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MICRC

20240624-1000 Meeting

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>> Good morning everyone in person and online. I will let you know we are starting the webinar and going to take us live so we can get started right at 10:00. If you have any issues, just send me a chat and I can make sure it gets worked out. Thanks.

>> CHAIR EID: Good morning everyone. Is my sound coming through okay?
Test 123, there we go.

All right, as Chair of the Commission, I call the meeting of the Michigan Independent Citizens Redistricting Commission to order at 10:05 a.m. This Zoom webinar is being live streamed on YouTube on The Michigan Independent Citizens Redistricting Commission YouTube channel.

For anyone in the public watching who would prefer to watch via a different platform than they are currently using, please visit our social media at Redistricting MI. Our live stream today includes closed captioning. Closed captioning, ASL interpretation, and Spanish and Arabic and Bengali translation services will be provided for effective participation in this meeting. Please E-mail us at Redistricting@michigan.gov For additional viewing options or details for accessing language translation services for this meeting. People with disabilities or needing other specific accommodations should also contact Redistricting at Michigan.gov.

This meeting is also being recorded and will be available On our website at www.Michigan.gov/MICRC for viewing at a later date.

This meeting also is being transcribed and those closed-captioned transcriptions will be made available and posted on the same website, Michigan.gov/MICRC website along with written public comment submissions. There is also a public comment portal that may be accessed by visiting the website Which is www.Michigan.gov/MICRC.

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 WoodsE3@Michigan.gov.

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

>> YVONNE YOUNG: Good morning, Commissioners. Please say present when I call your name. If you are attending the meeting remotely please announce during roll call you are attending the meeting remotely and unless absence is due to military duty state the Physical location by stating the county, City, Township or the village and state which you are attending the meeting remotely. I will begin roll call alphabetically with Commissioner Andrade?

>> ELAINE ANDRADE: Present.

>> YVONNE YOUNG: Commissioner Callaghan?

>> DONNA CALLAGHAN: Present From Mexico.

>> YVONNE YOUNG: Commissioner Curry?

>> COMMISSIONER CURRY: Present. Commissioner Eid?

>> CHAIR EID: Present.

>> YVONNE YOUNG: Commissioner Kellom?

>> VICE CHAIR KELLOM: I'm, present attending remotely from Detroit, Michigan.

>> CHAIR KELLOM: Present from Detroit Michigan Commissioner Lange?

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

>> YVONNE YOUNG: Commissioner Lett? Commissioner Muldoon?

>> MARCUS MULDOON: Present.

>> YVONNE YOUNG: Commissioner Orton?

>> COMMISSIONER ORTON: Present.

>> YVONNE YOUNG: Commissioner Szetela?

>> COMMISSIONER SZETELA: Attending remotely from Wayne County, Michigan.

Commissioner Vallette?

>> COMMISSIONER VALLETTE: Present. Commissioner Wagner?

>> COMMISSIONER WAGNER: Present.

>> YVONNE YOUNG: Commissioner Weiss?

>> COMMISSIONER WEISS: Present.

>> YVONNE YOUNG: You have a full house. All Commissioners are present.

>> CHAIR EID: We will move to adopt the agenda and you can view the agenda on our website www.Michigan.gov/MICRC. The agenda was sent out to Commissioners in advance of the meeting and is available on the website. I will entertain a motion to approve the agenda.

>> Second.

>> CHAIR EID: Motion by Commissioner Lett, seconded by Commissioner Orton to approve today's agenda is there any discussion on the motion?

Seeing none we will move to vote. All those in favor of the motion to approve the agenda please raise your hand and say aye.

>> Aye.

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

Next on the agenda is public comments. If there is no objection Commissioners we will begin the public comment portion for today's meeting pertaining to agenda topics. Is there any objection?

Seeing none we will proceed. Individuals who have signed up and indicated that would like to provide live remote public comment to the Commissioner will be allowed. I will call your name and we will unmute you if you are a computer you will be prompted to unmute and speak. If you are on the phone it will say the host wants you to speak and

press star six to unmute. I will call by your name, or the last four digits of your phone number. Please note if you have technical or audio issues or do not hear from you for 3-5 seconds we will move on to the next person in line and return to you after they are done speaking. If your audio issues persist you can e-mail at [redistricting at Michigan.gov](mailto:redistricting@Michigan.gov) and we will help you trouble shoot so you can participate during the meeting comments. Today you will have 90 seconds to address the Commission and please conclude your remarks when you hear the timer go off. We have a few individuals who signed up to speak virtually today. The first being Yousif-Yousif.

>> Can you hear me?

>> CHAIR EID: We can.

>> Commissioners, I want to reiterate my concerns with three maps that target my Chaldean community. No to Szetela and Heron and Starling and shocked when one of the Commissioners publicly shows prejudice against my Chaldean.

>> COMMISSIONER SZETELA: Point of order Chair.

>> CHAIR EID: Commissioner Szetela?

>> COMMISSIONER SZETELA: We have a rule that says comments are supposed to be directed to the Commission of a whole and not individual Commissioners. I ask he be directed to limit his comments to maps and not attacking individual Commissioners.

>> CHAIR EID: Thank you, Szetela. Mr. Yousif, let's keep it to the maps, please.

>> Okay can I have my time back?

>> CHAIR EID: Yes.

>> Okay, point so I just out of respect for the Commission I will definitely keep it to the maps. I want to remind the Commission the courts only struck down districts 1, 3, 6, 8, 10 and 11, not 9. Why attempt to make the 7 districts Constitution you make my District 79 unconstitutional and marginalize my Chaldean people. And Commissioners make it simple for the people of Michigan and yourself and the map that is unconstitutional districts and leave Linden 9 Curry, Lange, Dove have some maps for Simplicity and the Cardinal map is fine for Curry Lange Dove or Cardinal. I have faith you will do the right thing and not suppress my Chaldean voices and trust the Commissioners for all your hard work.

>> CHAIR EID: Thank you, Mr. Yousif, for addressing the Commission. Next up is James Gallant.

>> COMMISSIONER WAGNER: Mr. Chair, I just wanted to ask Mr. Yousif a question through you apparently. Could he repeat the last two maps that he said? He said Curry, Lange and then there were two that I did not catch.

>> Thank you Commissioner Wagner, Curry, Lange, Dove, these are the ones to leave District 9 alone or Cardinal is okay for the Chaldean people because it closed the rest of Sterling Heights.

>> COMMISSIONER WAGNER: Thank you so much.

>> Thank you so much.

>> CHAIR EID: Thank you Commissioner Wagner. Okay, James Gallant.

>> Are you hearing me now?

>> CHAIR EID: We can whether Gallant good morning.

>> James Gallant Marquette suicide prevention coalition these are my opinions. Chair Eid, if this is the best you can do within the values of the Chaldean community, which I believe you claim to be, at following the Robert's Rules of Order approved by this Commission and the instructions by Mike Brady Department of State relinquish the Chair now and let somebody else try to maintain the semblance of order required under the Constitution. You have no motions pending to approve any maps so therefore it's out of order for you to amend any maps because that is a secondary motion, please ask your Mr. Braden glad we have another opinion there shall be no debate before a motion second and Page 49 unanimous consent crap you do. Now lastly you allowed the Mr. Fink to slip in his own policy on to the agenda and it was pending. And then it was what authored by subcommittee, he said it was not committee members or Commission Commissioner it was MDOS is that Secretary of State that is with a closed Section subcommittee and illegal and are supposed to work at your direction not you at their direction. You should make directions and the policy and what you want include and excluded out of these policy recommendations. Same thing with Ed Woods over two or three meetings you develop...

>> CHAIR EID: Thank you Mr. Gallant we appreciate your comments. Next up is Anthony Scannell.

>> Good morning, Michigan Independent Citizens Redistricting Commission joining you remotely from Detroit. Last week I said the Heron map would split some of my family members across the neighbors from across the street. I was mistaken that was the Kellom map that would do that. But so it is an interesting thing there. They can have a similar shape to District one Heron and Kellom I think. But I don't really care at the end of the day which map gets chosen. Because I don't really approve any of them 100% and I don't care who wins ultimately because I don't like them and think they are corrupt especially if they are part of parties we have affiliates with everywhere. So I don't care who wins.

I don't like them and are corrupt in my eyes so I'm looking at the process really and I see the Chair or the Vice Chair calls for the motion for the secretary to call the role for the final selection. Seems weird. So the motion will be made for secretary to call the roll. I think the motion is to adopt a final plan and it's then the secretary calls the role. The motion is not for the secretary to call the role it's to adopt the final plan. And I think if it comes to the potential ranking I think that is an okay process.

>> CHAIR EID: Thank you, Mr. Scannell. Next up we have a Shana.

>> MEGAN SCHAAR: That person is not on the line.

>> CHAIR EID: Do we have any in person comment?

Doesn't look like it. That concludes today's public comment portion of our meeting. Please feel free to e-mail public comments at redistricting at Michigan.gov. We will be at the Detroit Southfield Marriott and if needed on Wednesday, we are here in person for anyone who wants to come and watch this process play out live in person. We appreciate everyone who offers public comment in whatever way you choose and invite you to keep sharing your thoughts. Next up on the agenda are items under new business.

If there is no objection, Commissioners we will start with 5A review of Court order and the 7 ranked redistricting criteria. Is there any objection?

Seeing none we will proceed with new business item 5A. I see we have Mr. Riley and Mr. Braden with us today. And Mr. Fink. Although I do not, there we go. Thank you for being here guys. Please proceed.

>> I'm going to kick it over to Mr. Riley and you mentioned Riley and Braden and he is to speak VRA and Riley is to speak on the litigation side of things. As the public is aware the Commission is aware there is a wall in place pursuant to the Court's instruction. And so Mr. Braden, he is here and will speak to VRA after Mr. Riley has concluded with his remarks so they will be speaking separately. So with that, with permission from the Chair I will kick it over to Mr. Riley.

>> Thank you Mr. Fink and good morning Commissioners it's great to see you all again. I have been asked to go again over the criteria by which the map you enact will ultimately be judged in Court including at the remedial phase and potential future of litigation. Some of this will be dependent and I apologize for that. I'm trying to streamline it as effectively as possible. I have also been directed to address a couple of discrete questions. And in addition I would encourage Commissioners to pose questions so that this is as helpful as possible. As I said in the past, my past comments, the single most important criteria for the Commission to follow is to remedy the violation that the Agee Court found in the December order, and I will refer to that as the violation. And in this respect look to core retention numbers. I believe those have been run. I received some numbers. I don't know if I have the most recent ones. But you should examine any map you're seriously considering, that you might want to sponsor. And make sure that the core retention numbers are low with respect to the challenged districts. I'm specifically talking about districts 1, 3, 6, 8, 10 and 11. I'm less concerned about core retention numbers in non-challenged districts. Because those are being changed incidental to curing the violation so there is not an inherent value in those numbers. But there is a value, significant value in keeping the core retention low on the districts that were invalidated. As a rule of thumb, I'm not speaking here as strictly as a legal matter, but I want to be helpful to give you practical rules of thumb in considering core retention. If it's 75% or lower, meaning that at least 25% of the District is different compared to the limited analog I think you stand on very solid footing and we saw it in the House remedial phase, and I think we will see that again here. Districts higher than

75% core retention I think you want to look at. And ask yourself why are those numbers higher than 75%?

At this stage we have a few districts, most districts are lower than that considerably lower in many, many, many cases. So over all the maps, at least with the numbers I have seen are looking very good. Where we see the highest core retention in some maps is in Senate District 11. In the northeast corner. And when you are reviewing that area and some of these maps ask yourself first of all why is the District look the way that it does?

And if you like the way that it looks and you want to sponsor the map or vote for it what have you I think you should explain on the record why it looks the way it does and why it remedies the violation and why they are nonracial considerations that are driving the line drawing.

Secondly however, you can consider changing districts still especially if we are talking about minor changes to lower core retention and make a map in a more solid footing. I note, for example, the highest core retention that I have seen is in Senate District 11 in the Heron map, which is I believe at around 91% core retention. That number will draw scrutiny from the three-Judge Court. There is an argument to be had, I think a cogent argument to be made that even though there is a high degree of retention, that it changes in a substantively important respect in the Linden plan. Senate 11 crossed 8 Mile Road and in the Heron plan it stops at 8 Mile Road. However, given the high number I think if you are looking at that map seriously and I know it has many great qualities and don't want to discourage you from using it with stellar partisan fairness numbers but if you are consider changing District 11 to drop the core retention number to make it more defensible in that respect. We will talk a little bit later about logical outgrowth amendments and making changes at this stage. You had public commenters remark on the core retention of Senate 11 being high and a solid legal footing if you want to, to lower the core retention in that District and make it more defensible. If you can do it in a way that makes sense. I don't think you should prioritize abstract numbers over realities. Don't make bizarre districts. Don't cross 8 Mile Road where you didn't before for example. Don't string it out but there may be ways with surrounding districts to drop core retention in Senate 11 lower and I would say the same for other districts if you find in your maps that have high core retention and you see opportunity to lower it, put it on a more solid footing, this is a Federal interest at this point. It is the most important mission here is to cure the violation. So I think you should take this very seriously and consider options for changing districts. Now that leads me to the second goal that you should have which of course is not to introduce new racial considerations into map drawing. Preferably not at all. If there are some, try to avoid doing it in a very meaningful way so it's not predominated and if it predominates we will have to defend the maps under strict scrutiny presumably under the VRA.

I don't have anything more specific to say about this. I don't have any reason to believe that there's any racial considerations on any maps at this point. Obviously I don't know anywhere near what you all know about your maps. I was asked to address a question of risk in this department related to individual maps versus collaborative maps. And to be very precise here I don't actually think there is a relevant distinction between individual and collaborative maps per se. The important distinction potentially is between plans where much of the line drawing did not happen on the Commission's public record versus maps where most or all of it did occur on the Commission's public record. There are risks. If we have a map that was largely not drawn on the public record because and I think there are two baskets of risks. One goes to the possibility of allegations of racial intent entering line drawing. The three-Judge Court in this case of course is used to going to the Commission's public record to discerning what the motives for the line drawing were. And it -- there is a lot of uncertainty in my mind of how the remedial phase would progress if a lot of the lines were not drawn on the public record and what the -- how the Court might deal with that both procedurally and on the merits. So there are risks there that I think are difficult for me to quantify. A lot would depend on the quality of allegations by the Plaintiffs that race had entered the line drawing. Of course I have no way of knowing what they are going to say about that. But there are risks there where we do have questions of motive Central. It's a lot easier to litigate these cases where you have a public record of what you did. And that happened we saw in the Hickory litigation. There were arguments made that in the northeast corner of the Metro area race had predominated and we directed the Court to the record and the record showed that there were communities of interest concerns and not racial concerns and the Court agreed with us on that. So that is the type of litigation where there is going to be a risk if the map you adopt is not drawn in the public record.

There is a second risk which I would view as more likely to arise in litigation down the road under state law because we do have the requirement of the state Constitution of the Commission's business occurring in public. We know the Michigan Supreme Court has interpreted business in the Detroit news case to mean the development of maps. And so we are not sure exactly how far that goes. Or what that would mean but there are risks and uncertainties there that do not attend to maps that were drawn in the public process. Again the relevant distinction in my mind is individual versus collaborative and where the map was drawn and what's available in the public record about it.

I see a question. I think I'm allowed to take it from Commissioner Szetela.

>> COMMISSIONER SZETELA: Yeah, I'm just a bit curious so the Constitution specifically contemplates individual maps. And specifically allows them to be submitted. So doesn't that sort of negate your concerns about transparency since the Constitution itself expressly contemplates that individuals can submit maps. And that those maps are eligible for vote. And then kind of a second point which I would like you to touch on

as well is to the extent there might be concerns about an individual map, can't that individual Commissioner just provide information to submit to the public record as to their thinking in drawing the map?

Which I think honestly everybody has done so far. Commissioner Orton, Curry, Lange and Wagner and myself have all presented our maps multiple times and submitted to the public record why we drew the districts the way we did. It seems there is already a public record with respect to those maps. So I'm just curious about your comments on those points.

>> Happy to address that. And I think as to both points I would say that you may well be right on both. But I don't know for sure. That's why I talk in terms of risk and not in terms of certainty. As to point one you are correct that the provision is 14C enables each o-Commissioner may submit one proposed plan for each type of District to the full Commission for consideration. And as you say that can certainly be read to endorse the kind of process that some maps have followed in, you know, it's an individual map. And this speaks directly to the question and maybe that speaks more clearly than the provision requiring all business to be at open meetings. That is a cogent position.

On the other hand one might argue that an individual map doesn't necessarily refer to where it's drawn but the provocative of the Commissioner to submit it. So there is some ambiguity there. There could be arguments in different ways. And that's why I refer to it as a risk. I think a similar point follows on your second point, which is that Commissioners can and certainly should present maps to the public, be very transparent about what they did. I would certainly defend that position aggressively in Court if I were called upon to do that. But one could also imagine a world in which a Court would want more in terms of actual line drawing information. And so, again, I think a lot would depend in that kind of case of quality of allegations put forward to see whether it justified some type of discovery or evidentiary hearing. I don't know what it would look like. And so I'm speaking in terms of uncertainty and risks. What we do know about the maps that were drawn in public whether they are labeled individual or collaborative those risks are minimal or nonexistent so that is kind of how I view that. I hope that is helpful and answered your question.

>> COMMISSIONER SZETELA: Yes, it is helpful but to flush it out more there are two issues I see with that. And you know, one, with respect to the individual maps and the risk, I'm sorry I just lost my train of thought there. We will drop that one for now. My other concern is with respect to what happens on the public record, I don't know, I kind of feel like maybe that's not as iron clad as we like to think because we certainly have seen situations where people are maybe bringing in maps that are inspired by someone on the outside. And not necessarily saying that on the record. And so you know, the record itself is only as good as the candor of the person who is drawing the lines during the meetings because if someone is drawing a District based on a community of interest that was submitted via map and not mentioning that it creates some vulnerability there

as well. And then all right I think that is it for now. If my individual comment comes back I will pop back up again.

>> I certainly appreciate it and what you are saying makes a lot of sense to me. I think as you point out even a map where the lines were drawn completely in public there are risks on the margins or maybe more than on the margins of what is happening behind the scenes. I do think there is a legal distinction between members of the public and Commissioners. Because Commissioners are state actors. And members of the public are not. That doesn't mean their motive can't become relevant especially insofar as Commissioners might share that mode or know of it or something like that. But it becomes more attenuated again if we are talking about Commissioners drawing lines. It's not on the record, you do have state action in that sphere that creates a risk that I do regard as somewhat distinct from the genuinely applicable risks of public commenters. But I see another follow-up question.

>> COMMISSIONER SZETELA: Yes, sorry, I'm making you earn your money today.

>> We are here to answer questions. I want to help.

>> COMMISSIONER SZETELA: I guess my point on the individual maps is that and this is just kind of a follow-up is that the fact that a map is an individual map, if the Commission were to go through the 7 ranked criteria, decide it meets that criteria and based on public feedback is the best map, the fact alone that it's an individual map doesn't immediately give it grounds to challenge by somebody. There would have to be some underlying circumstances as well as you mentioned, that someone might be able to dive into discovery but in and of itself the fact it's an individual map or you know as I've said a map submitted to us maybe by an organization like access or the NAACP that alone isn't really grounds to challenge, is it?

Someone just can't challenge because it's an individual map. They would have to have a basis of challenging saying maybe there was racial line drawing behind the districts or whatever the case might be is that accurate?

>> I think, if I understand your question correctly, I do agree with the point you're making. As I said at the outset I don't think there is a legally significant distinction at all between an individual map and a collaborative map per se.

And so in that respect I don't care about that as a lawyer at all.

Where the map was drawn is arguably distinct from that. And I think your question in the Federal setting I think you're right, the Court would need cogent allegations of invidious motive to really open that up. Speaking generally in the remedial context there are a lot of remedial redistricting where there is no discovery, and legislative maps are usually not drawn in public like the Commission's maps are. So we would certainly make that point if we were called upon to defend such a map very vigorously. In the state setting, when you say someone wouldn't necessarily have standing to challenge I don't know how standing might work. We might argue there is no standing, there is no injury or something like that in such a case. How that would pan out, I don't know. That

again is why I just speak in terms of risk and uncertainty. I'm not sure if that is responsive to your question and I hope it was.

>> COMMISSIONER SZETELA: Yes, it is. Thank you very much, Richard.

>> Okay.

That leads me to the next item which is compliance with the V RA which I'm going to skip because you have Mr. Braden on the line. I have no idea what he is going to say about that because we are not speaking with each other about any of this representation as Mr. Fink noted.

Next we go down to state criteria that in our view are not enforceable by the three-Judge Court, but they are still quite important because there can be litigation down the road and of course the criteria may interact with Federal issues. The first of course is the communities of interest criteria. As I've said before this really comes in a litigation perspective where communities of interest are being proffered as the basis for line drawing, that differs from an assertion there was a bad motive. Someone comes in and says there was a bad motive we say no there were community of interest reasons. And this factor, what really matters is that the communities of interest basis are genuine. That they are supported on the record, and they are nonarbitrary. I have every faith that is how you are treating this but do keep in mind we do look at the record very closely in this remedial phase when assertions are made at what kind of communities of interest are going in the plan. As Commissioner Szetela noted before presenting your map, explaining your communities of interest, getting down and granular with what you did helps us defend your map, so I encourage that. I know it's easier said than done but it really does make a difference in litigation.

Next down we have the incumbency criteria which is effectively a criterion of blissful ignorance. You can't draw districts that help incumbents or harms incumbents and does not mean to ignore it. There was a remedial with House plan that considerations had entered the line drawing and ended up being a serious assertion so keep that blissful ignorance and ignore the issue entirely.

Next is partisan fairness. We have talked about this at some length. I'm going to try to avoid repetition especially since I know and I think you are getting more information about partisan fairness from Dr. Handley later on. I would just reiterate that it largely becomes a question of degree and a question of justification. Further the partisan fairness scores get from 0 the more justification you need for that. We don't know exactly where the lines are going to fall down. At what point the Michigan Supreme Court will say that the partisan fairness scores are simply too high. Or what types of justifications are going to be needed. But when we are talking about low scores overall, for example we have a lot of efficiency gap scores that are below two. You're in an area in my judgment where justification would or could be minimal. You don't need a ton of justification for deviations between 0 or are that low, once you get higher the Dove plan has efficiency gap over four like 4.6. I think that is a more vulnerable plan. We've said

that before. If that were to be adopted, I think you might want to do more to justify the numbers there.

That takes me down to the final criteria, City boundaries, compactness, et cetera. Draw tidy districts, follow City lines to the extent you can. The maps, I have not reviewed the maps exhaustively, but I see districts that are very nice and tidy and strike me as very solid and this component. I would note if you do have odd shapes in some of your districts that can provide a basis for the Plaintiffs to try to allege there is something racial going on so the compactness criteria serving multiple functions for you. Again, over all the districts that I'm seeing are very good looking. That covers most of what I wanted to say. I'm going to address two other items and again feel free to interrupt with questions. One is I was asked to address the Commissioner's provocative to make changes to maps at this time. It has long been our position that administrative law concepts, inform and are effectively embedded in the Michigan Constitution in governing your role at this stage. And what you have in the Michigan Constitution are two competing notions that have to be balanced. On the one hand the public comments that you have heard and the advice that you have received is fair game and should actually be considered and therefore it would be quite strange to read the Michigan Constitution to say that you can make no changes at all at this point. You've heard many, many things. You might want to act on it. And the point of entertaining public comments is to be able to act on it. So we believe the Michigan Constitution implicitly gives you the provocative to make changes at this stage in response to public comments. On the other hand, there is a transparency interest that the public comment period serves which is to provide notice of the types of maps that may be drawn. So if you have a map at this stage that is so transformed as to be fundamentally a different map, then there is an argument to be had that the public comment process was actually violated. And notice the process was violated because you ended up adopting a map without fair notice.

In administrative law, the logical outgrowth doctrine is what tries to harmonize the competing concerns, it's a common litigation that happens with administrative agencies in D.C. and the D.C. circuit, there are questions how much change in a proposed Government action is okay?

And unfortunately that tends to be an area of law that is governed more by-standers than by hard rules. But if you understand the framework that is going to guide you in what you do at this point. So as a general matter, I'm going to give some rules of thumb I hope are helpful in a practical sense.

First of all if you are making changes to discrete districts or isolated regions, you're going to stand in a better spot than if large swaths of the Detroit area are getting changed. I know there is some ripple effect, but I also know it's possible in some of these areas to limit changes to just one or two districts or a couple or maybe three districts. Those will stand on better footing. Obviously, you're better off if you are

grounded in public comments than if you are going off and doing something that is different. The whole point of the logical outgrowth doctrine is to listen to the public and implement what they do. If you are going and doing something that is not fairly grounded in what people have said to you on the record it's vulnerable rather than grounding on the public comments. I will make a qualification on this. I talked about earlier there are Federal interests in play because of the remedial phase. Because of Federal law. So in my view you are always going to be in the best spot if you are doing things in service of the Federal interest. I talked about core retention. If you are lowering core retention in a District that is in service office a Federal interest. The Federal supremacy clause is going to override state interests and provide you the strongest justification for doing something at this stage. So if you are tailoring changes to getting core retention down or something federally important you're on the strongest possible footing there.

The last point that I will make, unless of course there are questions is a little bit more subjective but I think it is important to the litigation, speaking as a litigator about to go back into Court and defend your work, I know that there is a lot of diversity of views on the Commission as there should be. As is healthy about which map is the best and which way to go in the process. And that's as I said very positive. I would encourage, if possible, the Commission to ultimately make the compromises necessary to get a map enacted through the ideal voting process where you have majority of the vote, two members from each party and two independent votes is the preferred Michigan way of adopting the maps. You have done that in the past. I think although it's not strictly legally relevant, we are always in a better place in Court if we can say this garnered lots of support, it passed in the ideal way, then if we are going to go and sort of one of the fallback enactment possibilities, the ranked choice vote for the random draw. Again, I don't think the three-Judge Court should legally care about this. But I do think in terms of narrative, in terms of briefing, making our case we are in the best footing if you can do that. I'm not going to tell you how to do it. I know it's very easy for me to say because I'm not the public policy maker. Michigan, you all have firm views that are grounded in good policy and that should be encouraged. At the end of the day I do think the Michigan Constitution also needs compromise in reaching across the proverbial aisle to get the people's work done and I encourage you to do that work. So that is all I have in mind to say. I'm happy to take any questions. Or seed the floor to someone else.

>> CHAIR EID: I have a quick question.

>> Yes.

>> CHAIR EID: It's kind of an outgrowth from the question that Commissioner Szetela asked earlier regarding public input on the maps. Can we take public input on these maps?

Just generally speaking?

>> Yes, the Constitution expressly contemplates it. I believe it expressly requires it. You're supposed to listen to the public. Maybe I'm not understanding your question. But you've heard a lot from the public and the full process contemplates that you listen.

>> CHAIR EID: I guess I'm a little worried about risk here. And I, you know, less risk for me is better. You know, in my eyes. So I'm kind of wondering like where is that line?

I know that when we passed the Motown Sound map the Plaintiffs made an argument that an individual had you know created a map. But I believe the Court spoke directly to that argument. I'm wondering if you can just speak to what the Court actually said about it?

>> So that is a fair question. And there are a lot of different pieces embedded in what you just said and I'm going to try to break them out. Speaking to what happened there, the allegation was not just that you considered public input, but they actually allege that the Commission took a map that a member of the public drew. And made only minor changes to that map. And then adopted it as Motown Sound. And the problem with that allegation was that it wasn't true. So if you're talking about that type of thing where the Commission were to effectively outsource its map drawing role and just take a public commenter's map and adopt it or a group's map or something like that, that would concern me. But there's a wide gulf of difference between that and just taking public input. And entering that public input into your map. So what happened in the Motown Sound phase is that you all had drawn a map, an individual from the public had downloaded it, worked over it and changed I forget the number. We actually quantified it. It might have been 8% of the map or something like that. And then he sent it back to you. And you largely agreed with him. You actually entered it in. You just didn't take his block assignment file and adopt it as your own, you went in and made a lot of the changes he suggested. And the Court had no problem with that. That wasn't just taking wholesale someone's map and outsourcing your role. That was listening to someone who you believed had some good ideas. And, again, that I think is encouraging. I would also go back to the Banerian litigation where the Court had many positive things to say. The same three Judge Court had many positive things to say about the public comment process where members of the public come and have their voices heard and a low T of what they say is put in. The Court of course recognized that some public commenters will be disappointed, but it did generally believe and based on a robust record that you all are genuinely implementing public comments and that this is a sound, say, process. And a healthy process. So I wouldn't discourage you all from listening to public comments based on an extreme scenario and I don't understand any allegations that the maps in front of you have been adopted wholesale from someone else. I know a lot less than you, of course. I'm not particularly concerned of that. There was embedded in your comment a suggestion and maybe it's a little bit different but I want to speak and it's also important which is that you know, what if the public

commenters who were telling you things have a motive that is problematic from the point of view of either Federal law or state law, right?

Like a public commenter might subjectively be considering race and telling you things or a public commenter may have incumbency protection that you all are not supposed to consider. I think in this regard, the way to approach it practically is to listen to the comments. And act based only on reasonable suspicions. If a public commenter is overtly telling you things that you're not allowed to consider like keep my neighborhood in this District because that's going to help my incumbent win, right on its face you're seeing a consideration you are not allowed to draw districts based on. So that is a comment that you shouldn't be drawing districts. You should disregard a comment like that. But if people have motives that you have no way of knowing, no way of discerning I do not believe that a Court will ultimately assign that to you. You are the state actors. You are the public official and it's your motive that counts. You need to be acting with the right motives and you need to be weighing public comments based on merits. Are they saying good, sound things about the community that makes sense and follow them in that respect. I think if you do that the risk of listening to the public and implementing their suggestions is quite low. And the benefits I think are substantial. And again I do I'm confident that though the Michigan Constitution expects that you're listening to the public. Does that answer your question, Commissioner?

>> CHAIR EID: Yes, thank you. I see we also have a question from Commissioner Callaghan.

>> DONNA CALLAGHAN: Hi. Yeah, I want to just be sure I clearly understand the risk you were outlining a little bit earlier, talking about individual maps. And from what you said is like individual maps are completely allowed by the Constitution. There is absolutely nothing wrong with considering an individual map because that is allowed in the process. Where the risk was introduced perhaps arguably could have been the process that the Commission chose to follow in that individual maps were allowed to be drawn I don't want to say secretly because that I'm flies an nefarious but we established a process as a Commission where the maps were not drawn in the public eye which is a requirement for state business. And perhaps we could have mitigated that risk by establishing a process in which even individual maps were drawn during live meetings. All be it by one Commissioner working alone. We chose not to do that. So arguably we have introduced that risk with any individual maps that were completely drawn offline and then just submitted and explained. Is that the risk that you are trying to decipher?

>> That is a nice encapsulation of what I was trying to say. The fact of something being an individual map is as I see it a quasi-outsider some maps have a bird name, and some maps have a name of a Commissioner. And that I find quite unremarkable and uninteresting as a lawyer. What is interesting is how these different constitutional requirements transparency fit together. As Commissioner Szetela pointed out, there is reference to individual maps in the Constitution. There is also public requirement. Then

you have this question of motive which is important. So that is really what it is. And so the individual collaborative distinction isn't really, it's a little bit superficial. It's not really the important distinction. It's how the map was drawn and where it was drawn. So I think I do agree with what you're saying.

>> DONNA CALLAGHAN: So we would have done, we probably would have been smarter if we had done individual maps in the public view as well. And for the most part our individual maps were not done that way. So they have some risk that maps that were drawn in public view arguably do not. I just want to be clear on that because I'm like Commissioner Eid I'm pretty risk averse as well.

>> That is a fair explanation as Commissioner Szetela pointed out earlier there are defenses, risk doesn't mean it's just over, ignore these maps. That's the end. It means you have risk. I don't know how courts are going to view these questions. There are certainly cogent points to be made. But your language I think is a fair encapsulation of what I was trying to say perhaps less concisely.

>> CHAIR EID: Okay, I see I think I saw Commissioner Szetela first and then we will go to Commissioner Lange.

>> COMMISSIONER LANGE: I was first.

>> COMMISSIONER SZETELA: Commissioner Lange was first.

>> CHAIR EID: Go ahead Commissioner Lange and thank you, guys.

>> COMMISSIONER LANGE: Okay I have two questions actually. And you basically just said it was a slim thing for somebody doing their own maps, correct? I mean it could be perceived, but you're not trying to imply anything I hope.

>> Correct, yes, that is very important. I have absolutely no reason to believe that any invidious motive and forms of lines of any districts of maps. I have no -- that's not what I'm saying at all.

>> COMMISSIONER LANGE: Okay.

>> I'm talking about a risk because what happens is people who don't represent you, the Plaintiffs go in and they make assertions about you. Then we are called upon to defend them. So we are at a stage now where you know, we have been asked to sort of advice about risks. But I don't have any reason to believe there is anything wrong in the substance with any of these maps.

>> COMMISSIONER LANGE: Would the risk be low if someone through the entire process has been vocal about certain things such as communities of interest when mapping the process and different aspects of the constitutional amendment if they have been vocal about that through this process, then it should, in your legal opinion, show a pretty good documented reasoning?

>> I think that is right. I certainly would argue that.

>> COMMISSIONER LANGE: Okay and then my other questions I was trying to take notes as you were talking so I could come back to them so just bear with me a second. When you were talking about the public comment and how we should listen to the public

comment, I have a question, kind of a two-part. Would it be your legal opinion, I guess, that public comment that we as Commissioners kind of decide which public comment is for lack of better words legit and which isn't and ultimately that is our decision?

>> Yes absolutely. And my encouragement in that respect is like with all Government decision making, act in a genuine and nonarbitrary way in making those distinctions. But I don't see much, if any, room for a Court to come in and say, you know, you kept this community whole, but you really should have listened to other public commenters and split it to keep that community whole. And, in fact, the three-Judge Court did rule that there was a ruling in the Banerian case where the Plaintiffs had actually tried to argue that you chose the wrong communities of interest and the three-Judge Court held that that was a nonjudicial political question. And so this, the public comments and how to Judge them and weigh them is very much in your wheelhouse.

>> COMMISSIONER LANGE: Okay, and then the last question kind of goes back to one of the constitutional criteria about the incumbents. So if a candidate did submit a map and they are a candidate, it would not be in our best interest to copy that map, correct?

I mean, then the argument could it be if they were a known candidate couldn't the argument be that we were helping?

>> So this gets into the degrees, right?

If you know a candidate for office gives you a map and you know that person is a candidate for office you want to stay away from that. Because you have this criteria not to help or harm incumbency and helping a challenger is likely going to violate that criteria. What becomes more interesting is you don't know. And I think a world in which you are truly blind, you have no reason to know, it's hard for me to imagine a Court could say that you violated the Constitution. You're the state actor, that person did a bad thing and to be very clear I would discourage any members of the public from acting in this way. But it's hard for me to believe that that map should be thrown out on that basis. You're asking about an intermediate step where what if there is public information you had reason to know but don't actually know and that is just a gray area. I think again it's hard for me to believe without actual knowledge and actual motive really it's about your motive, why you drew the lines like you did. It's hard for me to believe a Court would throw something out based on something you genuinely didn't know. But it just becomes more murky. At the end of the day I think you are best off, you know, taking public comments in and making marginal changes based on discrete communities I think is going to be more defensible than taking a whole map we talked about broad swaths of a map is maybe a little bit more risky. Does that answer your question?

>> COMMISSIONER LANGE: I think it does and thank you for addressing all three. That's all I had.

>> Great.

>> CHAIR EID: So I see Commissioner Szetela.

>> COMMISSIONER SZETELA: Yeah, so I just want to clarify and certainly if someone drew an individual map and this is not accurate let me know but I don't think we have a situation here where we had any individual map that someone was taking and completely redrawing in private. Number one all the maps are based on the Linden so to the extent there were districts outside of Metro Detroit that are the same as the Linden those are all collaborative. Then with respect to the individual maps, I mean I'm going to pick on Commissioner Orton again but my understanding with Commissioner Orton she took the Crane map and made some changes and was her individual map. And with my map I worked with the Crane and made changes to districts and a few communities of interest then Commissioner Lange and Commissioner Wagner I don't want to speak for you, but all maps seem to be based on collaborative maps and changes made to it. So I think in terms of the risk I think the risk is actually very low. Because there is a record of them being drawn as collaborative and every single person who came back in said I based my map off of this map and talked about the changes they made in addition to that. So it's certainly not a situation where someone is completely outside coming in and just dropping a map. That does not seem to be what happened with any of the individual maps in this case, unless I'm wrong and someone did something different but that is kind of what I have seen.

>> So I think those are very helpful points. Certainly, we would advance those aggressively in litigation if called upon to do so. And so I think, you know, what you are saying makes sense to me. One other point that I will add, just for the record, one of the -- part of the Commission's obligation to do the business in public is giving legal advice and normally would not be there and prejudicial and puts me in an odd spot trying to answer these questions but I will note for the record because I do fully expect to do this. If we were called upon to defend a map drawn as you described, Commissioner Szetela, we would also make the argument that the limited time pressures that you had, you had an artificially period to do your redistricting because of the remedial setting we would argue that justifies this choice as well. I don't know what a Court would do with that. I think particularly in state litigation that could be a very compelling point.

>> CHAIR EID: Yes.

>> COMMISSIONER SZETELA: Thank you.

>> CHAIR EID: Are there any more questions for Mr. Riley?
Commissioner Kellom?

>> COMMISSIONER KELLOM: Hi Mr. Riley. You're going to have to bear with me because I don't really know what my question is. But I know that I want you to speak to this so I'm going to feel this out as I'm speaking. It's less about individual maps. I think what my brain is trying to process is, and this is going to kind of be like a slow walk, so, one, can you restate what the Court found to be faulty. And I know this already but it's a

part of my thinking, what the Court found to be wrong with the Linden map that we draw. That is the first thing.

>> Yes, and I would start by saying that it's not germane to this, we have been talking about individual versus collaborative maps. It's not relevant to that because it was drawn on the public record. And the Court has read it all and made its findings on that basis. The Court found in the districts that I named that racial considerations were the predominant reason that a large number of people were drawn into or out of the specific District, again specific as the name and the Commission lacked substantial justification for that race-based choice because that choice was not narrowly tailored to the interest of complying with the Voting Rights Act.

>> CHAIR KELLOM: Okay, great, so in the process of us redrawing and taking in public comment, that process and that procedure is so that we are as a Commission, as a whole redrawing the maps from that standpoint, not from our individual ideas, but really pulling in the public as a reference for map drawing, would you agree with that statement?

>> I agree with it mostly. I don't think that your individual ideas are necessarily bad ideas. I don't think that you know in terms of community, you know a lot about Detroit. You have ideas about it based on that. The Constitution doesn't for close that. But the other part, both can be true in other words you can be listening to the public, putting what they are saying in and have individual ideas as well. Other than that I think I agree with your statement, and I don't know if that is helpful.

>> CHAIR KELLOM: It is and there should be some sort of hybrid and I hope from my standpoint we are listening to the public more than we would be using our own individual judgment as it relates to communities of interest. But because we are Commissioners, the metrics, the numbers, that process is more germane to us. So there is this influence kind of like this marrying between public ideas of communities of interest. And their neighborhoods, you know, their areas, their influence, their engagement with the map process. And then our bringing our expertise, so to speak, from the logistical standpoint and I guess because I guess what I'm thinking about is what matters most in this process is the intention of our drawing and us being able to codify what we have been listening to with fresh ears. Yes, from the first round of maps. But in this process of redrawing that we are combining what we've heard before, using what we know now and drawing from the standpoint of, yes, communities of interest as a whole matter all over the Metro Detroit area. But we were also sued by a certain group of people. And so there should maybe be a focus on those communities while not isolating other public comments and communities that have contributed to the process.

>> So I think I agree with that. I don't know that there's a sharp legal underpinning to what communities you really focus on. Obviously you're looking at a specific area because that's where districts were invalidated, right, then you are changing the

invalidated districts and changing surrounding districts as needed to make the invalidated districts new. That is your core remedial function. They need to be different. And in many ways the remedial function is less concerned with why they are different than that they are different.

>> CHAIR KELLUM: Okay.

>> As long as there is not new racial ingredients. The point is going back to what you asked me to begin with, the Linden districts said the Court were race-based districts. And so you have to wipe those clean and draw new districts where that prior racial intent is cutoff. It's no longer there. And as I began with, the way to do that is to make the districts different. Get the core of attention down. That is where you talked about numbers. That is a very important number for you to be looking at core retention and get it down. Then the question is what should the districts look like and that is where the state criteria, community of interest, compactness, partisan fairness and need to be balancing all the criteria. They all need to make it in. There is a body of citizens, yourselves, who are tasked with that very difficult function but are balancing all those things. And there is in the law a realm of discretion for you to make those choices. Which public comments do you think are most accurate?

In reflecting community of interest?

Which interests do you think are the most compelling?

That is within your wheelhouse. And everything that you said to me in terms of you want to be really focused on the African/American communities in Detroit, the Plaintiff's group or however you want to say that, I think is within your discretion to do.

>> CHAIR KELLUM: Okay, because basically thank you. I was in this process in our collaboration, and I think you spoke to that mostly I think it will be important for us to kind of go back to basics as to why we are redrawing. And my hope and in asking that is so especially with all the different maps that we have and the comments that we have gotten this round have been a little more strange. In terms of the process. And so I don't have another word right now other than strange. So I think it was important for me to hear and maybe it was relevant for other Commissioners but not so much for, you know, some. But relevant to talk about the process, what we are supposed to be drawing for. Even refreshing ourselves on what we truly mean by communities of interest which I think it's sort of a problematic term in that, yes, we are not drawing. We have not drawn using race, but I think it developed into kind of a code phrasing where marginalized communities and some a way for majority of communities to use it to talk about their area, which is fine. You know, we welcome all public comments. But I think because of that as I'm listening to some choices, things have gotten conflated. So even thinking about this concentration of comments and also thinking about how the VRA plays into this about the Suburban areas and thinking about those marginalized communities and the intention of why we are drawing against process and criteria. So, again, that is why I said it's a -- not a very salient thought I have just yet but.

>> Yeah, and it may be just better directed to your colleagues than to the legal team. Because how you Judge what is a compelling and meaningful comment, what is a comment that you think might have some motive that you are concerned about is I think going to be up to you all. And you know there is a point where the lawyers need to step aside and let you do your work. So I don't have anything specific to say about, you know, what you said. Obviously you want to avoid introducing new racial goals in your map if you are concerned that something is afoot there, that is something you should take into account. At the same time I don't think that communities of interest can be discounted or should be discounted just because they have a racial angle to them. And the Supreme Court made this point in Miller versus Johnson where it said, you know, there is such a thing as community that has a racial component to it. And that my encouragement is you need to look past race, look beyond race and look to geography and neighborhood. If race is a small part of that, it's not the same thing as what the Court found last time where targets were being hit that were abstract racial targets. And frankly the Court was upset that it believed that those targets were being hit at the expense of the community. The Commission didn't really believe that it was uniting communities that were similar. That is how the Court viewed the record. And so I don't view the Court's holding as being pathological of comprised of one racial group on that basis. They have their needs. They have their interest. They have their voice. They deserve to be listened to.

>> CHAIR KELLUM: Okay, thank you.

>> CHAIR EID: Okay Mr. Riley, I believe, before I ask my question you were about to go on to a different topic before turning it over to Mr. Braden. Or is that.

>> I have nothing else to say. I'm here to answer questions.

>> CHAIR EID: Are there any more questions for Mr. Riley?

All right, Mr. Riley I think that about does it. Thank you again for the advice. We appreciate it. I hope everyone learned something from that conversation and it helps with our deliberations process.

Okay at this time we will move on to item 5B, Voting Rights Act compliance. This item will be facilitated by our VRA Council, Mr. Mark Braden if there is no objection from the Commission. Is there any objection Commissioners?

Seeing none we will move on. Hello Mr. Braden.

>> Good morning Chairman. I was directed by the Court to provide advice to the Commission on compliance with the Federal Voting Rights Act. I was specifically directed not to work in conjunction with your outside counsel, my partners at Baker and Hostetler. We are cabined off. So I cannot and I'm not in a position to advise you on any issue other than compliance with the Voting Rights Act. The Voting Rights Act basically again I think this is familiar ground to the Commissioners and so I will go through it relatively quickly. But the Voting Rights Act mandates that minorities communities have an equal opportunity to elect their candidates of choice to the

majority of white community. How that is reviewed and enforced goes to the lens of a case called Thornburg versus Gingles and that framework as announced there has since the 1980s been the framework for determining whether or not District plans comply with the Voting Rights Act. And that's a three-step process of preconditions. You have to have an area in which is fiscally possible to create a compact or reasonably configured District that would be a majority-minority voting age population.

The minority group must then also show that it's politically cohesive, in other words, that the majority of that community regularly votes for the same candidate.

And that the majority of the white community regularly votes as a block to frustrate the ability of the minority community to elect its candidates of choice. Those are the three conditions. And then if you meet those three preconditions, then there is totality of the circumstances analysis as to whether or not the system looking at the overall political environment and economic and social environment of that geographic area provides an opportunity to the minority community to elect its candidates of choice.

Where we are in this case is it seems to be clear that the Court most importantly, but the Plaintiffs and the Commission agree that there's legally significant polarized voting in this area of Michigan. And so there is a requirement under the Gingles analysis to determine whether a particular plan complies with the Voting Rights Act.

So, again, what I'm not doing is reviewing plans for compliance with the Michigan constitutional requirements. When I look at the plans, and from my perspective I'm looking at them based on the assumptions that the ones I'm being asked to review are reasonably configured and that race was not impermissibly used in their creation because it would not be a reasonably configured districts. Reasonably configured districts are districts you have drawn that comply with the Michigan constitutional requirement and the various other Federal requirement.

So how do we do this?

And the method, what is the method where you say?

Basically we are trying to determine whether or not the minority community has this sort of reasonable equal opportunity to elect candidates of its choice. We are looking at this principally looking at it through primary election results because our panel in this case has determined that in this area, democratic candidates virtually always win the elections in question here. And that looking at the polarization and performance of districts only in a general election doesn't really answer the question of whether or not the minority community has an equal opportunity to elect so we are looking at this in the context of primary election results, trying to determine whether in the primary elections the minority community has an equal opportunity to elect. That is more difficult to do in Michigan as it is in many states. The geography of the state is such and political geography and the partisan breakdown of the electorate is such just looking at general election results is very different. And looking at primary results in many cases is virtually impossible because we don't have sufficient primary results to do the type of

statistical analysis that have been traditionally done in voting rights cases. So we have undertaken a different approach to look at this. And we are looking at the actual primary electorate and primary turn out to make a determination. In our view being that in a District where the majority of the voters in that particular District are Black. That by definition in the primary they have an equal opportunity to elect their candidate of choice. Either majority of the District. And then we also look at the other factor which is whether there is potential is there too. In other words, we are looking at the more closely calibrated number which is the actual turn out in particular elections. There are a number of ways to do this statistically. And then we are also looking simply at the simpler number, the actual number of potential Black democratic primary voters versus white voters in that District. So we have both the actual showing up in the series of elections and potential of them showing up. And then we simply look at those numbers and make a determination of how many districts that minority community, the Black community is likely to a large degree virtually assured assuming they are politically cohesive to elect candidates of choice. That is the framework for this analysis. It's focused unlike in the initial line drawing process it is focused now on the notion of primary election results being determined in this geographic area in most cases.

So you've heard this before. It's the sort of the rewind of the tape machine, assuming anyone has a tape machine now, of my presentation. I'm happy to answer any questions. I think where we are now basically is just to go. We don't have the charts up or the plans up or the numbers analysis and once you adopt plans we will do that. Basically I'm very comfortable that the districts that the plans which have four or more districts or four districts that have majority electorate, Black electorates comply with the Voting Rights Act. I'm quite comfortable on that. If you have questions I'm happy to respond.

>> CHAIR EID: Mr. Fink?

>> We have an updated chart from Dr. Palmer that just has the 12 maps under consideration. I can ask Dr. Palmer, I believe he is on, he can share that or I'm happy to share the screen just so everybody can visualize, again, just the 12 plans that are under consideration. Because I believe the last time Dr. Palmer and Mr. Braden were on we had more maps that were still under consideration. So Dr. Palmer, I see you have now.

>> Sure, I can share that chart. All right. Here is an updated chart of just the 12 maps that we have been discussing. As you can see the top nine either are sorted alphabetically had districts under both measures and a little bit of variation on the bottom three plans. And the full data with the names matching now to these names from the older names are all up on the website where you can get all the detailed spreadsheets.

>> NATE FINK: Thanks for sharing that Dr. Palmer I wanted the Commission to have an opportunity to visualize it, see if there were any questions.

>> CHAIR EID: Commissioner Lange?

>> COMMISSIONER LANGE: Yeah, is this an updated evaluation?

>> No. This should be the exact same as the plans as evaluated. They just have been renamed with the new numbers and all, but it should be the same data as you've had before.

>> COMMISSIONER LANGE: Okay can you explain the democrat primary poll as opposed to the dem primary turn out?

>> Sure these are the same two measures we have been using along including the House analysis. So the dem primary turn out is we are trying to analyze the makeup of the primaries in recent primaries by race. We are trying to estimate the number of Black, white and other voters who turned out to vote in the democratic primary is using actual primary data. So the number of voters who participated in the primaries across this area. Tried to look at turn out by race and estimate under these boundaries what percentage of the voters based on past, current would be Black, white or other and then saying that it performed under the democratic primary turn out measure if both primaries we are examining a majority of the democratic primary voters would have been Black. The democratic primary pool measure tries to estimate the number of democratic voters in each District. That is the potential people who could participate in the democratic primary. And says is the majority of those voters or is majority of the voters who could participate in the democratic primary are they Black. They generally agree at a very high level. We see a little bit of variation but not very much.

>> COMMISSIONER LANGE: Okay, so in laymen's terms for me because some of this stuff gets a little basically it's saying I'm going to use my map because that is the one I'm looking at.

>> Sure.

>> COMMISSIONER LANGE: It says that there's four districts that would be VRA compliant, correct?

>> Between three or four. So these are two different measures. Both trying to get at the same concept of VRA compliance. So it's not that one is a perfect measure. We are trying to get the same concept two different ways because we don't have one perfect way of measuring this.

>> COMMISSIONER LANGE: Okay, so that leaves me with so many more questions from when I was drawing the maps. And, yeah, I'm just never mind. I'm going to stop.

>> CHAIR EID: Mr. Braden and Dr. Palmer I have a question. During some of our public comments, we heard some folks say that while all of these districts or all of these -- most of them have four VRA districts. Some folks said that four isn't all equal, that some were stronger, a stronger four than maybe a weaker four. I'm just wondering if you two could speak on that is a four a four or are there some stronger fours and some weaker fours?

>> So we are using, we are classifying or counting the number of districts where it's greater than 50% but that could be, you know, it could be there are 50.1% Black voters in a District would count or it could be 55% Black voters in the District could count or 60%. And so some of the commenters might be describing the strength that way. You can get the full numbers for each plan in the individual spreadsheets that would give you the actual percentages for each District. If you would like more detail of the breakdown across plans and some way to compare them we can do that as well. Though we didn't do that when it was with the House plan but that is certainly something we can do.

>> It really is a question of when you talk about stronger or weaker, there are we have elections. And surprisingly enough all the predictions in the world without ex shun will occasionally be incorrect because the pesky voters vote the way they want to vote. And prior to election results are predictive but not determinative. The actual election is what determines it. So is a District weaker or stronger for the election of the democratic I mean the Black candidate of choice. What factors are you talking about?

An overwhelmingly Black District could not elect the candidate of choice of the Black community if you couldn't identify a candidate of choice to the Black community. In other words there were three or four candidates running in a District that had significant Black support but not majority of Black support. And then you could have a candidate that had very little Black support and that person could win that election with white support. So there are none of these measures are in any way shape or form guarantees of success. They are guarantees I think to a large degree of an equal opportunity to elect. That equal opportunity is an examination of the process and the structure of elections. It's not necessarily a predictor of how successful different political groups will be and how they will coalesce. The Voting Rights Act does not guaranty election results and you can create districts that are structurally fair, but the local, political environment is such that they can't coalesce there are multiple can't diplomats running from different parts F of the Black community and a white supported candidate can win. That's just a reflection, not of the structure of the districts, but a reflection of the lack of political cohesion which the Voting Rights Act in that sense doesn't deal with.

It involves fair structures. Not who wins the election, or not necessarily. I know that seems strange in some people's minds. But we are looking at it with an underlying system that provides an equal opportunity we can't, nor would we want to opine that any particular election result is the election result. Any one of the districts, the Black candidate wasn't the choice of the Black community could possibly win. Just would be a chance of that would be quite remote in some cases or at least less than 50/50 for sure.

I guess I have used my one favorite cliché which is there is, in fact, a difference between social science, political science and traditionally called hard sciences. We know oxygen atoms and hydrogen atoms do at a certain temperature and do the same thing every time, guess what in elections people do things differently universally and

often or at least often enough to be sure we can't predict with any degree of assurance what particular results would be with particular candidates and particular elections. We can only look at probabilities based upon past results. Predicting the future accurately requires a very clear crystal ball, which isn't available to us.

>> CHAIR EID: Thank you. Are there any more questions for our VRA Council?

Okay, thank you, Mr. Braden.

>> Thank you.

>> CHAIR EID: All right. Next on our agenda is unfinished, I'm sorry is new business item, 5C partisan fairness. If there is no objection we have Dr. Lisa Handley with us today to facilitate this item. Is there any objection, Commissioners?

Hearing none, please proceed, Dr. Handley.

>> DR. LISA HANDLEY: Possible to share my screen?

Let's see. Is this what I want to share?

So do you see that?

Have you done this critically yet?

Do you see the State Senate plans that you're considering?

>> CHAIR EID: We do.

>> DR. LISA HANDLEY: Okay, so we selected four partisan fairness measures. These measures get that different aspects of fairness. And as a result different plans for differently let's say more fair or less fair depending on which of the measures that you're looking at. Not only do the different measures matter, it also matters what elections you are looking at. So some elections will produce vastly different scores for each of these plans than other elections even if you are talking about the very same plan and that is true not only of the individual elections but it's true of how you go about aggregating those elections. And we saw that when you compare, for example, the EDS composite score that considered all of the elections and weighted them compared to the Voters Not Politicians aggregate index and only looked at the four closest contests of the statewide contests that could have been considered. So these things are the kind of things that affect the scores that we are looking at.

The first thing that I want to say is here are the scores for the measures, for the plans that you're considering. These scores vary some. And of course the higher the score the less fair the plan is on that particular measure. But the courts have not come up with a bright line for us in terms of what plans are fair and what plans are not fair. So we don't know which...where the courts would put that dividing line. But we do know that these scores are not outliers when you compare these scores to scores across the U.S. in terms of state legislative plans across the U.S. None of these scores are outliers. So some of the scores are higher than others, none of them are outliers that go back to what Richard said, the lower the score the safer the plan, the easier it is to justify. But here are essentially all of the scores that we have talked about in one place. And I'm not going to describe how these scores came about or anything unless you

want me to. Instead what we want to do now is answer any questions that you might have about these scores.

>> CHAIR EID: Hi there, any questions for Dr. Handley?

I see Mr. Morgan has his hand raised.

>> MR. MORGAN: Dr. Handley, it's only showing 11 plans on the map, on the screen.

>> DR. LISA HANDLEY: Uh-huh. This is not the one I wanted to show.

>> MR. MORGAN: It could be it just needs to be moved up one cell. I think the row two. Okay thank you.

>> DR. LISA HANDLEY: Thank you. Thank you. Commissioner Szetela?

>> COMMISSIONER SZETELA: Dr. Handley, is it possible for you to run a sort on this by sorting the efficiency gap and then the mean median from highest to lowest sorry from lowest to highest the other way.

>> DR. LISA HANDLEY: I have done that. Let's see if I can pull that up. Give me a second here. I'm not finding it quickly. I will just do it in real time I suppose. The problem is I can't do it with this because it does not include, you have to put negative for the democrat to get it to sort. I'm not finding it right now, but I have done this. But it looks like I can't find it right now, any way I can certainly send it to you, but it can't be done easily with what I have got here, or what I had on the screen because it marks democrat and republican negative versus positive.

>> COMMISSIONER SZETELA: All right, thank you.

>> CHAIR EID: Dr. Handley, are there any maps you are concerned about or are there any of the configurations that have any outliers or are there any that are more risky than any other ones in your opinion?

>> DR. LISA HANDLEY: They are pretty close together, the one exception, both I and Richard have mentioned and that is the efficiency gap on the Dove plan. But otherwise everything is clustered pretty close together. The Dove plan is also further side of the lopsided margin. So that is the plan that might be the hardest to justify but the least safe on the other hand and still doesn't look like the kind of plans we have seen as partisan gerrymanders throughout the country.

>> CHAIR EID: Okay, thank you for that. Any more questions for Dr. Handley? The metrics Dr. Handley.

>> DR. LISA HANDLEY: As soon as we get off.

>> CHAIR EID: We still can't hear you.

>> COMMISSIONER SZETELA: Commissioner Eid, I can hear her online and I can hear you.

>> DR. LISA HANDLEY: Can you hear me now?

>> COMMISSIONER SZETELA: We can hear you online.

>> DR. LISA HANDLEY: Okay sorry, I'm going to send this table and the sorted table for you and send them as soon as I find them.

>> CHAIR EID: Okay, that would be great. And thank you again for being with us, Dr. Handley.

>> DR. LISA HANDLEY: You're welcome.

>> CHAIR EID: All right, Commissioners, we have been going for about two hours now. How about we take a ten-minute break and come back to hear the public comment analysis. We do need to get to that before lunch, which is at 1:00 p.m. today. So a quick ten-minute break and we will come back.

[Recess for ten minutes]

>> CHAIR EID: Two-minute warning everyone. Going to get going in two minutes. Take your seats. All right everyone welcome back. All right, next on the agenda is new business 5D public comment analysis. If there is no objections I will ask Executive Director Woods to facilitate this item. Are there any objections? Seeing none, please proceed, Mr. Woods.

>> MR. EDWARD WOODS: Thank you, Commissioner Eid. Hold on. Test, test. Can you hear me?

There we go great, thank you. We are very happy to have two distinguished people come back and grace our presence again from the University of Michigan close up program. The center for local, state and urban policy and we have the two people with us today are none other than Elizabeth and Eddie Plott and also want to give out a shout out to Tom Ivaco the Executive Director of the program the inaugural director of the program for providing this resource. If you remember one of the parts of the lessons learned that we did in the first go around was there was a desire to have an aggregate of all of the public comments, all of the public comments. And this great team of Elizabeth and Danielle Hamers and Edward Plot also known as Eddie did this analysis for us. As they were mentored by Tom Ivaco. Just a little background Elizabeth is helping the Michigan independent citizens redistricting to do the comments in the redraw process. She was at the Ford school class of 2024 and Jose in psychology from Westland University. She is interested in social policy at the state and local levels with a focus on equity and access. Edward Plott Edward is the coordinator for the close up public comment team. Eddie has a BA in history and political science from rice University and a juris doctorate from Michigan law school, Commissioner Lett. He coauthored a note on MICRC communities of interest in the Michigan journal of law reform set to be published if it has not been published already with the May 2024 edition, without further ado let's give a warm welcome to Eddie and Elizabeth as they present their findings for the Senate public comment period process. Thank you.

>> Thank you Director Woods for the introduction and hello Commissioners it's great to be back. So our first memo we presented, and I will let Elizabeth present it. And it has to do with aggregating public commentary on communities of interest. We went through and tried to sort the common trends for how communities especially and jurisdictions and neighborhoods commented on how they self-identified and what they

really wanted to preserve. This memo was focused on public reaction to the different, the 12 different draft maps that we started from the May 21st hearing through the close of business on Friday of last week, June 21st. We analyzed 11...over 1100 comments from 325 unique commenters more than 3500 total points across those comments. Now the biggest trends that came up in preference for maps were partisan fairness and keeping personal jurisdictions and communities of interest whole. From our analysis we have some maps appear as more positively than others. We had close to 900 almost a thousand comments come from the mapping portal directly. There were three portals that people submitted public comment and the Duchin on the comment portal. We also went through Commission transcripts and got comments from those public hearings and over 80 from the public comment portal and over 80 from the hearing transcripts. But nearly a thousand came from the mapping portal. There were about 200 comments that came in to like we received on Sunday from the last day of the mapping portal that did not make it into this analysis. I just want to clarify that we are going to be sending an updated memo with 200 comments and I read through them this morning and should not have changed any of the trends that we analyzed here in any meaningful way. For the most part it was mostly repeat commenters for any unique commenters that posted went through existing trends. I will go through the process with the actual takeaways you all might be interested in. It was reporting of the comments. We did use a unique commenter coding system to mark when comments came from unique commenters. We did not filter out any comments even if they appeared to be similar in template or in format or come from similar advocacy comments. We reported what each comment said. Moreover, because we did it on a unique commenter system, commenters could not make multiple comments across the different platforms. And affect the tally of for a particular map more than another. The way we did it is used a metric we are calling net favorability rating where a unique commenter could express interest or disinterest in a specific map. And we would aggregate their opinions across all of their comments like let's say they say they are a fan of the Szetela map 12 times across the platforms and dislike Dove or crane the unique commenter would only effect count for Szetela and Dove one time and crane one time up or down. After doing that we used the unique commenter profiles to determine which maps had the highest favorability rating. It was basically a unique likes minus unique dislikes was the basic metric. I'm not a big math person but found it straightforward to follow and makes sense a person could not continually submit comments in support of a map and have say an outside effect on the perception of that map. After we noted a commenter's opinion on a particular map we wrote a brief summary sentence because often times their comments were covered a lot of different topics or a lot of different maps. We did a brief summary sentence Szetela protects Down River communities then we submitted those close to 900 justification sentences to the University of Michigan GPTAI to qualitatively assess the trends that came out of those sentences. We did the sort of in line with what we see as

AI best practices which is using the AI as a third-party objective tool to best summarize the trends on the first pass. So it's not our own subjective biases. We hand coded every map but sometimes you might remember one thing more than another so it's good to have the AI aggregate on the front end and performed a human check of trends on the back end to make sure AI was not hallucinating or over stating a certain trend. The goal was to have an objective front end with confirmation on the back end. With that I will pass it to Elizabeth who is going to start walking through some of our map analysis.

>> Great, so let's get into the actual maps. Let me scroll down to a lovely little chart. So our analysis using net favorability ratings brought four maps to the for front. Szetela, Heron, Kellom and then Cardinal. So as you can see from this chart Szetela Heron and Kellom were the only ones with positive ratings. And then Cardinal, while it has a negative rating it's a key map because there were a lot of comments on it and in both directions which we will get into later.

So starting with the Szetela, of the 325 unique commenters, 168 commented on Szetela. And as you can see it was the most popular map. With a net favorability rating of 114. So that's 141 in support and 27 in opposition.

On partisan fairness over a hundred commenters praised the map for the criterion. Then in terms of geographic representation commenters felt that it was a good representation of Wayne and Oakland counties as well as southwest Detroit and maintained community integrity in Detroit. However, some also brought up concerns about the division of certain communities. So especially the Chaldean community and the handling of Taylor and Farmington Hills. And then many commenters praised the map for its representation of COIs. So in particular the Latin X and MENA communities and also concerns about splitting the Chaldean and Arab communities.

And we go into more detail here. Then Heron I will keep it on this overview chart. But Heron so of the 355 unique commenters 169 commented on Heron so similar number as Szetela. This was the second most popular. So the rating of 87 is 128 commenters in support and 41 in opposition. It was also widely praised for partisan fairness and then also praised for protecting cities in Wayne and Oakland County like Pontiac. Some comments raised concerns about splits in Sterling Heights and Troy. And issues with combining it with Districts containing Detroit residents.

Then on the COI front Heron was over all seen as really protective of various COIs. And I'll pass it back to Eddie for the other bunch.

>> Great. So I'll pick up on the Kellom map which was the third highest net favorability rating. The Kellom map, even though it did have the third highest rating did not have the number of commenters as the first two popular maps. It had 69 of 325 commenters actually commented on the map. There were 54 in support and 15 in opposition. Which means even though it was very popular proportion and comparable to both Heron and Szetela but not as many comments overall. As far as the partisan

fairness commentary was not quite as strong as the Szetela and Heron maps. Although of course I think Dr. Handley mentioned it was less commentary on, but it would fail a partisan fairness metric. Under the constitutional criteria. But more just that the first two maps had even better in the mind of many commenters the partisan fairness members. Where the map did very well was in commentary on geographic representation and interest. Commenters like the protection of Oakland and Wayne County communities surrounding Detroit communities, the Down River communities were a big fan of the map. There were some comments about the map combining areas that might not share common interests particularly Harper Woods, Grosse Pointes, St. Clair area with Detroit. Some commentary of that. Communities of interest in general. There was a lot of popular commentary from Latin X communities. Some not the same level of commentary from Chaldean commenters as on Szetela and Heron but there was some sense that the Kellom map might split parts of the Chaldean community.

Still talking about Cardinal which even though as you see it was not...did not have the same positive net favorability rating it was the most commented on map. There were 181 unique commenters which was more than either of the two most popular maps. There were 75 commenters in support and 106 in opposition. And the most common criticism was the partisan fairness numbers. Many did not think it was sufficiently neutral compared to the other popular maps. There were a number of geographic and community of interest comments in opposition to the map. There were concerns that it might divide Romulus or mishandle certain Detroit neighborhoods. There was a lot of popular commentary from different Chaldean commenters who liked the map similarity to the old Linden 9th District. And the Chaldean and Arab communities often express the map protected their community of interest sufficiently.

We have more detailed commentary on and appendix with the data on the other maps but we for the most part we combined our commentary on the remaining, how many is that, remaining eight maps because for the most part it was generally negative commentary. Most of the criticism again focused on partisan fairness. We had like a list of the different breakdowns of comments here. Most of the commentary came from partisan fairness questions. A lot of maps whether rightly or wrongly suggested there might be issues with Voting Rights Act compliance across the different maps they were not offering enough Thornburg versus Gingles for majority minority communities. There was a lot of commentary, it's hard to aggregate across 8 maps but commentary on mishandling of community of interest and it was not positive assessment of how each map handled communities of interest or geographic representation across the board. For the most part Detroit area and Metro Detroit communities felt these maps mishandled for one reason or another their communities. And with that we will wrap up and Elizabeth is going to give I think a regional break down how different commenters from different areas felt about the different maps.

>> Yes so that was everything in aggregate and we decided to give it a little bit more context to the net favorability ratings. We analyzed the relationship between a commenter's self-reported location and their mapping preferences. So we did that in two ways. Just to note this does not include any region that a commenter may have included in the content of the comment it's just the location and the self-reported location of the commenter. And so first we analyzed each region and the mapping preferences within each. So as a whole commenters tended to be in agreement with one another about liking or disliking maps with a net region. For example you can see here in this chart for Detroit commenters rated Szetela most favorably and also had positive ratings for Heron, Kellom, Dove, Curry and were in agreement about the other ones.

We attached a breakdown of all the other -- or all the other most commented regions and their map preferences in the appendix of this memo. But other trends that we saw were Oakland County commenters were largely in agreement on liking Szetela and Kellom. Macomb County commenters vastly favored Cardinal. Washtenaw County was unified on all the maps. So liking Szetela, Heron, the most. And Finch and Cardinal the least. Then we also analyzed each map. And the regional breakdown of preferences within those. So while we calculated the aggregate net favorability for each map this broke that down a little bit more.

Many maps showed agreement across regions. So ones that had consistently negative net favorability ratings regardless of the region were Wagner, Orton, Lange, Curry and Starling. And also pretty consistently negative were Finch, Dove and Crane but exceptions with Macomb County comments. Again all the charts are included in the appendix.

And then as you can see here looking at Szetela and Kellom which were two of the most popular maps, or the two most popular maps, they both received consistently positive net favorability ratings across the regions with as you see a few exceptions.

Two of those stood out and Heron and Cardinal strayed from this trend of consistency across regions. And so looking at Heron they had a pretty high aggregate positive net favorability rating as we've mentioned. But as you can see from this breakdown it was actually pretty disliked by Macomb County commenters. And so the commenters from Lansing area, Washtenaw County and Oakland County comprised the majority of the positive net comments.

And then looking at Cardinal, it received the most disagreement across regions. While aggregate net favorability rating shows a negative 31 Macomb County commenters overwhelmingly favored this map whereas commenter from Lansing area Washtenaw and Oakland County had negative comments. This gives more context to the overall analysis and the aggregate net favor abilities in the first chart. But that's all we have for you. So we are happy to answer any questions that you might have.

>> CHAIR EID: First off thank you so much for putting together this information. And trying to figure out a way to aggregate all this data in a cohesive format like you have done. That is a large task, and we appreciate y'all for doing that.

We do have a few questions. I'll start with Commissioner Lange?

>> COMMISSIONER LANGE: Thank you. Good afternoon. I guess we are almost at the afternoon aren't we. You said there was I want to make sure that I got this right in my notes there is 325 total commenters; is that correct?

>> Yes, 325 total commenters across 1155 comments.

>> COMMISSIONER LANGE: Okay and were those based off from all of the comments including town hall public comment, in person and online, correct?

>> Yes. So what I did was pulled from the three, the two online portals and then your town halls and public hearings et cetera. And any time a commenter said their name they included their e-mail address, whatever it may have been, if they were a repeat commenter, they were reassigned the same commenter code that they received at an earlier time to make sure there were we were consistently identifying them in the database.

>> COMMISSIONER LANGE: Okay so then when you did your analysis and put it in, it was strictly based off from what the commenter said, correct?

I mean, there was no, what is the word I'm looking for, it was strictly what they said, darn this old brain of mine, I'm blanking out at the worst time. Let me give an example. During public comment we had somebody came in, they said they liked a particular map, but they said they never even looked at the map, but they were told that it was a good map, so they trust that. And I'm sorry, I'm blanking out here. You would just base your analysis or your not really analysis but bringing it altogether just based on that person saying I like this map, correct?

>> Yes. So I think that is a fair point. Our goal was to report what they said. If they said they liked a map it would -- we had actually several comments that were sort of similar to that at your meetings and in the portal where if they just said I like this map and they don't offer any commentary as to why we would mark them down as a positive assessment of that map. But they would have no other justifications for it. They would not get a justification sentence that would then go in the assessment. We thought that it would be best to faithfully report every single one. Because there are times where it's harder to draw lines where somebody may offer a very robust explanation why one map is better than another and we didn't want to hold people to specific standards. We thought in the aggregate we would be able to assess better trends.

>> COMMISSIONER LANGE: Okay got it. That is my only question and thank you. I'm sure that was very time-consuming so thank you for putting the work in on it for us.

>> Happy to help.

>> CHAIR EID: Is there any way to kind of -- let's say you wanted to exclude certain comments from the whole, I'll use Cardinal as an example, there were a lot of

comments as you have noted that were talking about the partisan fairness numbers of Cardinal saying it wasn't as fair as some other maps but our data says that it is. So I'm wondering if you take out those ones that I mentioned partisan fairness on, it doesn't have to be Cardinal but if you take out those on any of the plans, is there a way to do that?

And if so does that change the analysis at all?

>> I think it would be...it would probably be possible for some comments. The issue is I'm sure you have seen at many public hearings a comment is never one thing. This map has worst partisan fairness and it does not respect my community and it gets this jurisdiction wrong and then like even if the commenter is MO their main reason for commenting was partisan fairness, do we still include that comment because they mentioned a community of interest or mentioned a jurisdiction. It would be kind of hard to separate the weak on that. There were some comments where it would be where it was I mean this is truth for I think every map where it was just this map is the most fair and that's all they said. And you could probably exclude that if you wanted to look at nonpartisan fairness comments. I think I don't know exactly how it would change the analysis. I think for the most part the comments were more like my former explanation where people offer multiple reasons for disliking a map. So I want to say that it would not meaningfully change the trends, but I'm not a hundred percent sure.

>> CHAIR EID: And were there any like I'll just use the word patterns for lack of a better word that you noticed across this?

I'm trying to figure out why Cardinal in particular was so polarized as far as the likes or dislikes. Because there were I think you said that was the highest amount of comments but the most polarized.

>> Uh-huh. I would say that there were I mean I think Elizabeth touched on the big geographic break down in trends Macomb County commenters especially I think commenters representing Chaldean communities of interest preferred Cardinal. So I would say that is the biggest trend. That was probably one of the more frequent if not the most frequent point offered in favor of Cardinal. As far as broader trends, I think it's hard to say for sure. There were a lot of the Oakland County I would say kind of Royal Oak and Royal Oak area townships preferred the Szetela map. And the Heron map I think had, I would have to look at Elizabeth's data again, but I think it had the most polarizing in terms of non-Metro Detroit preference where it's like Lansing area, Washtenaw County, a lot of support from like non-Detroit area commenters.

I'm not exactly sure why Cardinal was specifically so polarizing outside of the...a lot of the Metro Detroit commenters did not like the non-Macomb Metro Detroit commenters did not like the partisan fairness numbers whether fairly or unfairly. And thought it mishandled their jurisdiction for one reason or another. Their community of interest or jurisdiction for one reason or nothing.

>> CHAIR EID: Got you but that graph we are looking at right now, Cardinal, that says most of the negative comments are from the Lansing and Washtenaw areas.

>> Uh-huh. Still negative in Oakland, Detroit and Wayne County but yes for the most part the polarizing comments came from non-Metro Detroit comments.

>> CHAIR EID: And is that which other maps have that same pattern where you have you know the Lansing and Washtenaw area having a lot of comments that disagree with the Metro Detroit area?

>> Elizabeth can you scroll to the appendix for your other geography graphs so we can see that.

>> Yeah. Let me get, here we go.

>> So.

>> I can slowly scroll.

>> CHAIR EID: Can you go back up and start at Crane?

>> Okay.

>> So here we see Washtenaw and Oakland County. Okay.

And for Dove you have Lansing and Oakland County. I'm trying to figure out where the main negative comments are coming from on each of these. Finch again you have Lansing, Oakland and Washtenaw.

>> Just to give context to these numbers so for example for Dove for Macomb that net of five is six to one. But then for, you know, the Crane that net of three is of five to two. So there is a little bit lost when we do the net favorability just to note how many we are actually talking about.

>> CHAIR EID: Right because the total comments on these aren't the same.

>> Right so like thinking about Macomb being three, a difference of three, sorry, we are looking at Finch, that is a total of five votes on that. Whereas even looking at Washtenaw it's 17 but that is 17 votes total. So it's not that there is 25 votes and then there are some against. Just to give you more votes on it.

>> CHAIR EID: I see what you're saying.

>> Yeah. But I can keep scrolling down.

>> CHAIR EID: We can keep going.

>> This is Macomb it's five to one so six votes total but in Oakland it's 23 commenters total, three to 20 getting that 17.

>> CHAIR EID: Okay.

All right that was very helpful. Thank you for entertaining that line of questioning. I know it's a little hard because these show the numbers and not the percentages compared to how many people mapped but it is very useful.

>> Uh-huh.

>> CHAIR EID: Commissioner Lange?

>> COMMISSIONER LANGE: Since she has it on Wagner's real quick can you put it to Lange?

I'm just kind of curious. 11 and 20 okay that is what I wanted to see. Thank you.

>> CHAIR EID: For me the reason why I wanted to see that is just because it's a little interesting to me where the comments came from. From across the state. Given that we are doing the Metro like we are mapping the Metro Detroit area, but we have a lot of comments statewide. Just wanted to make note of that. Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, can we go to the Szetela map?
I meant for those same charts. Net likes.

>> There we go. Sorry, that one is in the body of the memo so it's the same map, it's just in a different part of it.

>> COMMISSIONER SZETELA: So this map Oakland and Washtenaw dominate then Lansing unspecified then Detroit. I think if you look isn't there a Detroit area preferences chart as well?

>> Yep.

>> COMMISSIONER SZETELA: Detroit area preference is Szetela, Heron and Kellom are clearly the preferred for those commenters from Detroit.

>> Just to highlight there are more regional ones with Oakland, Wayne, Macomb and Lansing and Washtenaw and Dearborn.

>> CHAIR EID: All right, are there any more questions Commissioners about this analysis?

I do not see any. I want to thank you folks for coming through and shout out to close up for the analysis and aggregating all this data. We appreciate your help.

>> Thank you so much.

>> Thank you guys so much.

>> CHAIR EID: All right Commissioners, it is about 12:50. And we have a scheduled break at 1:00. This might be a good time to break a few minutes early and we will come back with the Senate map deliberations. Are there any motions to break for lunch?

>> COMMISSIONER LETT: So moved.

>> COMMISSIONER WEISS: Second.

>> CHAIR EID: We have a motion by Commissioner Lett, seconded by Commissioner Weiss, is there any debate on the motion?

Seeing none we will move to vote. All those in favor please raise your hand and say aye.

>> Aye.

>> CHAIR EID: Any opposed please raise your hand and say nay. The ayes have it, we will break for lunch and be back at 2:00 p.m. See you then.

[Recess for lunch until 2:00 p.m.]

>> CHAIR EID: All right welcome back folks.

As Chair of the Commission, I call the meeting of the Michigan Independent Citizens Redistricting Commission to order at 2:09 p.m.

I will now turn to the Department of State staff to take roll.

>> YVONNE YOUNG: When I call your name please say present and those attending remotely if your venue has changed from this morning's meeting please share that when I call roll. I will begin roll alphabetically with Commissioner Andrade?

>> ELAINE ANDRADE: Present.

>> YVONNE YOUNG: Commissioner Callaghan?

>> DONNA CALLAGHAN: Present.

>> YVONNE YOUNG: Commissioner Curry?

>> COMMISSIONER CURRY: Present.

>> YVONNE YOUNG: Commissioner Eid, present, Commissioner Kellom, Present. Commissioner Lang, Present. Muldoon present. Commissioner Orton? Present. Commissioner Szetela?

Present. Commissioner Vallette?

Present. Commissioner Wagner?

Present. Commissioner Weiss?

Present. Mr. Chair you have a full House 13 Commissioners present.

>> CHAIR EID: Thank you, Ms. Young.

>> YVONNE YOUNG: You're welcome.

>> CHAIR EID: All right Commissioners the next item on the agenda is new business item 5E Senate mapping deliberations. If there is no objection, we will move on to that topic and engage in our Senate mapping deliberation as outlined by the 2024 selection of final Senate map policy that we adopted last Thursday. Is there any objection, Commissioners?

Seeing none we will move on to the deliberations. The document states that the Commissioner Chair or Vice Chair will facilitate and overview and discussion among the Commissioners present on each collaborative, draft proposed map in alphabetical order by identifier name, Commissioners who submitted individual maps for consideration will present their draft proposed maps after all collaborative maps have been reviewed and discussed. During this overview and discussion the Commission by majority vote of members present may amend a draft proposed map to the extent, sorry logical outgrowth of public comment received. After reviewing and/or making minor changes to each map the Commissioner Chair or Vice Chair will facilitate discussion to express which map they prefer and why. Should also note that if any changes, if any amendments are adopted for a map that does need to go to our legal team for so it can undergo the same analysis, that all of the maps have gone through previously. With that said, we will start in alphabetical order. The first being Cardinal. Do we have EDS with us?

>> MR. MORGAN: I'm here.

>> CHAIR EID: Hello, Mr. Morgan, welcome back. We are going to start deliberations around Cardinal at this time. If you can please pull that copy up.

>> MR. MORGAN: Okay, I will share the screen in just a moment. So at this moment it's just displaying the map. You're not anticipating immediately making changes, right?

>> CHAIR EID: It depends on if any Commissioners want to.

>> MR. MORGAN: Okay, well if we get to that point I will discuss the making a copy. Okay this is the Cardinal map. And let's see, so it's map 373 from the portal.

>> CHAIR EID: All right Commissioners any deliberations or thoughts on this map? I don't have any changes I'd like to make. But I can speak on the map a little bit. As you know most of you know and the folks who have been watching this whole time know this version, this proposal rather took multiple districts in the Motown Sound House map that this Commission adopted, and the Court affirmed and used it to create districts around Detroit. And then took some of the collaborative districts in the suburbs and that's how this map came about. For its metrics it has a lopsided margin score of 3.6%. A mean median difference of 2.6% and efficiency gap of 0.8% and seats to votes ratio of 22-16 with a 5% for the democrats and 5VRA, 1, 3, 7 and 8. Did I say 5? Four, thank you for that Commissioner Orton, four VRA, 1, 3, 7 and 8. Commissioner Orton?

>> COMMISSIONER ORTON: Could we see the, what do we call it, the retained, the core retention on the districts that needed to be changed on this?

>> MR. MORGAN: Okay, so this is the document for the 12 maps for core retention. And so it has each of the plan names and how much of a specific District was retained. So in this case it's showing District 1, and it shows how much of District 1 is retained among the bird maps, Crane retained 59% of District 1. And then it goes down to 25% in Dove. And then of the individual Commissioners maps it's 62% retained in Commissioner Wagner's map. And 48 in Commissioner Kellom's map as a range. That's just District 1. And Commissioner Orton did you want me to go through the Heron maps retentions?

>> COMMISSIONER ORTON: No, I think since we are looking at Cardinal can you go through each of the districts in Cardinal.

>> MR. MORGAN: Right Cardinal. District 125% retained. District 3 in Cardinal is 4.5% retained. So District 3 is here. District 6 in Cardinal, 51% retained. District 8 in Cardinal is 0% retained. District 10 in Cardinal is 25% retained. District 11 in Cardinal is 82% retained.

>> CHAIR EID: You still have the floor.

>> COMMISSIONER ORTON: Can we perhaps see the Linden overlay on this one?

>> MR. MORGAN: Okay.

Okay so just as an example here is District 8 over here on this thick blue line and you can see that the new version 8 does not overlap at all. So that's why there is a score of 0 for that. This District 8 has none of the same territory as this District 8. And then by contrast District 11, sorry, the three, this District 11 in blue is the Linden District. And this configuration retains 82% is what we said. 82%.

>> CHAIR EID: And District 12 in this one was not changed from Linden, correct?

>> MR. MORGAN: Yes. So this will be a quick example to point one thing out. So this is District 12, which was not a District that was struck down. So Cardinal has a hundred percent. However, there is one map that will show as a hundred percent, but it actually had a slight change to it. And you say well how can that happen?

If you have the same boundaries so that all of this is exactly the same, if I took one precinct out, then it still retains the same territory, I just took one precinct out, so it still has 100 percent of the same territory. Sometimes you will have a case where that happens where you make like a very minor adjustment and it shows as 100% but, in fact, there was a slight change. But I think getting back to 12 you can see many of the districts of 100% of District 12 retained. Most of Commissioner Szetela has 99.7% the same.

>> CHAIR EID: Thank you. Okay, any changes to this one anybody?
Or should we move on to the next map?

Commissioner Curry?

>> COMMISSIONER CURRY:

>> CHAIR EID: Okay Commissioner Szetela?

>> COMMISSIONER SZETELA: I'm just curious what the...John, can we take the Linden map off?

It's confusing.

>> MR. MORGAN: Sure, no problem.

>> COMMISSIONER SZETELA: I'm just curious what the rationalization was in District 6 for putting those communities together. Because we have a small portion of West Detroit put in with Redford and Livonia, partial Garden City and then Northville, which those seem to be very disparate communities and just doesn't make a lot of sense to me why those were put together in the first place particularly since one of the criticisms we received from the Court was about combining portions of Detroit with very high income suburban areas and I think Northville definitely falls into that categorization yet we put a very small portion of Detroit including, I believe, the Brightmoor neighborhood which is a very poor area in Detroit in with Northville. I'm just wondering why structure it that way rather than including in District 7 and finding population elsewhere. Doesn't seem to be there are communities of interest there that are being preserved.

>> CHAIR EID: John, can you put the Motown Sound overlay on top of that?
That might help answer the question.

>> MR. MORGAN: Okay.

Sorry, trying to get the label to come up. Okay.

>> CHAIR EID: Looking at districts, 1, 3, 8 and 2 especially those are the ones that took in the area of the House District map. And I think 6 is what was left because the

other districts, 13 and 7, were made using some prior collaboration from the collaborative maps that we had at that point.

>> COMMISSIONER SZETELA: John, is it possible to turn the lines to blue?
I can see it a little better with blue.

>> MR. MORGAN: Yes, I agree. Just one second. Oh, I know what the problem is. Just a second. Oh, I see. There were two copies of it in there, that is why I was having trouble with it. Okay, so it looks like this is House District 18, for example. This is District 22.

>> COMMISSIONER SZETELA: Yeah, I don't think that actually explains it at all honestly. Because you are taking portions from 1, 2, 3, 4, 5, 6, 7 different districts and putting it into District 6. Yeah, I mean there has to be a better rationale and that was just what was left over so I guess I'm asking what is the rationale for putting Detroit with Northville when there were clearly other areas you could have gone like up into 7 to keep more of Detroit together.

>> CHAIR EID: Well I think it's a perfectly fine rationale if you look at Senate District 3, look at Senate District 1, look at 8 and 2 there are areas left over. At least when you keep the suburb configuration that this map tried to keep. I don't have an issue with that kind of configuration. I don't think Northville is as affluent like some areas like Birmingham that we received criticism for in the past. It's certainly a whole lot closer to Detroit than Birmingham is. But that's the configuration that we got for this one. So any amendments, Commissioners, to this map?

I will remind Commissioners we are at the point according to our rules where we are discussing amendments to the map. And after all reviews and minor adjustments are complete, we will then have the opportunity to express which maps we prefer and why. All right well let's move on to the next map then. Can you bring up Crane, Mr. Morgan?

>> MR. MORGAN: Okay this is the Crane map.

>> CHAIR EID: Commissioner Muldoon, I see your hand is raised.

>> MARCUS MULDOON: Being that District 1 is down the river of Detroit I think Wyandotte would be better than Southgate, so it follows the river. Switch Southgate and Wyandotte between one and four.

>> CHAIR EID: You are proposing an amendment to switch Southgate with Wyandotte?

>> MARCUS MULDOON: Correct.

>> CHAIR EID: Mr. Morgan, can we try and make that change and see what happens to the map?

>> MR. MORGAN: Sure.

>> CHAIR EID: We will need a copy as well.

>> MR. MORGAN: All right. Okay, so just in terms of the nomenclature I give it today's date. I don't know if you want to give it a different version number after the name Crane or if the date is sufficient.

>> CHAIR EID: For Motown Sound we went and gave it another number after. So we had Motown Sound and Motown Sound I think FE1 and Motown Sound FE2 or something like that, FC.

>> MR. MORGAN: Something. Okay, so you want to designate this as like a number two?

>> CHAIR EID: I think that would be appropriate.

>> MR. MORGAN: So you want A2 like amendment or E for edit or something? What would make sense at this point?

>> CHAIR EID: Let's do A for amendment.

>> MR. MORGAN: So this will be A2 if that makes sense.

>> DONNA CALLAGHAN: Are we leaving the V2 after the collaboration identifier?

>> MR. MORGAN: You could change it to V1, then that is consistent with today's date as if it's, you know, the first map you are working on today.

>> DONNA CALLAGHAN: Consistency is always nice.

>> MR. MORGAN: All right so version one so today's date version one and then it could be A1 if you follow that way and the unamended one would just be the previous name or it could be A2 to just show that this is the second version, what would you prefer?

>> CHAIR EID: Well, it's the first amendment.

>> MR. MORGAN: So A1.

>> CHAIR EID: A1.

>> MR. MORGAN: Okay so to distinguish it from what we have called Crane, it has different date, version one for today and A1. The original version of Crane has the original designation. Okay Commissioner Muldoon was proposing putting Wyandotte in District 1 and South Gate in District 4.

>> MARCUS MULDOON: Correct.

>> MR. MORGAN: District 1 is currently over by 2.33 and 4 is negative .7. So there is a difference in the population, the two towns Wyandotte is 25,000 and Southgate is 30,000. So putting a smaller town into a District that is overpopulated will bring the deviation down. And putting the 30,000 into District 4 replacing the 25, it should still be okay because it has room to expand. So Wyandotte into District 1. Southgate into District 4. Okay so that brings District 1 to within half a percentage .46 over and District 4 is 1.17 over and they are both within the deviation topics.

>> CHAIR EID: Is that what you wanted Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> CHAIR EID: Do you want to speak why you did that?

>> MARCUS MULDOON: Southgate is not on the water, but Wyandotte is, and it brought the population closer to 0 to even.

>> CHAIR EID: Commissioner Orton?

>> COMMISSIONER ORTON: We did have some public comments suggesting that switch. I remember. I wonder if we could see the -- oh, we are not going to have an updated core retention on this to reflect that. But can we see the core retention that we have?

>> MR. MORGAN: Sure regarding District 1, and this is on Crane, okay so Crane retained 59.7. And if I put Linden up here.

>> COMMISSIONER ORTON: While you are doing that I have a question. I think it was EDS that did the core of retention reports. I'm wondering when we get the other reports back about this tweak, can we get an updated core retention as well?

>> MR. MORGAN: I believe we can do that. I probably need to contact Ryan because he was doing those in bulk. He did a whole series of them at once. I think we can do it one at a time. Using the Autobound software. But I defer to Ryan. I will contact him later today.

>> COMMISSIONER ORTON: Okay thank you, I'm sure there will be other changes too I would think. Okay so previously so previously in District 1, the Linden District 1 had this portion of Detroit, Melvindale, Allen Park and all of Taylor. So, again, just estimating here, neither Southgate nor Wyandotte were in the original District 1. So you will be similarly situated in the core retention. Because you're basically taking a town that was not in and the difference will be that Wyandotte is a little bit smaller population. So, you know, it will affect the number a little bit. But you've also reduced the denominator as well. So it could end up being really close because, again, it's a town that was not in the original metric. So it will probably score close to what that is there. And I just saw a text from Ryan. He will be able to run those reports.

>> COMMISSIONER ORTON: Thank you. So could we see for each of the required districts, can we see the core retention for this map?

>> MR. MORGAN: For the Crane?
Okay.

So as we were talking about District 1, 59.7% retained. District 3, 51.1 retained. District 3, District 6, 48.9. District 8 is 0. So, again, the original District 8 was here. And the redrawn District 8 is here. So there's no overlap. District 10 is 10%. So let's see, the original District was this, the original ten, no, this was. Let me get my numbers on. Okay there is District 10. So the new version of District 10 has a little bit of overlap it looks like in Warren. District 11 in Crane, 44.7% overlap. So the original District 11 was Macomb, Clinton, down into Detroit. And the new version Sterling Heights, Warren, Fraser, Roseville, East Point. I think that covers all six districts.

>> COMMISSIONER ORTON: Thank you.

>> CHAIR EID: So we have an amendment on the table by Commissioner Muldoon. We have to vote by majority vote to accept that amendment or not and to this version of the map. Is there any discussion?

Is there any more discussion on the amendment?

- >> COMMISSIONER LETT: Megan, is there a motion to vote on this amendment?
- >> MEGAN SCHAAR: There is not.
- >> COMMISSIONER LETT: I move we vote on the amendment as presented.
- >> COMMISSIONER WEISS: Second.
- >> CHAIR EID: Thank you, Commissioner Lett. We have a motion to accept Commissioner Muldoon's amendment. Motioned by Commissioner Lett, seconded by Commissioner Weiss. Is there any discussion on the amendment?
- Seeing none we will move to vote. All those in favor of the amendment please raise your hand.
- >> Aye.
- >> CHAIR EID: We might need a roll call for this actually. Just for consistency.
- >> YVONNE YOUNG: Commissioners you have the motion before you to accept the amendment presented by Commissioner Muldoon. A yes vote means that you are in favor of that amendment and a no vote means that you are not in favor of the amendment. I will begin alphabetically with Commissioner Andrade?
- >> ELAINE ANDRADE: Yes.
- >> YVONNE YOUNG: Commissioner yes Commissioner Curry?
- Yes. Commissioner Kellom?
- >> COMMISSIONER KELLOM: Yes.
- >> YVONNE YOUNG: Commissioner Lange?
- >> COMMISSIONER LANGE: Yes.
- >> YVONNE YOUNG: Commissioner Lett?
- >> COMMISSIONER LETT: Yes.
- >> YVONNE YOUNG: Commissioner Muldoon?
- >> MARCUS MULDOON: Yes.
- >> YVONNE YOUNG: Commissioner Orton?
- >> COMMISSIONER ORTON: Yes.
- >> YVONNE YOUNG: Commissioner Szetela?
- >> COMMISSIONER SZETELA: Yes.
- >> YVONNE YOUNG: Commissioner Vallette?
- >> COMMISSIONER VALLETTE: Yes.
- >> YVONNE YOUNG: Commissioner Wagner?
- >> COMMISSIONER WAGNER:
- >> YVONNE YOUNG: Commissioner Weiss?
- >> COMMISSIONER WEISS: Yes.
- >> YVONNE YOUNG: Mr. Chair there is 12 votes for the 12 Commissioners that are currently present. The motion passes.
- >> CHAIR EID: Thank you Ms. Young.
- >> YVONNE YOUNG: You're welcome.
- >> CHAIR EID: All right Commissioners, anything else about this map?

I have two amendments I'd like to make. One is a relatively small, just cleaning up a few boundaries and the other is about the size that Commissioner Muldoon just made. Let's see, the first one first so we can make a copy and have it be amendment two.

>> MR. MORGAN: A copy of the original Crane?

>> CHAIR EID: No, of this.

>> MR. MORGAN: Of this, okay.

So you would propose this being an A2?

>> CHAIR EID: Correct.

>> MR. MORGAN: Okay, just a second here. I thought it was going to do that. Okay so this is the A2.

>> CHAIR EID: That is the Wyandotte change, can you scroll up to District 9?

Okay so do you see the part of 9 that juts into the right into Shelby?

Just that one precinct. It's kind of an upside-down L.

>> MR. MORGAN: Okay looks like it's 34, 21.

>> CHAIR EID: I'm proposing we put that into District 24. Bringing it closer to the original Linden map.

>> MR. MORGAN: Okay, so that is 24 is negative 1.15. And District 9 is now negative 3.63.

>> CHAIR EID: Right so we just need a little more in nine and go to the southern portion where nine connects to ten. Commissioner Lange?

>> COMMISSIONER LANGE: As you're drawing this can you walk me through your thought process on what you're doing?

Because I'm having a hard time following when you are going to 24 to nine and talking going down to ten, so I want to understand the thought process.

>> CHAIR EID: So this is a smaller change of the two I want to make. The other one involves Lyon Township. But this is really just cleaning up the lines and population deviation as well as making District 9 a little better I think for the Chaldean community of interest. But it's just a couple precincts here. Commissioner Szetela?

>> COMMISSIONER SZETELA: So the population deviation was 4.88 before you were making changes so what is it about the population deviation you are trying to fix.

>> CHAIR EID: It was a little low on 24 and now it's closer on 24 to normal and he also took in less of also I mean you just had a little portion of this District that's on top of the COI that was also included that didn't need to be included. Right now, because of that change, you have Utica included in 9 as well as a part of Shelby, that includes St. George Chaldean church, which is right around where the Township boundaries meet. So still good there and I think it cleans up the District a little bit. And account for the population deviation I was going to go south and just take off a few precincts off of Clawson.

>> COMMISSIONER SZETELA: I'm sorry you are saying it now includes the St. George's church?

I thought the original included it.

>> CHAIR EID: It did. It still includes it. I said we did not take it out. What we took out is the rest of Shelby that jutted in, and it was not in the previous District nine. If you overlay the previous District nine it the parts of Shelby that used to be included in it are now included in it and the parts that are not are not. It brings it closer to the original District 9 as well as cleaning up some of these boundaries.

>> COMMISSIONER SZETELA: You're trying to copy the Linden is what you are trying to do.

>> CHAIR EID: No, it brings it closer to Linden which we did not need to change District 9 in and I think the original point of this configuration was also not to change nine as much although it does not go as far north as the original one did, I should note that but we are talking about a couple precincts there Commissioner Szetela.

>> COMMISSIONER SZETELA: I appreciate that I'm just trying to understand what you are changing and why, so we have a clear record.

>> CHAIR EID: Yes and I think I said that a few times now.

>> COMMISSIONER SZETELA: I don't think you have given a clear rationale so you may think you cited it, but it seems the rationale you gave doesn't make a lot of sense so I'm just asking what the real rationale is.

>> CHAIR EID: All right, I appreciate that. Okay so now we just need to fix the deviation on District 9. So.

>> MR. MORGAN: Okay.

>> CHAIR EID: So there are the top precincts in Clawson we are going to put that in 9 and just whatever blocks are directly under it, bring it back into normalization.

>> MR. MORGAN: Take 2532 of Clawson.

>> CHAIR EID: Correct.

>> MR. MORGAN: Okay.

>> CHAIR EID: And the area right above right there.

>> MR. MORGAN: So it is negative 2.67 and district 10 is negative 2.02.

>> CHAIR EID: You might need a few blocks underneath that precinct.

>> MR. MORGAN: Okay.

>> CHAIR EID: In the 2045 precinct.

>> MR. MORGAN: Okay.

What blocks would you like to include?

>> CHAIR EID: It would have to be just the ones south of nine, perhaps that block there that is you can see it kind of curves up and right. It's like 33, 35.

>> MR. MORGAN: 33, 35, 55.

>> CHAIR EID: Uh-huh and if we go straight across.

>> MR. MORGAN: Straight across to where?

>> CHAIR EID: So 64.

>> MR. MORGAN: 64 and 67.

>> CHAIR EID: 89, 122 up through 82 to 76.

>> MR. MORGAN: Okay, do you want to assign that.

>> CHAIR EID: To nine.

>> MR. MORGAN: Okay.

>> CHAIR EID: 82, 62 and 76.

>> MR. MORGAN: So you have one whole precinct of Clawson, a portion of another precinct and it's 4.80.

>> CHAIR EID: Can you Zoom out, please?

To me that looks a lot cleaner. If you can just go to where 23 and 13 meet in Waterford.

>> MEGAN SCHAAR: I want to acknowledge for the record there is a hand up.

>> CHAIR EID: Commissioner Lange?

Is your hand still up or is this a new hand?

>> COMMISSIONER LANGE: It's a new hand and I had another question and forgive me. The first move you made that was like you called it the upside-down L was that a full precinct?

Did that incorporate a full precinct?

>> MR. MORGAN: That was one whole precinct, yes.

>> COMMISSIONER LANGE: The change you just made, and you took it down to a block level, did that include a full precinct before you made the change?

>> CHAIR EID: It was one full precinct and I think six blocks on top of it just to make up for the population needed.

>> COMMISSIONER LANGE: Okay so what was changed?

You are saying it was one full precinct plus six blocks.

>> CHAIR EID: Around that.

>> COMMISSIONER LANGE: Okay, but okay, so it was a full precinct and now we moved it to the block level. Is that a fair assessment?

>> CHAIR EID: Taking another whole precinct would be too much and not taking one would have been too little, so you have to go to block level sometimes in order to get this right for the population deviation.

>> COMMISSIONER LANGE: Okay I will save my comments to the end, I just wanted to make sure I got that right, thank you.

>> CHAIR EID: Sure. Okay now if you can go into Waterford right above M59.

>> COMMISSIONER SZETELA: I had a comment as well, Commissioner Eid?

>> CHAIR EID: Commissioner Szetela?

>> COMMISSIONER SZETELA: I'm just wondering what public comments because we are supposed to draw responsive to public comments asking to split up Clawson in this particular map?

>> CHAIR EID: We did split a little bit of Clawson, that is true. But I think we have to make some trades sometimes in these. And I think it is worth it in order to get District 9 and District 24 looking a little better.

>> COMMISSIONER SZETELA: Well.

>> CHAIR EID: Also it brings it closer to some of the maps that the communities have preferred when it comes to that District 9.

>> COMMISSIONER SZETELA: So the community has said they actually prefer the original for the Chaldean community which is the original Linden which does not split Clawson and actually includes a portion of I'm not positive on the Township.

>> MR. MORGAN: I think it's o-Ryan.

>> COMMISSIONER SZETELA: Lake Orion so Orion Township. I mean District 9 included portions of Orion Township and did not split Clawson so again I'm just questioning why you would split Clawson which is a pretty small community and in general I think if you will make a choice between splitting a larger community versus a little community it probably makes more sense to take off a chunk of a bigger rather than chopping a little community in half, just my preference and I don't know if we received public comment with this and questioning why you are making the changes.

>> CHAIR EID: I hear you do not like this change Commissioner Szetela, and I do like this change, and I will keep going with it and Clawson was split eight and three.

>> COMMISSIONER SZETELA: Can we put the Linden overlay on this.

>> MR. MORGAN: You like the Linden overlay on?

>> COMMISSIONER SZETELA: Yes, please. So Linden did not split Clawson.

>> MR. MORGAN: It looks like it might have.

>> COMMISSIONER SZETELA: But not into nine. Between 10 and 8, can you highlight where Clawson is because it's really small.

>> MR. MORGAN: Yes. That is Clawson and the portion that was split into ten and the rest is in eight, this configuration, this portion will be in ten and this smaller portion will be in there.

>> COMMISSIONER SZETELA: Thank you.

>> CHAIR EID: While you have that up there could you go and see where the precinct I took out is located?

>> MR. MORGAN: This was Shelby Township I think. Thank you. As you can see it's back in the original 24. As it was originally.

>> CHAIR EID: Go to District 13 and 23. So if you can Zoom in to where M59 is, it's right in the middle of Waterford. It's the big highway going through it. And what is the population deviation on 13?

>> MR. MORGAN: Negative 1.48.

>> CHAIR EID: And what is it on 23?

>> MR. MORGAN: Negative 0.37.

>> CHAIR EID: Okay so I'd like to follow M59 a little bit more closely if we see Waterford along M59 is a better way to do it than what we have now in my opinion.

>> MR. MORGAN: You want to take less of Waterford?

>> CHAIR EID: The air with the Oakland County airport right there I would like to put that in 23. That is the precinct boundary do you want to take the whole precinct or split it to follow the highway?

>> CHAIR EID: I think the precinct is fine. You can take that precinct as well.

>> MR. MORGAN: Any of these others or stop there?

>> CHAIR EID: Stop there and now to make up for that we are going to go to the bottom of 13 around where Novi is. And we are going to add 8 has a little too much population currently; is that correct?

>> MR. MORGAN: Yes.

>> CHAIR EID: Okay so we will put a little bit more of 8 into 13 which also makes sense from a community perspective. We originally created the District 13 to include Novi and Northville and it was not a District that was struck down. And I think it is once again better that way which is why I'm submitting that amendment. So if we.

>> MR. MORGAN: You want it more of Novi into 13 and take a portion of Farmington Hills.

>> CHAIR EID: No, Farmington and Farmington Hills are together in one and don't want to mess that one up. For 13 the area is Novi is split and proposing putting more of Novi into 13. So the precincts 3, 4, 6, 1, 2757. On the left side. Right below Wixom.

>> MR. MORGAN: So 3461 and you wanted the 2757 as well?

>> CHAIR EID: Yeah, how many more people do we need to normalize between 13 and 8 and that is under and that is over by 5,000.

>> MR. MORGAN: 8 is over 5,000. And 13 is under by 11,000.

>> CHAIR EID: Wonderful. So, yeah, these precincts here, 3461, 2757. And then the two to the right of it, 2008. And 2276. Add those to 13. So 13 is about right on the money.

>> MR. MORGAN: Yes.

>> CHAIR EID: 8 is also good and the overall deviation is the same as what we had previously. And those are the changes. Commissioner Szetela then Commissioner Lange?

>> COMMISSIONER SZETELA: So you mentioned that you think it looks better like this. So once again it doesn't seem like these changes are remotely narrowly tailored to respond to public comments. It seems like these are your personal preferences for changes. I'd also like to point out that you just split the Asian Pacific islander population in Novi in two different districts and breaking up the community of interest to achieve whatever goals you are trying to achieve and are not responsive to public comments at all. I would like to make a motion we reject all of the changes made by Commissioner Eid.

>> CHAIR EID: Would you mind to change your motion to an affirmative motion to make it easier and if it's voted no then it's voted no?

>> COMMISSIONER SZETELA: I'm not making a motion to accept your changes if that is what you are asking me to do.

>> COMMISSIONER LETT: In order to try to move us along I move that we accept the amendments as presented by Commissioner Eid being nine and ten and eight and 13.

>> MEGAN SCHAAR: Commissioner Lett there is already a motion on the table I believe.

>> COMMISSIONER LETT: There is no second.

>> COMMISSIONER SZETELA: I was going to say I will withdraw if needed, I just won't make that motion myself.

>> COMMISSIONER LETT: Nine and ten and eight and 13.

>> MR. MORGAN: And 24 as well. And 23, sorry, 24, 9, 10, 13, 8 and 23 are all affected.

>> COMMISSIONER LETT: Say those again John.

>> MR. MORGAN: Sorry, 24, 9, 10, 23, 13 and 8.

>> COMMISSIONER LETT: I move to accept the changes detailed by Commissioner Eid and District 24, 9, 10, 23, 13 and 8.

>> COMMISSIONER WEISS: I will second.

>> CHAIR EID: Discussion Commissioners?
Commissioner Lange?

>> COMMISSIONER LANGE: Thank you. So, again, looking at these precincts, I feel like you needlessly split up down to the block level when you look at some of these areas that don't have a huge amount of population, I don't think that is right. They just stated you made changes to six different districts doing your changes. I don't see how that is narrowly tailoring. And I do have a concern also that I didn't hear anything on this particular map as far as communities of interest that would warrant that change. I don't think the change that you did in District 9 helped the Chaldean community. Most of their comments revolved around the Sterling Heights, Troy area, et cetera. So I don't think that that helped improve their community of interest. So I do have concerns with it. And that was just my comments. Thank you.

>> CHAIR EID: Well, I do think it helps all of the communities to be honest. That is why I'm proposing them. I think it helps 24 by putting parts of 24 that used to be in 24 back in there making District 9 and 24 closer to the original configurations. We've heard two different communicates of Chaldean one in cardinal with Sterling Heights and Madison Heights and close to the Linden configuration as possible and brings it closer to the original Linden configuration in my opinion and splitting up Waterford along M59 makes a lot more sense than not splitting it up and including Novi with Commerce and Walled Lake, Orchard Lake makes sense as well because that is how we originally drew the District. And it wasn't one of the districts we had to change. Now I know the number of precincts touching these districts may seem high, but I think if you look at the

overall number of people affected it's lower than the change that Commissioner Muldoon created, which I voted for. That was a fine change in my opinion. Anyway, that is my opinion. It certainly makes me more likely to vote for this configuration. Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, I think if we wanted to make this more like the original Linden the plan would have been to go up, take the precinct off the one Township and go north. You didn't do that. And like I said you haven't pointed to any public comment that supports breaking up Clawson to include in the Chaldean community of interest. And with respect to the changes you made to Novi I'm hearing a lot of I, I, I and not hearing any community of interest or public comment that we received asking for these changes. And the way you split it did split up the API community that we had preserved in the Linden, and you just cracked it in half. so I don't think this is supportive by communities of interest. I don't think it's narrowly tailored or supported by the comments and I'm definitely a hard no on this.

>> CHAIR EID: Any other discussion, Commissioners?

With that said, we will move to vote. Can we get a roll call please, Department of State?

>> YVONNE YOUNG: Absolutely Mr. Chair. Commissioners, before you Commissioner Lett move to accept changes detailed by Commissioner Eid to districts 24, 9, 10, 23, 13 and 8 was seconded by Commissioner Weiss. A yes vote means you are in favor of these changes and a no vote means that you are not in favor of the changes. I'll begin with Commissioner Callaghan?

>> DONNA CALLAGHAN: Yes.

>> YVONNE YOUNG: Commissioner Curry?

>> COMMISSIONER CURRY: Yes.

>> YVONNE YOUNG: Commissioner Eid?

>> CHAIR EID: Yes.

>> YVONNE YOUNG: Commissioner Kellom?

>> COMMISSIONER KELLOM:

>> YVONNE YOUNG: Commissioner Lange?

>> COMMISSIONER LANGE: No.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: Yes.

>> YVONNE YOUNG: Commissioner Muldoon?

>> MARCUS MULDOON: Yes.

>> YVONNE YOUNG: Commissioner Orton?

>> COMMISSIONER ORTON: Yes.

>> YVONNE YOUNG: Commissioner Szetela?

>> COMMISSIONER SZETELA: No.

>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: Yes.

>> YVONNE YOUNG: Commissioner Wagner?

>> COMMISSIONER WAGNER:

>> YVONNE YOUNG: I think she is still out. Commissioner Weiss?

>> COMMISSIONER WEISS: Yes.

>> YVONNE YOUNG: And Commissioner Andrade?

>> ELAINE ANDRADE: Yes.

>> YVONNE YOUNG: We are going go back to Commissioner Kellom.

>> COMMISSIONER SZETELA: I believe she posted that she had left the meeting.

>> YVONNE YOUNG: She seems to kind of still be on, so we were just checking.

Thank you, Commissioner Szetela. Mr. Chair, we have a vote of nine yes to two no, the motion does carry.

>> CHAIR EID: Thank you, Ms. Young.

>> YVONNE YOUNG: You're welcome.

>> CHAIR EID: Okay, I do have one more amendment. It is a little bit of a bigger change as far as people because it involves taking Milford out of 13 and into 23. And then going more eastward into Bloomfield on 13. I know it's bigger so if the Commission doesn't want to do that, that is totally fine and I understand, but I do think it's representative of the communities because Milford is, you know, traditionally more associated with Highland and White Lake whereas putting a little bit more Bloomfield into West Bloomfield makes sense. So I would just like to try it and if Commissioners don't like it, please feel free to vote no. I'm not going to die on that hill.

>> COMMISSIONER SZETELA: Can we actually run partisan fairness on the changes that were just made so we kind of have a benchmark?

>> CHAIR EID: Sure, that would be nice Oregon on A1 or A2 or both?

>> CHAIR EID: Let's do both. We never ran it on A1.

>> MR. MORGAN: This is the original Crane unaltered, and I will have it available in case you want to compare. Okay so the original Crane was lopsided margin 5.1. The Wyandotte Southgate A1 Crane is 5.1 lopsided margins and the A2 is 5.2. So on the mean median the original Crane is 2.9. The modified A1 is 2.9 and the A2 is 2.8. Efficiency gap is 1.8 on the original 1.8 on A1 and 1.9 on A2. 2117, 2.4 to the democrats. On the 8 it's 2117 and 2.4 to democrats and on the A2 it's 2117, 2.4 to the democrats.

>> CHAIR EID: Just to be clear the change between A1 and A2 is the mean median difference went down by .1 and efficiency gap went up by .1. The mean median went down by 0.1. And the efficiency gap went up by 0.1.

>> MEGAN SCHAAR: Chair for the record I believe the lopsided margin may have been up by .1 as well.

>> CHAIR EID: Yes. Okay .1, thank you. Commissioner Callaghan?

>> DONNA CALLAGHAN: Just a question for clarification maybe everybody wants this but want to be clear on it when we amend a map does it remove the previous map from our list of considerations?

Or are we just expanding our list of maps to consider?

I just want to be clear on that point.

>> CHAIR EID:

>> DONNA CALLAGHAN: Is that clear?

>> CHAIR EID: If the amendments override the original.

>> DONNA CALLAGHAN: So when it comes time to vote we have one Crane map and it may be Crane A1 or if the next set of amendments it may be Crane A2 but we won't consider A1 and Crane A2, we will only consider one Crane map whichever one or which amendments we accept. That is what I am trying to get clarity on.

>> CHAIR EID: I'm not sure the answer to that question.

>> DONNA CALLAGHAN: I would propose and we consider the maps are replacements and not addition to the considerations because otherwise we are splitting the votes a hundred different ways.

>> MEGAN SCHAAR: Chair, if I may in the past they did not overwrite prior versions. The only time versions left consideration for the final vote is when you motioned to disregard certain maps. So at some time prior to the final vote the Commission could there is a motion to disregard Crane A1 and Crane A2 whatever you want but until that motion occurs they are all in the running we were talking about a change to Milford Township. If John is still with us.

>> MR. MORGAN: Yes, you want me to share the screen again?

>> CHAIR EID: Please.

>> DONNA CALLAGHAN: Commissioner Eid?

>> CHAIR EID: Commissioner Callaghan?

>> DONNA CALLAGHAN: I thought there was a motion on the table to approve Crane A2 as it stands and then you will make additional amendments and that is Crane A3, but do we want to close out the motion that is on the table.

>> MEGAN SCHAAR: There was already a vote on that, and it passed nine to two.

>> DONNA CALLAGHAN: I'm sorry I was asleep never mind.

>> CHAIR EID: It's all right. There is a lot going on right now and we will get to it but yes that motion did pass nine to two. And it doesn't hurt to try and let's try one more thing and see what happens.

>> MR. MORGAN: A copy of the original A1 or A2.

>> CHAIR EID: A2. Commissioner Szetela?

>> COMMISSIONER SZETELA: I'm just confused because Commissioner Callaghan voted on the motion, did she know what...she was confused.

>> DONNA CALLAGHAN: I had a brain fart and I know, and I have a pad going and with maps with ten tabs open on each one and got momentarily confused. I apologize.

>> CHAIR EID: Commissioner Orton?

>> COMMISSIONER ORTON: I have a question not specifically about this and I guess this would be for the legal team, I'm wondering are they going to weigh in at some point about whether what we have done constitutes a tweak that they feel they can defend or Executive Director Woods. When they have a map on what they want to tweak they will get the analysis from EDS and come back with a report between the ten-1:00 session.

>> COMMISSIONER ORTON: Thank you.

>> MR. MORGAN: Commissioner Eid, I made a copy of A2 and named it A3.

>> CHAIR EID: Commissioner Szetela?

>> COMMISSIONER SZETELA: I actually have a question for Mr. Woods on that point. So I'm assuming then individual Commissioners can also make tweaks to their maps and resubmit them. Is that accurate?

We have not set up a process for that.

>> MR. EDWARD WOODS: That is correct.

>> COMMISSIONER SZETELA: Thank you.

>> MR. EDWARD WOODS: I'm assuming those discussions would happen in this public meeting, whatever tweaks you are requesting.

>> CHAIR EID: St. Role on Thursday says individual Commissioners will make tweaks to their maps after the collaborative ones are complete.

>> MR. EDWARD WOODS: Just so we are clear it's on the public record and it's not something they are doing on their own and having it come back tomorrow. Do you see where Milford is on the border of 23 and 13? We will try to do this quick. Can you assign that to 23?

>> MR. MORGAN: That is 17,000 people.

>> CHAIR EID: Now if we just go right ward, sorry, I had some brain fog for a second. Now do you see the parts of Waterford that are above District 13 currently in 23?

>> MR. MORGAN: The portions that you just moved in to 23?

>> CHAIR EID: Yes Waterford and all the Crane configuration Waterford is split up in three pieces. I propose the parts that is in 23, goes into 7.

>> MR. MORGAN: So these portions up here are going to go into 7.

>> CHAIR EID: Right. Let me just say this area sometimes produces geographic issues. So I will just be cautious as we go through this. So you want to take these precincts here all of them that are in Waterford and put them into 7?

>> CHAIR EID: Right, okay.
25,000 people into 7.

>> MR. MORGAN: Okay.

>> CHAIR EID: Now if we go westward on 13 into the Bloomfield part of 7 essentially connecting West Bloomfield and Bloomfield until the population normalizes.

>> MR. MORGAN: So you want to take away from 7 in Bloomfield Township, put it into 13.

>> CHAIR EID: Right along that edge that is there now.

>> MR. MORGAN: Which precincts?

>> CHAIR EID: You can just start at the top and go down so 2061. Just work your way south. Along that leg right there.

>> MR. MORGAN: Continuing south.

>> CHAIR EID: Uh-huh. And I think that does it. You might need one or two more.

>> MR. MORGAN: 13 is negative 2.54 and 7 is positive 3.84. So you need.

>> CHAIR EID: If you put in one more in 13.

>> MR. MORGAN: 7 is positive 2.99 and 13 is negative 1.69.

>> CHAIR EID: So let's do the one under. Let's do both of them and see what happens.

>> MR. MORGAN: Okay.

>> CHAIR EID: And we are okay on population deviation?

>> MR. MORGAN: Yes, District 13 is 0.8 positive. And then you affected District 23. Negative .83 and District 13 is, sorry, District 7 rather is positive 1.22.

>> CHAIR EID: Now Waterford is split once instead of two or three pieces and Milford is with Highland and White Lake. Correct?

>> MR. MORGAN: Yes.

>> CHAIR EID: Okay can you check if that did anything to partisan fairness?

>> MR. MORGAN: Okay, I will run that, Commissioner Lange looks like has her hand up.

>> CHAIR EID: Commissioner Lange?

>> COMMISSIONER LANGE: Yeah, I'm looking at it. I was just curious if I could get the overlay of what it looked like prior to the changes again so I can kind of see a comparison when you are done running the report.

>> MR. MORGAN: Lopsided margin is 5.1 for republican. The mean median is 2.3 for republican. The efficiency gap is 1.9 for republican. And the seats vote ratio is 21-17, 2.4 towards democrats.

>> CHAIR EID: Okay so it didn't do anything much to the partisan fairness. I any it makes sense. The Commissioner has to vote on it if you all think it's too much I understand. We don't need to do it, but I do think Milford is much better served with Highland and White Lake than it is with how it was currently configured in the Crane map being with the rest of the southern parts of the southern townships of Oakland County. Commissioner Lange?

>> COMMISSIONER LANGE: No, I'm just waiting for my reply.

>> CHAIR EID: Got you, that is right.

>> COMMISSIONER LANGE: While I'm waiting on that I have a question. You said it would better represent Waterford because it wasn't split up then, but yet you had no

problem splitting up at the block level, a different area. So what makes Waterford more than that area?

I mean, was there public comment about Waterford where there wasn't of the other one?

I'm trying to understand why doing changes way out beyond where our core focus was supposed to be which was Detroit and the citizens of Detroit I'm still trying to wrap my head around why we are changing multiple districts this late in the game and not focusing on the citizens of Detroit I guess. And we can say it's rhetorical. I'm not trying to get into an argument or anything, I'm seriously trying to wrap my head around without public comment being received on it, why we are doing these changes to multiple districts, and you can consider it rhetorical. I'm just having a hard time and that's just me personally. I'm having a hard time.

>> CHAIR EID: I will answer previously in all of the Crane variations Waterford is split up in three pieces and now it's only two. We have to split something. I think splitting something up two ways is better than three ways just like with Clawson, and it was not split up, but it's split into two and not three like how Waterford was original. I'm not making changes to Detroit on this one. I think this configuration for Detroit, while not necessarily my favorite is an all-right configuration. So.

>> COMMISSIONER LANGE: I'm sorry, why on this particular map are those changes being made if we are giving people different maps to look at that have different configurations then why when we didn't receive any public comment. That is what I'm trying to figure out because we did receive public comment in favor of this map. So I'm just confused. I'm not confused I'm just I don't know. I will stop. We got more things to do. I'm holding up time. I'm sorry.

>> CHAIR EID: No, I think it's a reasonable question Commissioner Lange. I think the favorable comments we got on this map were pertaining to the Detroit area which is why I'm not changing that. I'm changing the other areas that I think while we were focusing on Detroit it may have went to the, you know, maybe went to the wayside a little bit on this version in particular. I do think we have improved many of the community aspects so far but that is just my opinion. Commissioner Vallette?

>> COMMISSIONER VALLETTE: Okay I'm going to speak on the changes he made to Milford Highland and White Lake. That is my area and lived there for 60 years. I think that Highland Milford and White Lake should have always been together. I've said that in the past. As far as Waterford goes Waterford is a very large area. It entails a lot of miles. So to make it only two divisions would probably be better. My only concern is this has to go through our legal department. And they need to make the decision as to whether this is too many changes for this map. And so that's what I think we need to wait and see what happens.

>> CHAIR EID: Thank you Commissioner Vallette?
Commissioner Szetela?

>> COMMISSIONER SZETELA: Again I just want to object to these changes being made because they don't seem to be remotely responsive to public comment and not narrowly tailored to public comment and add in there was a lot of hang wringing working on the House maps about moving into outside areas that were not impacted by the Court's order. And this is well outside that area and then to be going back in and making changes based on what seemed to be personal opinions of individual Commissioners and not public comment that is not what we have been tasked to do and I raise the objection for the record so it's out there.

>> CHAIR EID: Thank you Commissioner Szetela, Commissioner Lange?

>> COMMISSIONER LANGE: Thank you to Commissioner Vallette. That helped. That helped. Another concern I have too is we presented these maps that were going to public comment to the judges. And I guess I will have to agree with Commissioner Vallette. I guess it's going to be up to our attorneys to see if they think the changes are too much. That is another concern for me is we have already presented the ones that were going to public comment forward. And are the Judges going to look at it and if this one were to go forward and be like what the heck. So I don't know but thank you Commissioner Vallette, that does help me understand that area better. Commissioner Lett?

>> COMMISSIONER LETT: I move we accept the amendment number three as presented by Commissioner Eid.

>> MARCUS MULDOON: Second.

>> CHAIR EID: We have a motion and a second. Department of State, can we get a roll, please?

>> YVONNE YOUNG: Certainly Mr. Chair. But if you don't mind for the record can you repeat the motion?

>> CHAIR EID: Yes, it was to accept these changes that are in A3 as presented.

>> YVONNE YOUNG: Thank you. Commissioners you have the motion before you to accept the changes in A3 as presented. A yes vote means you are in favor of these changes. And a no vote means you are not in favor. Mr. Chair before I go forward with the vote did we lose Commissioner Curry?

Okay thank you. Again a yes vote means you are in favor of these changes and a no vote means that you are not in favor of these changes. I will begin with Commissioner Eid?

>> CHAIR EID: Yes.

>> YVONNE YOUNG: Commissioner Kellom?

>> CHAIR KELLOM: Yes.

>> YVONNE YOUNG: Commissioner Lange?

>> YVONNE YOUNG: Thank you Commissioner Kellom. Commissioner Lange?

>> COMMISSIONER LANGE: No.

>> YVONNE YOUNG: Commissioner Lett?

>> COMMISSIONER LETT: Yes.
>> YVONNE YOUNG: Commissioner Muldoon?
>> MARCUS MULDOON: Yes.
>> YVONNE YOUNG: Commissioner Orton?
>> COMMISSIONER ORTON: Yes.
>> YVONNE YOUNG: Commissioner Szetela?
>> COMMISSIONER SZETELA: No.
>> YVONNE YOUNG: Commissioner Vallette?

>> COMMISSIONER VALLETTE: Yes.
>> YVONNE YOUNG: Commissioner Wagner?
>> COMMISSIONER WAGNER: No.
>> YVONNE YOUNG: Commissioner Weiss?
>> COMMISSIONER WEISS: Yes.
>> YVONNE YOUNG: Commissioner Andrade?
>> ELAINE ANDRADE: Yes.
>> YVONNE YOUNG: Commissioner Callaghan?
>> DONNA CALLAGHAN: Yes.

>> YVONNE YOUNG: Mr. Chair, with a vote of nine yes to three no, the motion does carry.

>> CHAIR EID: Okay, thank you Department of State.

>> YVONNE YOUNG: You're welcome. Okay well we have been going for almost two hours now. So let's break for about ten minutes again and when we come back we can go to the next collaborative map which is Dove.

[Recess for ten minutes]

>> CHAIR EID: All right folks we will get started if everyone can take their seats. All right welcome back folks. We will continue where we let off in our Senate map deliberation process. We are now on the Dove map. If we could get the Dove map pulled up, please.

>> MR. MORGAN: Okay.

>> CHAIR EID: Thank you Mr. Morgan. Does anyone have any edits they would like to make to Dove?

>> CHAIR EID: I do not see any. Anyone online?

We will then move on to Finch.

>> MR. MORGAN: Okay, this is the Finch plan.

>> CHAIR EID: Thank you, Mr. Morgan. Commissioners, are there any amendments anyone would like to make to Finch?

I do not see any. The next collaborative map will then be Heron. All right, just a second. All right this is Heron, any amendments on Heron, Commissioners?

Commissioner Callaghan?

>> DONNA CALLAGHAN: Well, Heron was a well-received map with the exception of Macomb County, which all the public pretty much hated. And I think there were two main problems in Macomb. It was at District 11 according to the comments looked too much like Linden and it's a District we have to change and the core retention bear that out. Also the Chaldean community of interest was not very happy with that configuration. That might be a bigger change to try to address those two issues, but I think it's a very targeted change, very specific public comments on an otherwise well-liked map. So maybe we could try to make some changes in the area. Does anybody else have any comment?

>> CHAIR EID: I mean, I think what you stated is correct. If we were to make changes on this I think folks on 10 and 11 and maybe perhaps to do that going into 7 and 9 would be good. We also had folks say that they do not like the part that sticks down into across eight mile and would rather stop at 8 Mile instead of going over.

>> DONNA CALLAGHAN: So let's try to work on those issues if we can. Maybe start with District 11 first. And there is a couple of maps that were well received in that area. I think the Cardinal map and perhaps the Kellom Phoenix map might be something we could use to make some changes to District 11 and see what we can do in Sterling Heights and Troy for the Chaldean community and then change around the edges to rebalance population as needed.

>> MR. MORGAN: Okay I'm saving a copy of the Heron map, and it looks like Commissioner Lange has her hand up.

>> CHAIR EID: Commissioner Lange?

>> COMMISSIONER LANGE: Yep, I agree. Go ahead and do the changes but I would also point out that one of basically the only comment it seemed like we got on the Heron was the partisan fairness and doing that is probably going to change the partisan fairness and hence change public opinion. But that is just my opinion. So good luck.

>> DONNA CALLAGHAN: Well you may be right, and you are welcome to help us try. I don't want to dictate the changes and would rather this be collaborative. So I'm open to anyone's ideas or criticisms. Let's start with 11, if we could, John. And I'm going off reference for Cardinal on that. And the Phoenix map. So I think maybe the first thing we should do is I want to include eastern Sterling Heights in 11.

>> MR. MORGAN: Okay, so you want to split Sterling Heights off.

>> DONNA CALLAGHAN: Sterling Heights is split three ways right now. I would like to get that down to two maybe along that corridor there.

>> MR. MORGAN: It's currently split twice some in 7 and 10.

>> DONNA CALLAGHAN: We have one where Sterling Heights is whole and one where Sterling Heights is split down the middle along the highway. I think it's, I don't know what that road is in Sterling Heights. What is the main road?

>> CHAIR EID: That is Van Dyke Commissioner Callaghan.

>> DONNA CALLAGHAN: Okay, Van Dyke. So I guess where I'm heading, John, is to try to make District 11 look more like the Phoenix map or the Kellom map and nine as well.

>> MR. MORGAN: Okay looks like Commissioner Lange has her hand up too.

>> COMMISSIONER LANGE: Are you considering putting it in 11.

>> DONNA CALLAGHAN: Putting, yes.

>> COMMISSIONER LANGE: Because they also wanted to be with Troy. Troy was part of that COI.

>> DONNA CALLAGHAN: Right. But sometimes we had good comments where Sterling Heights was split along that major north-south highway.

>> COMMISSIONER LANGE: But if you are putting it in with 11 that does not represent the community of interest. The ones that had the comment had Troy in with the Sterling Heights area and encompassed that area.

>> DONNA CALLAGHAN: Not always. Sometimes it had the western side of Sterling Heights with Troy and Rochester Hills. Commissioner Eid, what are your thoughts?

>> CHAIR EID: You're asking about the Chaldean COI?

>> DONNA CALLAGHAN: Yes.

>> CHAIR EID: Specifically there are two configurations that are preferred and either would suffice. The one in the Cardinal map with Sterling Heights Troy and Madison Heights or the one that is in a lot of the maps that is similar to what we just did with Crane and similar to Linden that has the west side of Sterling Heights with Troy and Rochester Hills. So what you are doing is fine if you want to keep doing it.

>> DONNA CALLAGHAN: Yes. So, John, if you could take the eastern side of Sterling Heights and add it to District 11. Please.

>> MR. MORGAN: Following Van Dyke?

>> DONNA CALLAGHAN: Yes.

>> MR. MORGAN: That is 6800 people.

>> DONNA CALLAGHAN: If you can put the Kellom or Phoenix map over this and see if we can copy that District 11, make District 11 look like that because the western boundary should go along Sterling Heights and northern boundary needs to return some of that territory to 24. Commissioner Lange?

>> COMMISSIONER LANGE: No, I'm drawing it back. Sorry.

>> CHAIR EID: Commissioner Szetela?

>> COMMISSIONER SZETELA: By the northern boundary are you talking 11 or northern boundary in 10 or 7 which northern boundary are you talking about.

>> DONNA CALLAGHAN: The northern boundary of 11. Where it goes above, I need to put my glasses on, you see the line across the top that goes a straight line across the top, across Sterling Heights if you draw it to the St. Clare's region and take out the whole purple area on top and return it to District 24.

>> MR. MORGAN: Do you want Macomb Township all in 24?

>> DONNA CALLAGHAN: I believe so, yes.

>> MR. MORGAN: Okay.

Okay.

>> DONNA CALLAGHAN: And then 11 that is Fraser.

>> MR. MORGAN: 11 is okay as drawn with population.

>> DONNA CALLAGHAN: 11 ask okay as drawn. How is 10?

>> MR. MORGAN: Ten needs 70,000 and 24 needs to lose 70,000.

>> DONNA CALLAGHAN: So we have that corner west of East Point that is currently in District 11.

>> MR. MORGAN: Okay.

This part of Warren?

>> DONNA CALLAGHAN: Yes. Let's put that back into ten. How is 11 now?

>> MR. MORGAN: 11 needs 16,000 more.

>> DONNA CALLAGHAN: Well.

>> MR. MORGAN: 24 needs to lose 69,000.

>> CHAIR EID: Commissioner Szetela, is your hand raised?

>> COMMISSIONER SZETELA: I'm sorry, I must have left it up.

>> DONNA CALLAGHAN: So should I go south into Warren and add that to 11?

Maybe the northeast corner?

11 needs population. Yeah. What is it northeast corner of Warren there?

If you continue down Van Dyke and just take the top part off?

>> MR. MORGAN: Okay what do you want to take out of ten?

>> DONNA CALLAGHAN: I would like to take across like 25, 21 right there you see that 2521, 1817. 2894 all the way over to the border and see what that gives me.

>> MR. MORGAN: Okay.

>> DONNA CALLAGHAN: What have I messed up now 24.

>> MR. MORGAN: 24 and 10. 24 is overpopulated by 69,000. 10 is under populated by 75,000.

>> DONNA CALLAGHAN: Okay, so what I would like to do is get the before I start worrying about population balancing is get a better COI for the Chaldean community so take the sliver of Sterling Heights that is currently in ten.

>> MR. MORGAN: Okay.

>> DONNA CALLAGHAN: And combine it with what is west of that?

Where nine is right now?

>> CHAIR EID: Troy.

>> DONNA CALLAGHAN: Okay, yeah, Troy with Rochester. I want to get western Sterling Heights Troy and Rochester together.

>> MR. MORGAN: Okay so you want to take this part of ten and put it into 7 or 9?

>> DONNA CALLAGHAN: Yeah, I think put it into 9 and we will make 10 take the bottom part of 9.

>> MR. MORGAN: Okay.

So that is Sterling Heights into nine?

>> DONNA CALLAGHAN: Okay.

Like that.

>> MR. MORGAN: And this is still part of ten.

>> DONNA CALLAGHAN: Well, put that into 9 or 24. We will see in a minute.

>> CHAIR EID: Commissioner Callaghan can I assist?

>> DONNA CALLAGHAN: Yes.

>> CHAIR EID: Part of Utica that is in 10, put that in 9. As well as the precincts to the left of it.

>> MR. MORGAN: That is in 7?

>> CHAIR EID: Yep, those three. And then the remainder of Sterling Heights and Troy. And Rochester Hills above it.

>> MR. MORGAN: And Rochester?

>> CHAIR EID: Yes.

>> DONNA CALLAGHAN: Yes.

>> MR. MORGAN: Okay.

>> CHAIR EID: Now you can do what you want with the bottom part of 9.

>> DONNA CALLAGHAN: So the bottom part of 9 needs to go with 10. So Madison Heights, Hazel, Royal Oak.

>> MR. MORGAN: Okay so District 9 is 27% over.

>> DONNA CALLAGHAN: How is 10?

Ten is good?

>> MR. MORGAN: Ten is a little over. You've also got this Detroit portion of 10 if you wanted to do something about that.

>> DONNA CALLAGHAN: Let's get that out of there and get that back to 8. And I think again we had a lot of public comments around that Section, of taking the Detroit voters and lumping them with the suburbs there. So I think that can be justified by public comments to give those back to Detroit. All right.

>> MR. MORGAN: So 10 it looks like Commissioner Lange has her hand raised and 10 needs a little more population. Commissioner Lange?

>> COMMISSIONER LANGE: I'm going to voice my concern again. This is not narrowly tailored. And if you're drawing a whole new District to represent the Chaldean community of interest, then they were very vocal about not splitting Sterling Heights. They said they would be acceptable of how Linden originally was drawn but they preferred Cardinal which included all of Sterling Heights. So you're going to make whole changes, maybe the change should incorporate all of what their preference was rather than a little bit. Because there was like four maps that they said they were okay with. But, again, I don't see how this is narrowly tailoring when there is multiple districts being changed. Just my concern. I got to voice it.

>> DONNA CALLAGHAN: No, I do agree Commissioner Lange, I do. I just wanted to see what this could look like. They are not small changes around the edges for sure. But this was, again, a very well received map with a lot of hate directed in one spot where we draw the lines which is Macomb, so this is a wholesale redraw of Macomb and adjusting things around the edges as we have to to accommodate that. If the Commission thinks it's too many changes I'm fine with that. I just wanted to see if it was possible.

>> CHAIR EID: You are taking the best aspects of a lot of maps, right? People, some people like we have heard the folks in Detroit like the configuration of Detroit that is in Crane and Szetela and some of the other maps. And, you know, that's why you have kept that here. But you are focusing on the areas that people didn't like so much.

>> DONNA CALLAGHAN: Right. That is what I'm trying to do. So let's just see if we can do the last adjustments in the northern suburbs and see what happens from there.

>> MR. MORGAN: Okay and also District 8 is now overpopulated by 15,000 because you took in that Section and may have to shed 8 to 3 or some other adjacent District.

>> DONNA CALLAGHAN: Where would be the easiest place to put that John that would work?

Sure so extend it, yeah, so extend it west. I don't want to do that though. Can we come back to this in a minute?

>> MR. MORGAN: Okay, that would do about what you needed.

>> DONNA CALLAGHAN: Go ahead. That is fine.

>> MR. MORGAN: So now 8 is okay.

It could take a little more if you wanted to, if you get into population issues, you could take a little more into 8 because it's under populated.

>> DONNA CALLAGHAN: Okay.

>> MR. MORGAN: Ten is overpopulated by a bit and currently split Warren and three is going to have to shed, you could shed, what is it, part of Oak Park or Huntington Woods here.

>> DONNA CALLAGHAN: Okay what is going on north of Royal Oak? Go up a little bit north. I think.

>> MR. MORGAN: So 3 is over now by 18,000. Let me put on the Township populations to give you some ideas. So, for example, if you took Berkeley into 10 it would just about fix your 3 problem.

>> DONNA CALLAGHAN: Okay let's do that.

>> MR. MORGAN: So 3 is okay on population now. 10 is a little off, no, 10 is okay as is. 11 is okay.

So you got 24, 7 and 9 to look at. So the side of Auburn hills, to the east of Auburn hills, that needs to be moved into 7, Rochester, oh, wait a minute. Back out a little bit. I guess that is Pontiac Auburn Hills.

>> MR. MORGAN: 9 is over by 72000. So this would be 65, 70 if you took these in 7.

>> DONNA CALLAGHAN: Do that. No, no, no go south, yes.

>> MR. MORGAN: Okay into 7.

>> DONNA CALLAGHAN: Yes, into seven, please.

>> MR. MORGAN: Nine should be close. Yeah, 9 is fine like that. Officer 7 is not contiguous at the moment.

>> DONNA CALLAGHAN: Right.

>> MR. MORGAN: 7 is under populated by 89,000. And 24 is overpopulated by 1600 I think he said.

>> DONNA CALLAGHAN: More from 24 into 7.

>> MR. MORGAN: Something like that, yes. So this is 38,000 if you wanted to do that.

>> DONNA CALLAGHAN: Okay.

>> MR. MORGAN: Now 24 needs to lose 30 and 7 needs to gain 50 and you've got the ability to make some adjustments in other districts too.

>> DONNA CALLAGHAN: Anthony, what do you think?
7 go east?
Let's see 24 needs to go down and 7 needs to.

>> MR. MORGAN: Go up.

>> DONNA CALLAGHAN: Take some from 24 just above that little L there, yes.

>> MR. MORGAN: So you still need between the two of them you will probably have to pick up a little more population from somewhere because they don't quite balance.

>> DONNA CALLAGHAN: Okay, I'm open to suggestions.

>> CHAIR EID: So.

>> DONNA CALLAGHAN: 7, how is 10?

>> MR. MORGAN: 10 is a little overpopulated. It's still within the tolerance.

>> CHAIR EID: I'd go into Waterford here then take 24 more north and normalize between 24 and 25. Or between 23 and 24.

>> DONNA CALLAGHAN: Okay, so take 36686 and 928.

>> MR. MORGAN: Do you want to take that into 7?

>> DONNA CALLAGHAN: Waterford, I'm sorry I'm looking at the wrong spot 70.

>> MR. MORGAN: If you take all of that into 7 and then take out the 20,000 that will get you really close.

>> DONNA CALLAGHAN: Okay, let's try that.

>> MR. MORGAN: Then put the 20,000 into 24.

>> DONNA CALLAGHAN: Uh-huh.

>> MR. MORGAN: So 7 is right on the money in that configuration 23 and 24 can be balanced more or less. So you have to add into 23. So you probably would go up in this area, but you need quite a bit of population so you will be going for a while. So you would go here, here, here or so let's see what you are looking for, between the two of

these. So you would be sorry 18 divided by 2 is not quite going to work but it's close, right?

Because 15 and 22 is a difference of 7 divided by 2 would be 3 and a half so it won't quite work but it's going to be close.

>> DONNA CALLAGHAN: I honestly don't know too much of that area up there. Are there any communities of interest, public comments, concerns that we need to be thinking about if we are moving large parts of that around?

Does anyone have a comment on that?

>> CHAIR EID: Commissioner Lange?

>> COMMISSIONER LANGE: I don't have a comment, but John I was wondering, there you go if you could scroll out a little bit so I can see what is going on. Thank you.

>> MR. MORGAN: Sure.

>> CHAIR EID: You're in more of the exurbs of Oakland and Macomb County at this point. So normalizing it between 23 and 24 in whatever direction you want. Here would be okay.

>> DONNA CALLAGHAN: It doesn't matter.

>> CHAIR EID: They are similar, and it matters, and they are similar communities and the more exurb in part of Oakland and Macomb Counties.

>> MR. MORGAN: 20, 32 if you took these four you would be a long way towards closing the gap.

>> DONNA CALLAGHAN: Okay that is fine.

>> MR. MORGAN: Commissioner Lange has her hand up.

>> COMMISSIONER LANGE: I apologize is there a way to move the active matrix and a way to Zoom out again?

You are quick and I'm not that quick.

>> DONNA CALLAGHAN: So, John, go ahead and take those four areas there.

>> MR. MORGAN: Let's start with this first into 23. Okay so 23, again, we will have to take a little bit from somewhere else but let's see what we got. So 23, it's 34. We can do the 22 and the 8 and that would fix 23.

>> DONNA CALLAGHAN: What would it do to 24?

>> MR. MORGAN: 24 would need more population from somewhere else like 7, which is possible. You could split the Township up here to get a little from 7. Or you could take a little bit from 9 if you had to or 11.

>> DONNA CALLAGHAN: Okay, all right so we do both of those, that is 30,000. Okay you need and so 23.

>> DONNA CALLAGHAN: What about the one above it 4547 does that fix it?

>> MR. MORGAN: No, it's the other direction and have to give population to 24 from 23, 7 and 9 or 11.

>> DONNA CALLAGHAN: Well.

>> CHAIR EID: I'd stick with 23 and 7 for the direction you are going currently.

- >> DONNA CALLAGHAN: What do you mean?
- >> CHAIR EID: You need to put some of either 23 or 7 into 24.
- >> MR. MORGAN: So if you think about it this way a negative 1.37 you could drop another point, so 2600 people. And from 23 and then 7 could drop probably enough between 7 and 23, yeah, because let's see 5.3 then you got a point there so it's 4.3 then in 7 you have got up to two so it should just about work.
- >> DONNA CALLAGHAN: Okay, whatever you just said.
- >> MR. MORGAN: Okay, all right, so let's focus on 23 so potentially split this Township right around.
- >> DONNA CALLAGHAN: On the highway, yeah.
- >> MR. MORGAN: So 23 is now just a little off. So that was probably too much. Let me look at the population. So I'm going to undo that. Okay if you take this it will work on 23.
- >> DONNA CALLAGHAN: Okay.
- >> MR. MORGAN: Okay so now you just need to take some of 7 into 24 and that should balance.
- >> DONNA CALLAGHAN: Okay so do you want to take the upper northeast corner.
- >> MR. MORGAN: Like up in this area?
- >> DONNA CALLAGHAN: Yeah.
- >> MR. MORGAN: Okay it's close, 7 that was a little too much. Just undo that last bit. Okay so if we took this, this was 5,000, almost 8,000 so 8,000 was too much so we need a little bit less.
- >> DONNA CALLAGHAN: Take that, yeah.
- >> MR. MORGAN: Then maybe that.
- >> DONNA CALLAGHAN: Okay.
- >> MR. MORGAN: Okay, that does work.
- >> DONNA CALLAGHAN: So is everything balanced now?
- >> MR. MORGAN: Yes.
- >> DONNA CALLAGHAN: Okay so my goal was to make 11 have a better core retention score a to help the Chaldean community. I think it accomplished that although the changes were pretty far ranging so that is the only thing.
- >> CHAIR EID: Commissioner Szetela?
- >> COMMISSIONER SZETELA: Can we run partisan fairness.
- >> MR. MORGAN: Okay.
- >> MR. MORGAN: So in the lopsided margins are 3.8 for republican. Mean median difference is 1.3 republican. Efficiency gap is 0.9 with democrat. And it's 22-16 on seats vote with a bias of 5 points towards the democrats.
- >> COMMISSIONER SZETELA: I'm sorry John, you dropped that fast, can you bring back up the seats vote for that.
- >> MR. MORGAN: 22-16.

>> COMMISSIONER SZETELA: Can we go back to the map for a second?

>> MR. MORGAN: Yes.

>> DONNA CALLAGHAN: The map before the changes and I want to see what changed.

>> MR. MORGAN: Okay, just a second.

>> DONNA CALLAGHAN: These changes were to accommodate the plethora of comments we got on District 11, not being changed. And the Chaldean community being inappropriately split. And so and basically all of the negative comments were focused on Macomb County. And also the little public comment about District dipping down across 8 Mile into District 8. So those were what were addressed here. Although everything touches everything and so it kind of moves out a little bit further from that.

>> MR. MORGAN: Okay.

Well you will definitely find the core retention of 11 versus Linden have changed because you have done things. You have taken Macomb out and added Sterling Heights so those are two big population changes. So this District will be definitely below 75 percent probably closer to 60. Then this was the original Heron District 7 and now it's this. And the original Heron was this and now it's this. And then the original ten was this way and then this way. And then 3 and we talked about that.

>> DONNA CALLAGHAN: Did I negatively impact other communities of interest? I'm asking the Commissioner as a whole this question.

>> CHAIR EID: I actually like most of these. I mean I think you fixed a lot of the issues that were with Heron, also the issues we are fixing in some other configurations previously like hummingbird or Flamingo or Phoenix. The only thing I think you might have inadvertently changed a little bit is the Huntington Woods, Berkeley area. If you want to Zoom in there. It would be in either District 3 or 10.

>> MR. MORGAN: It also looks like Commissioner Kellom has her hand up.

>> CHAIR EID: Commissioner Kellom?

>> COMMISSIONER KELLOM: I could have waited because I know you just mentioned Huntington Woods and did not want to overlap on a comment because I wanted to see another overlay. I want to see an overlay from another map for this map so I can wait until you said Huntington Woods.

>> CHAIR EID: Commissioner Lett?

>> COMMISSIONER LETT: I would notice it's 4:48 and have a hard stop today at 5:00. My suggestion would be to send this along with our other amended maps without voting on it but send it to the attorneys for comments on the changes whether or not they are tweaks, or not. Probably won't be a hard call and bring it back tomorrow for further comment. We also have a person here who wants to speak to us. So I would move that we send this map along with the others and stop our session for the time being and resume tomorrow morning at 10:00.

>> COMMISSIONER WEISS: Second.

>> CHAIR EID: All right we have a motion from Commissioner Lett seconded by Commissioner Weiss. Is there any discussion on the motion?

>> CHAIR KELLOM: I just have a quick, my hand is up but I don't know if there was another hand before mine, I can't see.

>> CHAIR EID: Go ahead Commissioner Kellom.

>> COMMISSIONER KELLOM: No, I was going to quickly say I wanted to see the Kellom map formerly known as the Phoenix the overlay over this map. But I guess that could take place tomorrow.

>> CHAIR EID: Commissioner Lange?

>> COMMISSIONER LANGE: What was the motion?

>> COMMISSIONER LETT: Stop today.

>> COMMISSIONER LANGE: You said move this forward.

>> COMMISSIONER LETT: What did you say.

>> COMMISSIONER LANGE: Will you repeat the motion, I say we stop and send it to the materials to have an opinion on tweaking or not tweaking and we have a gentleman who wants to speak so the motion is to stop for the day and bring this map back here for further comments and hear what the gentleman has to say.

>> COMMISSIONER LANGE: We voted on the procedure, and it says for the maps going forth for reevaluation we have to vote on them just so we are consistent in our procedure.

>> COMMISSIONER LETT: Well.

>> DONNA CALLAGHAN: I don't think.

>> COMMISSIONER LETT: I'm not doing that because we are not done with this map. But we can send it to the attorneys to have them have an opinion on it then finish it up tomorrow so everybody has a chance to voice their opinion.

>> CHAIR EID: Seems to me that is within the rules as the amendment that Commissioner Callaghan is putting forth doesn't seem to be over yet. So I think it's perfectly fine to come back to it in the morning. Is there any other discussion on the motion?

>> MEGAN SCHAAR: Chair can I just confirm previously Commissioner Lett I believe you said you were moving HeronA1 the version that Donna worked on along with Crane versions worked on previously to your attorneys for review. Do you want all four of those sent on?

>> COMMISSIONER LETT: Yes.

>> MEGAN SCHAAR: Thank you.

>> CHAIR EID: Commissioner Szetela?

>> COMMISSIONER SZETELA: Yeah, I'm assuming if we are going to have changes to individual maps we can just send them on as well to have them evaluated?

>> CHAIR EID: Well, they need to be in person according to these, they need to be done in person. So I mean we have all of tomorrow where you can do them in public as well.

>> COMMISSIONER SZETELA: Well, it would just be helpful for me to have kind of a pulse on where it's at today for VRA and partisan fairness and then I know if further changes need to be made.

>> CHAIR EID: I think you have to make the actual changes in public though.

>> COMMISSIONER SZETELA: Right but before I get to that I want a pulse check on what I'm working on.

>> CHAIR EID: What are you asking, you have the lawyers e-mail.

>> COMMISSIONER SZETELA: I will send it to Edward and ask him to advance it over to the lawyers.

>> CHAIR EID: Let's recircle to what we are doing right now, there is a motion and has been a second. Is there any discussion on the motion? Okay, with that said we will move to vote. Can you repeat the motion, Department of State?

>> MEGAN SCHAAR: Absolutely the motion is to send Crane A1, Crane A2 and A3 along with Heron to send the attorneys and for the person in person to provide public comment at this time.

>> CHAIR EID: We all will vote. Those in favor of the motion please raise your hand and say aye.

>> Aye.

>> CHAIR EID: Any opposed?

>> COMMISSIONER LANGE: Nay.

>> COMMISSIONER SZETELA: Aye.

>> CHAIR EID: The ayes have it.

>> COMMISSIONER SZETELA: I'm sorry that should have been a nay.

>> CHAIR EID: All right the ayes still have it. We will move forward. The motion included to hear from the gentleman that we have in the crowd, thank you for making that motion, Commissioner Lett so that we didn't have to suspend the rules. Hello, if you could please state your name for the record and for the Commission and, you know, welcome. We look forward to what you have to say.

>> I'm Doug Guiss, chairman of the Taylor City Council and all transparency former State Representative. My wife is currently the state Senator for the first District. She is not eligible to run. What I do want to come before you is to express the interest of the people of the City of Taylor to remain intact and to continue to be within the represented population of Down River and western Wayne. So if you look at the history of the area going back 175 years, Ecourse Township, Lagodwin, those Down River communities have always been communities of interest. So I've heard during today's testimony an interest about different, the Chaldean population and so on and so forth. And honestly

I've tried to stay out of this process. Certainly my wife does not want me here at all. But I do want to express the interest of Down River and western Wayne. We have and will continue to be communities of interest. I will note that what is brought before you, the need to do this process, I find offensive. My wife is the first Black woman from Down River to ever represent that area. She is the first Black woman to represent Down River and Detroit in its totality. But as you go through with this process, and trying to offset those Court issues, I would ask that you pay attention to the Down River Area as John Dingle would say the Down Rivers. And make certain that you keep that area intact. So thank you.

>> CHAIR EID: We have a question for you, Mr. Guiss. Chair Lett?

>> COMMISSIONER LETT: This is kind of a little odd but have you or your wife received any communications from any Commissioners regarding this process?

>> We have not. I did reach out to the Chairman on Friday to ask what was the process to come before you. I did note as I came into this public hearing today I was not aware of the public comment was at the beginning and not at the end. I work for Ford Motor Company. So I was working this morning. I do appreciate the Commission allowing me to speak this evening. I will note for future Commissioners and Commissions that you come Down River and come to western Wayne. We have Warren County Community College in Taylor. You would not need to pay for that space. Also Wayne County community college in Van Buren Township. Both areas I represented in the State House of representatives. From what I can tell this Commission has not met Down River. This Commission has not met in western Wayne. So certainly, to answer your question, I reached out to the Chairman on Friday to determine what was the best way to communicate to the Commission that Taylor, Romulus and western Wayne remain whole.

>> COMMISSIONER LETT: That is fine. And just as an aside I don't know how many meetings we went all over this state and there is obviously only so many days that we can do that. And so there are choices that have to be made. But I'm sure that in your past experience you know what those are.

>> Thank you, sir. Certainly western Wayne represents ten to, you know, more than 10% of the population. Down River and western Wayne. So as you go forward it certainly is a huge area within the State of Michigan that I think would be good for the Commission to meet in future meetings.

>> COMMISSIONER LETT: Until the next one.

>> Thank you, sir.

>> CHAIR EID:

>> COMMISSIONER LETT: At this time I would make a motion to adjourn. It's 4:59.

>> CHAIR EID: There is a motion and a second, motion to adjourn made by Commissioner Lett, seconded by Commissioner Vallette. If there are no discussions on

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motions to adjourn so we will go to vote. All those in favor of the motion please raise your hand and say aye.

>> Aye.

>> CHAIR EID: Any opposed?

The ayes have it we are adjourned at 4:59 p.m. See you tomorrow.

[Meeting concludes]