink.

>> DONNA CALLAGHAN: I think it's in the criteria and we did not favor a candidate with this map, and we already looked at towns and neighborhoods and county lines. So is there any other comments on this map?

>> CHAIR ORTON: Can we just look at it one more time for compactness?

>> DONNA CALLAGHAN: Commissioner Eid has his hand up.

>> COMMISSIONER EID: I will just say for the record once again race was not used to draw this map at all. And no other third-party map or anything like that was used to draw it. It was drawn live in our collaborative process last week. At the hearing due to Commissioners wanting to see if it was possible to draw a map that didn't have changes except what was required by the Court.

>> CHAIR ORTON: Commissioner Kellom?

>> COMMISSIONER KELLOM: Two things. I think we should be careful in how we compare maps to Hickory if we are doing it for like visuals and overlays, I think that is okay.

But I will also say that Daisy-2 resembles Hickory a little too much for me and is a map that was struck down and exactly why I wanted to have the overlay. So I don't think we should be like expressing. I think when we are completing partisan fairness because it was closer to Hickory then that is a good thing. To me it's actually not a good thing. I don't want anything to be close to Hickory because that was a map that was problematic. So that is just my two cents. I understand that other people can feel differently.

>> CHAIR ORTON: Mr. Morgan, are you -- we do not see your screen if you are trying to share your screen.

>> MR. MORGAN: Sorry, I was waiting for the request. Okay, so this is the Daisy-2FC that we just changed the area of District 12. And you wanted me to run the compactness report on that?

>> CHAIR ORTON: Yes, please.

>> MR. MORGAN: Okay.

So we haven't discussed the compactness reports in a while. So this has many compactness tests. And the report is 13 pages long. So the first one here is Polsby-Popper, so it's got the individual districts on the right side with that number. And then it shows the most compact, least compact for the Polsby-Popper, and we can discuss what compactness means a little bit or we can just you know look at the report.

I don't know if there are any top line statistics. I'm going to scroll through this to the end to see. Yeah, it does identify the most and least compact.

>> CHAIR ORTON: Okay, maybe you could just talk about compactness just a little bit.

>> MR. MORGAN: And I will defer to Mr. Brace, if he has something else to say on this. So the courts may evaluate compactness in many different ways. In my experience the Polsby-Popper is comparing the area of the Districts to the area of a circle with the same perimeter is what it says. So that's what this is. And at the end of this report let's see, it shows you the least compact District is 58.14 on Polsby-Popper and 58 was not one of the districts that was changed. So at the very least you can say that none of the changes that were made resulted in a District that was the least compact. So that's something that you might want to consider. And then there are other ways to look at this data and the next one is the Schwartzberg. And again it's got 58 as the least compact on Schwartzberg. And Reock is another score which compares the perimeter of the District to a circle in a different way. Than the Polsby-Popper does. I have to refresh my recollection as I say as to which is which. But one of them is basically how well does the District fill a circle and the other one rewards the District for not having a lot of nooks and crannies or crenelations, so those two scores are complimentary in a sense. Reock and Polsby-Popper. The Reock the least compact District is .13 for District 5. And in this particular case District 5 was not a District that was changed. So you could say, again, that whatever changes were made did not result of in the districts that were changed being the least compact. Even though District 5 is the lowest and it is in the Metro area it was not changed during this drafting process. The next.

>> KIM BRACE: In this particular plan.

>> MR. MORGAN: In this particular plan, that's right. All right and the length, width comparison. Again, similarly District 5 is listed as the least compact on this out of the 110 districts. And it was not a District that was changed. So the last one is convex whole. And this one does not compare the area of the District to a circle, but to another shape. They describe it as a convex whole but it's another geographic shape that you can derive from a measurement using the perimeter of the District. And, in this case, again, just looking at the least compact it's District 58 which was not adjusted in this plan. So that's just one quick way you can look at and think about, well, whatever was done it did not result in a District being the least compact and therefore your end points are sound in the sense that they are not resulting in a District, a single District that is least compact or less compact than any in the Hickory plan. So I think that's a useful thing to consider. You can look at the individual compactness scores on districts if you need to.

>> KIM BRACE: John, before you close that screen, there is a link at the top of each of those pages. Now in the report itself.

>> MR. MORGAN: Yep.

>> KIM BRACE: Click on that link.

>> MR. MORGAN: This will tell us more about the scores.

>> KIM BRACE: That is right. So that is a good synopsis of compactness in the various scores and how they are done. And it has images of sample districts with the circles or convex hulls or whatever around them so you can see what they look like.

>> MR. MORGAN: It's not letting me click directly from this, I guess this is probably, this is the Autobound edge viewer so it's not even a PDF yet.

>> KIM BRACE: Yeah, so we can generate that and send it to the Commission. We did that before I believe. But we can get it to all Commissioners.

>> CHAIR ORTON: Okay, thank you. Thank you for that explanation, Mr. Morgan.

>> MR. MORGAN: And then for my purposes I'm going to save this since I ran the board. There we go. It brings us to a website. There we go. That is why it was not showing up. So here is the information on the Polsby-Popper and my shorthand was more or less correct how well does the shape fill a circle. The Schwartzberg gets a little more complicated, the Autobound program simplifies it into a number that approximates one to zero. Or 0 to 1 rather. So that's the Schwartzberg calculation. It compares it to the circumference of a circle who is equal to the area of a District. Previously we were looking at comparing prim tears in Polsby-Popper. It's the sorry the area of the District but it's comparing it to the area of a circle whose circumference is equal to the circumference of the District, so the input value is the perimeter of the District. That is the perimeter of the District from the District and then the ratio of that area to that circle. Okay and then here is Reock so Reock is the minimum bounding circle. So again it is a circle but it's a different way to calculate it. So it basically, you know, it calculates the minimum and closed circle then it's comparing the districts, the ratio soft the area of the District to the area of the minimum bounding circle. So again what I was saying is if you have a lot of crenelations like the island and appendage down here et cetera that causes the score to be less. The Convex-Hull is what I was getting at or here your enclosing shape is a circle. Here the Convex-Hull shortens that and says I'm going to draw on the outer boundary and you see how it's going point to point instead of a full circle. And that is just another way of measuring it. We talked about length and width. So this is a rectangle, and you compare the length and the width. I think that covers it. Okay.

>> CHAIR ORTON: Thank you very much.

>> MR. MORGAN: I clicked on that it just didn't open as I expected.

>> CHAIR ORTON:

>> DONNA CALLAGHAN: Okay so is there anything else on this map we need to discuss or see a report on or look at? Okay then do we do this in order is the easiest thing to do so if we see the Bergamot one plan, please.

>> MR. MORGAN: In this case I'm not going to copy it because I don't anticipate we are making active changes to it.

>> DONNA CALLAGHAN: So the population is okay across districts, correct? And you ran that contiguous check? Mr. Morgan?

>> MR. MORGAN: I did.

>> DONNA CALLAGHAN: Next on the list is community of interest. How are we doing on this map with that? Does anybody have a comment? I will say this District 8 is not my favorite version of District 8 because it encompasses from the very bounds of 8 mile all the way down up to the town. Anyone else? Commissioner Eid?

>> COMMISSIONER EID: Yeah, so there are some COI relationships that I do like in here. I think District 1 that Down River District that we created is good. I think it represents what that Down River community wanted to see. This version, and most of the other versions of the maps that we have left do take Melvindale out of District 3 and puts it in District 2 which you know I don't love but I think the compromise there is having District 3 reunite in Dearborn. That way you can still have two districts that support that community of interest. And as we've heard I think well I'm of the opinion that Melvindale should be with District 3. I think being in District 2 is something we also heard is okay.

I think Commissioner Muldoon agreed with that. I agree Ms. Callaghan, that you know I don't love District 8 in here. I think that having a District that maybe doesn't run all the way from 8 mile down into midtown would be better. But I think District 11 is okay. It's kind of a, you know, Detroit up through the river District. So I think District 12 is okay.

It has northeastern Detroit along with East Point. I think the Oakland County, Wayne County parts, the Oakland and Macomb county communities are also well served by this map. You have District 7 that doesn't cross into Macomb or Wayne County. You have District 14 that only crosses into Wayne but not into Oakland. And you have districts 4 and 5 in this configuration that are wholly located within Detroit. Oh, and we should probably say so this is the version that has Grosse Pointes, the Grosse Pointes being in a District along with St. Clair shores.

>> CHAIR ORTON: And I think we can add, if I remember correctly, this is one that we did collaboratively all in a public meeting. No outside sources. So we did it without looking at race data. Commissioner Kellom?

>> COMMISSIONER KELLOM: Hi, everybody. John, do you mind putting up the neighborhood names? For the map? Not the boundaries but the actual labels?

>> MR. MORGAN: Sure. I have to actually have both on in order to show it.

>> COMMISSIONER KELLOM: You're right, I'm sorry.

>> MR. MORGAN: No problem.

>> COMMISSIONER KELLOM: If you get a moment Zoom in a little because it's little.

>> MR. MORGAN: Where do you want to Zoom in?

>> COMMISSIONER KELLOM: Start Zooming in and I want to see the western side of Detroit, but I want to be sure. Something else might catch my attention.

>> MR. MORGAN: I will go by District. This is District 1 the neighborhoods here then we will look at District 4.

>> COMMISSIONER KELLOM: Let's say this is District 1 I'm looking at.

>> MR. MORGAN: Yeah.

>> COMMISSIONER KELLOM: So I think this is going to speak to my general comment with this map. I agree with the sentiments for District 8. I think it just scoops too far to the south towards the downtown area with District 1. I think if I remember correctly this was done for population. But I'm not sure. I'm a big fan of north Corktown and Corktown with parts of southwest and southwest turns into Down River. I think we have other versions. And other versions of the map that do a better job of keeping communities together while -- I lost my train of thought. I was just going to say something but let me see District 4. Can you go north just a little bit? I want to make sure. That is District 16. And District 4. And District 5 goes north how far? And can you go west John please. So if I'm looking at this correctly, yeah.

>> MR. MORGAN: I think that is the end of five here.

>> COMMISSIONER KELLOM: It's the same color. So and that green portion is District 16 that goes how far west?

>> MR. MORGAN: I'll also say for this one but I'm not sure they are districts we were not charged with fixing. And I think they may be cleaned up in some other maps, I'm not sure. But this idea that we have more with parts of Livonia, probably more it's a pretty starved area but I'm not going to take despairingly is rapidly being revitalized. I know there are a lot of neighborhood or citizens, you know, good neighbors in the area that are working to make that the heart and soul of that particular neighborhood that it should be. And so generally though we can't keep all neighborhoods together when we are thinking about Detroit, I think we should be careful, and this happens in District 16 and 17, how we are putting Detroit like Detroit proper with neighborhoods with the folks that are there with communities when we are mixing communities of interest with these western suburbs. So coupled with what I said about the southwest area, District 8, I think this is a map though the other criteria are important, but it focuses not enough on the people, more about metrics and numbers if that makes sense.

>> CHAIR ORTON:

>> DONNA CALLAGHAN: I think another community of interest, at least when I was there to hear them a lot of public comments was Ferndale and palmer Woods. Oak Park, Royal Oak Township. Maybe being with Detroit. And those were all very, you know, north of 8 mile. So that doesn't really follow some of the public feedback we have gotten.

>> COMMISSIONER KELLOM: I will say Commissioner Callaghan if you look closely between District 6 and 7 Royal Oak Township which is the area that is going kind of west of 8 mile is split.

>> DONNA CALLAGHAN: Yeah, it's split.

>> COMMISSIONER KELLOM: Yes, and District 6 if we go north into District 6, can you scroll up, please? You have got.

>> DONNA CALLAGHAN: Oak Park and Birmingham.

>> COMMISSIONER KELLOM: Birmingham has a particular demographic, I say demographic and also community of interest with Berkeley having a more I feel like it gets more what word do I want to like liberal, creative, free, hippy is a word that comes to mind but I don't want to label any one area as we go south towards 8 mile. Not that there are not hippy folks in Birmingham, but these are all areas I frequent. And so the vibe, the culture, the neighborhoods, change ever so slowly but end up being pretty drastic. And in District 7. Again, I don't think I like hate any of the maps. I think we just continue to improve upon the design. Like it just got better and better as we moved along. Go ahead, Commissioner Callaghan. I'm sorry.

>> DONNA CALLAGHAN: No, that is fine. Good, important, but anybody have comments on the districts here? Okay, partisan fairness we've already looked at. Incumbent, I don't know of any advantages there. Does anybody have comments on our consideration of towns, counties and townships other than we noted Royal Oak Township was split? Do we want to look at compactness on this map?

>> CHAIR ORTON: Yeah, I think we should take a quick look at all of them on compactness.

>> DONNA CALLAGHAN: Okay.

>> MR. MORGAN: Okay, I will run the compactness report here. Okay and again for this quick overview I think it's useful to look at the least compact District again just so we can see if the new least compact District in the entire plan happens to be or does not happen to be a changed District. So plan name, Bergamot1.

>> CHAIR ORTON: John, is it possible to Zoom in a little bit?

>> MR. MORGAN: Maybe, maybe not. Let me see. Because again right now this is a report viewer. So I think -- let me change it to a PDF and let's go find this. So now in the PDF it's a little better and I have a Zoom function in the PDF.

>> CHAIR ORTON: That is much better thank you.

>> MR. MORGAN: So name of the plan Bergamot1. And, again, the least compact District is District 58 which was not a changed District. And then on the Schwartzberg test, let's see, and again it's the least compact on the overall plan is District 58, not one that was changed. Look at Reock. And the least compact is District 29. Which was not one that was changed. .56 for District 10, which is a District that was changed and again it does not mean it's not compact it just means one of the changed districts is at the low end of compactness on this one test. And this one is District 58 which is not

changed. So on one test on the length, width tests one of the districts that was changed is the least compact in the entire plan. But I think if we look back at other plans for example, even in the last report that we looked at, the value for this least compact District .56 we can compare that if you want to the value of another District that we have looked at.

>> DONNA CALLAGHAN: Wouldn't District 5 show up as least compact in the measures in a previous report and this time it's showing up as most compact?

>> MR. MORGAN: Well, right, because so think about it this way, the previous District five if you recall basically is where the current District 6 was, it was going from parts of Detroit all the way up to Birmingham or in that area. So it was like the letter I or the number one. So that the number one does not fill a circle very well. But a square, which is what the new District five is, fills a circle pretty well. And in terms of this test, the length, width test a square, definition a square has equal length but this is almost a square so that is why it is much more compact than the previous block on this District. I'm pulling up the Daisy-2 and just looking at the length, width. So here it's .37 on the length-width. No, sorry that is Schwartzberg. I thought that was the one. Okay, length-width. It was .33 for District 5. So if we look at this District it's .56 so arguably the plan that is drafted here in Daisy-2 has a single District that is more compact than the least compact District in Hickory.

>> DONNA CALLAGHAN: So it's good, right?

>> MR. MORGAN: Yeah. I'm trying to zero in without looking at individual districts. It's a quick way you can say okay we have a District. So our District 10 that we've redrafted is .56 on this metric. However, the District five, which is in the Daisy plan and in the Hickory plan is less compact than this new District 10. So that's just one way to get a quick glance at that number and not be phased by it. Okay I think I went through all the compactness scores, I think. Yeah. And I saved the compactness report there as well.

>> DONNA CALLAGHAN: Is there any other comment on this map? In terms of advantages or disadvantages, what you like, don't like? Okay then we can look at Bergamot2. Anthony, do you remember what specifically is different about Bergamot1 and 2, is it just Harper Woods?

>> COMMISSIONER EID: It's the same map except instead of having Grosse Pointe, the Grosse Pointes combined with St. Clair shores making that lakeshore community of interest and instead has the points grouped up with Harper Woods representing that community of there and it slightly changes districts I think it's District 12 to make up for that population change. I'm sorry it's District 13. It looks like 13, 12 and so, that area of three districts.

>> DONNA CALLAGHAN: Does anyone have thoughts on that? Thoughts going either way and looking at the portal some people say the points should be with St. Clair

then you hear some people say Harper Woods so I'm not sure if there is a consensus there.

>> COMMISSIONER EID: Ms. Callaghan you are muted if just are trying to say something and we can't hear you.

>> DONNA CALLAGHAN: I was talking. I just asked if anybody else had any comments on this map? It looks to me like the population, the community, the interest except for the lakeshore is the same. Partisan fairness is the same. So if anybody has specific comments on that lakeshore community. I think the public comment went both ways on that one.

>> CHAIR ORTON: Public comment has gone both ways so I guess we can put them both out there and see what the public comment was.

>> DONNA CALLAGHAN: I suppose we should run again the compactness score, Mr. Morgan.

>> MR. MORGAN: Okay.

I will point out that Kent Stigall informed me there is a Zoom function on this so I can Zoom in. So on the Polsby-Popper, the least compact District is District 58 which is not a District that was changed. And then on the Schwartzberg District sorry District 58 is the least compact at .37. Not a District that was changed in this plan. And this should be Reock. There we go so District 29 is the least compact on Reock, not a District that was changed. Then length, width, District ten is the least compact in this plan but as we talked about before while it's the least in the plan it's not the least in the Hickory. So you are within the range of the Hickory plan again these are quick checks without looking at individual districts which we can also do if you like. But then the last one is the least compact District is District 58 which was not changed in this plan. And again I'm just saving this so if I need it, I can refer to it again. Commissioner Callaghan you are muted.

>> DONNA CALLAGHAN: Any other thoughts from anyone? If not, we will go to spirit of Detroit next.

>> DONNA CALLAGHAN: Okay I think on this map we are good with population. And Mr. Morgan, have you run the contiguous check?

>> MR. MORGAN: Yes.

>> DONNA CALLAGHAN: Okay, so next we are looking at the communities of interest. Does anyone have any comments? I like this map. I like how Dearborn is divided up. I like the Down River community. I like the 8 mile. A lot of cross over in this map but I think in every instance it has done in a way that is respectful of the communities in the area. Keeps interested communities close together. But at the same time does not over well M Detroit taking in communities from way up northern suburbs and bringing them down into the City. But that is just my comment. Commissioner Orton?

>> CHAIR ORTON: What was my question? For Brittini. And I'm sorry I just lost my train of thought. It will come back how many districts were changed in this map? Do we know?

>> COMMISSIONER KELLOM:

>> COMMISSIONER EID: You got the 7 that are required. Us the three that are in the middle. So 7, 9 and 13. And then in addition to that you have 1.

>> COMMISSIONER KELLOM: 1, 3, 5 and 6, sorry.

>> COMMISSIONER EID: Also two because Melvindale got put into two.

>> COMMISSIONER KELLOM: So I think 11 districts. I think though, I think Commissioner Kellom said it in a pretty comprehensive way, 11 districts, I think they were minor but important changes. Minor changes made to the districts that weren't violated but had huge impacts on the City of Detroit. I can't speak for Mr. Braden, but I think this is an example of a tweak. I think the Detroit area looks dramatically different because it's supposed to look dramatically different, but the rest of the map as a whole does not. And I think that it basically by this map I think we worked collaboratively drawing at a good pace. And I think this map represents the Commission as a whole having an understanding of Detroit, if that makes sense. I said like in my opinion before and it's fine we had mixed advice and folks were not comfortable with Detroit, but I think the spirit of Detroit map has like all of our hands in it. And demonstrates, like I said, our understanding of Detroit and the communities that have spoken out. I think it's a very responsive map as well. I'm interested to see that area of 4, 5, 16 and 17 zoomed in, John, if we can. And then just like colloquially looks strange and it does not look like we are borrowing neighborhoods for population. I think it does a really good job. Can you Zoom in more? I was going to say something. Okay, I think I see what I need to see. Can you go west? I want to look at 17, I think this is pretty much the same. 16 and 17, that is to the west.

>> MR. MORGAN: Yeah, the boundary is Southfield road here.

>> COMMISSIONER KELLOM: Uh-huh. Okay, if anything, and I know Commissioner Eid has his hand up, I saw what I need to see, John, it does not fix the area I was talking about previously. If anything I would be interested to see what this map looks like compared to the area for -- that was referenced, map 15, 10 for the Mena and Arab community. Just as a reference. I want to see how closely or how far apart that this map addresses as the COI is concerned but those are my comments.

>> DONNA CALLAGHAN: Yes.

>> COMMISSIONER EID: I agree, I like this map quite a bit. I think the communities of interest are well represented in this map. And in District 1 you have, you know, the Down River configuration that, you know, most of us have agreed within the past map. This actually was an evolution of the map we were just looking at and how it was created. You know you have District nine being both a downtown and midtown District, but it does not go all the way up into District 8 like how the previous maps were and I

think that is exactly what folks want to see. I think you got District 7 that supports the Bengali APA community of interest. You have District 4 that is wholly in Detroit this time. And this does cross, this plan, this graphic plan does cross 8 mile. But I think in the way that it does it it's a really good thing. We know from the last census that people did move out of Detroit into those suburbs that are in southern Oakland and Wayne County, and this reflects that in ways that make sense. It makes sense to have some of Oak Park be with some of Detroit. It makes sense as we have heard time and time again now to have Ferndale be with Harper Woods. And I also think it does a good job in the northern Oakland County District in District 6 putting Royal Oak with Huntington Woods. And up to Berkeley. And Birmingham makes a whole lot of sense to me. I don't love that it takes Melvindale out of District 3, but you know I spoke to that before. I think it's a fine compromise because it does change that population to have the rest of Dearborn included in District 3. Without splitting the population in such a way where you're putting all of the community centers from the community into only one District. And I think if you look at that C1510 map that is what you will find. It does a good job of distributing the population between districts 3 and 15 to support two Districts that could possibly support a community of interest instead of just one.

I also like how it combines, if you can go a little bit northeast, yeah, I like the District 12 configuration as well. Putting East Point with parts of northeastern Detroit. That works well. I think it's supported by the public comments. It keeps those three neighborhoods together that wanted to be together. Their names escape me at the moment, but Commissioner Kellom brought them up quite a bit. And, yeah, this is a great map.

>> DONNA CALLAGHAN: Anybody else have any comments?

>> COMMISSIONER KELLOM: This will be my last comment. I know that folks in Grosse Pointe and the shores might have some feelings. And you know I deeply do respect them as a community as well. I think ultimately the decision comes down to, like we said, what needs to be changed so that the changes that we were tasked with making can actually happen. And I think it's important not just for the record but for communities listening to know ultimately, hopefully, you know, no matter what you believe I hope that there can be some consensus that we are all one community. And that one relies on another and this is an example like bringing the abstract to the exercise of and the job of having to map is an example of what might feel like a sacrifice or a misunderstanding of a community. But the necessary implications for drawing for the City. Yeah. There was something else I was going to say but.

>> DONNA CALLAGHAN: Does anyone want to see a neighborhood map or anything like that? No?

>> CHAIR ORTON: We looked at that a lot when we were drawing this or when this was being drawn so maybe just compactness.

>> DONNA CALLAGHAN: So compactness score analysis.

>> MR. MORGAN: Okay, so on the Polsby-Popper again just to quickly summarize we will look at the least compact District. So the least compact District is District 58 which was not a changed District. On Schwartzberg the least compact District is District 58, which was not a changed District. On Reock, the least compact District is 29, which was not a changed District. And on the length-width, it is District 29, which was not a changed District. And on the convex Hull it's District 58 is not a changed District.

>> DONNA CALLAGHAN: Okay, okay so if anyone has questions or comments on the map, we will move on to the next one. So it will be the Tulip plan.

>> COMMISSIONER KELLOM: I would like to hear all of the Commissioners' voices if people are able and willing to speak because these maps are the collaborative ones and were not myself and Commissioner Orton and Eid and Commissioner Callaghan drawing. It will be helpful if we can all speak to the maps so that we don't come away with this idea which has happened in the past, this is your map. This is Commissioner so and so's map. None of these maps are individual maps.

>> DONNA CALLAGHAN: I agree with that. Having said that, I'm going to say this is a map that I did start. And it was the premise of this map was to make as few changes as possible to stay in the Court boundaries and only changed required ones and 4, 9 and 13 and went through the exercise and create this map. I have to say I don't like this map. I would be perfectly fine if we dropped this map. But, having said that, we will still go through the exercise here and let anyone else who would like to comment go ahead. Commissioner Eid?

>> COMMISSIONER EID: I kind of agree with you. I like we have a map that only changes what is required [APPLAUSE]
9, 4 and 13. You know I think it's good to have that in there to show what is reasonable or what is not reasonable. I think we have kind of we will have that debate later but collectively we have seen what is reasonable and not reasonable, so you know, besides that point though I do think there are some good communities of interest in here. They are a little different than what is in the other maps. District 9 on here, it does not go quite as up as far into eight mile as we have seen in the Bergamot map, for example. It stops at a more reasonable point and goes more up the river to bell isle. You have a District 4 in this case that is fully in Detroit. And because in this one, Melvindale, District 3 didn't change meaning Melvindale is still with Dearborn. To make up for that we took the Down River Area and put it to the more industrial parts of Dearborn with it. I think that is why you see it kind of creates a backward C shape in District one. On this one. Which configuration of gross point is in this map? So this one has the Grosse Pointes configuration with St. Clair shores. And it has East Point being with northeastern Detroit and Harper Woods. And I think it has the same 7 and 14 as some of the other districts.

>> DONNA CALLAGHAN: Uh-huh. It still does not do anything about the split between in Royal Oak Township. Royal Oak is still down with some of the more southern suburbs. This whole District right, I will use my cursor and can't tell, that area

doesn't make very much sense to me. Anyone else? Okay Mr. Morgan, would you like to do the compactness?

>> MR. MORGAN: Okay.

This is the Tulip plan. On the Polsby-Popper. And the least compact is District 58, which was not changed. Next on the Schwartzberg. The least compact is District 58, which was not a changed District in this plan. Reock is next. And Reock District 5 is the lowest .13 but as we've noted District 5 was not changed. So this is the same configuration as the Hickory plan. So therefore this was not a District that was changed. And the length-width District 5 is the least compact which was not a changed District. And then on the convex Hull it's District 58. So in this case none of the least compact districts were districts that were redrawn in this.

>> DONNA CALLAGHAN: Okay, anyone else have any thoughts?

>> COMMISSIONER KELLOM: Just that we have received, I remember two distinct occasions where we received public comment that was very strong about the Tulip map. I think I wrote it down; one was like throw out the Tulip map and another gentleman that spoke about it not being very good at all. I don't want to get his name wrong. So I'm not going to get a split. Yeah. There has been public comment about people not liking Tulip for the same reasons that we just outlined here.

>> DONNA CALLAGHAN: Okay.

The next map is our last one on the list for now, water Lilly. I think this was a map that was created as an iterative step towards spirit of Detroit. I'm not 100% sure. If someone can speak to that.

>> COMMISSIONER KELLOM: Yeah, it was a collaborative map that used Bergamot but had a Detroit configuration and then had a tweak of a lakeshore District. However, it is in many ways way different than, sorry, in so many ways way different than spirit of Detroit. Because spirit of Detroit makes significant changes. So that the word iterative is very important because originally what I was going to do is I was going to name this one I was working on the spirit of Detroit changes, I was going to make it that, but then I changed the lakeshore District first. So I kind of abandoned the map. When I was making the more significant changes for the Detroit area. So admittedly, yeah, that's what happened with this map.

>> DONNA CALLAGHAN: So Commissioner Eid?

>> COMMISSIONER EID: Yeah, this right now is probably my I guess my second favorite of the bunch. The biggest difference between in my eyes at least between this map and spirit of Detroit is this one does not cross 8 mile at all. 8 mile acts as a dividing line here and different people can have different opinions on if that is good or bad. I personally think it's bad. I think it's a barrier in many ways. But you do have, you know, districts 4 and 5 again being solely the Detroit, most of these are solely this Detroit because it does not cross 8 mile at all. Districts 1 and 9 are pretty are very similar to what's in spirit of Detroit. So this map has that going for it in that regard. And it does

not cross 8 mile. Some people will think it's good. Some people will think that is bad. I do think it is different enough to keep in the running. I think it's a good map. I don't like it as much as spirit of Detroit, but I still think it's an all right choice.

>> DONNA CALLAGHAN: Anyone else have thoughts? Cynthia?

>> CHAIR ORTON: I would agree with that. It's different so I think we need to give the public some different options and hear what they have to say.

>> DONNA CALLAGHAN: Yes, Commissioner Wagner?

>> COMMISSIONER WAGNER: I would just I agree with you both. I would just ask we change the colors for 4 and 8 just because they are so similar before we save this, please. Thank you.

>> DONNA CALLAGHAN: That's better. And if you could run the compactness report, please.

>> MR. MORGAN: Okay.

So on the Polsby-Popper. Quick analysis looking at the least compact District, which is District 58, which was not a changed District. On Schwartzberg the least compact District is District 58, so that's not a changed District. On Reock the least compact is District 29, which was not a changed District. On the length-width the least compact is District 29, which was not a changed District. And on the Convex Hull the least compact is District 58, which was not a changed District.

>> DONNA CALLAGHAN: Okay, is there anything else? All right then that is it. I think that is the end of the map list.

>> CHAIR ORTON: Okay, thank you very much, Commissioner Callaghan and Mr. Morgan for walking us through that. So next on our agenda is the executive director report. Do you have something further, Mr. Woods?

>> MR. EDWARD WOODS: Yes, thank you so much, Commissioner Orton. I sent out a request for a quote, as you know we are under a timeline for getting our information out to the public with regards to public hearings. And we really want to get the word out and get a firm that is familiar with Detroit to participate. I sent you guys some information in your e-mails, and I will share it on the screen. Obviously, we wanted to with regards to, there is two things. Our procurement policy asked for a 7-day notice which we want to waive. And then obviously there is a 24-hour notice that Commission likes to have to review materials. And we want that waived as well so we can immediately go out for bid. So let me share my screen. And we can go over the process. Let me know if you can see it. And if.

>> CHAIR ORTON: We can.

>> MR. EDWARD WOODS: Is it zoomed so you can see it clearly?

>> CHAIR ORTON: I think it's fine.

>> MR. EDWARD WOODS: Okay, thank you. Basically we are trying to reconfigure maps as you all know we are under Federal Court order, 178101112 and 14 for Michigan House of Representatives and provide an opportunity for their Royce City of

Detroit residents to be heard through traditional and nontraditional sources that target the diversity in the City of Detroit residents and each of the cities, I want to repeat cities 7 neighborhood districts. As you know Mr. Ray Solomon from City of Detroit identified those 7 City districts, they are listed in the map of the City of Detroit neighborhood department. And so we want to make sure we reach out to those areas. Scope of work we are looking for experienced creative research upon public relation firm that has intimate knowledge of the demographics of the City of Detroit. Once again, we are looking for firms that have intimate knowledge of the City of Detroit. They have a constructed execute a public relation plan that educates residents on redistricting, shares why the input is needed and can reconfigure these 7 districts. 7 districts being the 7 Districts in the Michigan House of Representatives. And the opportunities available to provide feedback.

We want to start the campaign this coming Monday. The 5th of February and it ends Friday the 23rd based on our calendar there may be some follow-up to the public hearing meetings that we have on the 22 with regards to interviews. The things or the dates of the campaign that are important we want to really push the virtual town hall meeting we talked about earlier today. The public hearing on the 21st, public hearing on the 22. To be determined identify opportunities to collaborate with organizations to speak with the City of Detroit residents in any of the City's 7 neighborhood districts. And to be determined interviews and promotional materials to drive attendance and engagement at the meetings referenced above.

The requirements that we're looking for in this proposal is definitely put emphasis on years of experience and summarize their campaigns and targeting various demographics age 18 or older including the City 7 neighborhood districts and the City of Detroit so we are looking for experience in the campaigns they worked on in the past. We want to know their experience in working with traditional nontraditional media personalities and influencers who can assist what we are trying to do. With the develop and execute a multimedia public relations plan to increase engagement. We will identify the principle and resume for their project. We want to know about three references and their contact information that can attest to their experience, resume and hourly. For every working, everyone working on the project and estimated budget.

We are looking to get this done as quickly as possible. But because of the immediate need for it and getting this information out so we want to get it out today. Posted on the website and then have a vote on Thursday afternoon, February 1 to secure a firm. We will require that the proposal will be due on Thursday, on February 1st at 1:00. And then we would compile the results and give the Commission a summary of the proposals received so they can vote that afternoon. And then we would start with the MICRC orientation this Friday at 9:00. The evaluation criteria we evaluate RSVP based on best value not the lowest bid and take into consideration the 7 items listed under requirements in ranked order.

People have questions with regards to the bid they can contact me directly. So I would appreciate entertaining a motion that would do three things, Commissioner Orton. One way the Commission for the procedure for 24-hour notice to be waived. Two, waive the seven-day posting requirement before the commission acts. And then, three, approve the request for quote as presented to be issued out today.

>> CHAIR ORTON: Commissioner Lett?

>> COMMISSIONER LETT: Yes, since what we're looking at, that we are already about two weeks behind, I would move those three items that Edward just mentioned as action for the Commission to take right now.

>> COMMISSIONER WEISS: Second that.

>> CHAIR ORTON: So we have a motion and a second to move those three items forward. Is there any discussion? On that? Commissioner Wagner?

>> COMMISSIONER WAGNER: I just have one. Can someone recite what all three items were one more time for me please? Thank you.

>> CHAIR ORTON: Director Woods, can you do that.

>> MR. EDWARD WOODS: It deals with the Commissioner requirement to have a 24-hour notice in terms of receiving the request for quote. Two, it deals with the requirement for it to be posted on the website as listed in our procurement guidelines. And then, three, it approves the request for quote as is.

>> CHAIR ORTON: Thank you. Any other questions or comments? Commissioner?

>> COMMISSIONER WAGNER: Just one more did you say we already had a quote and contacted you personally was that it?

>> MR. EDWARD WOODS: I don't have any quotes Commissioner Wagner. I want to issue this out so we can get quotes and get someone started right away. We are behind the eight ball.

>> COMMISSIONER WAGNER: Definitely. Let's do it.

>> CHAIR ORTON: Okay if there is no other -- Commissioner Eid?

>> COMMISSIONER EID: My only comment is we are not only changing Detroit at this point. A lot of these maps have pretty significant changes in Oakland County too. So it might be good to have someone who can do both areas. Keep that in mind I suppose.

>> MR. EDWARD WOODS: What do you mean by both areas, Commissioner Eid?

>> COMMISSIONER EID: Communication with both areas.

>> MR. EDWARD WOODS: Oh, sure, sure.

>> CHAIR ORTON: Okay go ahead.

>> MR. EDWARD WOODS: I think what Commissioner Eid is making sure in identifying the districts we also identified those that may be impacted by reconfiguration as well. So that we are more inclusive.

>> CHAIR ORTON: Okay, all right, if there is nothing else then we will take a vote. All in favor of approving this, I just lost the word.

>> COMMISSIONER LETT: Waivers.

>> CHAIR ORTON: Okay, this motion to waive the timelines and to get this quote out raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay. Okay the ayes have it. And the motion passes.

So.

>> MR. EDWARD WOODS: Chairperson that's all that I have. Thank you very much.

>> CHAIR ORTON: Okay thank you. So without objection I will ask Sarah Reinhardt or Mike Brady if they have anything from the Department of State; hearing no objection please proceed.

>> MS. SARAH REINHARDT:

>> CHAIR ORTON: Okay, I'm assuming there is nothing since I heard nothing.

>> MS. SARAH REINHARDT: Finally unmuted myself I said thank you Madam Chair no updates from us today.

>> CHAIR ORTON: Thank you very much. Okay, so correspondence was available which was received in advance to each of us.

>> COMMISSIONER WAGNER: Madam Chair?

>> CHAIR ORTON: Yes Commissioner.

>> COMMISSIONER WAGNER: I'm sorry in regards to MDOS updates if Ms. Reinhardt could tell me when we can get transcripts because I notice there is quite a few transcripts missing on our website.

>> MS. SARAH REINHARDT:

>> COMMISSIONER WAGNER: If you can claw your way into doing that thank you.

>> MS. SARAH REINHARDT: The transcripts should be up through last week. But if there are certain ones that you have noticed that are missing, please feel free to reach out and let me know and I will work to get those posted. But right now they should be up through the 26th.

>> CHAIR ORTON: Okay, are there any announcements from any Commissioners? Seeing none, the items on our agenda are completed and we have no further business today. A motion to adjourn is in order.

>> COMMISSIONER WEISS: So moved.

>> MARCUS MULDOON: Second.

>> CHAIR ORTON: It's moved and seconded that we adjourn. Is there any discussion on that? Seeing none all in favor of adjourning raise your hand and say aye.

>> Aye.

>> CHAIR ORTON: Any opposed raise your hand and say nay. The ayes have it and we are adjourned at 5:02 p.m.