

**Maryland Citizens Redistricting Commission
Planning Meeting
Wednesday, August 25, 2021**

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Good evening everyone, forgive me as I'm at a back to school night for my STEM program and. My name is William Tipper Thomas. I'm a senior principal engineer for the positive effects.

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I'm also a community activist, and I am a resident of Baltimore City.

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Thank you and our ninth and last, who is not here tonight is Kate Hetherington, Dr. Heather, is president of our community college and is a resident of Howard County.

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So, with that, Professor, please feel free to take it over. Thank you. Well, it's wonderful to be here, virtually though it may be.

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And I'm very excited to work with you on this redistricting process as several of you mentioned that not only did I work with the court in the legislative districts of the 2000 round but both in 2010 and currently have done work with Prince George's county

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on their council districts and so quite familiar with, you know, issues in Maryland, generally, and you know and as well as the history of this unique undertaking which you all are ambitiously taking on it so I'm excited to be a part of it.

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In addition to some of the work that I've done, that's just been mentioned. I've worked with maybe a dozen courts at this point, to help them resolve the district and disputes and to implement our plans.

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And I'll say this, which is that every, every experience is different.

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No two districts' scenarios are the same. There is no right way to do redistricting. There are a lot of wrong ways I think but there is no right plan, perfect plan

redistricting was about tradeoffs it's about politics sometimes in the best and the

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worst sense of the word, but really trying to, you know, answer the questions about representation, and how lines will be drawn in order to represent communities.

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What I thought I might do today is just talk a little bit about the challenges that face commission generally and I think there's in particular, and how to overcome them and where to begin and what the next two months might look like for you

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all. But I want to be clear about what my role is or what I can provide.

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And as well as what, what, you know, sort of, what I can. And that is, I will provide to you the expertise that you have, whether it's dealing with the law, the technology the science the history of redistricting, as well as to express different trade

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It's going to be a decision that the commission is going to have to make. And so I sort of knew my role is to help you as best I can to provide you with the necessary information and technical expertise to navigate those difficult decisions.

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Um, I'll start a little bit with the story. The first time I did district was with judge Frederick Lacy for the New York congressional district and in 2000.

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And before we started, everybody who was involved in this redistricting process, a toy boat, and it seemed like a very strange thing for him to do and he gave us all point, but he said, because we're all in the same boat was what he was trying

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to say and that is the way I sort of, particularly working with commissions, which is that this can be a frighteningly difficult process.

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But that we are all in the same boat and I hope that helps you in whatever way I can in navigating the waters.

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So I'm going to pull up my screen. If I'm able to share my screen here I will just put up two slides and I'm happy to send these around.

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Can you all see my screen? Yes.

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So, these are just the considerations that I was thinking of with respect to the knowledge and processes of a simple slide but it's just organizing my thing.

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The first question is, I think, where to begin. And I know that you all have had some conversations already about this. And I just want to put some options on the table and discuss them.

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So obviously one option is to start with existing districts.

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You know, given the history of arenas redistricting in Maryland, of course the existing districts might be biased in one way or another.

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But what one can start with the existing districts, even if in the end the values that you are going to sort of imbue in the plan are different from the ones that politicians find out when they are drawing lines.

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And so that is, you know, naturally, when people do redistricting and they start with the existing districts. But since you of course have some principles about of one part of the bias in the like in the production of the map that that is something to

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think about it

Another option, and I know that you have already had some proposal one of these community of interest proposals that have come across the transom is to, you know, solicit input from outsiders, and to have sort of beauty contest a little bit

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of other plans that would come in from outside groups, recognizing of course that

some of these groups may have political motivations that are inconsistent with some of the principles that are governing the commission But nevertheless, part of the process

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of receiving public input is to both get plans and to receive comments on the third our plans that can be generated by experts for example if you just want me to just draw some plans to start things going on or others, then we can certainly do that that

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that can be done by hand and almost all time when I dropped plans. I essentially do it you know myself.

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But, but I do also.

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The next topic.

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Generate plans through algorithms. And that's really been an innovation in the last 15 years. And so, if you wanted to start with plans that were where it's quite clear what the ingredients were in the development of those plans, we can have computers

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that will generate certain point, I will tell you that in general, you know you can have a computer, draw a million plans, 90% of which will look ludicrous.

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Even when we put certain principles around them. but we can have, you know, a series of plans that will be within the kind of range of reasonable principles that that are that are the directive for the commission that can serve as a starting

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point for the Commission's work.

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And I'll say, you know, given Maryland's typography, sort of unique shape there are sort of a limited range of, I think, algorithmic choices that would go on, especially if you don't cross the Chesapeake Bay, with some of the land.

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So, you know, starting in, what are essentially each of the three of the four corners of Maryland with, with maps is one way to approach this. I'm going to talk a little bit about algorithms in the next section, but I just want you to know that that's

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a possibility as well as drawing it from scratch. So, what would be what was just mentioned when you type process you type in is drawing districts from existing districts as well as just from scratch, you know, and starting in one corner of

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the state and moving down. And, and, like I said, there's no right way to do this, there are tradeoffs that are involved with one approach versus another

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Right. So, one way to think about the next two months and one way that I think about it, is just what decisions need to be made in the first few weeks, as you are thinking about setting the process in motion.

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And I sort of divided them up into people, principles and process.

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I'm thinking about who is going to be involved, and what their roles are. I described the Eigen. One of the reasons I do get hired for a lot of these kind of processes, is that on both the lawyer political scientists and someone who's adept at the technology,

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I also know a lot of the people who do work in this area. And so, I can assemble and have begun a team that can assist you in whatever way you would like.

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And so, depending on how many, how much, how many of you would like to be working with a GIS specialist at any given time, we can have that assistance available to you with other professors who work with.

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The second is, is the algorithm experts and I've talked to Jonathan rotten here at Stanford as well as some folks at Harvard, who do the algorithms just to, if we wanted to start with a few

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algorithmically generated maps that, that could be a starting point we could do that.

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The third and something that we really need to work on very soon.

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It is experts on racial polarization provide a racial polarization analysis to ensure that whatever plans emerge from the commission comply with the Voting Rights Act.

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So, the Voting Rights Act, just to be clear, so, so you'll understand the challenges in drawing.

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You know districts that the voting rights act in certain contexts of whether it's racial polarization in history of discrimination and the minority communities are large enough comprise a single member district may require the construction of a single

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member district with a single member majority minority destiny.

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However, you should be aware that the constitution as the US Supreme Court has interpreted that has been interpreted and suggesting that you may not use race of the predominant factor in the construction of a district absent the possibility that the voting

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rights act like mandated. And so you have to walk a very difficult line about not running into the sort of rock of the Voting Rights Act and a hard place with the Constitution.

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And so that's what I'm here to help us. It's also important I think in your deliberations and public statements and analysis of this to understand those twin dangers but make sure that the plans do not discriminate.

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But at the same time.

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That, when using races, is the product factor in the construction of the district that can also raise legal problems. One way path forward is at its beginning stage to give out do a racial polarization analysis to identify areas of the state, where

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there are sufficient large minority communities and racially polarized voting, so that there could decide that those are areas where majority minority districts should be constructed.

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I'm happy to talk a lot about this.

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That's the answer to your questions on this, but I've already retained an expert on this and if we do the racial polling, that's not easy to do. And so, It's not easy to do quickly.

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And so once I get the green light to start retaining the experts for that will have them work with the state's election, folks to get the data that's necessary in order to evaluate racial polarization apropos that I also think if you have not done so

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already.

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I have been in many redistricting situations where the Commission's or the other officials regret not having talked to the state election administrators at the front end to be aware of administrative issues that may be affected by redistricting and the

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printing of balance and the drawing of precincts and simply the administration of the election. This might be a five-minute conversation, it might be a two-hour conversation, but better to have that conversation in the next few weeks to have them at least

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advise you on issues to take into account. I will say that in my early days actually before I did the merit the earlier Maryland's as a legislative when I was told, but

when I do a plan for a court it made the Secretary of State of Georgia cry because

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of the election administration difficulties which flowed from this little more freedom.

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So those are the people that I think are important to start having involved and considerations to make at the front end. Second, what about the principles that you will be developing now you've got you've got the executive order of course which both provide

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certain limits as well as certain mandatory factors to take into account. It's important, I think, and I can help you navigate through how to, how to think about things like political subdivisions let's how to think about compactness and the like.

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There are both mathematical and kind of almost artistic ways to think about some of these concepts.

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I give you an example of an issue like is it better to split one county five different ways or two counties two way right is the thing to think about the number of counties split to the number of given counties that are split and how many ways right

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so that, so what seemed like sometimes obvious principles in practice might not be so obvious, but as I said, in talking about the decisions that need to be made before, thinking about which maps will serve as a base map, I think is important and

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don't think that you need to tie yourself to one, having different teams start with different maps I think is an available solution. This is something as I said that's happening in Utah about the decision over whether you will only do single member

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districts in the legislative maps is obviously a very important one because it will,

you know, direct what you see the possibility, going forward.

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And then if we are going to use algorithms to generate maps to agree on what those principles should be that will be included in that.

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And, and one recommendation I would have here is that even if the base map is determined by, by use of an algorithm that we should.

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This should be seen just as providing the initial starting point.

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It may be for example that the base map should not be used to construct majority minority districts because that's going to be a more sensitive inquiry that you have to be much more, you would want a computer to decide some of those issues, it's more

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important that you exercise discretion. Or we could have the computer factor in the number of majority desired majority minority, but we would have to decide what variables to place an algorithm, or you could delegate that to me and I'm happy to offer

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some options. Finally, on the process and this is just some, some issues to think about the role of public hearings both and giving input now and then, after a draft method boost.

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I will say generally that when I'm a special master for courts, often what I will do is draw a draft map, I will get suggestions from the parties, I will draw a map, based on those suggestions that input, I will then release a draft map to the parties

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who will then tell me how bad it is. And then I will make modifications if I think that they are warranted. And then explain why we didn't make others, that's one approach.

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Of course it does depend on how much time you have and what, what, what role you see a public input in play, but then also in thinking about the organization the

commission, whether, and there's I know there are public meetings rules that that govern

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some of this but just putting out the options there.

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How you will work as a commission how you will work with me

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How you will work as a commission how you will work with me, and whether it will be as sort of a committee of the whole individuals or with committed, you know, to the subcommittees and how we will sort of pair up on the GIS specialist perhaps with

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you all.

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And then finally, what are the goals and timelines for completion? I know that we're talking about basically two months to get everything done, maybe less than that.

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But, but especially since you have been drawing three plans to try to develop a kind of game plan for finishing them and then which To start with, you know, obviously, starting with the congressional districts is easy because it's, it's, fewer districts,

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but it's also the most politically fraught thing that you're going to end up having to deal with so deciding whether to go in that direction, at the beginning versus going with that state legislative not really a decision that I think you all are best

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best position to make. Um, that's, that's my top line summary there's a lot more that I could discuss, and I'm happy to dive into any of those principles

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if you're interested, but I look forward to working with you on this. It is, it is always a life changing my life it's been changed.

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A dozen times in this life, but it, but it's always, you know, one of the most interesting things. For those of us who study and work in democracy. It really is one of the most interesting things which can be a part of.

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So I appreciate the opportunity.

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Thank you, professor Persily on our agenda, assuming you can stay with us, there is a later bullet point for criteria.

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You mentioned getting into the weeds at least some of the words, to the extent we want to get into them, we might want to postpone that because we got some other major business that we have to discuss tonight.

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However, I don't mean that to discourage any of the commissioners if they have questions that, now's a good time for about the entire process or about the presentation that Professor Persily just gave, please feel free to have that discussion before

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And if anyone would like to ask.

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I have two questions for the professor.

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When you speak about the computer and the algorithms are you using a commercial software package that any of us would be familiar with?

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And what one is that? We can use Calibers Maptitude for redistricting the degree district thing which you all have, which has an auto district option.

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I personally don't recommend that because you cannot put enough variables into it.

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And so what I would, this would just be a program that would be run by **john rotten**

and, and his grad student at Harvard, that I can, I can provide you will be totally transparent about what went into the algorithm.

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And frankly we could do it both ways I mean I can generate the plans to map the dude quite easily but, in my experience, it doesn't end up looking like the kinds of plans that you would want to start with as a base map, but we can certainly start

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there.

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I mean, at the risk of getting too far in the weeds, what I mean. One thing that that's useful with Matthew, did you start the program allows you to, to see districts that we could essentially you could start with the current districts as the scenes,

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and then draw an algorithmic district around them. Or you could decide the different counties in the state would be the seeds of districts, but that of course, that biases in one way or another, what the final outcome would be.

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Whereas, when you do what we do with the, the algorithm the other out of the program is that we would draw.

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Thousands of districts and plans and take some that are in the middle of the distribution, and we look at them and say well which ones do you think would be useful to start with.

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And thank you for emphasizing the transparency aspect because I know it's going to be a concern.

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For many people, that all will be able to understand how the decisions were made by the people working with this, if I understand the process right and I'm very new at trying to get into his details.

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You can generate

1000 maps, you can give it different ways. For example, you can ask it to weight

compactness very heavily at the expense of some other factors and then you can you run another hundred maps were keeping counties together is the

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factor that's where to **capital**, and you by, by looking at what maps, you got to buy a weird thing in different ways you get a sense of how the tradeoffs work for the commission to begin to figure out which roads he wants to go down more than

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other roads. Is that described accurately? that's right,

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but you can also optimize them according to several criteria of what so something like compact this and political subdivision lines is something that we can.

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That's the easiest thing to do. Once you throw in the Voting Rights Act considerations right that makes things a little more complicated. That's legally complicated as well as technically complicated, because then you're saying all right, I want a certain

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number of over 50% minority district just one other thing and this should probably be, you know, obvious you all now that you've got some public hearing, which is that Maryland is very strangely shaped right so that when you have a compact this criterion

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right there to me, no matter what you do, the most logical districts are going to be non-compact, according to certain measures just because of where the water is and what the shape of the state.

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So there are different measures of compactness right and they contradict each other. At least intention with one another. And so you just have to sort of keep that aware like so for example, the most compact districts in Maryland might be ones that you

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would go across, just the bay laterally, but that's obviously I mean, that's never been done in, in Maryland where you'd end up you know just going like a ladder up the state.

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And so thinking about how the geographic boundaries interact with the political subdivision boundaries interact with

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these other concerns I think are quite important. And it's also important from an algorithmic standpoint, right, because once you tell a computer to draw from compact districts.

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There's not a well but the Chesapeake Bay and strangely shaped option right and so we have to kind of keep that in mind. And that's why it's important for the sake of transparency, there may be 100 maps that we would look at and say do these 10 look

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reasonable, but then you'll know what they were, what, what pool they were taking.

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And one of the recommendations I would have is that to make that the base maps that you use, even, even for Congress would have significant population variances of at least 5%, because part of the purpose of a base map is not to draw the perfect map but

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it's to give you something to work with, and then you can adjust the population to make sure it complies with one person, one vote afterwards, But to have some kind of more generous population variants, is actually make your, your life a little

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easier, because then it'll, it'll start with counties as like the basic building blocks and it won't.

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It won't split them unnecessarily.

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More questions.

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If not to let me express the Commission's thanks to the Professor again for all the

work, I know he's already come to put in and look forward to working with him.

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We have a busy agenda so I'm going to move on for now if I could to item two to update on prisoner reallocation process and final data and I believe that this will tie into some of the same issues that we've just been talking about

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obtaining maps from the public, because that timing is always dependent on the availability of the data. So, Kristin would you be the right person to introduce this topic or someone else from the department.

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I think Secretary McCord and I will both discuss this topic; one real quick thing did Cheryl Brooks get introduced? I'm sorry I was kind of taking notes, I just was making sure that you were in the mix there.

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So, I'm on the very draft calendar that I sent out earlier this week.

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We had thought that the final data would be ready by close of business tomorrow.

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We had a call. Earlier today, there were some issues with the data that needed to be addressed, so that we can ensure data is perfect, when it is as perfect as it can be.

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When it does get posted to be utilized for maps, it is not there yet. And what I am told is, is that we have to do a couple of things with the data to ensure that the that the numbers fit as they should, and that it is an issue with various

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districts that aren't are not districts but various census tracts I'm sorry that just aren't ready and just need to have a little bit more be refined just a little bit more but unfortunately, because it is a situation where we have to look at the

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data, we have to confirm the data. This is a joint process with the Department of legislative services that is actually their contract with caliber. They also have to sign off on it as well, and both parties want that data to be as precise as it can be.

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And so we have to work together on essentially getting that data signed off on and posted, which we had hoped to be on Thursday, but now it looks like it's not going to be until next week.

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So Rob, I will let you speak a little bit more about that.

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Yes, I don't, I don't have anything that would really contradict what has already been said, except I will let you know that we want to make sure that the data, we have to do a joint certification with the department legislative services, and we have

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had I think two calls today with them. So, we are working feverishly together on this process and nobody is nobody is dropping the ball, both sides are working together on this, we have to make sure that the districts, from which the

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prisoners were reallocated, still have the right number of people left in that district. So, so those census tracts where a facility is located there may be a group of facilities in an area, they may not be in the actually the same census track what remains

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has to, because not everybody is taken from a facility.

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Everyone that used to be in that, in that area would stay in that area, back to the last new address so we have to make sure the residual inmates are accounted for correctly, as well as the movement that we've made.

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And it's not just dropping a point. Remember, it's dropping it more like a ball.

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It's like a data ball, that has all the attributes of that incarcerated individual their age, their sex their race, so that when people try to make a line, all of those attributes, come with them.

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So, it's not simply a matter of addresses one on one, it's the entire data ball, dropping in the right place, and then making sure where we took it from as the correct number of people in the correct census tracts.

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So it's a complicated process, it's coming together. And I'm just glad that we're working in unison, and I'm glad that it's very close to having it done.

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There's no need to rush it at the end, we want this data to be right, the standards that we have at the state data center or our best possible human effort to make sure that the data is right.

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And so we're working together to make sure that happens for you. And we, we even talked about do we do we post it with disclaimers that there are certain areas that still need to be

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that still needs to have that kind of a little bit of editing done still and. And I think that, and we kind of all agreed that that would just lead to a lot of problems, and that it's better to wait a few business days to have the precise data posted.

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So, with that, we can expect that to be posted.

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next week, the again once it is certified by both our team, as well as the Department of Legislative Services. It then has to be uploaded and put into the program so that it can be live and that's probably just going to what we're

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told us that will take about a day.

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But it just means that the calendar that I sent out earlier this week is already going to need to be shifted back because we are now going to have that data being released several business days later than we had hoped.

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Kristin, if I remember the earlier discussions properly, even with the delay, it's still going to be a week or two earlier than we we thought

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Is that right, we were talking about the second week of September, at some point, and we'd always said the first week of September, and so it actually will be the first week of September.

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We're actually right on track. We just had thought we were going to have it early. And we had hoped to have it early.

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But unfortunately, as it is we would have to have disclaimers in various census tracts and it's just not worth compromising the data in order to rush it up there, especially when we're, we're on schedule to have it when we're supposed to have it.

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So we're just going to post it when it's supposed to be posted, and it is complete and certified and has the integrity that it should for the redistricting lines to be drawn appropriately.

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Just show clarification, individuals that want to make their own maps,

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might not read all of our disclaimers and go right to the census and just download the data.

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So when we start receiving those maps,

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how easy is it going to be for us to determine whether they've used cured data that has put prisoners back at locations versus the data that just comes from the Census Bureau with the PI data?

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As I say, Secretary McCord, you can answer that best.

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Yeah, Commissioner, we have anticipated that possibility and are prepared to index them based on adjusted data, so that you will know, looking at a map if it's based

on adjusted data, because it may have come in, either at an earlier time,

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or, or someone using a different, a different software suite that didn't have adjusted data. So we will do our best to identify unadjusted data and adjusted data.

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If you go to the website. I don't think you can get past a warning screen that says please use adjusted data. So, when they're coming to our site, they're reminded of it all the time.

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But if, even if someone used a crayon and a paper towel and drew a picture of it, that gets indexed in a way that it's it, you will clearly know as commissioners that that submission is not based on adjusted data.

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Yeah.

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The Open-Source sites out there and I won't name them but some of them I believe have already loaded up the unadjusted census data and sure enough, members of the public are out there.

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on Maryland maps, some of them probably are not aware that they're using the data, different databases then we are going to be using but it's great if those can be flagged effectively so that we know what's.

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Exactly. So, so we'll get those to you, I will of course update you guys.

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I'll send an update one way or the other one. if I can on Friday it, even if it's to say don't have anything new, still going to be next week but, but, but we'll definitely have an update for you Friday or Monday.

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And just so that you guys know what's going on.

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Ok questions.

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If there are no more questions on item two then

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thank you.

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Kristin although you're not for long because you're probably going to be the one to have to explain item three on the public meeting schedule. Yes, yes.

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So one of the things of course, we've talked about is this public meeting schedule and I sent that to you guys all

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again, earlier this week with obviously very big at the top, draft. None of this is final. And I will, I will share my screen.

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But again, I do want to provide that disclaimer that, that it is. So this is solely for the purposes of.

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All right, is that screen shared now?

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I think so. Okay, so you can see that?

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So as just again for members of the public, this is not posted on the website. This is a draft, this is a working document.

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None of these dates are firm, none of these dates are final. This is just kind of a base guideline schedule for the commissioners to work from as we build a schedule that will work for all of the commissioners, so that we can have our public meetings,

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as well as any meetings, that include the commission that of course, will be made public, for the public to join and to listen in on. So again you can see that off, you

can see that date for tomorrow.

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We had hoped to have that up by close of business that's not going to happen. It's going to happen next week sometime. So one of the things that we do have is that hold on August 31.

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We certainly could have a meeting that night to discuss criteria and further detail, so that the minute that data is finalized next week we can hit the ground running.

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Is that something you all want to consider?

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Absolutely. I think it's incumbent upon us to, to provide some transparency into the criteria that we're going to be using before we start drawing maps, and I would not want to give up an opportunity like that.

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I mean maybe it's good fortune that we've got a little bit of breathing space here.

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But everything I'm reading about public commissions that are working on fair maps. There is a lot of interest by the public in

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getting some insight into what is the philosophy, and these are the things that the professor went into, but I think codifying some of those and getting that information available on the website

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before we begin producing maps is probably a good thing.

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Yeah.

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Professor, if you're on

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the call right now. First, is that data available to you and secondly, do you believe

that it would be productive to use that data to dive deeper into the issues that we're going to need to consider before then?

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The data window, Which data we are talking about? the 31st of August, 6pm Eastern next Tuesday.

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Oh yes, I'll be in Utah about how long, but I'll make sure that I'm available when your guys are meeting.

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I'll make sure that I'm available then.

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What exactly do you envision, this would be mainly a discussion on the principles and how to implement them?

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And criteria. Yeah, I think we need more discussion of principles.

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Certainly some of the ones that you introduced in talking earlier Professor.

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We want to allow more discussion among all of us and perhaps some beginnings of a sense of consensus as to whether we definitely like or definitely dislike the options and so forth.

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Those would help narrow down both the people working with algorithms would have us instructions and also the guidance to people who might be submitting public maps who might be interested in knowing whether we're, you know

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we're ruling out some kinds of best maps and we're not.

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So I'll go ahead and get that meeting scheduled and Professor, I will include you as a

panelist on that you'll get the invitation, it will come directly from zoom.

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And so, members of the public who have joined us will have that posted with a link.

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tomorrow, to our redistricting website as well. Moving forward from that, you know, as you can see that following week, we had hoped to potentially hold that first meeting with the assumption that we would have had the data posted for

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a week. Obviously that meeting on the second cannot happen.

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I think that the meeting on the first....

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Actually, let me ask you guys this question, we could either do Tuesday or Wednesday for that meeting.

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Professor, if Wednesday were to work better for you, We certainly could do it Wednesday. Wednesday evenings are our typical meetings. That's fine too.

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Okay.

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I work, I'm at your disposal these next two months, three months, practically the next six months, I'm not sleeping so whatever works for you I can accommodate. Sounds wonderful. To the members of the commission, would Wednesday

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evening work best for everyone or Tuesday? Wednesday?

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Okay.

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Okay. Let's, let's shift that meeting then to Wednesday September 1, rather than Tuesday, August 31st, and I will have that posted to the website and the invitations

will go out to our panelists, as well.

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Obviously, there will be no meeting on the second, if the data is posted, if the final data is posted by that mid to late of next week, we still could be on target to host that first meeting on Thursday September ninth.

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We could do it potentially earlier in the week, but as you guys will note, there is a Jewish high holiday the week of Labor Day, and it would be it would not be right for us to host public meetings or ask members of our commission to partake in during

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those evenings so it looks like the ninth would be the first day that we could host a round two meeting. Is that correct?

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to.

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Are you celebrating Rosh Hashanah?

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Yeah, that it ends on this at sundown on the eighth, which is still, still at like 745 or eight o'clock at night so, yeah.

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Okay so, so the ninth would be the first round of a public meeting.

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Um, well I'm sorry what time on the ninth?

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6pm.

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All of these meetings would start at 6pm.

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You are welcome. Just question, is it realistic, that there will be submissions that quickly, that it will be

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worth setting a meeting on that one, I mean that pretty quick after the data is released and there's a holiday in there.

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Mm hmm. I don't know whether there's a difference between beginning on the week of the 13th, instead of rushing a meeting on the ninth.

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With the ninth, the data will have been out there for a week.

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I do think that again....

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We will have some maps, but we'll also have people testifying, not necessarily based on maps that they've drawn to present, but also data, so people who testify don't have to have drawn a map, they can comment on other maps, they can comment on

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other matters with regard to the map. Again just to reiterate, and this will be, and we will reiterate this on the meeting pages, this is not meant to be a repeat of round one, where people are just kind of providing us their thoughts

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and concerns about districts as a whole. This is specific to the process of map drawing and, and data and how it impacts various districts. So with that...

I didn't, I didn't hear the comment about the 13th as opposed to..what was Mary saying? Oh,

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she was saying, should we start on the, on the 13th rather than the ninth, my concern with that is, is that then we are really, we're really cutting into the time that we have as just working meetings.

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Now of course, you can be holding working meetings during the process.

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You know you all can be working on your maps, Maptitude, you will have

Maptitude, just as the public has Maptitude. And so you can be working on maps, reviewing maps, going through that process during that whole time.

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Professor Persily, from your experience

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once the data is released and people start submitting maps, I guess my sense was that there are people who have already drawn maps, they're kind of ready to go.

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they're just waiting for that final data to adjust things and then they'll submit their maps, and they've, you know, because it's probable that there are individuals who have created maps in other software programs, other than Maptitude.

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So if that's the case, or if they're just waiting for that final data to make sure that those numbers are finite then I would think that we would have some maps I would think that we would have people ready to testify.

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Professor, do you think that's too soon? So people are not waiting for the adjusted data in fact some people don't even know there's going to be adjusted data so if you go, you're interested Dave's redistricting app

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which is probably the most popular publicly available application which is that despite its name is actually a powerful program, that already has some maps that are up there based off of the projected data, and not the PI data but even projections from

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earlier, and I think either the redistricting data hub or one of these other outside groups will have other math.

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But just because maps exist out in the ether you know whether you know the website 538 puts them up there or others. I don't know enough about how, what the what the terrain looks like in Maryland, as to how many groups are going to be submitting maps

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to you all, I would assume that that that that some would, but it really does depend

on how organized the groups are. I mean, usually what happens is that you have a few individuals who really really are interested in redistricting.

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And you'll as you'll see in this process; redistricting brings out a sort of unique personality of people who are really interested in maps and interested in geography and some other things.

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And so you'll get some of some of those participants but then presumably over time they'll get the organized interest groups that will be proposing maps, my guess as you said is that they've already drawn some of them because the projections that

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we're working with where we're not that far off the mark I can tell you that because of what we did in Prince George's County, but it's very hard to predict, because a lot of it depends on the strategies that the interest groups and how they're going

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to relate to the condition.

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I will, sorry, and if I could touch on the way we're proceeding, I think, especially for maps that are concerned with big issues or with the Congressional map,

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there is an incentive for them to file the maps early because maps filed early are more likely to make it into the pile of possible seed maps or base maps I think Professor Persily was calling them, maps that come in at the very last minute

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although they still might be very important and interesting to the commission. But they're less likely to influence the early deliberations as best maps and a lot of people are going to want to be in thought running to say, look, you know they pick one of ours

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is one of the six best maps to look at.

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That's a good reason to begin. If anyone out there is listening, take your maps in the first week, and you're going to be at the head of the line to be looked out for the

best maps. Walter I didn't know whether

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the commissioners certainly understand this new compressed schedule, yet we have to finish much earlier and I don't know whether anyone wanted a great explanation and detail other than what was spelled out.

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I think your commission deserves that. I agree Judge. Kristin, would you like to address that point. Yeah, actually I was kind of just getting there because what I was going to say is, as it stands, if we move the meeting on the second, we could

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potentially move that date, if we're still to have four public meetings, we would move that, for round two that is. We would move that meeting from September 2 Thursday September 2, and we could put it on Monday, September 20, if we don't start until

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the 13th, we're going to be moving that night meeting, probably onto the 21st or 22nd, and having two meetings there.

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The reason for that is and as I mentioned in the email that I sent, as we're looking at the calendar and as we are having continued discussions, within our team, and others, what we're determining is that the ability for us

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to write the legislation for us to have everything wrapped up so that we can have round three, adjust maps, according to anything we hear during round three, which Professor Persily kind of brought up earlier we present our maps and then we want to have

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time from, from members of the public to comment on them, and then we can adjust them accordingly. That is the purpose of round three.

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To do that, it would make the most sense to be able to do round three during the month of October, to give us that, at a minimum, 30 days to write the legislation that we will have to write.

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We hope that 30 days is enough, but we can't guarantee that 30 days is enough. And there is a deadline that we have to meet and, and that is something that is a grave concern to everyone involved with the ability to get round three and so that we have

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the time to adjust maps as well.

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So if you look at that and you look at the end you look at the month of September ahead of you. We take the meeting on September 2nd, we move that meeting to the 20th.

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Then, we still have working meetings.

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The 21st. I'm sorry about that, you can still have a meeting on the 17th, the 21st, the 24th, the 23rd, the 28th, the 30th, again, those are public meetings, those are meetings where you are, that we are talking about maps that we are working as a full commission

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and presenting maps and discussing matters that go into maps. Those are public meetings. Once we have quorum. Once there are five members of this group that come together.

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That is a public meeting, and in, you know, one of the things that this commission has done so wonderfully thus far is to be transparent. Everything you do is kind of out there.

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And so, that doesn't mean though that you can't be working on those maps, your maps, maps that you want to present to other commissioners, it doesn't mean that you can't send a map that you're working on to another Commissioner to say, you know, what

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do you think about this idea or how would I move this, or you can't reach out to Professor Persily and his team to say, I can't figure out how to do this, or whatever it might be.

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So that can be done during the entire month of September, even though we have these four public meetings to work in, as well as you're working session meetings that again, our public meetings that the public will be attending and listening in on.

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So because of that, the recommendation, I would have, again you can move it is to start the public meetings on that night. It might be a very short meeting, and if we find that we need to that we feel that we need to enter another meeting in on the 20

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on the 22nd or the 21st, we can do that.

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But if we, if we don't start, we might kind of run out of time at the end.

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Does that make sense,

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I understand what you're trying to, you know, just is, my frustration and everything, all the meetings that we have planned so far are back to school night for my school program.

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So it would just be nice to get this calendar solidified and finalized to know exactly what I'm looking at. So I can figure out if I need to ask somebody to fill in a couple of them or something for me, or just so I can understand what's required and me far as meeting attendance.

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And what additional commitment I need to have to fully fulfill my roles and responsibilities to this commission and to the public so.

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Right, right.

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So, um, Cheryl, did you have a question as well?

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No? Okay. Um, and so, if you, if you look at that. I mean, and this is you know this is up to you guys this is it; this is not for me to decide this is not for Secretary McCord to decide if you look at that if you start on the ninth.

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If it's a short meeting, we can add another public meeting in if people are prepared and have maps, we have those maps, and we're ready to go. If people want to comment on the data if people want to talk about suggestions for shifting lines or whatever

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it might be based on data; we have that opportunity to listen to it at night. We can also based on when the data is released, we can move that meeting, if need be.

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But I think leaving it on the calendar makes sense. But again, that is your decision.

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The other issue that we do have is that, the week of, the week after Labor Day. We then have another Jewish holiday Yom Kippur War, which, again, that, that takes away, two days that we would be able to meet the 15th and the 16th we cannot meet on those

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days. So, what we're looking at is our option of days is starting on the ninth having another public meeting on the 13th.

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Again, that, as you can see there's a highlighted suggestion therefore a deadline for round two map submissions for public testimony to be that date, obviously we would shift that back because we would have a meeting on the 20th.

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So we would be able to make the last day for map submissions for round two. If you want to provide live testimony, we could make that the 17th.

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And then, and then talk a little more about the different scheduled target for mouth completion because the date of the 24th may not make so much sense.

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But if you could talk about that issue some because I think some of us want to get

to that. Sure, so you may recall that I passed out a draft document.

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I think it was last week or the week before last that was about map submissions and how people will submit maps that document for members of the public who have joined us is almost in its final stage, it will be posted to the website, and it is a step

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by step guide for how members of the public will submit their maps, whether they are map that they've drawn in map attitude, just as you all will be drawing your maps, whether their maps that as, as Secretary McCord mentioned earlier, are drawn on a paper

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towel and someone takes a picture and submits them that way, or whether they're created in the different software programs such as Dave's redistricting or another software tool.

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Regardless, we will accept all of those maps.

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If someone wants to join a public meeting and talk about their maps as a suggestion to the commission for round two, those maps would need to be submitted, at least 24 hours prior to that meeting, because we have to upload them, so that we can put that

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map on the screen for everyone when that meeting is live. And so because of that we just kind of need that 24-hour window. So, the map submission recommendation for a deadline of map submissions.

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Again, only if someone wants to give verbal live testimony to discuss their submission, that would be if our last meeting is going to be on September 20, that would have to be submitted by Friday the 17th.

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So, that is that part. Then we also have to determine a date at which you finished taking maps for consideration because you're drawing your own maps.

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Now, if we are going to end round two, and be finished with our maps by end of September, early October, if that is to be the case, then you're going to need another deadline later in the month of September at which we say, if you want us to consider

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your maps in the drawing of our maps, you need to submit them by this date. Now, we also know that round three that we can still make some tweaks. So the question is, do you want your map deadline to be before.

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Do you want your complete map deadline to be before you complete your maps entirely, or do you want people to still be able to submit maps during that round three process, after your maps are drawn, and that might be a better question for our expert

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as well as to whether or not we're accepting maps still in maptitude,

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once we've drawn our maps.

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Kristin, could we see the October month on the calendar? Sure, I just also wanted Professor Persily to be able to answer that question. So I looked

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and you all expressed earlier in sort of ammunition in the public year, which is that the earlier the better for consideration.

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I think one way to do this is to say that the, the maps, if they are submitted by x date, they will definitely you know they will definitely be considered in the process of drawing the maps, but after that date they run the risk of not being considered

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One of the difficulties now it's just a little bit hard to predict right now, where you'll be in the map drawing process. I do think it's not a problem if you said that it was a hard and fast date that all public submissions have to come in at x date,

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what may happen is that later on when you have a draft map that's public and then you ask for comments. People may submit maps in response to the draft maps that

have been made public.

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So, I don't know whether you call that a second round or what but that ends up being another opportunity for public input. And frankly, that's when you're going to see the most organized interest groups become the most active because now they

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can see whose maps are being ignored so then you should expect the public submission. Now whether you want to call them maps or what you want to call them comments I was thinking it's different, but if you probably want to allow for the possibility

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that they can be uploaded into the district and programs. So then you can do some comparisons between that or whatever you're considering at the time.

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So, basically round two is another listing round like round one just a different topic, not really any interchange exchange with the commission just the public presenting their thoughts and a map for us to consider.

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That is that is completely up to your commission, I guess I've never really thought about that as being more like round one where it was just kind of listening not interactive, I would think that if someone has a map up that you have a question about

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that, you would be able to ask a question, but again, that's just that's a decision for the commission to make.

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If I might want one other thing to think about in this process is whether you want to allow other people to comment on other people's maps, because as often happens with permission, there are attempts to pull the wool over your eyes, and

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so that then, which is, and for that matter as experts to, you know, that that happens. And so some of the best comments I've often got is when there are submissions that try to say well you look you know they say this is a community of interest

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which is the reason that they're drawing this hear, but actually there are these political reasons that are the pretext for.

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And so, so, but that can be just in the general comments that you see during that period, but to allow at least the announced that that is in scope that when there are submissions that you can see public comment not just on your own graph map but the

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other ones that might be submitted.

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I think it goes without question that the written comments that can come in really at any time in the period, very much are invited to include critiques of maps that the Commission might be considering.

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That's extremely valuable when, as you say, when people point out weaknesses.

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And that can be done pretty effectively through the written portal, I think.

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It shouldn't necessarily require a counter map although if someone wants to do a counter map it would also be well worth looking at.

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So, um.

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So with that, again, the deadline for submitting maps. If someone wants to provide verbal testimony in round two it would be September 17.

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The deadline for maps for consideration prior to your initial maps being drawn would be, September 24. And then what you certainly could do is, during the month of October we could have another date in here saying you know final, final comments and maps

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for consideration, you could put somewhere in October as the Professor recommended is just kind of that kind of that third option of, you know, maybe someone takes the maps that we've drawn and make suggestions to that and wants to submit that

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map for consideration as part of their round three presentation, then we would still be accepting maps during that period of time.

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Does that make sense?

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It makes sense so long as the people submitting maps at later points, realize that they're serving different functions that they can't expect necessarily the same kind of reception that earlier follows to get into that initial pile of, you

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know, the fresh inbox, so to speak.

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The map submissions to come later can still be just as important for other reasons, but they won't be in the first inbox that the Commission deals with.

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Okay.

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So I don't think we have to pick the round three deadline, as of yet. And one of the things I'll do in the coming weeks is put together maybe a sheet that we would post on our website, that would describe what those deadlines are and the purposes of

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them, and we could make that a PDF that somebody could see right in the meeting section right on maptitude. It could even be part of the submission document that we've talked about, so people understand what those deadlines are and kind of make

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it a very visual tool that would just enable people to understand best what it is they're submitting and when they need to submit it by.

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Another question, Kristin or anyone else who can answer, which is when we turn to public meetings, invite in comments on our work is that it is expected to have polished and finished maps for comment or are essentially concept maps

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that we agree is the right concept but may not be polished down to the precinct or sub precinct level. Is that an adequate thing to, they can invite in round three public comment on.

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I don't know if I'm best suited to answer that question. Okay. And it may be that no one here can answer the question, but I throw it out there because we may want to consider if possible if we're allowed to, to have some of that overlap in which the

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public comments during the polishing period.

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And perhaps improves the polishing period, by its comments.

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And then, as you can see here in the month of October, we would hold those round three meetings on essentially every Wednesday in October, and then we would have the day after that last meeting on the 28th, we would all do that Thursday lunch hour that

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we've done before, where we spend an hour talking about kind of wrapping things up what needs to be done, what maps may need to be redressed, that type of thing.

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And then there would be time to kind of work on that. There could be a, whether you do it as a team or you have a subcommittee,

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fix the lines that you know based on conversations during that month of October during round three that we say oh let's tweak this, or let's tweak that we would be able to then go in and do that and have a final meeting on November 3 at which we kind

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of do a recap of events, and that would be the final meeting of the Commission on Wednesday November 3, again, that's a, that's a suggestion, it's just a possibility you guys, that's a movable date.

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I'm just kind of creating this for you guys for consideration to try to give some guidance as to when you could possibly hold meetings.

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But if we just go back here to kind of what's right in front of us. That's the month of September and it's, this is an ambitious goal, this is, you know, when I was talking to Walter.

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yesterday I mentioned to him you know, we've got what we thought was going to be a lot of good news because we thought that the data was going to be finalized for tomorrow like, oh, we have a lot of really good news.

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And then we have a really, really big challenge ahead of us. And so, but we still have a big challenge ahead of us. And we're going to have the, we will have the data on time as we tell people, we would have it, we just won't have it early as we had hoped.

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So with that, I guess you all need to have a discussion and kind of agree on these dates or recommend changes, so that we can finalize this and get it posted for the public, and so that you guys can put these dates in your calendars, as William said,

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I have a question about the, the two meetings on the 21st and 28th are those specifically at 6pm in the evening instead of noon, like the other ones because I just wondering if it's going to work in my schedule as well as....Are you talking about September?

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Yeah, September, 6pm, the 21st and 28 say 6pm. Yeah...Are they meant to be 6pm for a certain reason versus being the noon time that the Thursday ones are?

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You know what, yes because the Thursday meetings are just a day early on when

the commission began to gather, that we kind of decided that it seems that Thursdays worked for a lot of people for lunch time meetings.

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That's why they're in there for Thursday at noon because that's kind of what we've always had our Thursday meetings.

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The other ones, I put in at 6pm because they could go longer than the hour that people might have at lunchtime. But again, It's up to you guys if you want to make those lunchtime meetings as well, you certainly can.

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And again, there's nothing stopping you know, if you want to work with...If you feel better, you know, for example, say that you might not feel as comfortable in maptitude, that that is not your thing, but you know, another member of the commission

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is really more versed in utilizing that tool, there's nothing stopping you from setting up a call or zoom or a meeting with that person to say, can you help me out, this is what I want to do, how do I draw this line or whatever it might be.

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And aside from other commissioners helping, I believe that Professor Persily your team includes people who could field a call from any of the nine commissioners, asking about a

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what if map for example saying, you know I like these concepts, but could you show me your map that did these things differently, and your team could generate that map in a pretty efficient way right?

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Yeah, I mean,

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Certainly if you're talking about, you know, editing particular districts and that type of thing yeah, we can do that, you know, within a day turnaround if not quicker.

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Depending on how many requests we get we can spread that out among different people. But yeah, we can get that done. As well as I don't know enough about the

GIS folks that are working with you, but I can certainly

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come out there and we can even multiply this by many more if it's necessary but in my experience, you know, it should be enough that you know you all just feel free to ask me questions anytime day or night. Because you won't be

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sleeping for the next three months. Right!

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So, so, so with that guys, if you're looking at September, and you move that date on the second, September 2 we're going to move that to September 20.

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We're having a meeting on Wednesday September 1 at 6pm.

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That is another meeting similar to this where you will discuss criteria and kind of finalize that and have that conversation with Professor Persily, we would not have a meeting on the second.

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Our second round of public hearings would start on Thursday September 9 At 6pm, we would then have another virtual public meeting on the 13th, as well as the 14th. Yom Kippur begins on the 15th, it ends on the 16th,

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Not until the evening so there would be no meetings on the 15th or 16th On the 17th, you would have a working session, or you could have a working session at lunchtime if you'd like.

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I put lunch time in there only because it's a Friday. I don't know if you all wouldn't have Friday evening meetings.

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So I have it at noon, that can absolutely be changed, it is a working meeting.

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Just for you all to kind of come together and talk about some things. If you're unable to attend, that's fine, as long as there's a quorum. You can still have the

meeting, and it would be taped so that the members who couldn't join can still

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watch it and provide input, when they were able to that weekend.

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The deadline for maps submissions. If an individual wanted to provide live testimony, that would have to then be Friday September 17, in order for our team, to be able to load that information into our system so that the evening of September 20, when there

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will be a meeting at 6pm, the final round two public meeting that would have those maps would have to come in by the 17th, so that yellow highlighted area that you see there on the 13th, that would move to the 17th, that's when we need, that's when we

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need those maps in, The 20th would be the final meeting of round two. And then on the 21st, you would have a working session on the 23rd, you would have a working session. On the 24th, would be the deadline for round two submissions to be considered if they...

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if people want them to be considered prior to the completion of your drawing, your first maps, your first drafts of maps.

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You could then have another working meeting on the 28th.

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And another one on the 30th, at which point you would be pretty much done with your maps, your initial maps that you would then be putting forth during the month of October during round three, we would then reopen the portal so that if someone wanted to submit,

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suggestions, maps, based on what our maps look like, and they want to provide some, some alternatives whatever that might be, they would be able to do that during that month of October, we don't have to decide on this particular deadline right now, but

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my recommendation is that you would have probably that deadline be around the 20th or the 21st for that kind of, if you want us to even look at your map it's going to have to kind of come in.

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by this point. We don't have to decide on that date right now, but you would have meetings every Wednesday at six o'clock during the month of October, you would have a final kind of working session to discuss any tweaks that would need to be made on the

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28th.

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My bet is that there will be other working meetings that are put in during the month of October should tweaks need to be, adjustments need to be made to maps, Then you would have a final commission meeting on Wednesday November 3.

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That would be a recap.

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If things got held over to then you certainly could pull things down to there. The biggest question for you all. Not only

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do you want to move forward with the schedule, but also our original intent had been to hold the round three meetings, regionally?

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We are not gonna have enough time to hold them to have as many as we would have liked to. The thought is that we would have four statewide meetings, and the thought process for that.

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Also was that the maps that we're presenting are for the entire state. And the maps that people are commenting on are for the entire state. So making that third round of meetings statewide, make the most sense, the issue at hand is the original thought

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had been, they would be hybrid meetings that we would hold in person, and also

virtually. The uptick in coven cases is, I know a great concern, too many people.

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So another discussion that has been had among some commissioners and that they have brought to us is that their preference would be to hold round three virtually as well.

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That is a discussion for all of you to have and to consider that doesn't have to be decided tonight, what probably should be decided tonight as if you're okay with these dates, but I do suggest that you all think about that, and perhaps that is something

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that you could vote upon on Tuesday. I'm sorry. Next Wednesday, during your meeting.

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But for now, what I would like to suggest is that you all have any discussions you want to have as to this map, so that we can get it on the schedule, we can get it posted publicly and that you all know what you've got going on and when.

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Is there a discussion? Right yes so Walter, the main issue of course,

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what maps are we going to submit to the public, I guess it presupposes non working sessions that we can come to an agreement on the 2,3,4,5 maps of whatever we want to submit, and we've got to have some extensive discussions particular on a single

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member versus multi member, if you talk about the legislature. So at what point are we going to have our voting, our negotiating.

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You know, and that sort of thing I guess that's in the work sessions?

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I would say we need as much of that space as we can, and I would be virtuous to look for other ways of getting some deliberative times, other times, other schedule options, to do exactly what Chris Williams has just been talking about.

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One possibility is if we have the virtual public meetings in the earlier part of September, and people only testify for 15 minutes,

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use that to jump into this would not be the first time that Commissions have done that, but to jump into some discussion in which we error the kinds of questions that Judge Williams talks about and see how close we are to consensus where we can find

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a consensus, begin,

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you know, knocking these issues down.

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Later in the agenda.

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There's one thing that I think we can get out of the way tonight.

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But I know there are going to be others and we want to signal those, and not necessarily wait until mid-September before we do some of our negotiating, are discovering what each other thinks of these things.

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We need a lot of time for that, in my view, and so, you know, I'm not asking that we schedule any additional dates but again I, I urge us to look at the possibility of making some of these dates do double duty,

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if we're not listening to public presentations for very long. You know, maybe use those to introduce, you know, a couple of key questions that we know we want to talk about.

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Right.

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And I've already mentioned before, that on the 9th, I think I mentioned before , I

will be unavailable that night. I won't be there for the first public session.

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Judge, you'll be upset when you come back, and you find out we voted all the things through.

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Just kidding. And again, if you guys, if you're looking at these calendars. I think it's overwhelming, it is unlikely that all of you will be able to attend all of these meetings in fact I know some of you have vacations planned during these times.

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Again, if you can attend all of them. that's wonderful if you can't attend all of them. As long as we know in advance and we're able to have a quorum, that's absolutely fine.

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We just need to know in advance that we're going to have a quorum. Again, maps cannot be voted on with just a simple core of my understanding and Secretary McCord please chime in here.

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There needs to be seven votes for maps, it's not just the simple quorum of five, so no voting on final maps is going to happen unless there are, unless there are at least seven. Is that correct?

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That's correct. Magnificent Seven.

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Yes. Be mindful of that. So seven for a quorum or seven for approval? Seven for adoption of a map. Five for a quorum. Got it.

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So one question I have is, do we need a meeting, specifically to adopt the maps that we're going to be presenting beginning on the sixth of October, or is that meeting on the sixth of October, where we do the unveiling and voting.

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Because

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I think we have to be on record that this is what we as a commission are offering up as the starting point for entering into conclusion.

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You guys just figure it out because I think there are a lot of people that will wonder about the process of, you know, seeing those maps and, and there will be a difference between presenting those maps as a.

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this is our first cut conceptual thinking, we haven't really voted on them yet, or as a commission, we voted on these as a starting point or something, so that the public knows whether these are real rough drafty things, or are they, do they have all

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the power of our thinking and our judgment in them.

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Well, every time, every time you all join as a group, the public's invited to attend that they are open meetings, so it, so every time you meet and you're discussing, let's do this let's do that, that that's the public's part of that.

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So, so that's.... there's nothing behind the scenes. A slightly related point that Mary may have been making, which I think she's completely right, is that whatever we've presented to the public as the basis for those public hearings.

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We should be having a vote with every person and really should have seven or, I'd like to think nine of us voting for that either.

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The ideal is for every single person to feel enthusiastic about moving forward but yes, that kind of submission to the full commission for every member is a consideration and approval should very much come before the public gets presented with, even if

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it's it, but some somewhat of a concept or tentative mountain and not every detail has been polished, we want that vote on record, I think, so that would have been.

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But you know you're bringing up a good point and that would have been the 30th. And so the idea then is, given that noon is kind of a, that there's kind of an end at

one o'clock for a lot of people, that hard stop.

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Should we make that meeting on the 30th an evening meeting instead?

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and do what you're talking about on Thursday, September 30th?

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Anyone can't make it that evening on Thursday, September 30. I like that addition to the schedule because the fact that if we don't know where we are on the 30th, getting there by the sixth,

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there's no other meetings. So, we need to know.

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I generally have coaching on Tuesdays and Thursdays at six o'clock. So I'll miss a few of those and also missed a few of these. So I have to kind of balance both.

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So if 21st, 23rd, 28th, 30th, I'm going to do 50/50 probably, but maybe the 30th can be the 29th and then I'm good because Wednesdays are generally what I've left open for myself for this.

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So, if it could just be the 29th, not the 30th, I don't know, back-to-back nights then on the 28th 29th is it is challenging for anybody, but it might be better for me than the 30th. We risk taking days away from ourselves to because it's already an extremely

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compressed schedule, but I think that decision point has to be entered.

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Okay, so I would not want to lose, J. on that last meeting so if he can't make the six o'clock. I'd like to leave it at 12, and if we run out of time.

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And we can't continue on...Do we have to have another meeting before the sixth?

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Do you guys want to move that meeting to the 29th?

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But it takes away a day.

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Yeah.

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I'm in favor of that.

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I'm in favor. Whatever we need to do to get the job done.

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Yeah.

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You know I'm like to have J with us.

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Right, I would too.

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Are we talking about six o'clock on that Wednesday evening then, on the 29? Oh yeah? Okay.

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Yeah, and at the risk of biting off more.

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I don't know, and we earlier than that to like having a Wednesday meeting again because I've mostly been able to allocate Wednesday nights for my commitment here is again preferable to a six o'clock on Tuesday,

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And I'm more likely to do noon on either Tuesday or Thursday, because again, during the workday I can find the hour. Six o'clock is in direct conflict on evenings, Tuesday and Thursday.

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So, again, I've probably over done it with what I've had commitment wise between

commission and other activities with my coaching but that's the challenge that happens in September.

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So again, you're saying on the 29th, you'd be available for six o'clock. Yeah, but I'm also saying the 22nd, if, if they are one currently on the 21st, the 22nd...Yeah just to keep our Wednesday rhythm, but again, only assume, others

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have the same level of flexibility on Wednesday, but anyone could..... Is there anyone who cannot do the 22nd at 6pm?

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Okay.

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We don't know.

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We don't know about Kate. Yeah.

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I'll check with her but for the purpose of this conversation what we're looking at doing is moving the 21st and the 28th.

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Do the Wednesdays, rather than Tuesday, so we'll just have, we'll have a Wednesday night meeting, and a noon on Thursday meeting. I only set them up like this, primarily just to kind of give a breather in the middle of those two, but we can absolutely

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do the evening of the 22nd and the 29th. And then at noon on the 23rd and 30th. The 30th if need be.

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And then our first public meeting of round three, sorry, would be Wednesday October sixth. Again, the discussion you all need to figure out is if you're going to have them virtually, or if you're going to have them hybrid.

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Again we might not be able to make that decision for a week or so but if we're

going to do those in a hybrid fashion,

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we're going to need to book places and one of the challenges, in that as well because of...

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For example, colleges that require vaccinations, to be to come to school, whatever it might be, so just that kind of discussion we have to have right now but it is something that...Kristin, Mary wants to weigh in on that question and so postponing it at least until

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our next meeting, I'd like to give her a chance to weigh in. Right. So, so with that, guys. Is this a schedule that you want to move forward on again, knowing that the 21st, the 28th will shift to Wednesday night.

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The.

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The second will move to the 20th.

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The 13th deadline will move to the 17th deadline.

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And with that, I'm going to let you all hold vote.

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Anybody have, any anything else to add but you guys should probably vote on this so that we can get it posted and set.

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Before we move to a vote is there more discussion.

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You said, the 20th, as in October 20th?

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No, I'm sorry, September 2nd meeting would be held on September 20th.

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All right, that's fine...can we add to the discussion, what the plan is regarding how we're going to merge everyone's maps into one?

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What's the plan for that?

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That's probably not a discussion for tonight. That's probably a discussion that will have with Professor Persily.

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Walter you can talk about that some more, but I don't know if we're prepared to have that discussion tonight.

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If we have time to get into the...

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What was marked as the point five criteria discussion. I was hoping to get near some of those same issues and we might be able to have a discussion about it again, depends on how long that the group wants to go on.

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We are working our way through the agenda items, but I was hoping for a little more detailed discussion of what it means to have multiple maps in play, and I think that ties in very much with William's question.

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Is that something that we're going to be discussing on Tuesday now? If we don't discuss it tonight, Tuesday would be a great time to discuss it. Yeah, I'm just wondering if you, if given the hour, and given the length of that

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conversation, do you all want to have that conversation start the conversation tonight, or do you kind of want to set the stage to have that conversation on Tuesday night?

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Kristin, I'd rather postpone saying that for sure because there are a couple other things we want to work through. And then when we get to criteria discussion, we

can look at how tired each other are and get....

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No seriously, you know I would like a sense of the meeting because if people want to give a little more time.

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You know we need time to learn and discuss and,

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and maybe, letting it go till 830 makes sense, but again, let's decide that after we're through a couple of other things that I think everybody wants to go to first.

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My intention on bringing it up wasn't to discuss tonight.

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It was, I was putting it out there so we will be on the agenda for the next hour. For sure and understood and, yes, we will be having discussions that I think are very on point with that and probably quite soon. Kristin, can you go over what we had last

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two in September? I want to make sure that J is happy with the changes, the last two weeks. Yes, sir. The last few weeks of September, the meetings that are currently on the 21st and the 28th will move to the 22nd and the 29th

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Yes.

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All right, and then.

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Kristin, Can you also confirm that we are not having a meeting next Tuesday that we discussed Wednesday instead, or did I miss? I'm sorry if I said Tuesday I apologize.

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Next Wednesday, I apologize. And the last iteration of the juggling at the end of September is Judge Williams had mentioned, or what drove that question initially was the 30th being the last of those working sessions does it need to be longer?

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So that was, I think, on the table as a six o'clock instead of staying at noon, which I could then make myself available if I had to miss practice I can coordinate around that, especially the 30th, because that one was going to stay on

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the 30th. It was really the 30th that was moving back to the 29th and the other one could stay on 28th. But either way, the last of the four of those four meetings needed to be longer than the one hour.

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Thank you J, Allowing an hour for a wrap up, and reach consensus...

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we need to give ourselves a nice long evening.

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We want to make sure that we can do all the talking that we think each of us wants to. Right.

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I think the 29th was going to be the decision meeting where we would do that voting to get ready and then the 30th became optional.

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If we needed anything else to get ready.

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Yeah, I didn't think the 30th was dropping off from what I remember in our conversation a couple minutes ago. I thought that it was moving the 28th to the 29th but definitely keeping the 30th because we need it.

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We need every day, we can get frankly you know this is a big, complicated process, and we don't want to sell short, how much we're going to be

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asked to give to it. Yeah, and I think Mary that conversation was when we were thinking about getting the 30th to the 29th rather than moving the 28th to the 29th.

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Right, so the 30th could be moved to six. Yes, It would be, it'd be fine.

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Okay. Yeah, that's good, because I just don't want to lose any of the time. These are critical meetings that we need the input of everyone.

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So just want to make sure we can accommodate, J.

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Okay.

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So is that something you all want to vote on?

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Just get a thumbs up from everybody? Hearing no further discussion I'm happy to hear a motion to move to that schedule.

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Is it so moved?

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Yeah, I would move that we approve that proposed schedule. Yes.

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Any second? I would second it.

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Discussion on the motion?

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If not, all those in favor say aye or wave your hand.

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I, I...Any opposed say nay, wave your hand now.

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Okay, seeing none.

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We're going to go without schedule thank you all to all the members, thank you to Kristin and those that MDP who I know that worked so hard on this issue in recent

days. And Kristin if you can send us the revised schedule tomorrow so we can put it

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on our calendars.

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I will, I will send that to you guys.

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It might be later in the day guys only because, as I mentioned, I'm up in Boston, moving my daughter into school. Oh yeah, sure.

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I'm sure. Okay.

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Okay. I think we're ready to move on to a point that may possibly have already been resolved, which is for public map submissions determining submission deadlines, we just did resolve that didn't we? Yeah that's been addressed. Okay.

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so so much before.

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Now we do arrive at five criteria discussions and before I bring Professor Persily back, if there's a chance to hear a little more from him, I wanted to bring up one point that we had discussed at an earlier meeting.

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I believe there was no objection, the co chairs are all in agreement on it and Kate asked in particular that it be brought up tonight, we believe that the case is very strong for prioritizing the Congressional map over the State Legislative map as far as

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the general order in which we're going to take a look at them, although there can be overlap.

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You know, there's no reason to have to finish the one before beginning the other necessarily, but as a general guideline for those out there in the public who are wondering about which map to work on first if they're planning on submitting for

both.

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Judge Williams, am I summing it up accurately? Yeah, congressional maps we would like as a priority to start with. Yeah, and there were a number of strong arguments I thought, one very strong one was that when you're learning something as complicated as this, working with

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a geography is good training for working with, what is it 188 geographies?

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And we simply will learn many things going along on the comparatively simpler map, that we will then have this experience to help us resolve the questions in the map with more decisions to make, which is the state legislative one.

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So, any discussion of that or should I just say all in favor, just say I, or raise your hand. I think we did, we did discuss this earlier and I think there was consensus so that's what we're going ahead with and add a little clarity on what the public is expecting in order of issues.

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Professor Persily, I think is still on the call.

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Any reaction about whether....? We're at 7:45.

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Would it be a good compromise to invite the professor to get, use 15 minutes of other presentations and use Q&A to get a little deeper into the questions or should we call it a night? Any reactions on that?

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Okay, if, if, Professor Persily if you've got the time and again you can make it whatever mix of Q&A where people can jump in and raise their hands for questions, but I know I was hoping to hear a little more about these issues of..

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Are we going to find ourselves with eight sample maps or ten sample maps?

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How do you anticipate the kick off of this, so to speak? Once the data..

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People do their wizardry.

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Well, we can do it in any number of ways, and I can...

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In general, what I think would make sense is that I will show you what look like, you know, I'll show you... Well, I'll show you everything that is being considered and then I'll explain why I think these, you might be the ones you want to consider....

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And then you can narrow it down even further. And we can have, you know, a public file of all the maps that were produced, even if it's, you know, thousands and thousands.

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But, you know, for something like the congressional map, I could draw you a base map right now, which will be pretty much where I think we would end up, it would end up being just because it's eight districts and you know, like I said, three of those districts

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are largely drawn already because of the geography, as when we go throughout the state. Then you have to make very serious decisions about the edges of those districts that's where a lot of political considerations come in,

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but the base map which could be malapportioned...Right? Could be just made up of whole counties that then you could then make the decisions off of that and for one reason or another could move

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the district lines include different communities.

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But again, doing this algorithmically.

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I think the idea would be that there will be a scoring of the plans, according to

number of the political subdivisions that are split, or number of achievement of certain values on compactness, and then we can produce either...which maps are getting

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the highest score, you know optimized among those criteria or which one does the best of...as a measure of political subdivisions which doesn't measure political compactness, and go in that direction.

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My one thing I would strongly advocate at this stage is that all maps be composed of whole precincts because there's no need at this stage to split a precinct because that's something you do later on in the process. That will mean that some of the compactness

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scores will be lower than they're eventually going to be just because some precincts are really strangely shaped, but just to, you know, in terms of the base maps,

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I think what would make sense is that we could have you.... It really depends on the criteria that you would like to inject into the algorithm, whether you want the best winners, according to what each criteria or overall winners according to all the time.

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And again I, I'm going by my understanding of how this is likely to work but we don't need to be abstract or mathematical ourselves and our reactions to the plan.

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For example, if we ourselves know of a community of interest issue or if members of the public have submitted a community of interest issue and amounts that we like otherwise handles that very badly, it breaks up what we believe to be a community of

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interest or it doesn't handle those issues well. This is very much the kind of commentary that we should be preparing, once we see sample maps to point out, you know, look, look, you know it's breaking up a natural community of interest or, you know, we heard testimony that this should not be split..why is it being split?

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We should not see ourselves as computers I guess is what I'm trying to say.

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We're there to help the non-computer side of it. Yes, You should not consider yourself a computer that's the, the biggest value that the Commission, gives you, to start with, I mean, the base maps are simply useful, because you want to start

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with something. And I know that there's always a concern that somehow whatever you start with is going to bias the final outcome. And so, as long as we're transparent, how does base maps are created and I...One thing I will do, even before the

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app because it's going to take a while to develop the, the code for the algorithms not more than two weeks but probably, it'll be less than that, but I will in the next few days draw, just some quick maps that the type of things that that you

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can envision, so you can see what and I'll explain why I chose particular starting points. Again, you don't need to work off of those but just to get the commission, thinking about how to approach this, then that would be one way to think about it.

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And like you said with the congressional maps are relatively easy...

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One thing that maybe this is obvious, and I should have said it before, which is that since you've got the nesting requirement for the assembly districts that you have to do the the senate map has to be done, right before the assembly map is done,

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and, and so there's no sort of utility in wrestling with the big, the real difficult issues in the assembly, that's where a lot of the Voting Rights Act issues are going to come in, that's where a lot of the that some of the micro communities of interest

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questions are going to come in and so I'm getting the senate map right is going to be challenging, but it's, but you know it's important.

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I don't know how you're going to work simultaneously on the Senate and the Assembly maps just because you need one before you can do the other. And that

also goes to the question of, like, how many different maps, you're gonna be working with at once because

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if you have several senate versions. Some of them will some of the other assembly versions will mesh and some will not at right and so you've got a kind of you, and what we're doing, and some other states is that you have, you know, parallel processes

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that are going on, where this set of say senate maps will nest this set of Assembly District, whereas a different set of Senate maps map with a different set of assembly districts

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And I think, you know, you'll find that we can do any of these maps in a day. Right. And, you know, just in terms of that technical capabilities, but to make a decision right about the values and you know the interest issues and all those

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tradeoffs that we talked about, that's going to take the time to make a decision about, you know..do we go in this direction to go in this other direction?, I will say that the thing that takes me the most time whenever I get appointed by courts

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is seeing if a decision I'm making in one part of the state is something that I can justify for the rest of the state, you know, when every time I moved geography, it's about thinking about the philosophy behind the plan and whether I'm being true to

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the principles that I'm saying are guiding the plan. It's a challenge, you know it's a challenge to do that faithfully but, you know, I'm confident we can do it together.

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Let me ask a question. Where does the Voting Rights Act, the increase of minority population and people of color increase in Maryland, where does that factor in, when you talk about a base map?

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So we can do that at the front end, and so that that's I'm glad you asked that question because I was talking to the computer scientists about this just yesterday, because we can develop a plate...we can have as a constraint on the development

of

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the map a

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requirement of drawing majority minority districts, right so we can do that at the front end, and it may make sense that what we do is we do a set of maps that have that as a constraint and setting ones up that don't.

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The one thing that I want to caution you about though is that that's what we get into the kind of dicey constitutional territory. Because when we, if we feed into the, the algorithm maximization of majority minority districts that is potentially a constitutional

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problem. Now that, because without having done the racial polarization analysis first right? And so we need to be careful there. But I think, I have no problem.

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generating algorithmically those maps because I think it would be useful for the commission to see them on what an algorithm within majority minority district requirement would look like.

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Now, we do need to make a decision as we do that, about certain

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controversies and voting rights law, and then has to do with coalitions of minorities. So as we draw in certain areas particularly given residential segregation in Maryland, it will be quite easy to draw majority African American districts

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and, in some cases, as I remember from the last time, I used to do the districts...Sometimes what you need to worry about is overconcentration drawing, 80%, you know, districts and you could dilute the minority vote, vote by overconcentration as well as an excessive

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spreading. But as we get out of Baltimore, Prince George's County, thinking about the coalition districts between different groups of minorities is going to pose that

that is a legal gray area, and one that we need to think

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seriously about. And we also have to talk about it carefully actually. And so, as we think about like what ingredients we would put into the algorithm, the, you know, is it about majority minority districts or is it about

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majority African American majority Latino majority Asian in the like? And those are decisions that we just make, and one benefit of doing this you know by computer is that we can produce many sets of these maps, so you can see which way they push.

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And so you can have them as comparisons when you start getting involved in the map making process and say... Oh well, this map was one that that created a proportional number of majority African American descent, even though we're not working off of

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that you can see what that looks like in comparison to another base map.

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And I, I will take that occasion, there is a decision point, probably the only one I think that we are, that we should consider resolving this evening, which is in Professor Persily's earlier presentation, he asked about the go ahead to do racial polarization

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analysis and I know that for those who have not gotten involved with the Voting Rights Act, it just you know these are terms that may not....

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You may be hearing for the first time, but then wind up, determining that that factual and historical analysis winds up determining what is legal and what it is not legal to do in redistricting. And Jay and William may remember the lawyer from the conference

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we went to in Salt Lake City....

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Lawyer after lawyer got up on the podium and said to do that, and review analysis early rather than later, because you don't want to be walking into a situation where

you're not sure what you're legally allowed to do

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in considering districts, just having the factual information there. So I would like to see if it's the sense of the group that Professor Persily and his team is authorized to do that.

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It's basically historical analysis, if I understand it correctly, of voter polarization in order to shed light on what is required of us under the Voting Rights Act.

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I can have a clarification, will you be using the results of elections? You will be? You have to...that's required.

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We're supposed to be anti political, we're not supposed to be using

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political affiliations. This is very good. I am glad you raised that issue. This is one of the reasons why I will not do it.

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I do like some of these things I want to keep some distance between me... and so the conclusions of the racial polarization analysis will be that in that in a particular area

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this is the political operative.

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This is the level at which minority communities are able to elect their candidates of choice. Okay, this is a lot of jargon there. But the idea is that you try to get a sense of whether the white community and the given racial minority community are polarized

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at such a level that it prevents the minority community from having an equal opportunity to elect their candidate choice. That will require an analysis of previous election results.

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In order to do that, and.

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And this is where the criteria you see in the executive order since it does say first and foremost at the beginning that you have to comply with the Voting Rights Act.

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You know, I think that it is assumed there but in the...

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I think that this way of doing it, having an outside expert, establish what the threshold is for equal political opportunity, but not actually getting the data into the redistricting program or giving it to you is a way of squaring that circle.

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And this is not unfamiliar territory by the way this is happening in Florida, it happens in, in, in Utah you and you were there's similar prohibitions on the use of political data, but then that the Voting Rights Act is, is sort of an exception when it

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comes to doing other racial polarization analysis. One thing that we need here and that our capacity to do this quickly.

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And by quickly, I mean it's going to take several weeks to do this, depends on cooperation with the election department and getting the right data from the state.

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And because this is, you're basically what you end up doing is you look particularly at elections in which you had a minority candidate versus a white candidate that, seeing how that led to different results in certain state legislative races, and then you

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identify areas of the state which are deemed racially polarized.

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So I have a question regarding algorithms.

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I'm familiar with algorithms, I work with them every day.

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Are you writing these algorithms and are they proprietary? If not, I would like an opportunity to take a look at them. right now? There are two options.

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One is that we just use the caliber algorithm, and they have documentation that explains that the other is and this is where I was going, is that will have John Robin and his team do that do the algorithms and they will write a document that explains the

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ingredients in that algorithm.

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And who is John again? He's a professor at Stanford.

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He testified when it comes to the use of algorithms you can use throughout the country.

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And I want to say, Just so we're clear about who these people are, some of these folks that testified in cases deal with political party. But I've tried to balance it out, so John works for the Republicans,

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John Durantz has worked for some Democrats but they all know I'm supervising all of this to ensure that it is, is, you know, that nonpartisan in the way that we're analyzing this and that is transparent.

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And I'll say one of the problems in the redistricting world is there's a shortage of nonpartisan experts. You know, we've got it, the way the business is working with one of the parties.

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That's why I get dragged in quite a bit. Do we have a consensus to authorize that particular slice of work should go forward? As Professor Persily was saying it, it can take quite a while and getting a start now rather than next week, means the results

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can be with us earlier.

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Walter, Is that something we are voting on to take action or is it something that the Maryland Department of Planning has to authorize the work or....?

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I'm not sure how that works, but I think that, either way, we, you know, the discussion which we've just been having any further discussion is, is the right way to go because I think four major steps like that we should at least know about them and ideally

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be giving our blessing. Yes, this is a necessary part of the process. Let's get it underway since it has to be done.

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If the commission wants it, we will make it happen, yes. I understand that part, but I still feel like I want to do a little bit more research on this Stanford professor and how he writes his algorithms.

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Yeah, I have a similar interest because as commissioners we're the ones that are voting and verifying, you know that we're following all the rules, so I think we want to be behind the black curtain a little bit too, but also getting the information that we're

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not supposed to see.

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Let me also propose another course here and I'm really indifferent between these options. Which is that I'm happy to draw a base map myself and explain it to you all, why I did what I did as I go through the map.

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And, and, like I said, we have a malapportioned map that would just serve as a starting point for you all. And then, you know, that then, then you've got to trust me, and you know that I'm, I'm giving you the real reasons, when I'm doing that but

it's,

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you know, there's a kind of attraction of algorithms because they seem neutral but as you all I think are legitimately raising concerns, it's like, well, you know, I'm not inherently neutral let's talk about bail hearings or you're talking about

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redistricting right?

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Um, I actually think here, because what will end up producing it's sort of a range of maps that you can sort of look at in a kind of quality check.

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But I'm happy to go in whichever direction... We can do both also, if you want, like, I can, I can draw some of these maps myself.

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in the next week and then we can get the algorithmic maps after that so you can choose. I would recommend both and again....

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There are two different issues here and we've done a bit of crossing back and forth.

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The, the action points tonight was on the separate issue of the Voting Rights Act, which is different from the question of the whether the algorithm itself is a black box and how much can be pulled aside as far as I can tell, we can get full access to ask

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questions and get answers about how the algorithms were developed. We are not as free to peek into the Voting Rights Act process because the explanations are involved, telling us about political things that we are not supposed to do.

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So that, that section jumps away from us but not the algorithm section. It doesn't have to be kept away from our scrutiny and our oversight questions and you know, what both Mary and William we're talking about

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very much part of our oversight and we should be willing to jump into it and they should be willing to respond.

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Does that make sense? sense?

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It does. I'm also going to put into the chat here just so you can see other base maps that have sort of been produced already, the maps that appear on Dave's redistricting map, because these would be

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examples of the state legislative as well as congressional, now these I believe we're drawn with projections, they're not the PI data that's now been made available, but you can see you know, the way that....

I have to jump in and say, before people

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click that link too far there, I've thought of offering the same link and the reason I always

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didn't, was because a number of the maps by their very names, talk about party gerrymanders and I worry that we're getting too close to

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spending time looking at material that we should not really be spending time with. That's what you know.... individual maps, particularly if they are drawn with the intent of fairness and nonpolitical, then yes very much.

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And just on the point, Professor Persily was making I had my own preference for him to bring him napkin maps and for him to bring in a bunch of computer-generated maps because you learn more from having more maps than you do from having a small

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number of maps, the, you know, it is that fact that you're looking at a bunch of them, that makes you realize that there are multiple ways of handling it that you know it's the eleventh map you look up that may have the solution for a particular issue.

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issue. And I do think that we're going to benefit if we get a flow of them to compare with each other, rather than choke off the different sources and just limit the number of maps which....

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Well, I think the number of maps for me isn't the issue or the point of concern. It's how the maps are being drawn and the algorithms that are being used is what I would like a little bit more information on.... that's all I'm saying.

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That's completely correct and can I think in different ways we've said that when they come, they need to have clear and persuasive explanations of why the, you know, what was plugged in and assumptions and requests, how their algorithms

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work and we also need to be able to ask questions beyond that just as William was saying where it's an interactive process not just reading it.

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Back to your question Walter, I am in favor of proceeding to, again, to make sure we're in compliance to

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Get these studies done.

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If I hear no objection, I'm going to assume that we're okay with authorizing that to go forward.

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Secretary McCord or Kristin is that okay from the department's standpoint, to authorize that to go forward?

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It's fine from our standpoint, yes. Okay. And on the other question of how the,

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how to get good oversight and transparency of the algorithms I think we've, we've had a good initial discussion of that, we will be discussing a little more in future meetings, but I think, so far as I can see, we are basically on the same page.

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On the commission as far as stressing the importance of that.

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We are running past the amount of time I thought we were going to allocate....

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Are there other questions or other points that we should be addressing tonight, and should not put off till next week?

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Okay, any final comments before I entertain a motion to adjourn?

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Okay.

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Is there a motion to adjourn?

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All right. I'll move to adjourn and appreciate all the comments tonight. This was a very helpful meeting. Thank you Professor.

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Thanks, but especially Professor Persily and Kristin for her long explanations. Is there a second?

Second that.

Kim seconds

All in favor way your hand.

We are adjourned.