

<p>SUPREME COURT, STATE OF COLORADO</p> <p>101 West Colfax Avenue, Suite 800 Denver, Colorado 80202</p>	
<p>Original Proceeding Pursuant to the Colorado Rules for Reapportionment Proceedings</p>	<p><b>COURT USE ONLY</b></p>
<p>IN RE REAPPORTIONMENT OF THE COLORADO GENERAL ASSEMBLY</p>	<p>Case No. 11 SA 282</p>
<p>Attorneys for Colorado Reapportionment Commission:</p> <p>MCKENNA, LONG &amp; ALDRIDGE, LLP David R. Fine, #16852 Richard C. Kaufman, #8343 Jennette C. Roberts, #35502 Joseph G. Martinez, #38956 1400 Wewatta Street, Suite 700 Denver, Colorado 80202-5556 Telephone: (303) 634-4000 Facsimile: (303) 634-4400</p> <p>COLORADO REAPPORTIONMENT COMMISSION Jeremiah B. Barry, #10400 Kate Meyer, #38059 Troy C. Bratton, #39807 Colorado Reapportionment Commission 1313 Sherman Street, Room 122 Denver, Colorado 80203 Telephone: (303) 866-3950 Facsimile: (303) 866-3945</p>	
<p><b>VOLUME I - EXHIBITS 1 THROUGH 10</b></p>	

### COMMISSION MEMBERSHIP

MEMBER	APPOINTING AUTHORITY	AFFILIATION	CONGRESSIONAL DISTRICT
Mario Carrera Chairman	Chief Justice Colorado Supreme Court	U	6
Wellington Webb Vice-chairman	Governor	D	1
Dolores Atencio	Chief Justice Colorado Supreme Court	D	1
Gayle Berry	Governor	R	3
Senator Morgan Carroll	Senate Majority Leader	D	7
Representative Matt Jones	House Minority Leader	D	2
Robert Loevy	Chief Justice Colorado Supreme Court	R	5
Mario Nicolais	Senate Minority Leader	R	7
Arnold Salazar	Governor	D	3
Steve Tool	Chief Justice Colorado Supreme Court	R	4
Rob Witwer	Speaker of the House	R	6

## SCHEDULE OF MEETINGS OF THE COMMISSION

DATE	LOCATION OF MEETING
May 12, 2011	Legislative Services Building, Hearing Room A
May 16, 2011	Legislative Services Building, Hearing Room B
May 23, 2011	Legislative Services Building, Hearing Room A
May 31, 2011	Legislative Services Building, Hearing Room A
June 6, 2011	Legislative Services Building, Hearing Room A
June 13, 2011	Legislative Services Building, Hearing Room A
June 20, 2011	Legislative Services Building, Hearing Room A
June 27, 2011	Legislative Services Building, Hearing Room A
July 11, 2011	State Capitol Building, Old Supreme Court Chambers
July 18, 2011	Legislative Services Building, Hearing Room A
July 25, 2011	Legislative Services Building, Hearing Room A
August 31, 2011	State Capitol Building, Old Supreme Court Chambers
September 12, 2011	Legislative Services Building, Hearing Room A
September 19, 2011	Legislative Services Building, Hearing Room A

## COMMISSION'S COMPUTER SYSTEM

In formulating the preliminary and Final Plan, the Commission utilized geographic information systems (GIS) software, including:

- ESRI's ArcGIS;
- AutoBound Pro, a software extension of ArcGIS; and
- AutoBound LE, a stand alone, limited version of the ArcGIS and AutoBound Pro software.

ESRI's ArcMap and Autobound Pro were installed on Commission staff's laptop computers, and AutoBound LE was installed on Commission member's laptop computers.

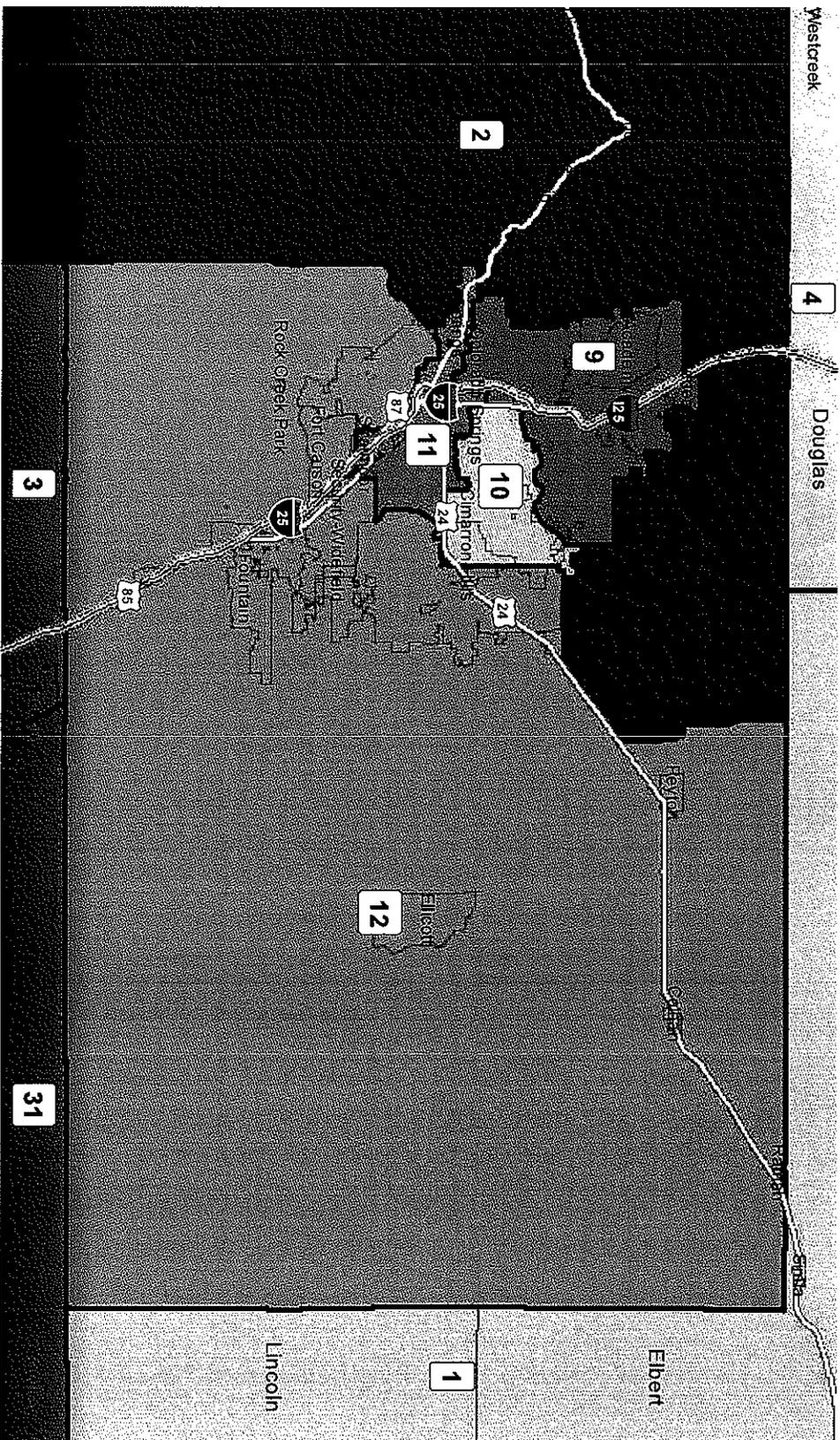
In accordance with paragraphs (a), (b), (c), and (d) of subsection (3) of Section 9 of House Bill 10-1210, the Commission's database consisted of: (1) the United States Census Bureau's official geographic files, called TIGER files (an acronym for "Topically Integrated Geographic Encoding and Referencing System"); (2) the official Census 2010 population figures; and (3) voter registration and election results for the 2008 and 2010 general elections, as furnished by the Colorado Secretary of State. Additionally, shapefiles (files containing data and geographic information) were obtained by Commission staff from various local, state, and federal government sources that depicted cultural, economic, geographic, demographic, and trade area information, such as Indian reservations, metro area neighborhoods, school districts, and transportation districts. Maps of geographical data and land boundaries were provided to Commission members.

The GIS software enabled users to assign census geography, including counties, voting districts, and Census blocks, to House and Senate districts and to view running totals of district population, population deviation from the population of an ideal district, ethnic composition, and political makeup. The system could generate printed reports of each of these items. It could also generate reports on mathematical measures of compactness and county and municipal splits. Additionally, GIS software users could view thematic maps from the data available to depict information about any data field in the database, such as concentrations of a minority population.





# Statewide Preliminary Adopted Senate Plan El Paso County



2011 Colorado Reapportionment Commission  
1313 Sherman Street  
Room 122  
Denver, Colorado 80203



# Statewide Preliminary Adopted Senate Plan Arvada/Westminster



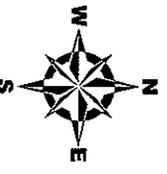
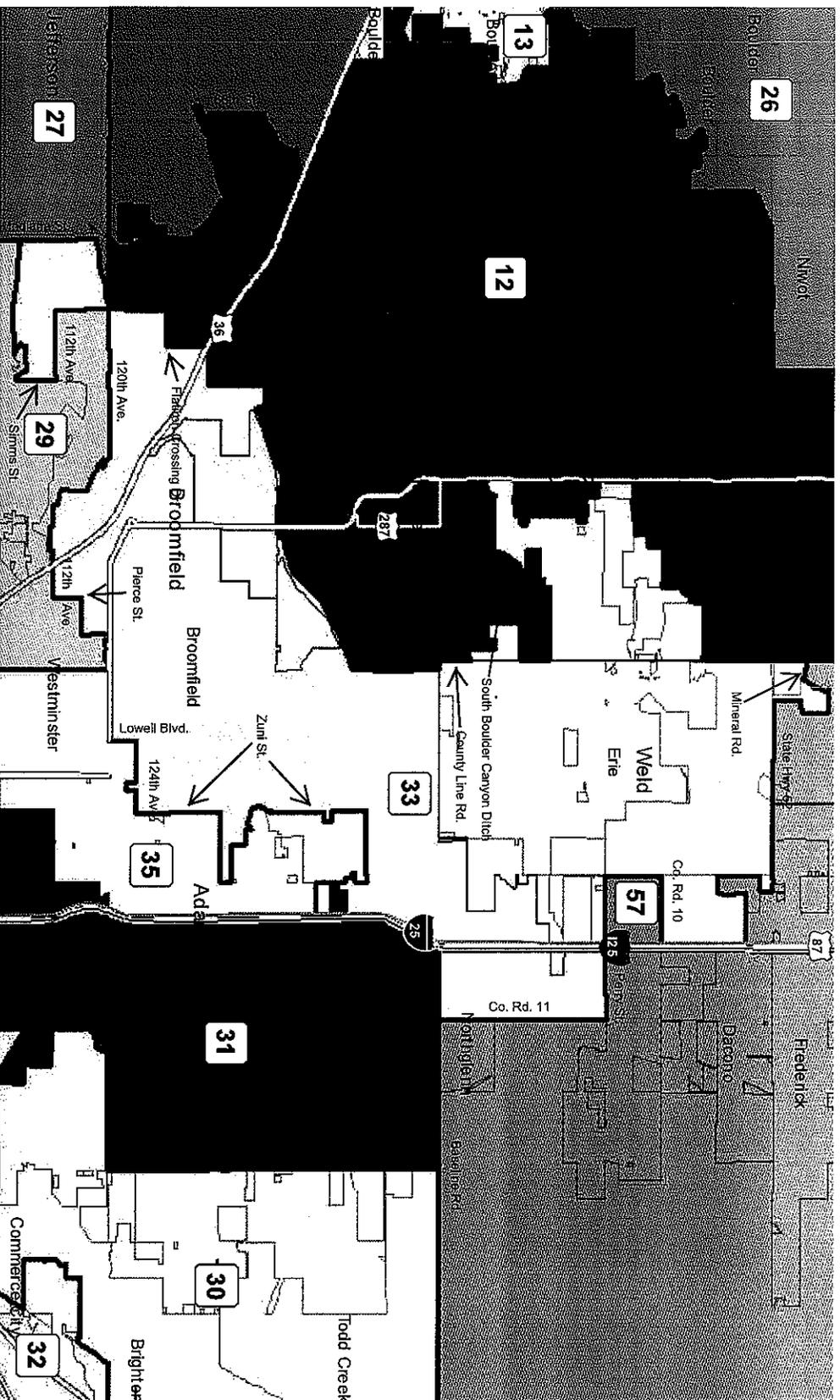
2011 Colorado Reapportionment Commission  
1313 Sherman Street  
Room 122  
Denver, Colorado 80203







# Statewide Preliminary Adopted House Plan Broomfield County



2011 Colorado Reapportionment Commission  
1313 Sherman Street  
Room 122  
Denver, Colorado 80203





**REAPPORTIONMENT COMMISSION  
PUBLIC HEARING SCHEDULE**

<b>HEARING</b>	<b>DATE</b>	<b>COMMISSIONERS</b>
<b>SALIDA</b> Chafee County Administration Building Board of County Commissioners Hearing Room 104 Crestone Avenue	Thursday, August 4, 2011 (6 pm)	Loevy Salazar Witwer
<b>GUNNISON</b> Western State College Aspinall-Wilson Center 909 Escalante Drive	Friday, August 5, 2011 (6 pm)	Loevy Nicolais Salazar
<b>MONTROSE</b> Ute Indian Museum Chipeta Meeting Room 17253 Chipeta Road	Saturday, August 6, 2011 (12 pm)	Berry Carrera Carroll Loevy Nicolais Salazar
<b>GRAND JUNCTION</b> Colorado Mesa University Academic Classroom Building Room 313 1100 North Avenue	Saturday, August 6, 2011 (7 pm)	Berry Carrera Carroll Loevy Nicolais Salazar
<b>AURORA</b> Community College of Aurora Student Center Rotunda 16000 East CentreTech Parkway	Monday, August 8, 2011 (6 pm)	Atencio Carrera Carroll Jones Loevy Salazar Tool Witwer
<b>GOLDEN</b> Red Rocks Community College Community Room 0650 13300 West 6th Avenue	Tuesday, August 9, 2011 (6 pm)	Atencio Berry Carrera Carroll Jones Loevy Nicolais Salazar Tool Witwer
<b>FORT COLLINS</b> Colorado State University Behavioral Sciences Building Room 105 410 Pitkin Street	Thursday, August 11, 2011 (6 pm)	Atencio Carrera Jones Salazar Tool

HEARING	DATE	COMMISSIONERS
<b>DURANGO</b> Fort Lewis College Noble Hall, Room 130 1000 Rim Drive	Friday, August 12, 2011 (6 pm)	Berry Carrera Jones Loevy
<b>ALAMOSA</b> Trinidad State Junior College Valley Campus Building 1 Auditorium 1011 Main Street	Saturday, August 13, 2011 (1 pm)	Atencio Carrera Carroll Jones Loevy Salazar Tool
<b>TRINIDAD</b> Trinidad State Junior College Trinidad Campus Berg Administration Building Little Theater 600 Prospect Street	Saturday, August 13, 2011 (7 pm)	Berry Carrera Jones Loevy Salazar Tool
<b>BOULDER</b> University of Colorado University Memorial Center, Room 381 1669 Euclid Avenue	Monday, August 15, 2011 (6 pm)	Atencio Berry Carrera Carroll Jones Salazar Tool Witwer
<b>LITTLETON</b> Arapahoe Community College Half Moon (M1800) 5900 South Sante Fe Drive	Tuesday, August 16, 2011 (6 pm)	Atencio Berry Carrera Carroll Jones Nicolais Salazar Tool Webb Witwer
<b>LAMAR</b> Lamar Community College Bowman Building, Large Lecture Hall 2401 South Main Street	Friday, August 19, 2011 (6 pm)	Loevy Nicolais Tool Witwer
<b>BURLINGTON</b> Morgan Community College Community and Education Center Recreation Room 340 South 14th Street	Saturday, August 20, 2011 (1 pm)	Loevy Nicolais Tool Webb Witwer
<b>STERLING</b> Northeastern Junior College Hays Student Center, Room 230 100 College Avenue	Saturday, August 20, 2011 (7 pm)	Loevy Nicolais Tool Witwer

HEARING	DATE	COMMISSIONERS
<b>PUEBLO</b> Pueblo Community College Fortino Ballroom (Section A) 900 West Orman Avenue	Monday, August 22, 2011 (6 pm)	Atencio Berry Carrera Carroll Jones Loevy Nicolais Salazar Witwer*
<b>COLORADO SPRINGS</b> Pikes Peak Community College Rampart Range Campus Room W 101 11195 Hwy 83	Tuesday, August 23, 2011 (6 pm)	Atencio Carrera Carroll Jones Loevy Nicolais Tool Webb
<b>BRIGHTON</b> Adams County Regional Park and Events Center Waymire Center Rendezvous Meeting Room #3 9755 Henderson Road	Wednesday, August 24, 2011 (6 pm)	Atencio Carrera Jones Nicolais Tool Witwer
<b>STEAMBOAT SPRINGS</b> Community Center 1605 Lincoln Avenue	Friday, August 26, 2011 (6 pm)	Berry Carrera Jones Loevy Nicolais Tool
<b>GLENWOOD SPRINGS</b> Garfield County Administration Building Board of County Commissioners Hearing Room 108 8th Street	Saturday, August 27, 2011 (1 pm)	Berry Carrera Jones Loevy Nicolais Webb Witwer
<b>FRISCO</b> Frisco Community and Senior Center 0083 Nancy's Place	Saturday, August 27, 2011 (7 pm)	Berry Carrera Jones Loevy Nicolais Witwer
<b>GREELEY</b> University of Northern Colorado University Center, Columbine B 2045 10th Avenue	Monday, August 29, 2011 (6 pm)	Carrera Carroll Jones Nicolais Tool Webb

HEARING	DATE	COMMISSIONERS
<b>CASTLE ROCK</b> Douglas County Fairgrounds and Events Center Ground Floor Meeting Rooms 500 Fairgrounds Drive	Tuesday, August 30, 2011 (6 pm)	Atencio Berry Carrera Carroll Jones Loevy Nicolais Tool Webb Witwer
<b>DENVER</b> Colorado State Capitol Old Supreme Court Chambers 200 East Colfax Avenue	Wednesday, August 31, 2011 (6 pm)	Atencio Berry Carrera Carroll Jones Loevy Nicolais Tool Webb Witwer
<b>BROOMFIELD</b> Broomfield City and County Building City Council Chamber 1 DesCombes Drive	Thursday, September 1, 2011 (6 pm)	Atencio Carrera Jones Loevy Nicolais Tool Webb

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<p><b>AFFIDAVIT OF MARIO M. CARRERA</b></p>	

Mario M. Carrera, having first been duly sworn, states as follows:

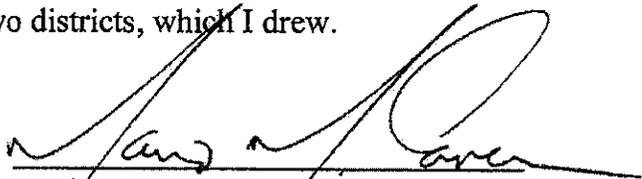
1. I am the Chair of the Colorado Reapportionment Commission.
2. Throughout the course of its work, the Commission was aware of and guided by applicable federal and state law, in particular section 2 of the Federal Voting Rights Act, 42 U.S.C. §§ 1973(b), and Colo. Const. Art. V, Sections 46 and 47.
3. The Commission was also aware of the significant increase in the Hispanic population of Colorado and the potential Voting Rights Act implications related to such growth, and strove to create districts which would afford Hispanic and African-American communities an opportunity to participate in the political process and to elect representatives of their choice. There was no disagreement among commissioners regarding this goal.
4. Under the Reapportionment Plan ("Adopted Plan") approved by the Commission, nine legislative districts have an Hispanic population of 50% or greater, four districts more than created under the 2002 plan; 13 districts have an Hispanic population of 40% or greater, eight districts more than created under the 2002 plan; and 24 districts have a population of 30% or greater, eight districts more than created under the 2002 plan. See Exhibit A, attached hereto.

5. Subject to the Voting Rights Act concerns discussed above, the Commission followed the requirement of section 47(2), as interpreted by the Colorado Supreme Court, that the Commission draw whole districts in counties with population sufficient to qualify for such whole districts.

6. It was important to me and most members of the Commission to increase the number of competitive seats. Republican Commissioner Loevy was the prime proponent of competitive districts, even if the creation of such districts did not benefit Republicans. As an unaffiliated voter, I admired Professor Loevy's principled political courage, and agreed that competitive seats attract greater voter participation and over time produce legislators more responsive and accountable to their constituents. Significant public testimony supported the creation of competitive districts. Using the 2010 Treasurer's race as a benchmark, the Commission deemed districts in which the candidates for Treasurer polled within 10% of each other or less to be competitive and districts in which the candidates were separated by 5% or less to be highly competitive. Using these criteria, a total of 33 districts in the Adopted Plan are at least competitive, and 17 of those districts are highly competitive. See Exhibit B.

7. As the only commissioner not affiliated with a political party, I took very seriously my obligation to work with commissioners of both parties to construct a plan that had as much buy-in from both sides as possible. As part

of this effort, I endeavored to have the plan include as many consensus districts as possible. By consensus, I mean districts that were the same or essentially the same (differences of 5,000 persons or less) in the final Democratic and Republican plans. The Adopted Plan contains 25 districts drawn by consensus, 11 districts drawn by Democrat commissioners, 17 districts drawn by Republican commissioners, and 12 districts, which I drew. The Senate Plan contains 30 consensus seats, two districts drawn by Democrat commissioners, one district drawn by Republican commissioners and two districts, which I drew.

  
\_\_\_\_\_  
Mario M. Carrera

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

Subscribed and sworn to before me this 12th day of October, 2011,  
by MARIO M. CARREBA

Witness my hand and official seal.

**My Commission Expires  
10/14/2013**

My Commission Expires: \_\_\_\_\_

  
\_\_\_\_\_  
Notary Public

[SEAL]

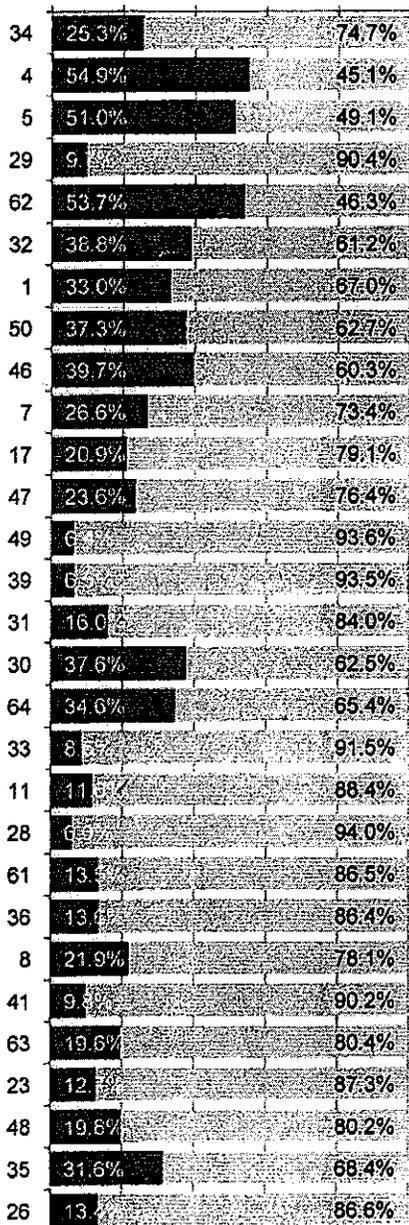
### House Districts Demographic Analysis

2000 Census Population with Existing Districts

Summary	Over 50%	4
	40-50%	0
	30-40%	7
	20-30%	6
	10-20%	22
	Less than 10%	26

■ Hispanic  
▨ Non-Hispanic

0% 20% 40% 60% 80% 100%

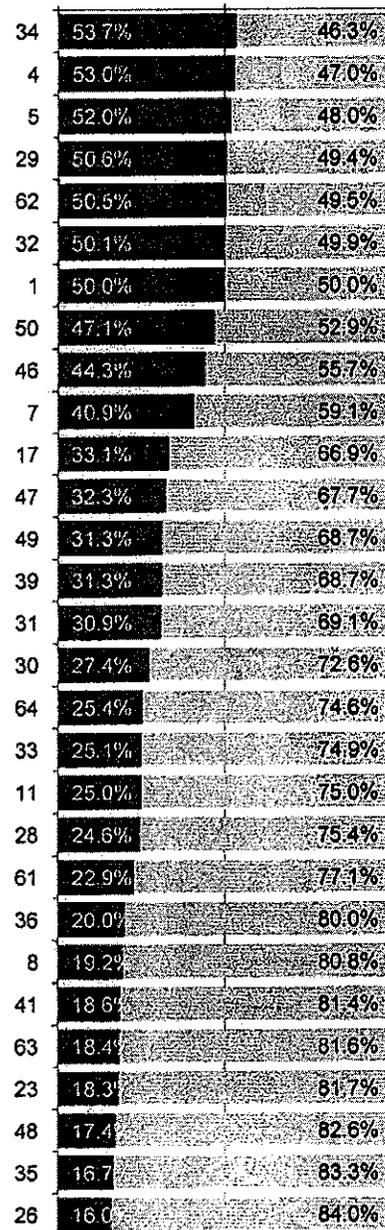


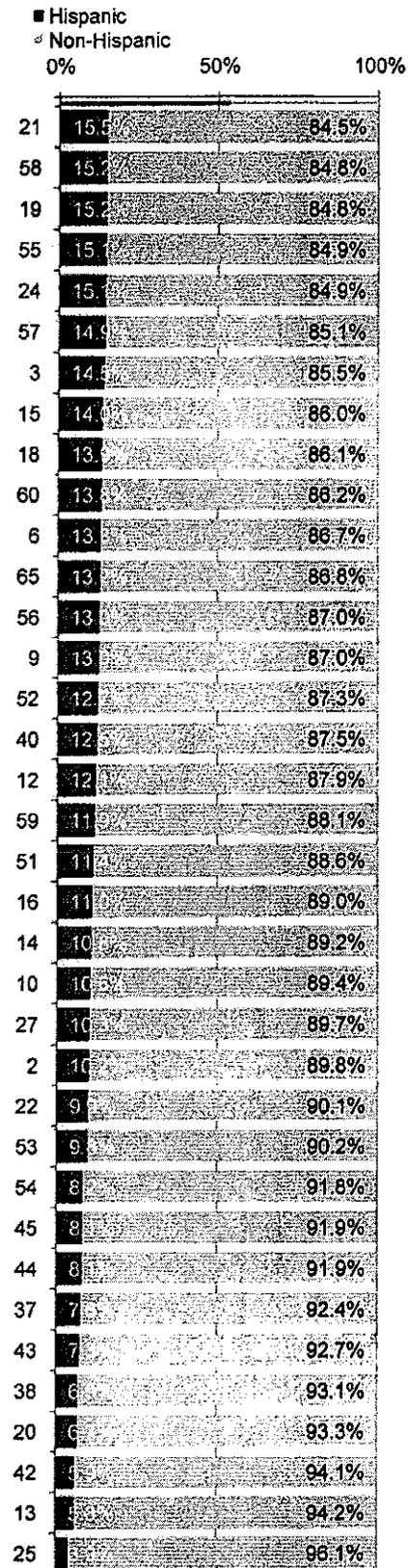
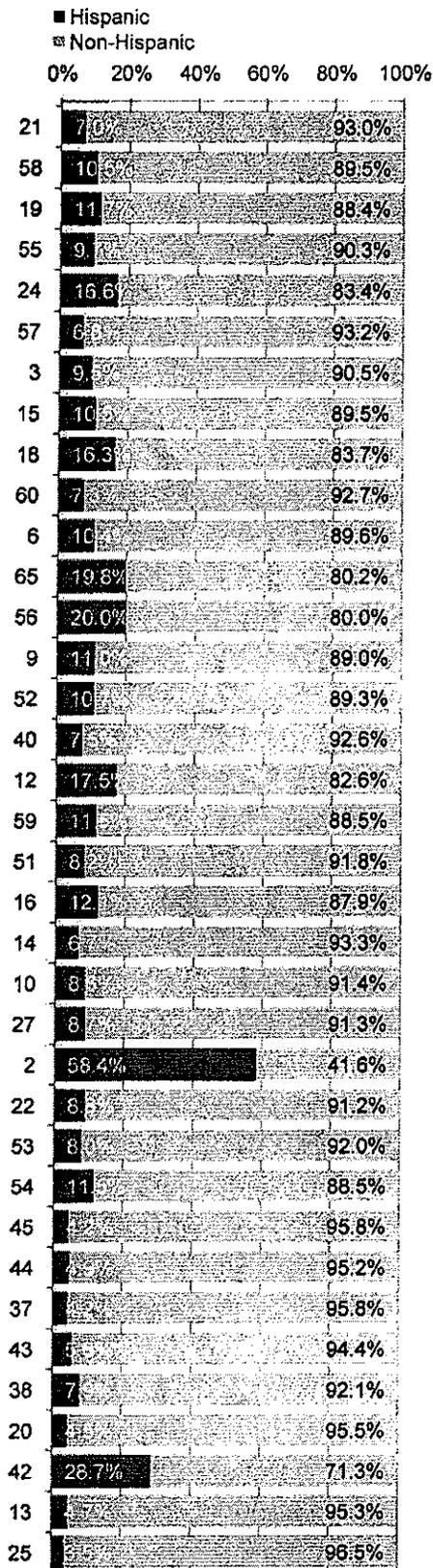
2010 Census Population with Final Plan House 003v1

Summary	Over 50%	7
	40-50%	3
	30-40%	5
	20-30%	6
	10-20%	32
	Less than 10%	12

■ Hispanic  
▨ Non-Hispanic

0% 50% 100%





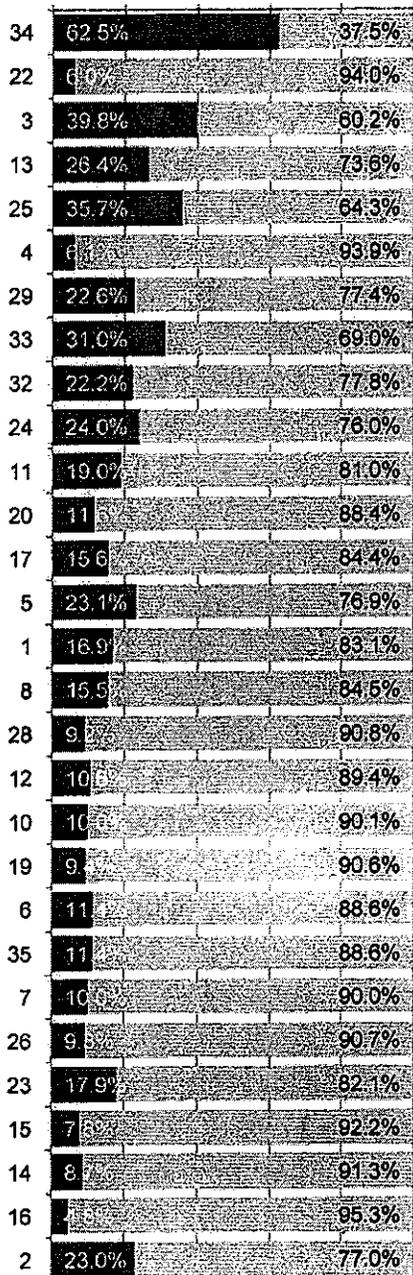
## Senate Districts Demographic Analysis

**2000 Census Population with Existing Districts**

<b>Summary</b>	<b>Over 50%</b>	<b>1</b>
	40-50%	0
	30-40%	4
	20-30%	6
	10-20%	11
	Less than 10%	13

■ Hispanic  
□ Non-Hispanic

0% 20% 40% 60% 80% 100%

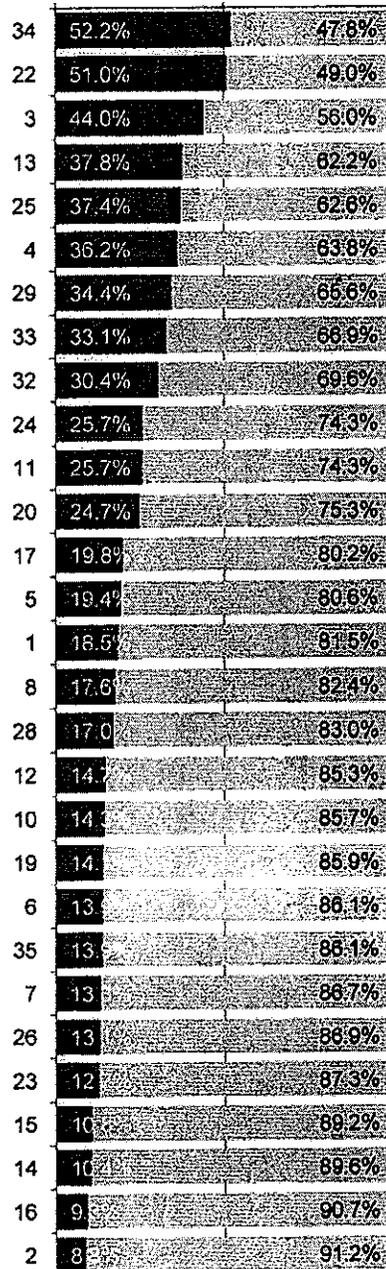


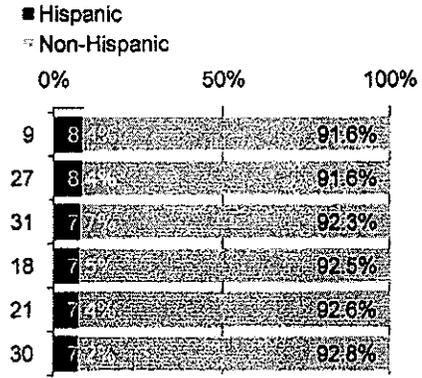
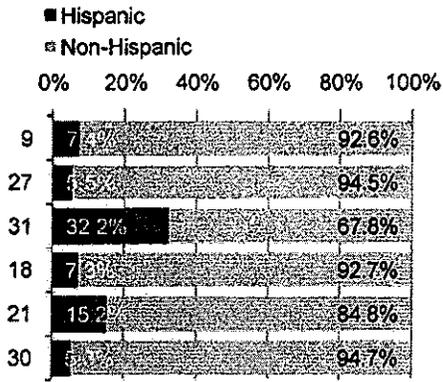
**2010 Census Population with Final Plan Senate 003v1**

<b>Summary</b>	<b>Over 50%</b>	<b>2</b>
	40-50%	1
	30-40%	6
	20-30%	3
	10-20%	15
	Less than 10%	8

■ Hispanic  
□ Non-Hispanic

0% 50% 100%





**2010 State Treasurer Race - Kennedy (D) & Stapleton (R)**  
Senate Plan Comparison

Summary	Senate Final Plan						Existing Districts						
	All Races	35	Democrat	16	Republican	19	All Races	35	Democrat	16	Republican	19	
	Safe	24	10	14	23	10	13	Competitive	4	3	1	8	6
Highly Comp	7	3	4	4	0	4							
Senate District	Incumbent	Democrat			Republican			Democrat			Republican		
		0%	50%	100%	0%	50%	100%	0%	50%	100%	0%	50%	100%
33	Johnston (D)	Safe - D	33	53.2%	16.8%		Safe - D	33	52.9%	17.5%			
34	Guzman (D)	Safe - D	34	70.4%	24.6%		Safe - D	34	73.9%	21.4%			
18	Heath (D)	Safe - D	18	76.5%	23.5%		Safe - D	18	77.6%	22.4%			
31	Open	Safe - D	31	72.5%	27.4%		Safe - D	31	74.2%	28.3%			
32	Aguilar (D)	Safe - D	32	65.3%	16.7%		Safe - D	32	66.4%	18.9%			
29	Carroll (D)	Safe - D	29	39.3%	40.1%		Safe - D	29	62.3%	37.5%			
17	Shaffer (D)	Safe - D	17	59.7%	40.3%		Safe - D	17	59.2%	40.3%			
21	Steadman (D)	Safe - D	21	50.1%	18.9%		Competitive - D	21	51.5%	15.7%			
3	Giron (D)	Safe - D	3	39.0%	21.0%		Safe - D	3	53.3%	32.4%			
14	Bacon (D)	Safe - D	14	56.2%	16.7%		Safe - D	14	53.2%	18.8%			
20	Jahn (D)	Competitive - D	20	57.7%	16.3%		Competitive - D	20	55.0%	15.0%			
28	Williams (D)	Competitive - D	28	54.1%	15.9%		Competitive - D	28	54.8%	15.2%			
11	Morse (D)	Competitive - D	11	50.7%	16.3%		Competitive - D	11	52.0%	17.4%			
16	Open	Highly Comp - D	16	42.4%	17.8%		Competitive - D	16	53.0%	17.0%			
24	Tochtrop (D)	Highly Comp - D	24	50.9%	19.1%		Competitive - D	24	53.8%	16.4%			
19	Hudak (D)	Highly Comp - D	19	50.0%	50.0%		Highly Comp - R	19	49.7%	50.3%			
26	Newell (D)	Highly Comp - R	26	50.0%	50.0%		Highly Comp - R	26	48.5%	51.5%			
25	Hodge (D)	Highly Comp - R	25	49.3%	50.7%		Highly Comp - R	25	49.3%	50.8%			
5	Schwartz (D)	Highly Comp - R	5	48.4%	51.6%		Highly Comp - R	5	48.3%	50.7%			
35	Nicholson (D)	Highly Comp - R	35	49.1%	51.9%		Safe - D	35	53.3%	34.7%			
8	White (R)	Competitive - R	8	45.3%	54.6%		Competitive - R	8	46.0%	54.2%			
22	Kopp (R)	Safe - R	22	44.0%	56.0%		Safe - R	22	43.4%	56.3%			
27	Spence (R)	Safe - R	27	43.9%	56.1%		Safe - R	27	44.7%	55.3%			
13	Renfroe (R)	Safe - R	13	49.0%	56.4%		Safe - R	13	49.5%	60.5%			
15	Lundberg (R)	Safe - R	15	43.0%	57.0%		Safe - R	15	42.3%	57.7%			
23	Mitchell (R)	Safe - R	23	43.5%	57.3%		Competitive - R	23	45.6%	52.7%			
6	Roberts (R)	Safe - R	6	42.5%	57.3%		Safe - R	6	47.4%	57.9%			
12	King (R)	Safe - R	12	46.5%	61.9%		Safe - R	12	45.3%	60.3%			
30	Harvey (R)	Safe - R	30	47.1%	62.0%		Safe - R	30	47.0%	63.0%			
10	Cadman (R)	Safe - R	10	44.7%	65.3%		Safe - R	10	42.2%	67.8%			
7	King (R)	Safe - R	7	42.0%	67.6%		Safe - R	7	42.3%	67.7%			
4	Scheffel (R)	Safe - R	4	42.4%	67.6%		Safe - R	4	41.6%	68.4%			

Senate District	Incumbent		Democrat			Republican			
			0%	50%	100%	0%	50%	100%	
2	Grantham (R)	Safe - R	2	51.2%	48.8%	Safe - R	2	49.2%	50.8%
1	Brophy (R)	Safe - R	1	48.9%	51.1%	Safe - R	1	40.8%	59.2%
9	Lambert (R)	Safe - R	9	29.1%	70.9%	Safe - R	9	30.9%	69.1%

Note: In "highly comp" (highly competitive) districts, voter shares for both candidates fall between 47.5 percent and 52.5 percent.

In "competitive" districts, voter shares fall between 45 and 47.5 percent for the trailing party and between 52.5 and 55 percent for the leading party.

In "safe" districts, voter shares are greater than 55 percent for either candidate.

**2010 State Treasurer Race - Kennedy (D) & Stapleton (R)**  
*House Plan Comparison*

Summary	All Races	House Final Plan			Existing House Districts				
		All Races	Democrat	Republican	All Races	Democrat	Republican		
		65	32	33	65	31	34		
	Safe	43	20	23	49	27	22		
	Competitive	12	8	4	9	2	7		
	Highly Comp	10	4	6	7	2	5		
House District	Incumbent	Democrat			Democrat				
		0%	50%	100%	0%	50%	100%		
8	McCann (D)	Safe - D	8	41.3%	58.7%	Safe - D	8	45.1%	54.9%
7	Williams (D)	Safe - D	7	10.5%	89.5%	Safe - D	7	19.2%	80.8%
4	Pabon (D)	Safe - D	4	70.0%	30.0%	Safe - D	4	78.3%	21.7%
5	Duran (D)	Safe - D	5	72.2%	27.8%	Safe - D	5	73.1%	26.9%
13	Hullinghorst (D)	Safe - D	13	70.5%	29.5%	Safe - D	13	70.5%	29.5%
10	Kerr (D)/Summers (R)	Safe - D	10	72.8%	27.2%	Safe - D	10	72.3%	27.7%
2	Ferrandino (D)	Safe - D	2	77.1%	22.9%	Safe - D	2	79.1%	20.9%
6	Court (D)	Safe - D	6	67.3%	32.7%	Safe - D	6	63.1%	36.9%
56	Levy (D)	Safe - D	56	58.6%	41.4%	Competitive - D	56	57.8%	42.2%
46	Pace (D)	Safe - D	46	62.2%	37.8%	Safe - D	46	65.2%	34.8%
9	Miklosi (D)	Safe - D	9	61.1%	38.9%	Safe - D	9	63.1%	36.9%
34	Soper (D)	Safe - D	34	57.1%	42.9%	Safe - D	34	57.4%	42.6%
42	Fields (D)	Safe - D	42	57.1%	42.9%	Safe - D	42	53.9%	46.1%
1	Labuda (D)	Safe - D	1	59.2%	40.8%	Safe - D	1	56.3%	43.7%
62	Vigil (D)	Safe - D	62	50.7%	49.3%	Safe - D	62	53.1%	46.9%
53	Fischer (D)	Safe - D	53	51.1%	48.9%	Safe - D	53	58.7%	41.3%
41	Todd (D)	Safe - D	41	52.2%	47.8%	Safe - D	41	50.7%	49.3%
61	Wilson (D)	Safe - D	61	57.3%	42.7%	Safe - D	61	61.4%	38.6%
12	Jones (D)	Safe - D	12	57.0%	43.0%	Safe - D	12	55.6%	44.4%
32	Casso (D)	Safe - D	32	56.0%	44.0%	Safe - D	32	58.5%	41.5%
31	Solano (D)	Competitive - D	31	52.2%	47.8%	Highly Comp - R	31	46.3%	53.7%
52	Kefalas (D)	Competitive - D	52	52.2%	47.8%	Safe - D	52	53.2%	46.8%
28	Kerr (R)	Competitive - D	28	47.2%	52.8%	Safe - R	28	42.0%	58.0%
24	Schafer (D)	Competitive - D	24	52.7%	47.3%	Safe - D	24	52.7%	47.3%
23	Tyler (D)	Competitive - D	23	51.3%	48.7%	Competitive - D	23	51.3%	48.7%
11	Gardner (D)	Competitive - D	11	57.0%	43.0%	Safe - D	11	51.0%	49.0%
33	Beezley (R)	Competitive - D	33	51.5%	48.5%	Highly Comp - D	33	51.5%	48.5%
18	Lee (D)	Competitive - D	18	56.6%	43.4%	Safe - D	18	56.6%	43.4%
29	Ramirez (R)	Highly Comp - D	29	52.1%	47.9%	Highly Comp - D	29	51.3%	48.7%
35	Peniston (D)	Highly Comp - D	35	52.5%	47.5%	Safe - D	35	50.0%	50.0%
36	Ryden (D)	Highly Comp - D	36	57.1%	42.9%	Safe - D	36	57.1%	42.9%
26	Hamner (D)	Highly Comp - D	26	53.6%	46.4%	Safe - D	26	55.3%	44.7%
59	Brown (R)	Highly Comp - R	59	51.0%	49.0%	Competitive - R	59	46.4%	53.6%

House District	Incumbent		Democrat			Republican			
			0%	50%	100%	0%	50%	100%	
3	Kagan (D)	Highly Comp - R	3	49.0%	51.0%	Safe - D	3	62.0%	38.0%
40	Acree (R)	Highly Comp - R	40	49.3%	50.7%	Safe - R	40	69.2%	30.8%
50	Young (D)	Highly Comp - R	50	49.5%	50.5%	Highly Comp - R	50	49.8%	50.2%
47	Swerdfeger (R)	Highly Comp - R	47	49.2%	50.8%	Competitive - R	47	47.1%	52.9%
17	Barker (R)	Highly Comp - R	17	49.1%	51.0%	Highly Comp - R	17	49.0%	51.0%
27	Szabo (R)	Competitive - R	27	48.4%	51.6%	Competitive - R	27	47.3%	52.7%
30	Priola (R)	Competitive - R	30	48.2%	51.8%	Highly Comp - R	30	49.6%	50.4%
38	Conti (R)	Competitive - R	38	48.2%	51.8%	Competitive - R	38	46.9%	53.1%
25	Gerou (R)	Competitive - R	25	48.4%	51.6%	Safe - R	25	47.8%	52.2%
22	Summers (R)	Safe - R	22	48.3%	51.7%	Highly Comp - R	22	48.6%	51.4%
37	Swalm (R)	Safe - R	37	48.6%	51.4%	Competitive - R	37	48.3%	51.7%
60	Massey (R)	Safe - R	60	48.0%	52.0%	Safe - R	60	48.0%	52.0%
51	DelGrosso (R)	Safe - R	51	48.0%	52.0%	Safe - R	51	48.0%	52.0%
49	Nikkel (R)	Safe - R	49	48.2%	51.8%	Safe - R	49	48.2%	51.8%
43	McNulty (R)	Safe - R	43	48.0%	52.0%	Safe - R	43	48.0%	52.0%
21	Gardner (R)	Safe - R	21	48.0%	52.0%	Safe - R	21	48.0%	52.0%
16	Liston (R)	Safe - R	16	48.0%	52.0%	Safe - R	16	48.0%	52.0%
57	Becker (R)	Safe - R	57	48.0%	52.0%	Safe - R	57	48.0%	52.0%
48	Vaad (R)	Safe - R	48	48.0%	52.0%	Safe - R	48	48.0%	52.0%
63	Open	Safe - R	63	48.0%	52.0%	Safe - R	63	48.0%	52.0%
55	Bradford (R)	Safe - R	55	48.0%	52.0%	Safe - R	55	48.0%	52.0%
44	Holbert (R)	Safe - R	44	48.0%	52.0%	Safe - R	44	48.0%	52.0%
64	McKinley (D)	Safe - R	64	48.0%	52.0%	Competitive - R	64	48.0%	52.0%
39	Balmer (R)	Safe - R	39	48.0%	52.0%	Competitive - R	39	48.0%	52.0%
58	Coram (R)	Safe - R	58	48.0%	52.0%	Safe - R	58	48.0%	52.0%
15	Waller (R)	Safe - R	15	48.0%	52.0%	Safe - R	15	48.0%	52.0%
45	Murray (R)	Safe - R	45	48.0%	52.0%	Safe - R	45	48.0%	52.0%
65	Sonnenberg (R)	Safe - R	65	48.0%	52.0%	Safe - R	65	48.0%	52.0%
14	Joshi (R)	Safe - R	14	48.0%	52.0%	Safe - R	14	48.0%	52.0%
19	Looper (R)	Safe - R	19	48.0%	52.0%	Safe - R	19	48.0%	52.0%
54	Scott (R)	Safe - R	54	48.0%	52.0%	Safe - R	54	48.0%	52.0%
20	Stephens (R)	Safe - R	20	48.0%	52.0%	Safe - R	20	48.0%	52.0%

Note: In "highly comp" (highly competitive) districts, voter shares for both candidates fall between 47.5 percent and 52.5 percent.

In "competitive" districts, voter shares fall between 45 and 47.5 percent for the trailing party and between 52.5 and 55 percent for the leading party.

In "safe" districts, voter shares are greater than 55 percent for either candidate.

LEGISLATIVE COUNCIL  
OF THE  
COLORADO GENERAL ASSEMBLY

AN ANALYSIS OF  
1974 BALLOT PROPOSALS

LEGISLATIVE COUNCIL  
OF THE  
COLORADO GENERAL ASSEMBLY

Research Publication No. 206  
1974

Prohibit Transportation of Students for Racial Balance

5. The proposal should be rejected because it will have serious negative effects on the education of minority children in the core city school system. In the Denver desegregation controversy, the federal district court found that Denver's segregated schools offered minority students unequal educational opportunities. This finding was based on evidence of lower standards of expectations, higher teacher turnover rates, lower levels of teacher experience, lower student achievement, higher dropout rates, and other disadvantageous factors in the minority schools.

6. The busing of school children is not a real issue in the overall Denver desegregation controversy. The Denver school system was busing more than 11,000 students before the original suit was initiated in the controversy in 1969. Since that time, the system has had five years of limited experience with busing for integration. Increased transportation expenses are a small price to pay for the elimination of racial discrimination in the Denver schools and for the enhancement of educational opportunities for a large number of the district's pupils.

AMENDMENT NO. 9 -- INITIATED PROPOSAL

Ballot Title: An act to amend Article V of the Constitution of the State of Colorado concerning the reapportioning of legislative districts by a body to be known as the Colorado Reapportionment Commission, which shall consist of eleven electors, four of whom shall be appointed by the legislative department, three by the executive department, and four by the judicial department of the state, and adding new requirements to be considered in the creation of legislative districts.

Provisions of the Proposed Constitutional Amendment

The proposed constitutional amendment would:

1. Remove from the General Assembly the power to reapportion itself or to revise legislative district boundaries. After each federal census (presently conducted every ten years), an eleven-member commission would assume responsibility for establishing district boundaries for the General Assembly. The commission would consist of: (a) the Speaker and Minority Leader of the state House of Representatives and the Majority and Minority Leaders of the state Senate (or the designees of these legislative leaders); (b) three appointees of the Governor; and (c) four appointees of the Chief Justice of the Colorado Supreme Court.

2. Allow no more than a five percent deviation between the

### Reapportionment Commission

most populous and least populous districts in each house of the General Assembly.

3. Require that "...the aggregate linear distance of all district boundaries shall be as short as possible".

4. Encourage the preservation of communities of interest (including ethnic, cultural, economic, trade area, geographic, and demographic factors) within a single district whenever possible, and discourage the splitting of cities and towns between districts.

5. Require publication of a preliminary reapportionment plan and public hearings on this plan in several areas of the state.

6. Provide for automatic review and ultimate approval of the reapportionment plan by the Colorado Supreme Court.

### Comments

Present Reapportionment Requirements. The Colorado General Assembly is required by the constitution to reapportion districts upon the availability of information from each federal census. The reapportionment must be conducted in accordance with the following criteria: (1) the state must be divided into single-member districts; (2) legislative districts in each house must have populations as nearly equal as may be required by the Constitution of the United States; (3) each district must be as compact in area as possible; and (4) districts must contain whole counties except when it is necessary to split counties to meet population requirements.

If the General Assembly fails to reapportion within 45 days of the convening of a regular session following the availability of census data, no legislator may succeed himself in office or receive any compensation or expenses until a reapportionment plan has been adopted.

Members of the Proposed Commission. The proposal would establish a reapportionment commission outside of the legislative branch of state government. No more than six of the eleven members of the commission could be affiliated with the same political party. The membership of the commission would be determined at least partially by geographic factors (each Congressional district of the state must be represented on the commission, and at least one member of the commission must reside west of the continental divide).

Appointments to the commission would be made in three phases; acceptance of service by legislative leaders or designation of alternates for these leaders would occur prior to gubernatorial appointments, and the appointments of the Governor would occur prior to those of the Chief Justice. Thus, the appointment process would be sufficiently flexible to ensure that the proposal's restrictions on party affiliation and requirements for geographic representation on the commission would be met.

### Reapportionment Commission

Compactness of Districts. The proposal is intended to clarify the present constitutional requirement for compact districts by providing that the "...aggregate linear distance of all district boundaries shall be as short as possible". The intent of the sponsors is to avoid irregularities in district boundary lines which may be placed in a reapportionment plan for reasons not related to natural boundaries, population requirements, and census and local government boundaries.

Conflict with Amendment No. 6. This proposal would amend two sections of the constitution which are also subject to amendment by Amendment No. 6, which was submitted to the voters by the General Assembly. The sections of the constitution which would be amended in conflicting manners by the two proposals are Sections 46 and 48 of Article V.

In its amendment to Section 46 of Article V, this proposal sets a maximum population deviation of five percent between the most populous and the least populous legislative districts. Amendment No. 6 sets a maximum deviation of five percent from the mean legislative district population, or an actual maximum deviation of 10 percent between the most populous and the least populous districts.

Section 48 of Article V vests power in the Colorado General Assembly to revise and alter legislative district boundaries following each federal census. This proposal would reenact this section, vesting reapportionment powers with the Colorado Reapportionment Commission. Amendment No. 6, on the other hand, would amend Section 48 with the addition of certain technical language concerning federal census information needed for reapportionment. (Amendment No. 6 deals primarily with gubernatorial succession and is not an alternate reapportionment plan.)

According to present Colorado law, if both amendments are approved by the voters, the amendment which receives the greatest number of affirmative votes will be adopted for those sections of the constitution in which these conflicts occur (Sections 46 and 48 of Article V). Thus, the proposal for the creation of a Colorado Reapportionment Commission could be jeopardized if Amendment No. 6 receives a greater number of affirmative votes than this proposal. This matter, however, might eventually be brought to court, and a judicial determination might effectively merge the two proposals, since it may be determined that the content of this proposal is more substantive in certain respects than the technical reapportionment amendments contained in Amendment No. 6.

In the preparation of the proposal, the sponsors made every effort to ensure that the language of the amendment was technically correct and consistent with existing provisions of the constitution. The proposal was submitted to the legislative service agencies of the General Assembly for this purpose. An accurately drafted proposal was then filed with the Secretary of State and provided to the printer. Unfortunately, the subsequently printed copies which were

## Reapportionment Commission

actually circulated and signed contained three typographical errors. The most important error involved the deletion of a period in section 47 (2) of the proposal, which tends to cloud the meaning of the section.

### Popular Arguments For

1. Colorado is experiencing one of the highest population growth rates in the nation. Most of the growth is occurring in urban centers, while populations in many other areas are stable or declining. With regard to reapportionment, this means that entitlement to legislative seats will increase for some communities, while seats in other areas must be combined. The combination of seats, of course, often results in two or more incumbent legislators being placed in the same legislative district. Thus, there is considerable personal involvement of legislators in the reapportionment process. Establishment of a reapportionment commission would free the General Assembly from the task of reapportioning itself and would reduce the role that personal decisions play in the reapportionment process.
2. The maximum population deviation of five percent between districts is a reasonable standard which will allow greater flexibility in the location of small cities and towns within single legislative districts and which will make it easier to avoid splitting counties between legislative districts. The use of a five percent deviation would also permit more consideration of the ethnic, cultural, economic, and other aspects of reapportionment called for in the proposal. (The standard of a one percent deviation was employed by the General Assembly in 1972 because no court had, at that time, clearly defined the allowable deviation between legislative district populations. It should be noted that the one percent deviation is not likely to be used by the General Assembly in the future, since less stringent deviations have been declared acceptable in court since 1972.)
3. Adoption of the proposal would mean that reapportionment of legislative districts would occur only once every 10 years (unless the federal census is taken more often than every 10 years). Present constitutional provisions do not place such a limit on the General Assembly. This limitation is necessary to prevent major redistricting efforts during the period between censuses (efforts which are likely to occur with changes in party balance), since such efforts divert legislators' attention from other critical matters.
4. The proposal would reduce the impact that partisan politics can have on the drawing of legislative district boundaries, through the placement of the commission outside the legislative branch and through the requirements for appointment of commission members by all three branches of state government. The proposal's more stringent requirements for consideration of communities of interest, for compact districts, and for minimization of the split-

### Reapportionment Commission

ting of cities and towns, and the public visibility of the activities of the reapportionment commission would tend to reduce the gerrymandering of legislative districts.

5. The present reapportionment process contributes to endless battles over redistricting and to enmity among state lawmakers. This enmity carries over into other legislative business and is damaging to the effectiveness of the General Assembly in its role of enacting laws in the best interests of Colorado citizens.

### Popular Arguments Against

1. In November of 1966, Colorado voters approved a constitutional amendment to take Colorado judges out of politics. The effect of the proposal is to put the Colorado Supreme Court back into politics. The Chief Justice would be required to appoint the final four members of the reapportionment commission. Appointments of the Chief Justice would determine the final geographic and political balance of the commission. Such a duty could place the Chief Justice in an untenable position with regard to the court's review of any plan promulgated by the proposed reapportionment commission. If the Chief Justice disqualifies himself from consideration of any plan, the remaining six justices of the Colorado Supreme Court may be deadlocked in a three-three tie vote on a decision.

2. One of the stated objectives of the sponsors of the proposal is to develop a General Assembly in which members "represent the state as a whole as well as their own districts". However, the requirement of the proposal for the preservation of communities of interest in the drawing of legislative district boundaries may magnify parochialism within the General Assembly rather than encourage responsiveness to overall state needs.

Furthermore, the proposal does not establish clear priorities among the various criteria to be used in the creation of legislative districts. Should the requirement for compact districts take precedence over the requirement for minimizing the splitting of cities and towns? Should cultural and ethnic factors take precedence over economic and trade area factors in the preservation of communities of interest?

3. The sponsors of the proposal are concerned that legislators devote too much time to reapportionment. However, according to the time schedule set forth in the proposal, legislative leaders on the commission could be involved in reapportionment at least from July of the first year until March of the second year following the federal census. Furthermore, the redrawing of United States Congressional districts will continue to be required of the state General Assembly, which will have to devote time and effort to this type of redistricting. Detailed census information and research staff man-hours would thus be needed by both the commission and the General Assembly, adding to the expense of reapportionment.

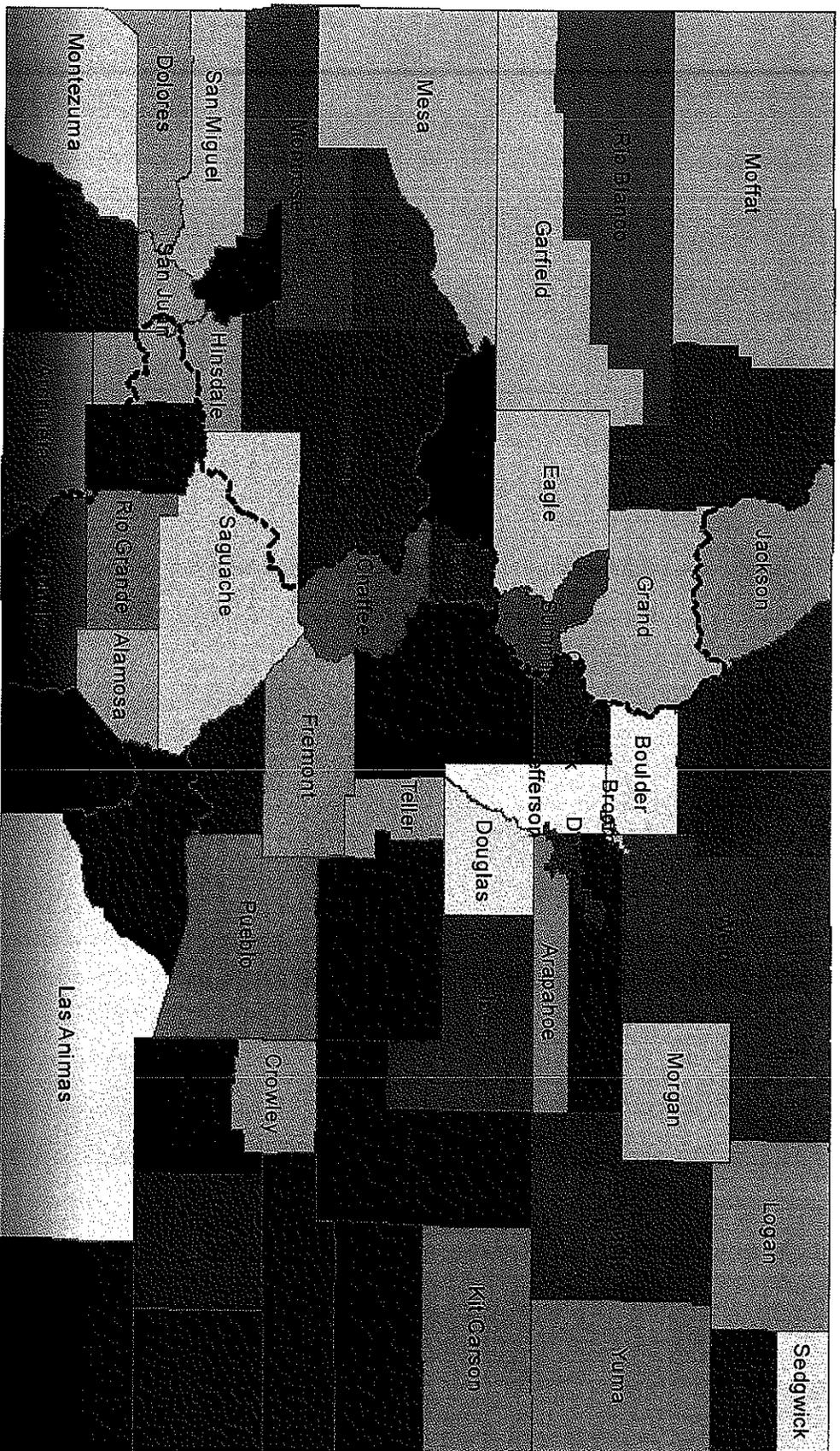
Reapportionment Commission

4. Reapportionment commission plans in other states provide mechanisms for reappointment or court action when the members of a commission are unable to reach agreement on a plan. Although this proposal provides an odd number of commission members and a deadline to be met for the reapportionment plan, the proposal is silent as to the course of action to be taken when the commission is unable to develop a reapportionment plan within required time limits. On the other hand, existing constitutional provisions penalize Colorado legislators until they adopt a reapportionment plan.

5. There is no provision in the proposal restricting non-legislative members of the reapportionment commission from running for election to the General Assembly following implementation of the redistricting plan. Michigan included such a condition in its reapportionment commission law in order to discourage commission members from being influenced by their own political ambitions.

6. The language and conditions set forth in the proposal depart from the established body of Colorado reapportionment case law. If the proposal is adopted, the Colorado Supreme Court is likely to be called upon to establish new guidelines as to its intent and meaning. The possibility of such litigation of the reapportionment process would complicate the 1980 reapportionment.

# Colorado Reapportionment Commission COLORADO COUNTIES



2011 Colorado Reapportionment Commission  
1313 Sherman Street  
Room 122  
Denver, Colorado 80203

## DISTRICT-BY-DISTRICT DESCRIPTION OF THE PLAN

### 1. Senate Districts

#### **Eastern Plains, San Luis Valley, and Pueblo County**

- District 1 This district consists of ten whole counties along the northeastern plains -- Sedgwick, Logan, Phillips, Morgan, Washington, Yuma, Elbert, Lincoln, Kit Carson, and Cheyenne -- and the rural portions of Weld County, including the towns of Eaton, Kersey, Hudson, Keenesburg, and Lochbuie.
- District 3 This district is wholly within Pueblo County. It includes all of the city of Pueblo and the unincorporated area of Pueblo West.
- District 35 This new district in southeastern Colorado includes sixteen whole counties and the rural portions of Pueblo County. It includes Crowley, Kiowa, Otero, Bent, Prowers, Las Animas, and Baca Counties in the southeastern corner of Colorado, the six counties in the San Luis Valley -- Mineral, Saguache, Rio Grande, Alamosa, Conejos, and Costilla -- together with Custer and Huerfano Counties.

#### **Western Slope**

- District 5 This central mountains district is comprised of the whole counties of Eagle, Pitkin, Lake, Delta, Gunnison, Chaffee, and Hinsdale.
- District 6 This district consists of eight whole counties in the southwestern corner of the state -- Montrose, Ouray, San Miguel, Dolores, San Juan, Montezuma, La Plata, and Archuleta.
- District 7 The County of Mesa makes up this district.
- District 8 The eight remaining counties on the western slope make up this district -- Moffat, Rio Blanco, Garfield, Routt, Jackson, Grand, and Summit.

#### **El Paso County and Central Front Range**

- District 2 This district includes the rural portions of El Paso County not contained in Senate Districts 9 through 12 together with the whole counties of Park, Teller, and Fremont.
- District 9 This district starts in the northeast corner of El Paso County including the towns of Palmer Lake and Monument and the United States Air Force Academy and covers the northeastern portions of Colorado Springs.
- District 10 This district covers most of the eastern portion of Colorado Springs and the

enclave of Cimarron Hills surrounded by Colorado Springs.

- District 11 Similar to the district adopted in 2002, this district includes the city of Manitou Springs and moves into central Colorado Springs.
- District 12 This district covers the eastern portions of Colorado Springs not in Senate District 11 and includes the Security-Widefield area and the city of Fountain.

### **Larimer and Weld Counties and the City and County of Broomfield**

- District 13 This district lies entirely within Weld County and includes all of the cof Greeley.
- District 14 The city of Fort Collins is wholly within this district. It includes unincorporated enclaves surrounded by or adjoining Fort Collins.
- District 15 This district includes most of the remainder of Larimer County not in Senate District 14 except for a small portion along the eastern border. It includes all of the city of Loveland.
- District 23 This district runs along the Interstate 25 corridor in Larimer and Weld Counties and includes the whole City and County of Broomfield. It includes all of the towns of Winsor, Johnstontown, Mead, Firestone, and Frederick and the city of Dacona as well as the Weld County portions of Longmont and Erie.

### **Boulder County**

- District 17 This district is wholly in Boulder County and includes all of the cities of Longmont, Lafayette, and Louisville.
- District 18 This district covers most of the remaining portions of Boulder County not in Senate District 17 and includes the entire city of Boulder.

### **Jefferson, Gilpin, and Clear Creek Counties**

- District 16 This district includes the whole counties of Clear Creek and Gilpin. It includes northwestern Jefferson County including the city of Golden and portions of the cities of Arvada and Lakewood. To complete the population, it includes the town of Superior and the portion of Coal Creek in Boulder County.
- District 19 This district covers the northeastern corner of Jefferson County and includes the Jefferson County portions of the city of Westminister and most of the city of Aravada.
- District 20 This district runs along the eastern border of Jefferson County and includes all of the cities of Wheat Ridge and Edgewater and portions of the city of Lakewood.

District 22 This district covers the southern portion of Jefferson County including the unincorporated areas of Columbine, Ken Caryl, and Dakota Ridge to the east and Genessee, Evergreen, and Indian Hills in the foothills.

### **Adams County**

District 21 This district is wholly within Adams County and includes all of Commerce City as well as the unincorporated areas of Derby, Welby, Sherrelwood, and Berkley.

District 24 This district covers the northwestern corner of Adams County and includes all of the cities of Northglenn and Federal Heights and the Adams County portions of Westminster and Thornton.

District 25 This district covers the remaining portions of Adams County not in Senate Districts 21 or 24. It includes all of the city of Brighton, the portion of Thornton not in Senate District 24 and the Adams County portion of the city of Aurora.

### **Arapahoe County**

District 26 This district runs along the border between Denver and Arapahoe County. It includes the portion of Denver south of Hampden Avenue and east of Dahlia Street. It includes the whole cities of Sheridan, Englewood, Cherry Hills Village and Greenwood Village as well as all of the Arapahoe County portions of Littleton.

District 27 This district covers the eastern portions of Arapahoe County into the city of Aurora. It runs along the southern border of Arapahoe County to take in the town of Foxfield and most of the city of Centennial.

District 28 This district starts on the west with unincorporated portions of Arapahoe County bordering Denver and moves east through Aurora. Its northernmost border runs along Mississippi Avenue to Interstate 225 then south to Iliff Avenue. To the south it generally follows Smokey Hill Road to the border of the city of Centennial. Its most eastern border runs from Airline Road down Harvest Road to Smokey Hill Road.

District 29 This district is in the northwest corner of Arapahoe County and includes portions of Aurora and unincorporated enclaves surrounded by Aurora. Its northern and western borders are generally the borders of Arapahoe County. It runs east to Powhaton Road and its southern most border is Hampden Avenue.

### **Douglas County**

District 4 This district covers most of Douglas County and includes all of the towns of Parker and Castle Rock.

District 30 This district covers the remainder of Douglas County (i.e. the area not contained in Senate District 4 and includes all of the area of Highlands Ranch and the city of Lone Tree.

### **City and County of Denver**

District 31 This district covers the southeastern corner of Denver including the enclaves of Glendale and Holly Hills. To the north, it extends west along Colfax Avenue to include the Cheesman Park and Golden Triangle areas as well as a portion of the Baker neighborhood.

District 32 This district covers the southeastern corner of Denver generally up to Mississippi Avenue to the north and Colorado Boulevard to the east. It includes the University Hills and Washington Park neighborhoods.

District 33 This district includes the northeast corner of Denver from Denver International Airport generally to Colfax Avenue on the south and west to Larimer Street. It includes the Park Hill and City Park neighborhoods.

District 34 This district covers the northwest corner of Denver to Mississippi Avenue on the south and east to the downtown business district. It includes the Elyria/Swansea neighborhood to the north and the Athmar Park neighborhood to the south.

## **2. House Districts**

### **City and County of Denver**

- District 1 This district covers the southeastern corner of Denver. It includes a small enclaves of Jefferson County including portions of Bow Mar. The Mar Lee and Harvey Park neighborhoods are within its boundaries
- District 2 This district includes the south central portions of Denver. It covers the Washington Park and Capitol Hill neighborhoods.
- District 4 This district covers the northwestern corner of Denver. The Berekley and Barnum Park neighborhoods are included in it.
- District 5 This district encompasses the north central portions of Denver including the central business district. It includes the Globeville neighborhood on the north and the Valverde neighborhood on the south.
- District 6 District 6 runs along the middle of the eastern border of Denver. It includes the Hilltop and Lowry neighborhoods. It includes small enclaves of Arapahoe County on Denver's eastern border.
- District 7 This district includes the northeastern corner of Denver including Denver International Airport and the neighborhoods of Green Valley Ranch and Montbello.
- District 8 This district includes the central portions of Denver including the City Park and Cheeseman Park neighborhoods.
- District 9 This district covers the southeastern corner of Denver. It includes the Arapahoe County enclaves of Glendale and Holly Hills.

### **Boulder County and the City and County of Broomfield**

- District 10 This district is in central Boulder County and includes the northern part of the city of Boulder generally north of Arapahoe Avenue and then east to Highway 287. It also includes a portion of the city of Longmont south of Clover Basin Drive and the diagonal highway.
- District 11 This district covers the northeastern corner of Boulder County and includes portions of the city of Longmont not in House District 10. It runs along the eastern border of Boulder County to the city limits of Erie.
- District 12 This district starts in Boulder County with the cities of Louisville, Lafayette and all of Erie and extends into Weld County to include the cities of Firestone,

Frederick, and Dacona.

District 13 District 13 includes the remainder of the city of Boulder not in House District 10 and the rural portions of western Boulder County, including the towns of Nederland, Ward, and Johnstown.

District 33 This district covers all of the City and County of Broomfield and finishes the population with a portion of Boulder County including the town of Superior.

### **El Paso**

District 14 This district is wholly within the city of Colorado Springs and covers most of the north central portion of the city. Its borders are generally Briargate Parkway to the north, Academy Boulevard to the west, Austin Bluffs Parkway to the south and Prowers Boulevard to the east.

District 15 This district covers the northeastern corner of Colorado Springs. A large majority of its population is in the city. Its borders are generally Woodman Road to the north, Austin Bluffs Parkway and Academy Boulevard to the east, and Highway 24 to the south and west.

District 16 This district includes the northwestern corner of Colorado Springs. Nearly all of its population is in the city. Its borders are generally the city boundaries to the north and west, Fillmore and La Salle Streets to the south and Academy Boulevard to the east.

District 17 This district covers the south central portions of Colorado Springs and the Stratmoor area. Its northern border is generally Highway 24 and its eastern border is Prowers Boulevard. Its southern border follows the edges of the Security-Widefield and Stratmoor areas and Interstate 25 is part of the western border.

District 18 This district runs from the downtown area of Colorado Springs along Highway 24 to the town of Manitou Springs to the west. Its northern border in the city is generally Fillmore and La Salle Streets, its eastern most border is Academy Boulevard, and its southern border generally follows Cheyenne Road.

District 19 This district covers the rural portions of eastern El Paso County and also includes the city of Fountain and portions of Colorado Springs east of Prowers Boulevard and south of Highway 24.

District 20 This district covers the northwestern corner of El Paso County and includes the towns of Palmer Lake and Monument and the United States Air Force Academy. Its eastern border is Highway 83. Its southern border generally follows Rampart Range Road to the west and Woodman Road to the east.

District 21 This district includes the western portions of El Paso County including Green Mountain Falls and Fort Carson. It also covers a portion of Colorado Springs to the south of Cheyenne Road and the west of Interstate 25.

### **Jefferson County and Foothills Counties**

- District 22 This district covers unincorporated portions of Jefferson County south of Lakewood including the areas of Dakota Ridge and Ken Caryl.
- District 23 This district includes the portions of Lakewood north of Sixth Avenue and most of the area west of Kipling Street.
- District 24 This district covers central Jefferson County and includes the towns of Golden, Wheat Ridge, and Edgewater.
- District 25 District 25 includes the foothills counties of Park, Clear Creek, and Gilpin and extends to include the rural portions of southern Jefferson County. It includes the areas of Genesse, Evergreen, and Aspen Park.
- District 27 This district covers the northwestern corner of Jefferson County and includes portions of the city of Arvada west of Wadsworth Boulevard.
- District 28 District 28 is composed of the city of Lakewood south of Sixth Avenue and east of Kipling Street as well as the portion of Lakewood south of Morrison Road and north of Highway 285.
- District 29 This district starts in the northeastern corner of Jefferson County and includes all of the city of Westminster in Jefferson County and most of the city of Arvada east of Wadsworth Boulevard.

### **Adams County**

- District 30 This district runs along the northern border of Adams County and includes the city of Brighton and portions of the city of Thornton generally north of 124th Avenue and east of Claude Court.
- District 31 This district is in the central portion of eastern Adams County and includes all of the Adams County portions of the city of Northglenn and portions of Thornton south of 124th Avenue and north of Thornton Parkway.
- District 32 District 32 covers the southeastern portions of Adams County and includes all of Commerce City and the areas of Berkeley and Derby. Its southern and eastern borders are generally the county lines.
- District 34 This district includes the southern portions of Thornton together with the town of

Federal Heights and the areas of Sherrelwood and Welby.

District 35 This district runs along the western border of Adams County and includes all of the Adams County portions of Westminster. Its eastern edge is generally the borders of Northglenn, Federal Heights, and Sherrelwood.

District 56 This district includes all of the portions of the city of Aurora in Adams County. It finishes its population with a portion of the city of Aurora in Arapahoe County to the Denver border to the west, Alameda Avenue to the south, and Potomac Street to the east.

### **Arapahoe County**

District 3 This district runs along the northern border of Arapahoe County and includes the cities of Sheridan, Englewood, Cherry Hills Village, and Greenwood Village. It also includes the northern portions of the city of Littleton.

District 36 District 36 runs largely along the eastern edge of Aurora. At its northern edge, it runs to Chambers Road and Mississippi Avenue. At its southern edge, it runs to Tower Road.

District 37 District 37 runs along the southern border of Arapahoe County and includes most of the city of Centennial. Its eastern edge is the border of Aurora.

District 38 This district covers the southwestern corner of Arapahoe County including the southern portions of the city of Littleton and the western portions of the city of Centennial. To finish its population, it takes the Jefferson County portions of the city of Littleton together with unincorporated portions of Jefferson County.

District 40 District 40 joins the Cherry Creek reservoir and the area of Cherry Creek with portions of Aurora. Its northern border is generally Hampden Avenue. Its southern border is largely Caley Avenue.

District 41 This district covers the unincorporated portions of Arapahoe County bordering Denver and portions of Aurora. Its northern border follows the border of the Cherry Creek School District to Interstate 225 where it generally runs from Iliff Avenue or Yale Avenue to Tower Road. Its southern border is Parker Road and Hampden Avenue.

District 42 The northeast corner of District 42 starts at Colfax Avenue and Chambers Road where it runs south to Mississippi Avenue and east past Kansas Drive. Its southern border runs along Yale and Iliff Avenues. Its western border runs largely along the Cherry Creek School District border.

### **Douglas and Teller Counties**

- District 39 This district joins the whole county of Teller with the rural portions of Douglas County including the areas of Perry Park, Larkspur, and Franktown. It includes a small portion of Highlands Ranch.
- District 43 District 43 is wholly within Highlands Ranch except for small enclaves along the northern border of Douglas County.
- District 44 This district includes the city of Lone Tree and the town of Parker.
- District 45 This district includes all of the cities of Castle Rock and Castle Pines North and the areas of Castle Pines and The Pinery.

#### **Southeastern and Southern Colorado and Pueblo County**

- District 46 This district lies wholly within Pueblo County and includes portions of the city of Pueblo largely south of 24th Street and west of Interstate 25. It runs to the southwestern corner of Pueblo County with Interstate 25 being most of its eastern border.
- District 47 District 47 joins the eastern portion of Las Animas County including the city of Trinidad with portions of northern and eastern Pueblo County including portions of the city of Pueblo not in House District 46 or 62 and most of Pueblo West.
- District 62 This district joins the six whole counties in the San Luis Valley, Mineral, Saguache, Rio Grande, Alamosa, Conejos, and Costilla with all of Huerfano County and portions of Pueblo County.
- District 63 This district includes the whole counties of Kit Carson, Lincoln, Cheyenne, Kiowa, Crowley, Otero, Bent, Prowers and Baca with the portion of Las Animas County not in House District 47 and the portion of Elbert County not in House District 65.

#### **Larimer and Weld Counties and Northeastern Colorado**

- District 48 This district is wholly within Weld County and includes portions of the city of Greeley roughly west of 35th Avenue. It also includes the Weld County portions of Berthoud and Johnstown and the towns of Miliken and Mead.
- District 49 District 49 joins the rural portions of Larimer County with a small part of Weld County. It includes both the Weld County and Larimer County portions of the town of Winsor and the towns of Estes Park, Wellington, and Timnath.
- District 50 This district is wholly within Weld County and includes the portion of Greeley generally east of 35th Avenue. It also includes all of the city of Evans and the town of Garden City.

- District 51 This district is wholly within Larimer County and includes all of the city of Loveland and the Larimer County portion of Johnstown. Its northern border is roughly the city of Fort Collins.
- District 52 District 52 covers the eastern half of Fort Collins. Its western border is roughly College Avenue but it includes portions north of Mulberry Street and east of Loomis Avenue.
- District 53 This district covers the eastern half of Fort Collins west of College Avenue.
- District 63 This district includes all of Morgan County and the rural areas of Weld County. It includes the city of Fort Lupton and the towns of Hudson, Keenesburg and Kersey.

### **Western Slope and Central Mountains**

- District 26 This district includes the whole counties of Grand and Summit with the eastern portion of Eagle County. It includes the towns of Vail, Minturn and Eagle in Eagle County.
- District 54 District 54 joins portions of Mesa County with portions of Delta County. In Mesa County, portions of Grand Junction are included as well as the city of Fruita and the areas of Redlands and Orchard Mesa. In Delta County, the city of Delta and the towns of Orchard City and Cedaredge are included.
- District 55 This district lies wholly within Mesa County. It includes portions of the city of Grand Junction and the area of Clifton together with the town of Palisade.
- District 57 District 57 covers the northwestern corner of Colorado and includes the whole counties of Jackson, Routt, Moffat, and Rio Blanco. It includes all but the southeastern corner of Garfield County including the city of Rife and the town of Silt. It also includes a portion of Mesa County including the town of De Beque.
- District 58 This district covers the southwestern corner of Colorado and includes the whole counties of Montrose and Dolores. It includes the eastern portion of Delta County with the towns of Paonia, Hotchkiss and Crawford, the western half of San Miguel County, and the western half of Montezuma County including the city of Cortez and the town of Mancos. The Ute Mountain Ute Reservation is also within this district.
- District 59 District 59 includes the whole counties of Ouray, San Juan, La Plata, and Archuleta. It also includes the western half of San Miguel County, including the towns of Norwood and Telluride, and the western portions of Montezuma County, including the town of Dolores.

District 61 This District covers the whole counties of Pitkin, Gunnison, and Hinsdale. It also includes the southeast corner of Garfield County, including the city of Glenwood Springs and the towns of New Castle and Carbondale, and the southwestern corner of Eagle County, including the towns of Gypsum and Basalt.

## Voting Patterns by Race/Ethnicity in Recent Elections in the San Luis Valley

Prepared by Dr. Lisa Handley  
Principal, Frontier International Electoral Consulting

### Scope of Project

I was retained by McKenna Long & Aldridge, legal counsel to the Colorado Reapportionment Commission, to perform a racial bloc voting analysis of recent elections (2008 and 2010) in the Colorado counties that make up the San Luis Valley. I have conducted similar analyses on behalf of the Colorado Reapportionment Commission in both 1991 and 2001.<sup>1</sup> This most recent analysis was undertaken to determine if voting in the San Luis Valley and State House District 62 is still racially polarized. My analysis leads me to conclude that it is: Hispanic voters in the San Luis Valley and State House District 62 are still politically cohesive and Anglos usually vote as a bloc against these Hispanic-preferred candidates.

### Professional Background and Experience

I have advised numerous jurisdictions and other clients on voting rights-related issues and have served as an expert in dozens of voting rights and redistricting cases. My clients have included scores of state and local jurisdictions, a number of civil rights organizations, the U.S. Department of Justice, and such international organizations as the United Nations.

I have been actively involved in researching, writing and teaching on subjects relating to voting rights, including minority representation, electoral system design and redistricting. I co-authored a book, *Minority Representation and the Quest for Voting Equality* (Cambridge University Press, 1992), and numerous articles, as well as co-edited a volume (*Redistricting in Comparative Perspective*, Oxford University Press, 2008) on these subjects. I have taught several political science courses, both at the undergraduate and graduate level, related to representation and redistricting and have trained election commissions around the world on the basics of redistricting. I hold a Ph.D. in political science from George Washington University.

I have been a principal of Frontier International Electoral Consulting since co-founding the company in 1998. Frontier IEC specializes in providing electoral assistance in transitional democracies and post-conflict countries.

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<sup>1</sup> My conclusion that voting was racially polarized in 1991 was later confirmed by the Tenth Circuit Court of Appeals in *Sanchez v. State of Colorado* (97 F.3d 1303 (10<sup>th</sup> Cir. 1996) which, in addition to my analysis, also considered data from subsequent elections. The existence of racially polarized voting, along with other factors, led the *Sanchez* court to conclude that the failure to create a majority minority district in the San Luis Valley constituted a violation of Section 2 of the Voting Rights Act of 1965.

## Racial Bloc Voting Analysis

An election is racially polarized if minorities and whites, considered separately, would have elected different candidates (this is referred to as the "separate electorates test" in the seminal 1986 US Supreme Court decision *Thornburg v. Gingles*). An analysis of voting patterns by race serves as the foundation of two of the three elements of the "results test" as outlined in *Gingles*: a racial bloc voting analysis is needed to determine whether the minority group is politically cohesive; and the analysis is required to determine if whites are voting sufficiently as a bloc to usually defeat minority-preferred candidates.<sup>2</sup>

The voting patterns of white and minority voters must be estimated using statistical techniques because direct information about how individuals have voted is simply not available. I used three complementary statistical techniques to estimate voting patterns by race: homogeneous precinct analysis, bivariate ecological regression and ecological inference.<sup>3</sup> Two of these analytic procedures – homogeneous precinct analysis and bivariate ecological regression – were employed by the plaintiffs' expert in *Thornburg v. Gingles* and have the benefit of the Supreme Court's approval in this case. These statistical methods have been used in most subsequent voting rights cases. The third technique, ecological inference, was developed after the Court considered *Gingles* and was designed to address the issue of out-of-bounds estimates (estimates that exceed 100 percent or are less than zero percent) which can arise in bivariate ecological regression analysis. Ecological inference analysis has been introduced and accepted in numerous district court proceedings.

## Findings

I examined several recent general election contests in the San Luis Valley, beginning with the 2008 and 2010 state house contests held in State House District 62. (Both of these contests included a Hispanic candidate, Edward Vigil.) I also analyzed a number of statewide and

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<sup>2</sup> The "results test" as interpreted by the Supreme Court in *Thornburg v. Gingles* requires plaintiffs to demonstrate three threshold factors to establish a §2 violation:

- The minority group must be sufficiently large and geographically compact to constitute a majority in a single member district;
- The minority group must be politically cohesive;
- The minority group must be able to demonstrate that the white majority votes sufficiently as a bloc to enable it – in the absence of special circumstances, such as the minority candidate running unopposed – usually to defeat the minority's preferred candidate.

<sup>3</sup> These three statistical approaches to measuring racial bloc voting are discussed in Bruce M. Clark and Robert Timothy Reagan, "Redistricting Litigation: An Overview of Legal, Statistical and Case-Management Issues" (Federal Judicial Center, 2002). For further explanation of homogenous precinct analysis and bivariate ecological regression see Bernard Grofman, Lisa Handley and Richard Niemi, *Minority Representation and the Quest for Voting Equality* (Cambridge University Press, 1992). See Gary King, *A Solution to the Ecological Inference Problem* (Princeton University Press, 1997) for a more detailed explanation of ecological inference.

congressional contests designed to investigate the voting patterns of Anglos and Hispanics in the San Luis Valley more generally. (Although the election contests encompassed more than simply San Luis Valley voters, my analysis looked only at the voting behavior of voters that resided in the six counties that make up the San Luis Valley as well as those portions of Huerfano and Pueblo counties that fall within House District 62.<sup>4</sup>)

Two congressional contests since 2008 included a Hispanic candidate in the San Luis Valley, the 2008 and 2010 race for the US Representative to District 3. I examined both of these contests. In addition, although neither of the top candidates were Hispanic, the gubernatorial contest in 2010 included a Hispanic candidate for Lieutenant Governor (Joseph Garcia) so I analyzed this contest. The US Senate races in 2008 and 2010 were also included in my analysis, in large part because the race for governor in 2010 was unusual (the contest included a weak Republican candidate and a strong third party candidate).

**State House District 62** Table 1, below, lists estimates of the percentage of Anglo and Hispanic voters that voted for each of the candidates competing in the 2010 and 2008 state house contests.

**Table 1: Voting Patterns by Race/Ethnicity in the 2008 and 2010 State House District 62 General Election Contests<sup>5</sup>**

Contest and Candidates	Candidate Information		Estimate of the Percent of Anglo and Hispanic Voters Casting a Vote for Each of the Candidates					
	Party	Race	Anglo Voters			Hispanic Voters		
			Homogen Precinct (2 precincts)	Bivariate Regression	Ecological Inference	Homogen Precinct (1 precinct)	Bivariate Regression	Ecological Inference
<b>2010 General</b>								
Jackson	REP	Anglo	66.6	74.7	77.4	10.1	0.0	8.5
Vigil*	DEM	Hispanic	33.4	25.3	22.7	89.9	100.0	91.5
<i>Turnout</i>			73.1	68.2	67.5	60.3	21.7	20.9
<b>2008 General</b>								
Jackson	REP	Anglo	64.3	76.4	76.2	8.9	0.0	8.0
Vigil*	DEM	Hispanic	35.7	23.6	26.6	91.1	100.0	91.8
<i>Turnout</i>			76.4	75.3	71.7	57.4	35.6	36.9

<sup>4</sup> The six counties that fall within the San Luis Valley include Alamosa, Conejos, Costilla, Mineral, Rio Grande and Saguache. The racial bloc voting analysis focused on Hispanic voting behavior (compared to Anglo voting behavior) because Hispanics are the only minority group protected under the Voting Rights Act of sufficient size and geographic concentration in the San Luis Valley to be of potential concern, as well as the only minority group sufficiently numerous to be able to produce reliable estimates of voting patterns.

<sup>5</sup> The asterisk (\*) beside a name in the table denotes the winning candidate in the San Luis Valley. (The candidate may not have won district or statewide, however.)

The same two candidates, Randy Jackson and Edward Vigil, competed in both the 2008 and 2010 state house general elections. Vigil is Hispanic; Jackson is Anglo. The overwhelming majority of Hispanic voters (90% or more) supported Vigil in both elections. A strong majority of Anglo voters (75% or more) supported his opponent, Jackson, in the 2008 and 2010 contests.

Both of these contests are very clearly racially polarized. However, because State House District 62 is majority Hispanic in composition (as a result of voting rights litigation in the 1990s) the Hispanic-preferred candidate, Vigil, won in 2008 and 2010.<sup>6</sup>

*US House District 3* Table 2, below, contains the estimates of the percentage of Anglo and Hispanic voters that voted for each of the candidates competing in the 2010 and 2008 general election contest for US Representative from Congressional District 3.

**Table 2: Voting Patterns by Race/Ethnicity in the 2008 and 2010  
US House District 3 General Election Contests<sup>7</sup>**

Contest and Candidates	Candidate Information		Estimate of the Percent of Anglo and Hispanic Voters Casting a Vote for Each of the Candidates					
	Party	Race	Anglo Voters			Hispanic Voters		
			Homogen Precinct (5 precincts)	Bivariate Regression	Ecological Inference	Homogen Precinct (1 precinct)	Bivariate Regression	Ecological Inference
<b>2010 General</b>								
Tipton	REP	Anglo	54.0	61.3	62.1	3.8	0.0	4.4
Salazar*	DEM	Hispanic	46.0	38.7	35.6	96.2	100.0	95.4
<i>Turnout</i>			70.0	64.8	62.9	59.6	18.0	19.2
<b>2008 General</b>								
Wolf	REP	Anglo	38.9	44.0	44.1	2.4	0.0	1.5
Salazar*	DEM	Hispanic	61.1	56.0	55.8	97.6	100.0	98.7
<i>Turnout</i>			81.2	78.4	75.8	67.0	35.9	35.7

These two contests included the same Hispanic candidate, John Salazar. His opponents were both Anglos: Wayne Wolf in 2008 and Scott Tipton in 2010. The contest in 2008 was not racially polarized: the majority of Anglos and the overwhelming majority of Hispanics supported the incumbent, Salazar.<sup>8</sup> But in the off-presidential year election of 2010, with lower turnout rates for both groups (especially Hispanics), voting was clearly racially

<sup>6</sup> Despite comparable percentages of Hispanics and Anglos voting for Vigil in 2008 and 2010, his winning percentage declined slightly from 57.8% to 55.9% between 2008 and 2010. This was likely the result of the lower turnout rates in 2010 as compared to 2008, especially among potential Hispanic voters.

<sup>7</sup> The asterisk (\*) beside a name in the table denotes the winning candidate.

<sup>8</sup> Salazar, of course, won the 2008 contest.

polarized. Over 95% of the Hispanics voting cast their ballot for Salazar; the majority of whites, however, supported his Anglo opponent, Tipton. Despite the presence of polarized voting in 2010, the Hispanic-preferred candidate carried the San Luis Valley – Salazar lost the congressional district as a whole, however.<sup>9</sup>

**2010 Gubernatorial Contest in San Luis Valley** Estimates of Anglo and Hispanic voting patterns in the 2010 gubernatorial contest in the San Luis Valley can be found in Table 3, below.

**Table 3: Voting Patterns by Race/Ethnicity in the 2010 Gubernatorial General Election Contest<sup>10</sup>**

Contest and Candidates	Candidate Information		Estimate of the Percent of Anglo and Hispanic Voters Casting a Vote for Each of the Candidates					
	Party	Race	Anglo Voters			Hispanic Voters		
			Homogen Precinct (5 precincts)	Bivariate Regression	Ecological Inference	Homogen Precinct (1 precinct)	Bivariate Regression	Ecological Inference
Maes/Tambor	REP	Anglo/Anglo	19.6	17.9	19.2	12.3	0.0	5.5
*Hickenlooper/Garcia	DEM	Anglo/Hispanic	45.2	39.8	40.2	83.2	100.0	92.4
Tancredo/Miller	ACP	Anglo/Anglo	35.1	42.1	41.0	4.5	0.0	2.5
Turnout			75.3	68.8	64.7	57.4	23.4	21.0

The presence of a weak Republican candidate (Dan Maes) and a strong third party candidate (Tom Tancredo, American Constitution Party) complicated the gubernatorial contest in 2010.

A very large majority of Hispanic voters supported the Democratic candidate, John Hickenlooper and his Hispanic running mate, Joseph Garcia. Anglo voters divided their support, with no candidate receiving a majority of the Anglo vote. In fact, it is difficult to determine who the first choice of Anglos in the San Luis Valley was because the estimates for Tancredo and Hickenlooper are very close (and the homogeneous precinct estimate, unlike the bivariate regression and ecological inference estimates, indicates that the plurality choice of white voters was the Democratic ticket for governor). However, if the two relatively more conservative Republican and ACP candidate votes are combined, then

<sup>9</sup> The area included in my analysis (the six counties of the Valley as well as portions of Huerfano and Pueblo Counties) makes up 30% of the population of Congressional District 3.

<sup>10</sup> The asterisk (\*) beside a name in the table denotes the candidate that carried the San Luis Valley. (In this instance, this is also the candidate who won statewide.)

Hickenlooper would clearly not have been the choice of Anglo voters.<sup>11</sup> Hickenlooper and Garcia carried the San Luis Valley (as well as the state).

**Additional Election Contests** Because the presence of a third party candidate complicated the conclusions that could be drawn from the 2010 race for governor, I also examined the two US Senate contests held in 2008 and 2010 even though there were no Hispanic candidates running in these two contests. Table 4, below, indicates the results of my analyses.

**Table 4: Voting Patterns by Race/Ethnicity in the 2008 and 2010 US Senate General Election Contests<sup>12</sup>**

Contest and Candidates	Candidate Information		Estimate of the Percent of Anglo and Hispanic Voters Casting a Vote for Each of the Candidates					
	Party	Race	Anglo Voters			Hispanic Voters		
			Homogen Precinct (5 precincts)	Bivariate Regression	Ecological Inference	Homogen Precinct (1 precinct)	Bivariate Regression	Ecological Inference
<b>2010 General</b>								
Buck	REP	Anglo	52.1	59.6	62.6	11.9	0.0	6.2
Bennett*	DEM	Anglo	39.3	35.1	32.3	83.5	100.0	92.0
Minor candidates			8.6	5.2	5.4	4.5	4.4	4.9
<i>Turnout</i>			73.0	66.7	65.2	56.4	17.1	19.3
<b>2008 General</b>								
Schaffer	REP	Anglo	50.3	57.1	59.7	6.7	0.0	3.5
Udall*	DEM	Anglo	43.6	38.3	34.1	88.6	100.0	87.3
Minor candidates			6.2	4.6	4.7	4.7	7.1	6.3
<i>Turnout</i>			81.3	78.4	76.4	61.9	33.6	35.2

Both of the US Senate contests were polarized, with a very strong (well over 80%) majority of Hispanics in the San Luis Valley supporting the Democratic candidate in both years (Mark Udall in 2008 and Michael Bennett in 2010) and a majority of Anglo voters in the San Luis Valley supporting the Republican candidate in both years (Bob Schaffer in 2008 and Ken Buck in 2010). The Democratic candidate carried the majority Hispanic San Luis Valley (and the state) in both contests despite the presence of racially polarized voting.

<sup>11</sup> Tancredo was formerly a Republican Congressman from Colorado who ran as an ACP candidate after Dan Maes became the Republican nominee for Governor. He ran on a strong anti-immigration platform and commentators agree that his supporters were predominately voters who might otherwise have voted Republican. See, for example <http://blogs.denverpost.com/thespot/2010/07/26/tancredo-will-run-for-governor-as-american-constitution-party-candidate/12382/>; [http://www.denverpost.com/election2010/ci\\_16506656](http://www.denverpost.com/election2010/ci_16506656); [http://www.denverpost.com/news/ci\\_16023200](http://www.denverpost.com/news/ci_16023200); <http://www.politicsdaily.com/2010/10/22/national-conservative-group-endorses-tom-tancredo-for-governor/> and <http://www.csmonitor.com/USA/Elections/2010/1027/Is-Tom-Tancredo-the-next-governor-of-Colorado>.

<sup>12</sup> The asterisk (\*) beside a name in the table denotes the candidate that carried the San Luis Valley.

## Conclusion

Voting in the San Luis Valley continues to be racially polarized and Hispanic voters are still politically cohesive in support of their preferred candidates. In fact, Hispanics were strongly cohesive in all seven contests examined. In the vast majority of these contests (at least five of the seven elections examined), Anglo voters supported the opponent of the Hispanic-preferred candidate. In only one of the seven contests – the 2008 race for US House District 3 – was voting clearly not racially polarized. The Hispanic-preferred candidate carried the vote in the San Luis Valley in all instances,<sup>13</sup> however, because both State House District 62 and the San Luis Valley are majority Hispanic in composition. I therefore conclude that maintaining districts in which Hispanics are a majority is essential to satisfy Section 2 of the Voting Rights Act.

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<sup>13</sup> Although John Salazar won a majority of the vote in the San Luis Valley, he was defeated in his bid for re-election in 2010 because the other areas of Congressional District 3 voted heavily for his opponent, Scott Tipton.