

April 4, 2012

Alaska Redistricting Board Members
Taylor Bickford, Executive Director, Alaska Redistricting Board
411 West 4th Avenue
Anchorage, Alaska 99501

Re: AFFR Plan 06

Dear Mr. Bickford and Members of the Board:

As you know, AFFR experienced problems with its Autobound redistricting software last week. We prepared a plan (AFFR 05) that our software showed satisfied the requirements of the Voting Rights Act and had a less than 10% overall deviation. We submitted the plan on March 28th. Early that evening, you called and informed me that our plan showed an overall deviation in excess of 12 percent. It was at that point we realized that our copy of the Autobound redistricting software had been corrupted and its output was not reliable.

The next day the technical support staff at Citygate GIS spent two hours trying to fix the program using remote access. Their efforts were unsuccessful. I explained the situation to Mr. Bickford at the Board meeting that day and he graciously offered to let me use to Board's software to make the minor corrections needed to bring the AFFR plan into compliance with an overall deviation of less than 10%. It wasn't until the following day when Mike White reviewed third-party submissions that we also discovered that our calculations on the Voting Rights Act districts were not correct. Although the software had led us to believe the plan had three Native effective senate districts, there were actually only two. As a result, the plan was retrogressive and was not considered by the Board.

We have subsequently been able to correct the problems with the plan using other software. The shape file for the revised plan (AFFR 06) is attached. We realize that the Board intends to formally adopt the plan it approved last Saturday, but we urge it to consider this AFFR revised plan before it does so. It follows the same principles as AFFR Plan 05. It also adheres much more closely to state constitutional principles than the Amended Proclamation Plan and would be more likely to withstand a constitutional challenge.

We believe that this plan satisfies Alaska constitutional requirements in all respects and is in effect its own Hickel plan. It is constitutional without reference to the VRA while at the same time satisfying the requirements of the VRA. Even if the Board concludes otherwise, AFFR 06 certainly deviates less from the Board's own Hickel plan than the Amended Proclamation Plan.

The AFFR 06 Plan creates five Alaska Native effective house districts and three effective senate districts. These districts satisfy the benchmark requirements set forth by Dr. Handley in her report to the Board.

The key to compliance was separating the heavily polarized existing District 6 into two districts and borrowing a concept first discussed by the Rights Coalition- pairing a Native effective house district with a rural Mat-Su district to form a senate district. We believe it was that approach that makes it possible to create five effective Alaska Native house districts and three senate districts while staying in compliance with the Alaska Constitution.

As Dr. Handley noted in her report to the board, District 6 is highly polarized and would require a higher than 49.7 percent Native VAP to be an effective district. Previously, the Board and interested parties, including AFFR, have created various contorted districts that attempt to push additional Alaska Natives into one version or another of that district. In its Proclamation Plan, the Board had to create a district running from Nome to Yakutat make the numbers work.

The polarization in District 6, however, is not constant throughout the entire district. As discussed by Dr. Handley, an analysis of voting patterns shows that polarized voting primarily occurs in those District 6 communities along the Alaska Highway from the Deltana precinct to Tok and down the Richardson Highway.¹ Removing them from a new district based on the current District 6 reduces the Alaska Native VAP necessary to make it effective. That was AFFR's approach in creating AFFR 06 District 35.

An additional benefit of splitting District 6 and placing the highway communities in AFFR 06 District 29 is that their placement is now more in compliance with Alaska constitutional principles. During the last few redistrictings, these highway communities have been pulled out of their socio-economic settings to supply population for an under-populated Bush district. The AFFR 06 Plan restores political cohesiveness to the region by placing them back in a highway district where they belong.

The population they represent had to be made up in AFFR 06 District 35 by bringing in additional rural villages, the Denali Borough, and some population from Fairbanks which is the hub community for most District 35 towns and villages and is headquarters for the Doyon Region which includes most of the district's communities. The decision on what part of Fairbanks to include in District 35 was driven by VRA considerations. We selected Eielson Air Force Base and some areas adjacent to the base.

Selecting Eielson is consistent with the purposes of the VRA. Outmigration from rural communities has been significant over the last ten years and is expected to continue in the next decade. AFFR's objective is to propose rural districts that will remain effective for the entire ten years covered by this redistricting. There are two reasons why including Eielson in the district promotes compliance with the VRA. First, Eielson has a lower voter turnout than other parts of the Fairbanks North Star Borough and will have less impact than comparable numbers elsewhere on District 35's status as an effective district.

More importantly, the Air Force has announced that it is moving Eielson's 21-plane squadron of F-16s to Anchorage. This will result in a substantial loss of population as personnel and their families move away. Concerns have also been voiced that this move may be a prelude to a complete base closure. This loss of population will ameliorate the expected population decline in rural areas and maintain the effectiveness of the district until the next census. No doubt a strong effort will be made to avoid a reduction in force at Eielson, but the Board should take into consideration the possibility or even the

¹ The highway precincts entirely or almost entirely moved from District 6 into the new Highway-based District 29 are Deltana, Dot Lake, Tok, Chistochina, Copper Center, Gakona, and Kenny Lake. The Native VAP of those precincts is 17.5%. In the 2010 general election the Native-preferred house candidate received only 22.4% of the precinct vote indicating highly polarized voting. The Native VAP in the District 6 precincts that are in the proposed new interior District 35 is 77.3%. The Native-preferred candidate prevailed in those precincts by a 55-45 margin, substantially less than if polarized voting was occurring.

likelihood that it will occur. If a part of Fairbanks needs to be included in a rural district, from a VRA perspective Eielson seems to be the logical choice.

The AFFR 2012 Plan generally maintains the other existing Bush districts: Arctic Slope – NANA (District 36); Nome –Wade Hampton (District 37); Aleutians – Bristol Bay (District 38); and a Bethel-based district (District 39). Population declines, of course, required the stretching these districts somewhat but the core areas of the prior districts remain. In adjusting these districts, the main approach was to keep coastal communities with coastal communities and interior and river communities with similar areas.

The traditional rural senate pairings were changed to promote the creation of a third effective senate district. Bethel district 39 is paired with Mat-Su District 40 which encompasses more remote communities along the Parks and Glenn highways. The remaining four Mat-Su districts are paired into two senate seats.

The Southeast portion of the AFFR plan is identical to that submitted in a prior proposal. It produces a slightly higher Native VAP than the Proclamation Plan. It is also more compliant with the Alaska Constitution's socio-economic integration requirements because it pairs Juneau's two districts with other communities to which it has traditionally had closer ties.

The Kodiak- Cordova-Yakutat based District 5 is similar to that adopted in the Proclamation Plan.

The Fairbanks, Anchorage, and Kenai Peninsula districts are essentially similar to the districts proposed last year in AFFR's Second Adjusted Plan. Changes from that plan were made only to accommodate population shifts caused by the various other changes described above.

As we have testified to in earlier proceedings, it has been AFFR's policy to avoid unnecessarily pairing incumbent legislators. While it is easy to dismiss this as "incumbent protection," it is actually the protection of the geographic ties and communities of interest that develop in response to the drawing of district boundaries. Furthermore, a consistent implementation of this policy throughout a plan limits the possibility of partisan manipulations. To our knowledge there are only one house and one senate pairing of incumbents in the AFFR 2012 Plan and both occur in Southeast where population changes make them unavoidable.

Thank you for your consideration. We would be happy to answer any questions from Board members regarding the plan.

Sincerely,

Joe McKinnon
Alaskans For Fair Redistricting