

III. PUBLIC TESTIMONY

From: [Cathy Young](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] testimony for March 7, 2022 RC Meeting
Date: Sunday, March 6, 2022 11:38:27 AM

To: Reapportionment Committee Members

I write in support of the community plan for reapportionment that Ralph Boyea presented.

It follows the law.

Mahalo,

Cathy Young
Registered Voter
Keaau, Hawaii 96749

From: Mary Smart
Mililani Town resident
For: March 6, 2022 Reapportionment Meeting

I keep checking the Hawaii Reapportionment Commission website looking for new maps but none have been posted. That is a disappointment knowing the testimony that the Commission has received regarding its failure to meet all the requirements of Hawaii's State Constitution for both House and Senate districts, and the pending lawsuit. That lawsuit posed no new issues to the Commission. Residents were told time after time that the Commission had the rationale for why it wasn't necessary to follow the state Constitution. Yet, when faced with a deadline to produce that rationale in court, more time was requested. It should have been readily available. Prior to this we were told that everything must be done quickly to prepare for the upcoming election cycle. Yet, delay when responding to the court is acceptable. The whole map development process was cloaked in secrecy using a PIG where very few people were privy to the rationale for the district and senate boundaries. The court is just asking for those details to be released to the community. The delay hurts new candidates and favors incumbents who already have name recognition. Residents may wonder if this is the intent of the delay.

The military extraction process is still a problem. Even if the Commission did it right and only extracted the military and students with out of state domicile, you still are extracting "permanent" residents who reside on or near a military base. Knowing that and still extracting those raw numbers is clear disenfranchisement. Also, since it is known that all the other states do not include the people the Commission extracted. Other states use the census date –no extraction – and also no inclusion of the people Hawaii extracts. Those military become citizens without representation. In my opinion that is unconstitutional. How many military personnel domiciled in Hawaii were added back into their home districts? I didn't see that procedure – only extraction. They are represented in the state they are living – since military are actually "permanent" when they are transferred to the area. For those non-military – those military orders are called (**PERMANENT CHANGE OF STATION (PCS) ORDERS**). Hawaii is their permanent location – where they live, work, shop, send their children to school, they pay property taxes, GET, etc.). Many people come to Hawaii for their job. No one asks them if they are going to stay more than three years. I know many people who moved here, were classified as permanent residents, and then moved back after one, more or less, years. This is clearly discrimination and disenfranchisement of the military/their dependents and students. The state of their domicile isn't going to intervene for them while living in Hawaii. They will need their local Representative or Senator to intervene for them. That causes the local elected officials to have more people to represent than those communities without military personnel. And, the "permanent" Hawaii non-military resident's representation becomes diluted because their Representative and Senator have more people they actually represent than the reapportionment commission recognizes.

I believe the definition of "permanent" that the Reapportionment Commission is using is flawed. Perhaps the concept was to prevent people flying in to fill out a census card (and

fill one out in other places too) and then leave the state. Extracting military and students doesn't prevent that from happening.

I understand the Commission is split on how to handle the "permanent resident" statement in state Constitution. But, after considering this for a long time (20 years ago my "permanent" resident husband was extracted), it is time to look at other states. Kansas tried to extract but it didn't work. They are going with the census. Most times when a military person or a student leaves, a replacement comes to Hawaii. That is a "permanent" body needs to be represented. The Commission has no idea if the military (or student) member filled out a census card. Military members deploy for months at a time. They may not have filled out the census info or they may have put the address of their "domicile" and were never included in Hawaii's count. Yet, they (and their dependents) are extracted. That is double jeopardy for the community. And, should a local "permanent" resident marry someone who has domicile outside the state, that permanent resident (and possibly other family members who become dependents even though they never left Hawaii in their life time) are extracted from the census count. Clearly the fairest course of action is to use the census data.

The Senate is voting on SB3254 on 3/8/2022, the bill to change the Constitution to use the most recent decennial census for reapportionment. I would like a commitment of the Commissioners to support that bill and give everyone representation. During a hearing one of the Senators asked if military could vote twice. If a military member registers to vote, that is an indication of a change of domicile and whatever benefit from keeping a different domicile should end. With military under not only civil law but the Uniform Code of Military Justice, military personnel are the least likely people to commit voter fraud. They took an oath to defend the constitution, not defile it.

Just so the Commission understands, there are different reasons for not changing a domicile each time a military member receives PCS orders. Some people have to move frequently. I would be very difficult to have to get a new drivers license and register to vote every time you have orders. Also, if your driver's license expires while you are overseas/deployed, your former state is unlikely to renew your license if you don't have a local address there any longer. Changing domiciles becomes difficult. While on active duty, I didn't change my domicile for that very reason.

The problem with the House Districts, and I am most knowledgeable about the Mililani area, is they were not compact and didn't keep socio-economic/communities of interest together. In the final report, I am requesting the Reapportionment Commission provide answers to the following questions.

- Why was Mililani Mauka split? There is no rationale for that. Children in the area split into District 37 go to Mililani Mauka elementary and intermediate schools. Mililani Mauka has its own neighborhood board. I believe I asked for the record why Mililani Mauka that had been together for the first iteration of maps was separated in two segments when the Mililani Town was disengaged from the North Shore in the second iteration of maps.

- The Board of Education has segmented the island of Oahu with the Central area of Mililani Mauka, Mililani Town, and Waipio Acres all going to Mililani High School. That is a community of interest. The geographic boundaries Kipapa Gulch and Waikalani Dr. are natural boundaries. Why weren't these used to establish compact communities. Since Mililani Mauka doesn't have sufficient population on their own to establish a district, they could have a portion of Mililani Town that would connect them to Waipio Acres. This is how District 36 (now 38) was configured in the past. If the Commission wanted to keep similar district lines, why wasn't Mililani Mauka kept intact with all or part of Waipio Acres
- Why Mililani Town is not exclusively contained in the compact area that is a community of interest with Mililani Mauka and Waipio Acres since these areas go to Mililani High School and Waipio Acres is part of the Mililani Town Neighborhood Board? Why is Mililani Town being matched with Waipio Gentry (and Koa Ridge) that is part of the Pearl City High School community? The District 37 incumbent lives in Waipio Gentry. To get to Waipio Gentry, a commuter must travel down and up Kipapa Gulch, which a natural boundary that would be a good demarcation between House Districts, to transit to other segments of the proposed district.
- Mililani Town and Mililani Mauka are all managed under the Mililani Town Association. Although Waipio Acres is not, they are the best community to draw additional population to even out the district sizes. Former Representative and Neighborhood Board member Marilyn Lee and Neighborhood Board member Trish La Chica, and I have called to keep Waipio Acres with the Mililani area as a community of interest that makes sense and to fulfill the Constitutional requirement to keep communities compact.
- I provided many maps to show these 3 communities are closely linked by location, schools, water districts, and neighborhood boards.

The Congressional, House and Senate maps should be redrawn to meet all the Hawaii State Constitution requirements regarding reapportionment, not just the one regarding Senate districts. After correcting the district lines, I wholeheartedly support combining 2 house districts together to form a Senate district.

This year's reapportionment should be used to correct all the gerrymandering of the past.

There have been maps drawn by members of the public that follow the State Constitution more closely than the Technical Committee's maps. We would have saved significant time and effort if those maps were used as a starting point and might have avoided a challenge in the courts. Not only time but taxpayer funds would have been saved if the Commission had listened to the public for whom they serve and not the politicians by whom they were appointed.

Please redraw the maps to address all community input and provide detailed rationale whenever community input is not adopted.