

SUPREME COURT, STATE OF COLORADO 101 West Colfax Avenue, Suite 800 Denver, Colorado 80202	
Original Proceeding Pursuant to the Colorado Rules of Reapportionment Proceedings.	
IN REAPPORTIONMENT OF THE COLORADO GENERAL ASSEMBLY	Supreme Court Case No. 2011SA282
Mi Familia Vota Education Fund 2525 Alameda Ave Denver, CO 80212 303-727-8034	
Mi Familia Vota Education Fund's Statement Supporting Reapportionment Commission's Final House and Senate Plans	

Pursuant to the Court's order, Mi Familia Vota Education Fund hereby submits a statement in support of the Commission's proposed final plans.

STATEMENT

Mi Familia Vota Education Fund is a 501 (c) 3 organization with its office in Denver, Colorado. We have over 8,000 supporters in Colorado, largely based in the Denver Metro area. Mi Familia Vota Education Fund's work involves increased civic participation in the Hispanic Community through increased education around public policy and voter engagement.

Mi Familia Vota Education Fund writes in support of the Colorado Reapportionment House Plan Fv1 and Senate Plan Ev1 approved by the Colorado Reapportionment Commission and currently under consideration by the State Supreme Court.

We urge the court to grant the Reapportionment Commission broad discretion and conduct a narrow review of the plans submitted to determine if there was an abuse of discretion. The Court should "not redraw the reapportionment map for the Commission." In re

Reapportionment 82, 647 P.2d 191, 194 (Colo. 1992). The Court's "role in this proceeding is a narrow one: to measure the present apportionment plan against the constitutional standards. The choice among alternative plans, each consistent with constitutional requirements, is for the Commission and not the Court. Id.

Like the Court, Mi Familia Vota Education Fund "might make different choices were we in the Commission's place;" however, the Court "should not substitute our judgment for the Commission's unless we are convinced the Commission departed from constitutional criteria." Id. at 197.

The adopted plans should be adopted by the court as they meet the applicable federal and Colorado Constitutional Standards.

First, both plans meet the equal population requirement of the federal constitution as well as Colo. Const. art V, section 46. The deviation of the least populous district is no more than 5% than the most populous district.

Second, the plans reduce the number of times that one portion of a county is added to another county to create a district. In the House plan initially sent to the Court 30 parts of one county were added to another county to create a district. In Resubmitted House Plan Fv1, only 16 parts of one county were added to another county to create a district. And, when portions of counties were combined, they only occurred to equalize population. In the Senate plan initially sent to the Court, 8 parts of one county were added to another county to create a district. In Resubmitted Senate Plan Ev1, only 7 parts of one county were added to another county to create a district. The Court should give deference to the Commission's good faith effort to reduce County splits in a short amount of time.

Third, when the Commission refashioned the map to reduce County splits the end result still placed value on the testimony of those that attended the public hearings and on communities of interest. In particular, at nearly every hearing members of the Hispanic community testified about the need to create or preserve districts in which the Hispanic community might influence the election based upon cohesive needs and galvanizing issues. There were 15 Hispanic influence districts in the House map and 9 Hispanic influence districts in the Senate map remanded by the Court. Notably, the resubmitted maps also have 15 and 9 Hispanic influence districts in Resubmitted House map Fv1 and Senate map Ev2 respectively. Hispanic influence districts are those in which the Hispanic population accounts for 30% or more of the total population of a legislative district.

The creation of Hispanic influence districts in Pueblo, Adams County, Arapahoe County, Denver, Weld County and the San Luis Valley are particularly responsive to the public testimony that the Commission heard. While communities of interest are considered a lower priority on the scale

by this Court, the lengths the Commission and the Chair went to preserve the Hispanic Community of interest should be commended. Through the Commission's hard work, our community has a chance for fair representation in districts that meet both the federal and state constitutional mandates.

In summary, we support the reapportionment plans currently under consideration because they meet the equal population requirements, minimize the splitting of county boundaries and promote the Hispanic community of interest to ensure fair and accountable representation.

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