Representing the people

Public testimony concerning “step 1”

- Accurate extractions
  - Commissioners not calling anyone to testify/certify the extraction count

Public testimony concerning “step 2”

- Favoring a person or political faction
- Districts being contiguous
  - Districts are compiled of populated census blocks of people and so contiguous districts seems to mean contiguously populated
- Compact districts as practicable
- Districts should follow easily recognizable features
- Representative districts should fit wholly inside senatorial districts
- Submerging smaller areas into larger and considerably different socio-economic interests predominate should be avoided

Why you have to get the House districts right first, before the Senatorial districts.

The commission needs to provide dialogue on where they are with the staggering of Senators

  - What is there thinking and process?
How did we get here?

I’m sure many of you are asking the same question I ask myself every day since I learned of what my involvement was supposed to be, “how in the world did I get involved with this?” When I agreed to participate, I ignorantly assumed that the process would be “easy” as neighborhoods have established themselves over the decades and I assumed the house districts would closely mimic the neighborhoods, as people chose their neighborhood based on having common variables with their neighbors, either by choice or circumstance, and therefore elect their representative voice, to echo their concerns and support for certain issues, as those representatives would have firsthand knowledge of the issues, as they too live and fellowship within their own neighborhood. Easy to say, but boy was I wrong about the process...

In this board packet, I will try and properly represent what the public has submitted by way of written and 3 minute oral testimonies, as it aligns with the reapportionment process as outlined by the U.S. Constitution and subordinated by the Hawai‘i State Constitution, within the bounds of the Sunshine Law, while being respectful to the history of our Kūpuna and our ‘Āina.
Our “neighborhoods,” Ahupua’a pre-date our inclusion into the United States and therefore, predate our Hawai‘i Constitution. The Hawai‘i Constitution did not invalidate Ahupua’a and in several neighborhoods they are still the same, geographically as when they were subdivided into Ahupua’a. Ahupua’a were intentionally divided ensuring Ulukau what we commonly refer to as “mauka to makai” to ensure each had the full range of natural resources in order to be “self-sufficient” while still contributing to the greater good of the Mokupuni or what we are calling for apportionment, “basic island unit.” Under this system, 100 years ago, each ahupua’a was “self-sufficient” which in-turn meant each island was independently self-sufficient or what we may call “free.” The Ahupua’a met the needs of the community from watershed to marine resources, giving the ability to cultivate the land. How is it that today with all of this technology and “advancement” do we not have one self sufficient Ahupua’a?
What does this have to do with reapportionment?
Our Island’s Issues
How reapportionment affects us all

• Sustainability
  • Ohana
    • Our health from our Kupuna to our keiki
    • Our ability to afford to live and stay in Hawai‘i
  • Land and Natural resources
    • Each community’s work to protect, restore, and produce once again

• Economy
  • Not only today’s but for future generations
  • “That doesn’t matter to our work here.” Yes it does!
The Process

Getting from where we are, to where we once were for future generations
ARTICLE IV REAPPORTIONMENT

REAPPORTIONMENT YEARS
Section 1. The year 1973, the year 1981, and every tenth year thereafter shall be reapportionment years. [Add Const Con 1978 and election Nov 7, 1978]

REAPPORTIONMENT COMMISSION
Section 2. A reapportionment commission shall be constituted on or before May 1 of each reapportionment year and whenever reapportionment is required by court order. The commission shall consist of nine members. The president of the senate and the speaker of the house of representatives shall each select two members. Members of each house belonging to the party or parties different from that of the president or the speaker shall designate one of their number for each house and the two so designated shall each select two members of the commission. The eight members so selected, promptly after selection, shall be certified by the selecting authorities to the chief election officer and within thirty days thereafter, shall select, by a vote of six members, and promptly certify to the chief election officer the ninth member who shall serve as chairperson of the commission.

Each of the four officials designated above as selecting authorities for the eight members of the commission, at the time of the commission selections, shall also select one person from each basic island unit to serve on an apportionment advisory council for that island unit. The councils shall remain in existence during the life of the commission and each shall serve in an advisory capacity to the commission for matters affecting its island unit.

A vacancy in the commission or a council shall be filled by the initial selecting authority within fifteen days after the vacancy occurs. Commission and council positions and vacancies not filled within the times specified shall be filled promptly thereafter by the supreme court.

The commission shall act by majority vote of its membership and shall establish its own procedures, except as may be provided by law.

Not more than one hundred fifty days from the date on which its members are certified, the commission shall file with the chief election officer a reapportionment plan for the state legislature and a reapportionment plan for the United States congressional districts which shall become law after publication as provided by law. Members of the commission shall hold office until each reapportionment plan becomes effective or until such time as may be provided by law.

No member of the reapportionment commission or an apportionment advisory council shall be eligible to become a candidate for election to either house of the legislature or to the United States House of Representatives in either of the first two elections under any such reapportionment plan.

Commission and apportionment advisory council members shall be compensated and reimbursed for their necessary expenses as provided by law.

The chief election officer shall be secretary of the commission without vote and, under the direction of the commission, shall furnish all necessary technical services. The legislature shall appropriate funds to enable the commission to carry out its duties. [Add Const Con 1978 and election No v 7, 1978; am HB 2322 (1992) and election Nov 3, 1992]

CHIEF ELECTION OFFICER
Section 3. The legislature shall provide for a chief election officer of the State, whose responsibilities shall be as provided by law and shall include the supervision of state elections, the maximization of registration of eligible voters throughout the State and the maintenance of data concerning registered voters, elections, apportionment and districting. [Add Const Con 1978 and election Nov 7, 1978]
APPORTIONMENT AMONG BASIC ISLAND UNITS
Section 4. The commission shall allocate the total number of members of each house of the state legislature being reapportioned among the four basic island units, namely: (1) the island of Hawaii, (2) the islands of Maui, Lanai, Molokai and Kahoolawe, (3) the island of Oahu and all other islands not specifically enumerated, and (4) the islands of Kauai and Niihau, using the total number of permanent residents in each of the basic island units and computed by the method known as the method of equal proportions; except that no basic island unit shall receive less than one member in each house. [Add Const Con 1978 and election Nov 7, 1978; am HB 2327 (1992) and election Nov 3, 1992]

MINIMUM REPRESENTATION FOR BASIC ISLAND UNITS
Section 5. The representation of any basic island unit initially allocated less than a minimum of two senators and three representatives shall be augmented by allocating thereto the number of senators or representatives necessary to attain such minimums which number, notwithstanding the provisions of Sections 2 and 3 of Article III shall be added to the membership of the appropriate body until the next reapportionment. The senators or representatives of any basic island unit so augmented shall exercise a fractional vote wherein the numerator is the number initially allocated and the denominator is the minimum above specified. [Am Const Con 1968 and election Nov 5, 1968; ren Const Con 1978 and election Nov 7, 1978]

APPORTIONMENT WITHIN BASIC ISLAND UNITS
Section 6. Upon the determination of the total number of members of each house of the state legislature to which each basic island unit is entitled, the commission shall apportion the members among the districts therein and shall redraw district lines where necessary in such manner that for each house the average number of permanent residents per member in each district is as nearly equal to the average for the basic island unit as practicable.

In effecting such redistricting, the commission shall be guided by the following criteria:

1. No district shall extend beyond the boundaries of any basic island unit.
2. No district shall be so drawn as to unduly favor a person or political faction.
3. Except in the case of districts encompassing more than one island, districts shall be contiguous.
4. In so far as practicable, districts shall be compact.
5. Where possible, district lines shall follow permanent and easily recognized features, such as streets, streams and clear geographical features, and, when practicable, shall coincide with census tract boundaries.
6. Where practicable, representative districts shall be wholly included within senatorial districts.
7. Not more than four members shall be elected from any district.
ELECTION OF SENATORS AFTER REAPPORTIONMENT
Section 7. Regardless of whether or not a senator is serving a term which would have extended past the general election at which an apportionment plan becomes effective, the term of office of all senators shall end at that general election. The staggered terms of senators in each district shall be recomputed as established by the next section in this article, and the number of senators in a senatorial district under the reapportionment plan of the commission. [Add Const Con 1978 and election Nov 7, 1978; am SB 2234 (1992) and election Nov 3, 1992]

STAGGERED TERMS FOR THE SENATE
Section 8. Any re-elected senator whose prior term was shortened to two years by the occurrence of the reapportionment year shall, after reapportionment, be assigned to serve a four-year term. Any new senator and re-elected senator whose prior term was not shortened by the occurrence of the reapportionment year shall, after reapportionment, be assigned to serve a two-year term. If the number of senators assigned to serve a two-year term under the previous paragraph exceeds twelve, the number of such senators shall be reduced to twelve by random selection as provided by law. [Add Const Con 1978 and election Nov 7, 1978; am HB 572 (1987) and election Nov 8, 1988; am SB 2234 (1992) and election Nov 3, 1992]

CONGRESSIONAL REDISTRICTING FOR UNITED STATES HOUSE OF REPRESENTATIVES
Section 9. The commission shall, at such times as may be required by this article and as may be required by law of the United States, redraw congressional district lines for the districts from which the members of the United States House of Representatives allocated to this State by Congress are elected. [Add Const Con 1978 and election Nov 7, 1978]

MANDAMUS AND JUDICIAL REVIEW
Section 10. Original jurisdiction is vested in the supreme court of the State to be exercised on the petition of any registered voter whereby it may compel, by mandamus or otherwise, the appropriate person or persons to perform their duty or to correct any error made in a reapportionment plan, or it may take such other action to effectuate the purposes of this section as it may deem appropriate. Any such petition shall be filed within forty-five days of the date specified for any duty or within forty-five days after the filing of a reapportionment plan. [Add Const Con 1978 and election Nov 7, 1978]
§25-1 Reapportionment commission. A reapportionment commission shall be constituted before May 1 of each reapportionment year, and the members shall be appointed and certified to hold office until a general election is held under a reapportionment plan of the commission, or of a court of competent jurisdiction, or a new commission is constituted under Article IV, section 2 of the State Constitution, whichever event shall occur first. [L 1969, c 79, §1; am L 1979, c 51, §2; am L 1982, c 249, §2; am L 1992, c 320, §2]

§25-2 Duties. (a) Legislative reapportionment. The commission shall reapportion the members of each house of the legislature on the basis, method, and criteria prescribed by the Constitution of the United States and article IV of the Hawaii Constitution. Pursuant thereto, the commission shall conduct public hearings and consult with the apportionment advisory council of each basic island unit. Not more than one hundred days from the date on which all members are certified, the commission shall cause to be given in each basic island unit, public notice of a legislative reapportionment plan prepared and proposed by the commission. At least one public hearing on the proposed reapportionment plan shall be held in each basic island unit after initial public notice of the plan. At least twenty days' notice shall be given of the public hearing. The notice shall include a statement of the substance of the proposed reapportionment plan, and of the date, time, and place where interested persons may be heard thereon. The notice shall be given at least once in the basic island unit where the hearing will be held. All interested persons shall be afforded an opportunity to submit data, views, or arguments, orally or in writing, for consideration by the commission. After the last of the public hearings, but in no event later than one hundred fifty days from the date on which all members of the commission are certified, the commission shall determine whether or not the plan is in need of correction or modification, make the correction or modification, if any, and file with the chief election officer, a final legislative reapportionment plan. Within fourteen days after the filing of the final reapportionment plan, the chief election officer shall cause public notice to be given of the final legislative reapportionment plan which, upon public notice, shall become effective as of the date of filing and govern the election of members of the next five succeeding legislatures.

(b) Congressional reapportionment. At times that may be required by the Constitution and that may be required by law of the United States, the commission shall redraw congressional district lines for the districts from which the members of the United States House of Representatives allocated to this State shall be elected. The commission shall first determine the total number of members to which the State is entitled and shall then apportion those members among single member districts so that the average number of persons in the total population counted in the last preceding United States census per member in each district shall be as nearly equal as practicable. In effecting the reapportionment and districting, the commission shall be guided by the following criteria:

(1) No district shall be drawn so as to unduly favor a person or political party; (2) Except in the case of districts encompassing more than one island, districts shall be contiguous; (3) Insofar as practicable, districts shall be compact; (4) Where possible, district lines shall follow permanent and easily recognized features such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract boundaries; (5) Where practicable, state legislative districts shall be wholly included within congressional districts; and (6) Where practicable, submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided. Not more than one hundred days from the date on which all members are certified, the commission shall cause public notice to be given of a congressional reapportionment plan prepared and proposed by the commission. The commission shall conduct public hearings on the proposed plan in the manner prescribed under subsection (a). At least one public hearing shall be held in each basic island unit after initial public notice of the plan. After the last of the public hearings, but in no event later than one hundred fifty days from the date on which all members of the commission are certified, the commission shall determine whether or not the plan is in need of correction or modification, make the correction or modification, if any, and file with the chief election officer, a final congressional reapportionment plan. Within fourteen days after filing of the final reapportionment plan, the chief election officer shall cause public notice to be given of the final congressional reapportionment plan which, upon public notice, shall become effective as of the date of filing and govern the election of members of the United States House of Representatives allocated to this State for the next five succeeding congresses. [L 1969, c 79, §2; am L 1979, c 51, §3; am L 1992, c 320, §3; am L 1998, c 2, §8]
§25-3 Powers. The commission may require all such persons as it deems necessary to appear personally and testify before it and to produce to it all books, records, files, papers, maps and documents as shall appear to be necessary for the purpose of formulating a reapportionment plan. The chairperson of the commission or any member thereof acting on behalf of the chairperson shall have power to administer oaths to persons summoned to appear before the commission and such persons may be questioned, under oath, concerning all matters necessary for the due execution of the duties vested in the commission by the Constitution and by this chapter. All hearings and proceedings shall be governed by this chapter and by rules of practice and procedure established by the commission. A majority of its membership shall constitute a quorum to do business, and the concurrence of a majority of its membership shall be necessary to make any action of the commission valid. Meetings shall be called and held at the call of the chairperson or by a quorum. [L 1969, c 79, §3; gen ch 1993]

§25-4 Penalty for violation and false evidence. Any person who, having been summoned under section 25-3 to give testimony or to produce any books, records, files, papers, maps and documents, wilfully makes default, or who, having appeared, refuses to answer any questions or wilfully gives false evidence shall be fined not more than $1,000, or imprisoned not more than twelve months, or both. [L 1969, c 79, §4]

§25-5 Compensation. Each of the members of the reapportionment commission selected and certified shall, for the period the member holds the member's office, receive compensation of $50 per meeting but not to exceed $1,000 per month and shall be allowed actual and necessary expenses incurred in the performance of the member's duties. Payments for compensation and expenses shall be paid by warrants signed by the comptroller upon vouchers properly endorsed by the chairperson of the commission. The members of the commission shall be exempt from the provisions of chapters 76 and 77. [L 1969, c 79, §5; am L 1973, c 217, §9(a); gen ch 1985, 1993]

§25-6 Cooperation. The commission may request and shall receive from every department, division, board, bureau, commission or other agency of the State cooperation and assistance in the performance of its duties. [L 1969, c 79, §6]

§25-7 Apportionment advisory councils. The apportionment advisory councils for the respective basic island units shall be constituted at the same time as the reapportionment commission and the members shall be appointed to hold their offices for such term in the manner prescribed in Article IV of the Constitution. Each advisory council shall serve in an advisory capacity to the reapportionment commission as to matters affecting its basic island unit. Each member shall be a registered voter of the member's basic island unit. A member of a council shall, for the period the member holds the member's office, receive compensation of $50 per meeting but not to exceed $500 per month and shall be allowed actual and necessary expenses incurred in the performance of the member's duties. Payments for compensation and expenses shall be made by warrants signed by the comptroller upon vouchers properly endorsed by the chairperson of the appropriate advisory council. The members of the council shall be exempt from the provisions of chapters 76 and 77. Each council shall elect its own chairperson and may elect other officers as may be necessary to carry out its functions. Meetings shall be called and held at the call of the chairperson or by a quorum which shall be a majority of the members. [L 1969, c 79, §7; am L 1973, c 217, §9(b); am L 1979, c 51, §4; gen ch 1993]

§25-9 Commission; continuance after challenge of plan. In the event of a successful court challenge of a reapportionment plan, the reapportionment commission shall continue in operation and may assist the court in formulating a new reapportionment plan. [L 1992, c 320, §1]
Duty
Reapportionment Commission

• “Step 1” Confirm census numbers less extractions.
  • Provide the proof of extraction counts
    • Use all powers as granted to ensure accuracy
• “Step 2” Allocate total number of members of each house to each basic island unit
  • Apportion members among the districts that are drawn to be nearly equal
• Stagger Senators
  • We haven’t heard anything about this portion from the commission.
“Step 1” Confirm count, less extractions

- The Commission’s Statutory Authority to Ascertain Most Accurate Population Data

  “§25-3 Powers. The commission may require all such persons as it deems necessary to appear personally and testify before it and to produce to it all books, records, files, papers, maps and documents as shall appear to be necessary for the purpose of formulating a reapportionment plan. The chairperson of the commission or any member thereof acting on behalf of the chairperson shall have power to administer oaths to persons summoned to appear before the commission and such persons may be questioned, under oath, concerning all matters necessary for the due execution of the duties vested in the commission by the Constitution and by this chapter...[.]

  “§25-6 Cooperation. The commission may request and shall receive from every department, division, board, bureau, commission or other agency of the State cooperation and assistance in the performance of its duties.”

To date, the commission has not called anyone to testify to confirm the extraction numbers. The public is requesting this be done. The commission may accept the 30,000+ reduction in military since 2010, but why weren’t there 10,000 more vacant houses available for the houseless or under housed?
Testimony on Step 1

Questions need answers

• Where is the supporting evidence that extractions were done accurately?
  • Even commissioners are asking for this?
• Legally, you cannot move on to step 2 without the commission, confirming, ratifying or accepting the data as accurate.
• Please see testimony from Common Cause, Policy Matters, Bart Dame and other related, posted on public record at the Office of Elections/Reapportionment/meetings/supplemental meeting materials
• Only the variables set forth in the Hawai‘i Constitution, specifically article IV section 6, when dealing with this portion of the process.

• If any members of the technical committee were given additional criteria or had firsthand knowledge of variables that are not included in the Constitution, those variables and information should not be considered.

• ie... where incumbents live, where one particular political party is disproportionately stronger in a portion of a district, where potential political challengers live, what is best for your own agenda, etc..

  • all of these claims have been made by public testimony, it is important to the community to address them.

• All of the guidelines set forth in section 6 are meant to be simultaneously adhered to. Although checks and balances would be evaluated individually, the spirit of the law if for them all to be considered during the entire process.

• Is the area compactly contiguous as to not favor any person or political faction while maintaining the integrity of the neighborhood without submerging vastly different socio-economic groups of people within one district.

  • The simple question is was the process followed with the utmost integrity?
Neighborhoods=Communities

Community drives our island and our state

- Commissions don’t determine neighborhoods, people determine neighborhoods
- Neighborhoods of people elect representation
- Neighborhoods are naturally compact, contiguous, and have common socio-economic and sustainability interests
- Neighborhoods grow naturally and when you try and manipulate a neighborhood into a district it’s obvious to its people
- Districts should closely align with what neighborhoods naturally establish
- When redistricting, the natural order would be to start with the neighborhoods of least change and push towards the areas of greatest change
  - A neighborhood with high growth or a greater population loss is proportionately more responsible for redistricting and therefore carries the burden of having its district shifted
Opposition to Reapportionment Maps

Office of Elections/Reapportionment/Meetings/Supplemental meeting materials

- Testimonies in opposition to step 2 are too numerous to include them all, here.

- 11 neighborhood boards, representing over 300,000 people have drafted resolutions in opposition to the “proposed” redistricting maps that the commission unanimously approved for public viewing and testimony.
  - Hawai‘i Kai #1, Kaimuki #4, Diamond Head/Kapahulu/St. Louis Heights #5, Palolo #6, Mānoa #7, McCully/Mo‘ili‘ili #8, Ala Moana/Kaka‘ako #11, Pearl City #21, Kahalu‘u #29, Kailua #31, Waimanalo #32 All available on O of E
    - Please take the time to read all of the resolutions.

- Not one board has drafted a resolution in support of the district maps.

- A few Kalihi Valley residents testified in support of keeping their community intact which is what all communities want.
  - A joint effort by Bill Hicks and the Kalihi neighborhood board, cleaned up the “Hicks” map to include community input.

- 1 testifier in Makakilo testified in support of “fixing” the last 10 years of a mistake that was done in the last reapportionment to Makakilo, but said he wouldn’t think of looking into other neighborhoods.
Core Values of Hawai‘i
Leverage the people

- Ho‘olohe: We come together to not only “hear” what the people are saying, but we listen to their passion and concern.
  - The people have spoken, they have put hours into testimony and neighborhood boards have gotten together to present a better option.

- Kuleana: The commission is responsible for their actions just as the people are responsible to give their testimony.
  - We must maintain the mutual respect of the commission, the system, the process, and the people it all represents.

- Pono: Ua Mau ke Ea o ka ‘Āina i ka Pono is literally our state motto: “The sovereignty of the land is perpetuated in righteousness”
  - This place we call home, is only perpetuated when righteousness prevails!

- Malama: We have a responsibility to take care of this land, and to leave it better than we found it.
  - The start of taking care of this place, is by taking care of it’s people and representing them with pono!

- Aloha: We do all our work heartily with love in our hearts.
This may all sound like childhood words and lessons we learned, but isn’t it what we need? Isn’t it what the world needs, now? Are we really teaching our keiki a lie? Do we believe in what we are teaching?

Commissioners, you all see the testimony. You all see the issues. I’ve been on numerous hearings and have seen in writing that “Royce” is an expert on the map and the software. If that is the standard for excellence than the public has exceeded excellence by giving you a better way. A map that 11 boards and many individuals have worked together to produce. It may commonly be referred to as the “Hicks” map, but really it’s the people’s map, and the people want you to have it, and refine it even further. However we may have gotten here, “is what it is,” however we can fix it before it’s too late. Neighborhoods are neighborhoods for a reason. Neighborhoods are people. People that want proper representation. No matter what party or race or origin, or ancestry, the people would say that our island needs to be sustainable. Our malama starts with our kuleana to the people. People in their communities will solve problems exponentially faster than one representative on their own. To have that support of the people you must ho’oloe and ho’oponopono this process that lost it’s way. The Hokule’a is a worldwide treasure, representing Hawai’i. We are way finders, there is a way back to pono! Maybe there were justifications given, maybe you are trying to correct a wrong with a wrong. We the people don’t know if there’s gerrymandering, we don’t know if there was intention to favor one person or political faction, we don’t know if this was meant to suppress voters, native Hawaiian or others, we don’t know if you meant to submerge socio-economic classes into a vastly different district, but you do! Have we really become the mainland? Is that what we are leaving for our keiki? Is that our legacy?

Maybe I’m naive in thinking we the people can still make a difference, but we have to try! Commissioners, the will of the people is for you to Ho’oloe, and to accept you Kuleana. Ho’oponopono with Aloha, the Ahupua’a and Mahalo our Kupuna by paving a way to return to self sustainable communities which lead to a self sustaining Mokupuni!

Mahalo!
Hello,

Attached is written testimony in opposition to the Reapportionment Commission’s proposed maps, submitted for the Oahu Advisory Council meeting on December 17, 2021.
December 14, 2021

To the Members of the Oahu Advisory Council
Reapportionment Commission
Hawaii Office of Elections

Subject: Testimony in Opposition to the Proposed 2021 Reapportionment Commission Maps for House Districts 17 and 51, and Senate Districts 9 and 25.

At its regularly scheduled meeting of October 26, 2021, the Hawaii Kai Neighborhood Board voted unanimously (13 Ayes, 0 Nays, 0 Abstentions) to approve a resolution that opposes the 2021 Reapportionment Maps developed by the Reapportionment Commission’s Technical Group. This letter serves as a cover letter to the Board’s Resolution #21-3, attached.

The Hawaii Kai Neighborhood Board opposes the proposed reapportionment maps for House Districts 17 and 51, and Senate Districts 9 and 25, for many reasons, detailed in the attached Resolution #21-3. To briefly state a few,

- the proposed maps fragment the Hawaii Kai Community and diminishes the community’s voice,
- the proposed maps create a non-contiguous district that straddles Congressional Districts 1 and 2, resulting in an incongruent contortion wrapping around the Kaiwi Coastline,
- the proposed maps ignore the historic, geographic boundary of Makapu’u Point that naturally divides the Windward and Leeward sides of the Koolau’s,
- the proposed maps ignore the historic, geographic boundary of Makapu’u Point that naturally divides the Windward and Leeward sides of the Koolau’s,
- the proposed maps ignore the Hawaii Kai community’s long-time commitment to preserve and protect the Kaiwi Coastline for residents and visitors alike, successfully obtaining designation of the Kaiwi Coast as a State Scenic Byway and developing a Maunalua to Makapu’u Corridor Management Plan approved by the State Department of Transportation,
- the proposed maps seek to move many neighborhoods out of the Hawaii Kai community who share a common socio-economic-political infrastructure with Hawaii Kai and East Honolulu neighborhoods. Nonsensically, it moves Kaiser High School and its surrounding environs to the Windward House District 17 and Senate District 25.
- the proposed maps motivated the Neighborhood Board chairs of Hawaii Kai, Waimanalo and Kailua to work together to oppose the Commission’s proposed maps and to unanimously support the alternative maps submitted by Bill Hicks for the Oahu House and Senate Districts.
Numerous Neighborhood Boards across Oahu, representing hundreds of thousands of residents, have joined us in indicating their opposition to the proposed maps developed by the technical group and approved by the Reapportionment Commission. Multiple alternative maps have been submitted for the technical group to consider. All of them use both Makapu’u Point and Kaena Point as fixed, natural boundaries.

The Hawaii Kai Neighborhood Board requests that the Oahu Advisory Council support our efforts in urging the Reapportionment Commission to acknowledge the many voices of the community and
1. redraw the maps for House Districts 17 and 51 and for Senate Districts 9 and 25,
2. maintain the historic, natural boundary of Makapu’u Point between these House and Senate Districts, and
3. allow Hawaii Kai and other East Honolulu communities to remain intact.

Thank you for the opportunity to provide testimony on this important issue.

Roberta Mayor, Chair
Hawaii Kai Neighborhood Board No. 1
HAWAII KAI NEIGHBORHOOD BOARD NO. 1 - RESOLUTION #21-3

OPPOSING THE PROPOSED 2021 REAPPORTIONMENT PLAN FOR HOUSE DISTRICTS 17 AND 51 AND SENATE DISTRICTS 9 AND 25 AND STRONGLY URGING THE REAPPORTIONMENT COMMISSION TO REDRAW THESE PROPOSED DISTRICT BOUNDARIES TO KEEP THE HAWAII KAI COMMUNITY INTACT.

WHEREAS, the proposed reapportionment plan for House District 17 fragments the intact Hawaii Kai community by incorporating the neighborhoods of Queen’s Gate, Koko Villas, Laulima, parts of Kalama Valley, Kaiser High School and its environs, Portlock, and the Kaiwi Coastline into House District 51, thereby separating them from the current Hawaii Kai community, and

WHEREAS, the proposed reapportionment plan exacerbates the error committed in the 2010 reapportionment when parts of Kalama Valley and Portlock were placed in the current Senate District 25, and

WHEREAS, the proposed change to combine portions of House District 17 with House District 51 creates a non-contiguous district that straddles Congressional Districts 1 and 2, thereby not wholly containing either of the areas in one Congressional District as per Commission precept, and

WHEREAS, the Hawaii Kai geographic area in its current boundaries is an intact community and the reapportionment proposal for House Districts 17 and 51 splits both districts into an illogical, incongruent contortion wrapping around the Kaiwi Coastline, and

WHEREAS, the Hawaii Kai community for many decades has been instrumental in helping to protect and preserve the Kaiwi Coastline for Hawaii residents and visitors alike, has assisted in preserving beaches along the coastline such as Sandy Beach and Wawamalu Beach, has supported the preservation of Hanauma Bay, and has promoted conservation of the natural coastal landscape, most recently with a community purchase of 187 acres across from Makapu’u, and

WHEREAS, the Hawaii Kai community succeeded in obtaining designation of the Kaiwi Coastline as a Hawaii State Scenic Byway and has developed a Maunalua to Makapu’u Corridor Management Plan approved by the State Department of Transportation, and

WHEREAS, the Hawaii Kai community has committed time, energy and resources to be the primary stewards of the scenic and fragile Kaiwi Coastline, and
WHEREAS, the Queen’s Gate, Koko Villas, Laulima, Kalama Valley, Portlock communities and Kaiser High School and its environs are geographically, historically and logically integral parts of the Hawaii Kai community, and

WHEREAS, the socio-economic-political infrastructure of the Queen’s Gate, Koko Villas, Laulima, Kalama Valley, Portlock neighborhoods and Kaiser High School and its environs are coherent with the Hawaii Kai community as a whole, as well as the East Honolulu communities, and

WHEREAS, Districts 17 and 51 are currently clearly demarcated with Makapu’u Point Lighthouse as a natural geographic boundary, and political dividing line between the Windward and Leeward sides of the Koolau Mountains, and

WHEREAS, the proposed redistricting plan splits the Hawaii Kai area between Districts 17 and 51, thereby fragmenting the voice of the Hawaii Kai community, divides Enchanted Lakes between Districts 50 and 51, thereby diluting the voice of the Enchanted Lakes community, and conceivably, negatively impacts the Native Hawaiian voice by squeezing the Waimanalo area between two disparate communities, and

WHEREAS, the population deviation in the current District 17 can be addressed by moving the Ewa boundary westward beyond Kawaihae Street towards downtown Honolulu, and

WHEREAS, in their personal capacity, the Chairpersons of Neighborhood Boards #32 (Waimanalo) and #31 (Kailua) support the Hawaii Kai Neighborhood Board in their efforts to oppose the proposed reconfiguration of House Districts 17 and 51, and Senate Districts 9 and 25, and

WHEREAS, the Hawaii Kai Neighborhood Board supports the alternate redistricting plans submitted by Bill Hicks for House Districts 17 and 51, and Senate Districts 9 and 25 for the Reapportionment Commission to consider, now therefore

BE IT RESOLVED, that the Reapportionment Commission Technical Group is strongly urged to redraw the proposed boundary configuration for House Districts 17 and 51, and Senate Districts 9 and 25, to maintain Makapu’u Point as the natural geographic boundary between these House and Senate Districts, to extend the Ewa boundary of House District 17 westward beyond Kawaihae Street towards downtown Honolulu as needed to address any population deviation, and to allow the Hawaii Kai community to remain intact, and

BE IT FURTHER RESOLVED that copies of this Resolution be delivered to the 2021 Reapportionment Commission, members of the Hawai’i State Legislature, and Chairpersons and members of Neighborhood Boards #32 (Waimanalo) and #31 (Kailua).

UNANIMOUSLY APPROVED: OCTOBER 26, 2021 (13 AYES, 0 NAYS, 0 ABSTENTIONS)
Aloha,

May I please request that the following testimonies be added on behalf of:

1. The Waimānalo Neighborhood Board #32- Chair Kimeona Kane

2. Kimeona Kane, Waimānalo Resident

Additionally, may I request to be confirmed as a oral testifier on both items.

Mahalo nui for your time and consideration.

--
‘O wau nō me ka ha’a‘a‘a,

Kimeona Kane
Chair- Waimānalo Neighborhood Board
808 398 8989
kimeonakane@gmail.com

Confidentiality Notice: This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please notify the sender immediately and delete the original. Any other use of this message by you is prohibited.
November 16, 2021

We, the Waimānalo Neighborhood Board, opposed the 2021 proposed Reapportionment Plan of House District 51 and House District 17 and urge the Reapportionment Commission to redo the district boundaries to keep current communities intact.

WHEREAS due to possible negative impacts to a rural and federally recognized Native Hawaiian community and other unique aspects of our community, and

WHEREAS moving the boundary of our community will have negative social and economic impacts on the nature of one of the two Native Hawaiian majority communities on O‘ahu, and

WHEREAS the proposed reapportionment plan for House Districts 51 and 17 fragments an intact Hawai‘i Kai community by separating the neighborhoods of Kalama Valley, Portlock and the Ka‘iwi Coastline from the current Hawai‘i Kai community, and

WHEREAS the proposed reapportionment plan for House Districts 51 and 17 fragments an intact Kailua community by separating the Enchanted Lakes community from the current Kailua community, and

WHEREAS the proposed reapportionment plan for House Districts 51 and 17 exacerbates the error committed in the 2010 reapportionment which included parts of Kalama Valley and Portlock in the current Senate District 25, and

WHEREAS the proposed House District 51 and Senate District 25 are not compact and are contiguous only by means of a narrow beach corridor, and both districts would straddle Congressional Districts 1 and 2 and will not be wholly contained in a Congressional District as per Commission precept, and

WHEREAS Districts 51 and 17 are currently well-drawn with Makapu‘u Point Lighthouse as a logical natural boundary, which has traditionally been the geographic and political dividing line between the windward and leeward sides of the Ko‘olau, and

WHEREAS the proposed reconfiguration splits Enchanted Lakes between Districts 50 and 51, diluting the voice of the Enchanted Lakes community, and

WHEREAS the proposed reconfiguration splits Hawai‘i Kai between Districts 51 and 17, diluting the voice of the Hawai‘i Kai community, and

WHEREAS the proposed reconfiguration could conceivably dilute the Native Hawaiian voice of Waimānalo by squeezing it between two disparate communities, and

WHEREAS the Neighborhood Board Chairs of Waimānalo, Kailua and Hawai‘i Kai share in support of each others efforts to oppose the proposed reconfiguration of House Districts 51 and 17,
NOW THEREFORE BE IT RESOLVED that the Reapportionment Commission Technical Group is urged to redo the proposed boundary configuration for House Districts 51 and 17, maintaining Makapuʻu point as the natural geographical boundary between the two districts, leaving House District 51 largely intact as the population deviation is minimal, and extending the Ewa boundary for Hawaii‘i Kai beyond Kawaihae Street towards downtown to address the population deviation, and

BE IT FURTHER RESOLVED that copies of this resolution be delivered to the Reapportionment Commission, Office of State Representative Lisa Marten, Office of State Senator Chris Lee and the Office of City Council Member Esther Kia‘aina.

A draft resolution was approved by the Hawaiian Affairs and Natural Resources Committee on Tuesday October 26, 2021 by vote of 5-0-0 and submitted to the Waimānalo Neighborhood Board for consideration at its Monday November 08, 2021 Regular Meeting.

This resolution was approved by the Waimānalo Neighborhood Board for consideration at its Monday November 08, 2021 Regular meeting unanimously, by a vote of 10-0-0.

Kimeona Kane, Chair Waimānalo Neighborhood Board
Kimeonakane@gmail.com
808 398 8989
12.15.2021

Aloha Esteemed Members Alan Takemoto, Member Jennifer Wilbur, Member Mike Rompel, and Member Lynn Finnegan of the Oʻahu Advisory Council,

ʻO Kimeona Kane kēia, kupa wau O Waimānalo. Mahalo nui iā ʻoukou no ka hana pono no Oʻahu nei.

I am Kimeona Kane, born into and a proud member of the Waimānalo community. I currently Chair the Waimānalo Neighborhood Board and am a Hawaiian Cultural Practitioner teaching our community and beyond the art and lifestyle of Uhau Humu Pōhaku. This testimony today is NOT a representation of the Waimānalo Neighborhood Board, rather, as a lifelong member of the Waimānalo community, my home, where I look forward to the day when my essence will be scattered with my family in the beautiful waters of Kaiona.

When I first learned of the Reapportionment Process, I was very overwhelmed and ignorant to the ideas and reasonings. There were and still are so many things that need to be addressed. That being said, I want to express my disappointment in this Councils lack of acknowledgment and community engagement up to this point. I am disturbed by the timing of these meetings as I do not believe they best engage the community voices by which you are intended to represent. I am deeply concerned of what appears to be a lack of commitment to the communities you are intended to represent and hope that these concerns can be addressed in the years to come by this body. While I can appreciate this meeting today, Friday December 17, 2021, I feel like it may hinder this Councils ability to truly represent our voices to the Commission, thus our voices could potentially be dismissed.

I also believe there are opportunities to better engage at the Commission level, as I do not believe that the statement, “it is what it is” made at a prior State Reapportionment Commission meeting by a commissioner in the meeting, best represents the wellbeing of the communities this process is intended to serve, I recognize the incredible efforts made to see the bigger picture. That same big picture, could potentially become a ten year problem for some communities that they will have to simply absorb, and I feel that reality is a negligent disservice. The complexity of this process is one thing for sure, however, the oversight of communities need to be focused in on to ensure that they are best represented as well.

I stand in opposition of the Technical Group Plan which would stretch House District 51 into the Hawaiʻi Kai Community. The idea to not utilize the two anchor points as previously done, is rather alarming and hopefully there is merit of Makapuʻu Point as a valid anchor point, as it has served as prior. Additionally, the error that is Senate District 25, should also be adjusted to best provide the communities equal representation. While I do not speak for other communities, and my testimony is specific to the District boundaries that include Waimānalo, I do understand and acknowledge the potential impacts other communities may face as a result of this plan. As a farming, ranching, rural and heavily Native Hawaiian Community occupying Hawaiian Homestead Land, I am deeply concerned that a redistricting as such, will potentially impact the resources available to the community, is a gateway to urbanization, and threatens the essence of the community I have grown up into and where I plan to live out the remainder of my life. There are several disparities with Waimānalo in comparison to the Portlock community and with other demographic and socioeconomic similar areas that are proposed to be removed, the representation of each community, Kailua, Waimānalo and Hawaiʻi Kai will be strained.
I want to highlight that I support the Hicks plan as it, in my opinion bests aligns with the following items taken from the STATE CONSTITUTION, THE CONSTITUTION OF THE STATE OF HAWAI, As Amended and in Force January 1, 2000.

ARTICLE IV REAPPORPTIONMENT

In effecting such redistricting, the commission shall be guided by the following criteria:

1. No district shall extend beyond the boundaries of any basic island unit.
2. No district shall be so drawn as to unduly favor a person or political faction.
3. Except in the case of districts encompassing more than one island, districts shall be contiguous.
4. Insofar as practicable, districts shall be compact.
5. Where possible, district lines shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and, when practicable, shall coincide with census tract boundaries.
6. Where practicable, representative districts shall be wholly included within senatorial districts.
7. Not more than four members shall be elected from any district.
8. Where practicable, submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided. [Add Const Con 1978 and election Nov 7, 1978; am HB 2327 (1992) and election Nov 3, 1992]

and reiterated in the Honolulu County Charter Section 3-103:

In effecting reapportionment, the commission shall be guided by the following criteria:

(a) No district shall be so drawn as to unduly favor a person or political faction.

(b) Districts, insofar as practicable, shall be contiguous and compact.

(c) District lines shall, where possible, follow permanent and easily recognized features, and, when practicable, shall coincide with census tract boundaries.

I appreciate the time and format allowed to us as community members to weigh in on these very critical decisions that have at minimal, a ten year impact. In closing, I deeply appreciate the efforts of the Advisory Council, the State Reaportionment Commission, support staff, members of the public, and others, for their committement to serving our community and the people of Oʻahu.

Mahalo nui a e hana me ka naʻau haʻahaʻa.

Kimeona Kane, kimeonakane@gmail.com 808 398 8989
Dear 2021 Oahu Advisory Council,

Attached please find Common Cause Hawai‘i’s testimony for the December 17, 2021 Oahu Advisory Council meeting. Additionally, Common Cause Hawai‘i requests the opportunity to testify at the December 17, 2021 Oahu Advisory Council meeting.

Thank you,

Sandy

Sandy Ma (she/her/hers)
Executive Director
Common Cause Hawaii
P.O. Box 2240
Honolulu, Hawaii 96804
(c) 808.275.6275

Please support local Common Cause Hawaii!
December 16, 2021

2021 Oahu Advisory Council (Via Email Only)
c/o Scott Nago, Secretary
Office of Elections
802 Lehua Avenue
Pearl City, Hawai‘i 96782

RE: Testimony for the 2021 Oahu Advisory Council December 17, 2021 Meeting

Dear 2021 Oahu Advisory Council:

Common Cause Hawai‘i is a nonpartisan, nonprofit, grassroots organization dedicated to upholding the core values of our representative democracy and ensuring a fair and transparent reapportionment and redistricting process.

Common Cause Hawai‘i states that the Oahu Advisory Council should, in accordance with its duties set forth in Hawaii Revised Statutes § 25-7, respect and support the public testimonies and the testimonies of communities of interest presented at the myriad of Hawai‘i 2021 Reapportionment Commission (“Commission”) meetings and public hearings, expressing grave concerns with the proposed redistricting plans adopted by the Commission on October 28, 2021. Redistricting maps that are publicly driven and represent the will of the people best reflect our democratic process and values.

Therefore, the Oahu Advisory Council should request that the Commission diligently and conscientiously incorporate feedback from the community acquired throughout the course of the public hearings and the Commission meetings in to a new 2021 Hawai‘i Reapportionment Commission draft congressional and legislative redistricting plans.

If you have any questions or concerns, I am available to discuss further at 808-275-6275 or sma@commoncause.org.

Very respectfully yours,

Sandy Ma

Sandy Ma
Executive Director
Common Cause Hawai‘i
Aloha Oahu Advisory Council Members...

I am submitting this testimony for the Oahu Advisory Council meeting on December 17, 2021. Included is a description of the alternative “Hicks Plans” for Oahu House and Senate districts for consideration, an Op-Ed published by the Honolulu Star-Advertiser on December 14, 2021, and a Resolution unanimously approved by the Kailua Neighborhood Board on November 4, 2021.

On October 13th I first learned about the Reapportionment Commission’s proposal for the House District I live in, HD51. The district is currently Lanikai-Enchanted Lake-Waimanalo. The proposal would split Enchanted Lake in half between HD50 and HD51 and would split off Portlock from Hawaii Kai/HD17 and attach Portlock to HD51, thereby mixing Windward Oahu with East Oahu in a single district.

At the Reapportionment Commission’s meeting on October 14th, I testified that I was disappointed to see HD51 very contorted and stretching from Lanikai to Portlock. I didn’t think it was a good idea to mix East Oahu and Windward Oahu residents into the same district and that Makapu’u Point should be a natural boundary, the same as Ka’ena Point. This is how the districts have historically been drawn and the way the City Council districts still are.
I was concerned that the proposal would dilute the voice of Kailua (especially Enchanted Lake) and Hawaii Kai (especially Portlock). Such a strange and convoluted proposed district would be significantly harder for someone elected from Kailua or Waimanalo to understand and represent and especially so for someone elected from Hawaii Kai. Waimanalo people know Kailua and Kailua people, especially those in Enchanted Lake, know Waimanalo. We moved to Kailua in 1986 – I can only remember being in Portlock one time and that was about 20 years ago. On the other hand, the Waimanalo Jack-in-the-Box is about as close to me as the Kailua one.

At that meeting Commissioners encouraged residents to use the interactive maps to make and submit plans for your consideration. So, I did that - initially just to prove to myself that it is viable to not mix East Oahu with Windward Oahu. My alternative plans have been submitted to the Commission and are available for review under Open Plan > Shared Plans > Everyone.

Here’s what I learned:

1. It is entirely viable to use both Makapu’u Point and Ka’ena Point as boundaries.

(2) Because Hawaii Kai/HD17 can start at Makapu’u Point and not surrender significant population to the Commission proposed HD51, there is less radical movement of East Oahu district boundaries westward. Therefore the “Hicks Plan” approach can keep all of the East Oahu valleys, such as Manoa Valley, intact in single districts.
(3) It’s true that the much larger population increase in Leeward Oahu relative to East Oahu means that there must be a net shift of one House district to Leeward Oahu. Because of the Commission’s proposal to include some of East Oahu in HD51, causing more radical westward movement of East Oahu house districts, the Commission’s plan essentially “runs out of population” at HD19 and it is HD19 that shifts to Leeward Oahu, causing the existing HD19 territory (dashed yellow line) to be split among proposed HDs 18, 19, 20, and 21. The “Hicks Plan” has a much less radical impact on HD19.

(4) The “Hicks Plan” doesn’t “run out of population” until HD32 and it would be HD32 that shifts to Leeward Oahu. The remaining HD31 would actually be more compact and contiguous than the current HD31/HD32.
(5) After submitting the original alternative “Hicks Plan” I heard from Mililani residents that this plan was no better than the current plan or the Commission proposed plan when it came to splitting the Mililani area up into too many districts, so I took a harder look at Mililani and discovered that Mililani Town contains 27,175 people, which is very close to the “target district population” of 27,026. It is viable to make Mililani Town a single district and to include all of Mililani Mauka and Waipio Acres in another district. This is much simpler for Mililani, without affecting the Windward Oahu and East Oahu improvements in the original alternative “Hicks Plan”.

(6) Furthermore, by shifting population from HD45 to make Mililani Town and Waipio Acres whole, and then compensating HD45 with the whole of Wahiawa, HD45 becomes a more compact district going from the North Shore upslope only to Wahiawa, rather than extending further south towards Waipio.
(7) A flaw was discovered in my original plan that would have divided Kalihi Valley along Likelike Highway. Working together with Ken Farm, Chairman of the Kalihi-Palama Neighborhood Board, we constructed a revised plan that corrected that flaw.

Revised “Hicks Plan” corrected Kalihi Valley

(8) As much as possible, effort was made to make districts contiguous and compact and use mountain ridges, streams, and highways to keep neighborhoods intact.

(9) The “Hicks Plan” achieved a population deviation of 2.58% (with or without the Mililani Excursion). That compares very well with the Commission’s proposed plan with an 8.54% population deviation.

(10) There was absolutely zero political calculus in what I constructed. I have no clue how any given office holder may be affected. Note that the Hawaii Constitution says, “No district shall be so drawn as to unduly favor a person or political faction” and that
the interactive mapping tool appropriately does not include any legislator’s home address.

(11) There are an unlimited number of different ways to construct these and I’m sure what I constructed could be improved upon by moving a few census blocks around for better neighborhood integrity. With only 2.58% population deviation versus 8.54%, there is a lot of maneuver space to make adjustments for better neighborhood integrity.

(11) I applied the same process for the Oahu Senate Districts, with the same outcomes. Makapu’u Point is a viable boundary. East Oahu valleys are kept intact. In the “Hicks Plan” 16 of the 17 Oahu Senate Districts have deviations less than 1%, and the one outside of that is only 1.07%. The total population deviation is 2.02%. The Commission’s proposed plan has a much larger total population deviation of 7.93%.

Oahu Senate “Hicks Plan”

The attached PowerPoint briefs show each district in more detail, comparing the alternate “Hicks Plan” with the Commission’s proposed plan, and the current districts.

I am not alone. Other citizens have constructed and submitted alternative plans. There are a total of 5 House and 3 Senate plans. All 8 plans use Makapu’u Point as a
natural boundary between Windward Oahu and East Oahu and all 8 plans achieve a much smaller population deviation than the Commission’s plan.

Eleven Oahu Neighborhood Boards representing about 300,000 Oahu residents have all passed resolutions opposed to the Commission’s plan. They are: Hawaii Kai (10/26), Manoa (11/2), Kailua (11/4), Waimanalo (11/8), Diamond Head-Kapahulu-St. Louis Heights (11/9), Kaimuki (11/17), Ala Moana-Kakaako (11/23), Pearl City (11/23), McCully-Mo’ili‘ili (12/2), Palolo (12/8), and Kahalu‘u (12/15). Many other neighborhood boards were unable to consider reapportionment because they recess in December and there was insufficient time to address the issue between 10/28 when the Commission’s plan was approved for public review and the time when their November agenda needed to be published. For the 2031 Reapportionment process, I strongly recommend that the Oahu Advisor Council and/or the Reapportionment Commission deliberately engage with all Oahu neighborhood boards to better understand the local concerns. The Kailua Neighborhood Board Resolution is attached.

The Star-Advertiser published an Op-Ed piece on December 14, 2021 (attached). It starts by saying “Proper apportionment of our population into representative districts is one of the cornerstone foundations of our democracy. Our Hawaii Constitution enumerates how apportionment shall occur, using a bipartisan commission following sensible guidelines. Improper apportionment for specific political purposes can result in gerrymandering, polarization, and the silencing of certain voices.” and notes that the Commission’s “plan has significant deficiencies”. The Oahu Advisory Council is urged to represent the people and forcefully advocate for major changes in the plan to include using Makapu‘u Point as a natural boundary between Windward Oahu and East Oahu and greatly reducing the population deviation between districts.

The opportunity to make the best boundaries possible only happens once every 10 years. I urge the Commission to consider this alternative plan as a starting point for developing the new Oahu House districts, and to also use this opportunity to make Makapu‘u Point a boundary for Oahu Senate districts, too.

Mahalo.

Aloha,
Bill Hicks
Kailua
From: Friends of Hanauma Bay

To: State of Hawai‘i Reapportionment Commission Oahu Advisory Council

16 December 2021

Aloha Reapportionment Commission Oahu Advisory Council Members,

Thank you for the opportunity to testify in strong opposition to the Reapportionment Commission’s Proposed Reapportionment Plans for Oahu’s State House and Senate Districts and strong support for the Hicks plans.

The Hawai‘i Kai geographic area in its current House District 17 boundaries is an intact community. The Commission’s Proposed Plan for House Districts 17 and 51 splits both districts into an illogical shape wrapping around the Kaiwi Coastline. It completely dismisses the fact that the Hawai‘i Kai community has served as the primary stewards of the scenic and fragile Kaiwi Coastline for Hawai‘i residents and visitors alike for many decades. The Hawai‘i Kai community succeeded in obtaining designation of the Kaiwi Coastline as a Hawai‘i State Scenic Byway, and has developed a Maunalua to Makapu‘u Corridor Management Plan approved by the State Department of Transportation. It has been instrumental in preserving beaches along the coastline like Sandy Beach and Wawamalu Beach, and has consistently supported the conservation and preservation of Hanauma Bay. Further, the Hawai‘i Kai community has promoted conservation of the natural coastal landscape, most recently with a community purchase of 187 acres across from Makapu‘u. Districts 17 and 51 are currently clearly demarcated with Makapu‘u Point as a natural geographic boundary and dividing line between the Windward and Leeward sides of the Koolau Mountains, and should remain so for the best stewardship of Hawaii’s precious Kaiwi Coastline.

Further, Kailua, Waimanalo, Hawaii Kai, Kaimuki, Manoa, Pālolo, Diamond Head/Kapahuulu/St Louis Heights, McCully/Mo‘ili‘ili, Ala Moana-Kakaako, and Pearl City Neighborhood Boards have passed unanimous Resolutions opposing the Commission’s Proposed Plans in favor of the Hicks Plans.

These ten Neighborhood Boards, representing more than 300,000 residents, found that unlike the Commission’s Proposed Plans, the Hicks’ Plans respect Makapu‘u Point as the natural and long-standing dividing line between House Districts 51 and 17. Further, the Hicks’ Plans keep all of the Oahu districts more compact, contiguous, and geographically consistent; maintain long-term successful environmental stewardship partnerships; and have significantly less population deviation than the Commission’s Proposed Plans.

More Neighborhood Boards, which meet monthly but not usually in December, would have had an opportunity to weigh in on the Reapportionment Commission’s Proposed Plans had they been made public before 28 October 2021. Given the extremely short notice, and the fact that so many Neighborhood Boards representing such a large part
of Oahu have rejected the Commissions’s proposed plans, and consistently supported
the Hicks’ Oahu Senate and House Reapportionment Plans instead, should resonate
with both the Oahu Advisory Council and the Reapportionment Commission.

We therefore urge the Oahu Advisory Council to support the hundreds of thousands of
Oahu residents in rejecting the Reapportionment Commission’s proposed plans and
recommending the adoption of the Hick’s Oahu House and Senate Plans instead.

Mahalo nui,

Lisa Bishop
President
Friends of Hanauma Bay
From: Bishop Ohana

To: State of Hawai‘i Reapportionment Commission Oahu Advisory Council

16 December 2021

Aloha Reapportionment Commission Oahu Advisory Council Members,

Thank you for the opportunity to testify in strong opposition to the Reapportionment Commission’s Proposed Reapportionment Plans for Oahu’s State House and Senate Districts and strong support for the Hicks Plans.

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of Oahu have rejected the Commissions’s proposed plans, and consistently supported the Hicks’ Oahu Senate and House Reapportionment Plans instead, should resonate with both the Oahu Advisory Council and the Reapportionment Commission.

**We therefore urge the Oahu Advisory Council to support the hundreds of thousands of Oahu residents in rejecting the Reapportionment Commission’s proposed plans and recommending the adoption of the Hick’s Oahu House and Senate Plans instead.**

Mahalo nui,

Lisa Bishop
Oahu resident, home owner, tax payer, voter
Aloha O'ahu Advisory Council,

As a resident of Mānoa, I would like to provide personal testimony opposing the proposed State House Reapportionment Plan as it relates to Mānoa. The map on page 106 was alarming and incredulous to see. What is the reasoning for figuratively disemboweling our beloved valley?

The State of Hawai'i should not permit any forms of injustice via gerrymandering or disenfranchisement. Thus, I emphatically question the political motivations and possible ethical violations at play, and call for the immediate amelioration to respect the historic Hawaiian and natural boundaries of the Mānoa Valley, to keep the Mānoa community as one whole. We deserve to have one, unified voice to represent us in the State House.

Our friends, family, and neighbors living a stone’s throw across the street from us should not be in a different district. Our children’s assigned public schools should not be in a different district from where we actually live. Our neighborhood marketplace, where we shop and bank daily, should not be in a different district from us. It simply doesn’t make sense for the State to divide us down the middle. It is utterly antithetical to our State’s values and motto to reapportion in this way.

The possible consequences of an arbitrary East/West split, cutting the historical ahupua'a of the Mānoa Valley down East Mānoa Road and University Avenue, disjointing the main UH Mānoa campus (proposed District #20) from the UH President’s House at College Hill and the UH Atherton building (proposed District #24), are troublesome to fathom. Our notable educational institutions like Punahou School, should not be politically excised from their place of origin that has been recorded in Native Hawaiian legends. This is confusing for our keiki to comprehend, and even more so for our kūpuna!

We should be considering the long-lasting impacts this will have on the future of zoning, property taxes, HIDOE public schools, and CIP funding. Let’s be honest, and acknowledge that the single-family, residential zoned residents of Mānoa have more in common with each other, than people in mixed-use zoning areas like Makiki or Kaimuki and Kapahulu. Fix page 106!

E kūp'a i ka pono. (Stand strong in the right.)

Please do what is right and advise the Reapportionment Commission to rectify the situation by asking the technical group to restore Mānoa Valley as one district.

Mālama pono,
Vanessa Distajo

Sent from my iPhone
dear oahu advisory council on reapportionment,

my name is Jerry Lam, and i am writing as an individual and a 50 year resident of manoa valley. please support the hicks plan for redistricting!

our constitution lists specific criteria that should be considered when drawing out new district borders every 10 years. these criteria include the following factors:

the districts should:
- have equal population requirements
- the population has been stable and the hicks plan results in less deviation than the commission's plan.
- be based on permanent residents
  - manoa together deals with 60,000 UH students and with their student parking, a total valley issue.
- must be contiguous and compact
  - the valley has been a single district for 120 years.
  - it follows permanent and easily recognized features and is contained by two mountain walls, tantalus and wa'ahila ridge.
  - it treasures its historic homes and the entire valley has continually fought to preserve and protect this special characteristic.
  - share like socio economic interests
    - manoa voters prize their single family home neighborhood resisting apartment zoning, short term rentals, monster homes, paradise park development and overdevelopment.
  - should not unduly favor a person or faction
    - the district does not play politics and does not play a role in outing an incumbent as some members of the commission members may be doing. the hicks plan is totally non partisan.
  - should not be a victim to gerrymandering
    - the shape of the newly split district makes an attempt to gerrymander our manoa.
    - including kapahulu with its small businesses, restaurants, and bars. will our representative stand up for business or for our non commercial neighborhood?
  - should have sensible representation where
    - no legislator feels responsible for half a district
      - under the new plan, wwe would have two representatives
      - whose loyalty may be to the area where he or she resides which may be palolo, or makiki, or kapahulu.
      - saving the monkeypod trees at the manoa marketplace gave us power where the residents of the entire valley could work towards a successful solution.
  - should consider socioeconomic differences
    - manoa is reported to have higher education and higher income than all sides around the valley and that may play a role in future economic decisions that affect us.
  - standing up to intrusions into the geographical cohesiveness of our valley
    - without a united, cohesive, solid voting community, hawaiian electric would have constructed 100 foot tall steel poles over wa'ahila ridge in june 2002. the palolo representative could care less about our plight and did not help us one bit. paradise park resistance and historic home issues would be diltued.

please adopt the popular and sensible bill hicks plan!! the future legacy of this 2021 commission should not be that they split up manoa valley!!
From: Jerry
To: OE.Elections.Reapportionment
Subject: [EXTERNAL] Fwd: testimony for reapportionment commission 10/28/21 meeting
Date: Thursday, December 16, 2021 3:53:57 PM

Subject: testimony for the oahu advisory council meeting on december 16, 2021

dear reapportionment commission,
the manoa branch of the outdoor circle stands strongly against the present reapportionment proposal. we feel the current plan makes little sense for our community and we are supporting the hick's plan (which preserves the geographical boundaries of manoa). the hicks plan keeps our valley cohesive, contiguous and compact. it follows permanent and easily recognizable features. it does not merge our valley with palolo, kaimuki, makiki, and kapahulu. the issues we deal with and our priorities are vastly different from adjacent areas. we need to be united to resist intrusions like power lines over wa'ahila ridge, the onslaught of apartments and monster homes, and of small business pressures. we do not need an increase in short term rentals, new variances and zonings, and representatives that are interested in just half of our valley. i do not need to tell you how little the current makiki and palolo representatives know about manoa. perhaps paradise park and 450,000 approved visitors will rise again with this new redistricting? at our meetings, the politics of the commission decisions were discussed. today in civil beat, the article on political appointments and motivations confirm our fears. please place the values of intact communities with shared interests above those of who appointed you. we urge you to accept the hicks alternative which will insure a more democratic government for the next 10 years. many neighborhood boards representing 300,000 residents, have voted against the commission's plan. thank you for our opportunity to testify.
jeremy lam, m.d., president of the manoa branch of the outdoor circle.
2230 kamehameha avenue 96822
808 222 5235
Please forward this email to the Oahu Advisory Council. Mahalo.

Dear Oahu Advisory Council:

My wife and I are residents of Oahu. We have reviewed the Reapportionment Commission's proposed redistricting plan, and are dismayed at its failure to follow the redistricting criteria set forth in our Hawaii Constitution. It appears to have been concocted to serve the private political interests of certain individuals. Bill Hicks has offered a reapportionment plan which does follow the constitutional redistricting criteria.

Charles Sexton
To: Oahu Advisory Council on Reapportionment  
From: Helen Nakano  

I am a long-time resident of Manoa Valley. I came to this Valley as a child when my parents purchased a house on the Woodlawn side of the Valley. Today, I still live in Manoa Valley in a multi-generational home with my children and grandchildren, about a block from my childhood home.

Of my four siblings, three still live in the Valley. We love this Valley and all of us participate in the activities available here and have many friends, who are also our neighbors.

Yes, I understand the reasoning behind the reapportionment, fairness and equal representation. How can the proposed plan which splits the Valley in half do this? The plan that Bill Hicks proposes makes much better sense than the one created by computers. Please adopt the proposal that he created. It has the support of nearly all the neighborhood boards. It certainly has my support.

Mahalo,  
Helen Nakano  
3080 Puhala Rise  
Honolulu, HI 96822  
hanafudahawaii@gmail.com  
(808) 988-5671
Dear Oahu Advisory Council

Thank you for the opportunity to provide testimony to the Oahu Advisory Council as it prepares its recommendation to the Reapportionment Commission. Please reject the proposed Commission’s Redistricting Plan that was the subject of recent public hearings and opposed by about 70% of the testifiers.

I am a resident of Manoa. I oppose the proposed reapportionment plan that splits House District 23, Manoa Valley, into two sections and putting bifurcated sections into adjoining districts. Manoa Valley is an established and longstanding compact community, defined by natural geographic and geologic features with a character of similar housing and natural beauty reinforced by compatible land uses, zoning, common social and economic infrastructure and active civic, religious, business and social associations committed to protecting and advancing Manoa valley’s beauty and vitality. Splitting Manoa into two districts mitigates against a unified voice on matters that affect the valley - traffic, schools, UH, watershed, Manoa Market place, etc.

I support consideration of the “Hick’s Plan” that maintains compact, contiguous, cohesive communities in tact following geographical and geological features for distinct boundaries while achieving an equitable population distribution.

While the reapportionment process follows the census update every 10 years with the intent of having equitable population distribution among election districts, it should not be a process driven by numbers. Thomas Jefferson said that government is strongest of which every person feels themselves a part. I believe Jefferson was referring to people belonging to communities and working together for the vibrancy of their communities, often calling upon local, state and federal representatives to help broker and facilitate solutions to sustaining vibrant communities. People live, work, play and learn in a place and they form associations. The common bond among these associations is the shared interests for their community - be it to protect its character, to beautify and enjoy its environs, and/or to make it a better place to live, work, learn and play. Simply stated reapportionment should be about assuring that every person feels themselves a part of a community to make representative government stronger.

It seems the Hawaii State Legislature in establishing the Reapportionment Commission in Article IV of the Hawaii State Constitution understood the importance of established communities by offering guidance on criteria for redistricting: No district shall unduly favor a person or political faction. Districts shall be contiguous and compact. District lines shall follow permanent and recognized features such as streets, streams and geographical features. I urge the Council to apply the above criteria including consideration of how democracy is supported or enhanced by its recommendation to the Reapportionment Commission.

In closing, Manoa Valley’s zip code is 96822 and applying this zip code to the number of syllables in an applicable haiku poem:

Democracy reduced to numbers
Blind to “Community”
Compact Manoa split in two
Reject!
Keep whole.

Thank you for your consideration.

Gordon Aoyagi
2712 Ferdinand Ave
December 17, 2021

Reapportionment Commission
Oahu Advisory Council
c/o Scott Nago, Secretary
802 Lehua Avenue
Pearl City, Hawaii  96782

Dear Committee Members:

Re: Reapportionment of House and Senate Districts in Kaka‘ako

The Ala Moana-Kaka‘ako Neighborhood Board No. 11 (“the Board”) has adopted a resolution which strongly urges the Reapportionment Commission to keep the Mauka and Makai portions of Kaka‘ako within a contiguous legislative district; and to strongly consider alternative plans that minimizes the population deviations and keeps neighborhoods together.

The current proposal places the makai portion of Kaka‘ako (makai of Ala Moana Boulevard and Ewa of Kewalo Basin) into new district 27 representing Downtown, Chinatown, and Kalihi. The Board urges the Commission to adjust this proposal so that this area is contiguous with the rest of the mauka portion of Kaka‘ako, which is in a new House District 23. This should not affect any population deviations, since residential development is not currently allowed in this district. This adjustment would also be more consistent with Chapter 25-2 (b), Hawai‘i Revised Statues as well as the Legislature’s intent to redevelop Kaka‘ako as a cohesive community.

A copy of the Board’s resolution is enclosed, as well as a map showing the makai portion of Kaka‘ako.

The Board also strongly urges the Commission to strongly consider alternative plans that minimize the population deviation. Although the Board did not take a formal position on the “Hick’s Plan,” such a plan is indicative of one which keeps communities together, as per HRS 25-2, and achieving minimal population deviations—even as compared to the current proposal.

Thank you very much for your consideration and attention to this critical issue. If you have any further questions regarding this matter, please contact our Neighborhood Board Assistant, Mr. Spencer Johnson at Spencer.johnson@honolulu.gov or 768-3721.

Sincerely Yours,

Ryan Tam
Chair, Ala Moana-Kaka‘ako Neighborhood Board No. 11

Enclosure
RESOLUTION CONCERNING THE REAPPORPTIONMENT OF HOUSE AND SENATE DISTRICTS

WHEREAS, Hawai‘i state law directs the State of Hawai‘i Reapportionment Commission (“Commission”) to redraw, if needed, district boundaries in response to changes in population identified by the decennial United States Census in order to ensure that citizens are equally represented; and

WHEREAS, a “district” is the geographical area whose residents are represented by one member of the Hawaii State Legislature; and

WHEREAS HRS, section 25-2(b) lists the criteria by which the Commission will be guided in redrawing the boundaries, and among the criteria are these: “(3) In so far as practicable, districts shall be compact” and “(4) Where possible, district lines shall follow permanent and easily recognized features such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract boundaries” and “(6) Where practicable, submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided”; and

WHEREAS, the Hawaii State Legislature designated the entirety of Kaka‘ako as the Hawaii Community Development Authority’s first Community Development District in order to recognize the neighborhood’s potential to provide more housing, parks, open space, commercial, and industrial areas; and

WHEREAS, the current Senate redistricting proposal maintains the Makai portion of Kaka‘ako within a district that is contiguous with the Mauka portions of Kakaako, Ala Moana, Waikiki, and portions of McCully; and

WHEREAS, the current House redistricting proposal places the Makai portion of Kaka‘ako into new district representing Downtown, Chinatown, and Kalihi; and

WHEREAS, maintaining the Mauka and Makai portions of Kakaako within a contiguous House District would not affect population deviations, since residential development is not currently allowed in this district; and

WHEREAS, alternative plans, such as the “Hicks Plan,” may also provide better geographical representation while also reducing the population deviation between districts; and now therefore,

BE IT RESOLVED that the Commission is strongly urged to keep Mauka and Makai portions of Kaka‘ako within a contiguous legislative district; and

BE IT FURTHER RESOLVED that the Commission is also urged to strongly consider alternative plans that minimize the population deviation and keeps neighborhoods together.

ADOPTED by the Ala Moana-Kaka‘ako Neighborhood Board No. 11 at its regular meeting on Tuesday, November 23, 2021, by a vote of 8-0-1.

RYAN TAM
Chair
Makai portion of Kaka‘ako which is within proposed House District 27, but which should be contiguous with rest of Kaka‘ako (Propose House District 23).

Source: Proposed Oahu BIU House 23 - adopted by Hawaii Reapportionment Commission on 10/28/2021
December 17, 2021

O‘ahu Advisory Committee to the Reapportionment Commission

c/o Mr. Scott Nago, Chief Election Officer

Office of Elections
802 Lehua Avenue
Pearl City, Hawaii 96782

Aloha mai kākou, dear Members of the O‘ahu Advisory Committee:

As Chair of the Mānoa Neighborhood Board No. 7, I humbly submit for your consideration this letter as part of the public testimony. I ask that your Commission review and consider our attached Mānoa Neighborhood Board No. 7 resolution “Requesting The State Of Hawai‘i Reapportionment Commission To Redraw The Boundaries Of T.G. House District 20, So That It Includes All Of The Residents Of Mānoa Valley.”

Our Board’s resolution maintains that the Mānoa Valley community and neighborhood is distinct, unified, and cohesive, and should remain so in representation. Specifically, it is supportive of the so-called “Hicks Plan.” Additionally, the Board is critical of the current draft redistricting plan created by the Technical Group, for what would become House District 20. Please note that the resolution identifies our proposed House District 20 as neither “compact nor follow[ing] clear geographical features.” This would appear to contradict the requirements of the Hawai‘i Revised Statutes Chapter 25-2.

The Board’s First Vice Chair, Elton Fukumoto, thoughtfully drafted the resolution language last month, and persuaded the Board to unanimously adopt this resolution on November 2, 2021, in the Board’s Regular Meeting. Eleven members were present for the vote, out of seventeen seats on the board (in excess of quorum). The Board worked collaboratively with community members to make desired amendments to the document. Together, the Board incorporated substantive and technical changes, revising quantitative-statistical information, and names for improved Hawaiian spelling and diction.

As the Board’s representative between meetings, I would be remiss to neglect mentioning that the Board has not formally considered other, alternative plans. Those introduced by citizens Will Caron, Ralph Ukishima, or Chace Shigemasa, et al., have not been considered. It is possible that the Board may later support or oppose such alternatives, but it has not done so at this time; our next Regular Meeting is not scheduled until January 5, 2022. Ukishima’s proposal largely shares boundaries with Hicks plan, save the loss of the 1st through 3rd streets of Kaimuki that are currently in our House District 23, (not part of this Neighborhood Board’s district) and the addition of a block further west into Makiki along Nehoa Street. Instead, that proposed plan ends the boundary on the right side of Makiki Street, one block or rather one parcel-boundary west of the Hicks Plan. Caron’s and Shigemasa’s proposals vary from the Hicks Plan much more for Mānoa. These sever the southeastern part of the Board district from the new Mānoa house districts, adding more of Makiki Valley instead.

Humbly, I ask that you review the attached November 2 resolution that the Board has voted on, which requests a unified House District that “respect[s] the geographical and political integrity of Mānoa Valley by redrawing the district boundaries to include all of Mānoa residents within one House District” per the resolution, as you engage in your redistricting planning and decision-making.

With great appreciation for the demands you are fulfilling on behalf of all O‘ahu’s population, of which Mānoa is an essential part, I thank you. If you have any questions, please contact me by email: Dylan.P.Armstrong@gmail.com or else by cell phone: (808) 451-7951.

Mahalo nui loa,

DYLAN P. ARMSTRONG, CHAIR
MĀNOA NEIGHBORHOOD BOARD NO. 7
REQUESTING THE STATE OF HAWAIʻI REAPPORTIONMENT COMMISSION
TO REDRAW THE BOUNDARIES OF TG HOUSE DISTRICT 20, SO THAT
IT INCLUDES ALL OF THE RESIDENTS OF MĀNOA VALLEY

WHEREAS Hawaiʻi state law directs the State of Hawaiʻi Reapportionment Commission (“Commission”) to redraw, if needed, district boundaries in response to changes in population identified by the decennial United States Census in order to ensure that citizens are equally represented; and

WHEREAS a “district” is the geographical area whose residents are represented by one member of the Hawaiʻi State Legislature; and

WHEREAS Hawaiʻi Revised Statutes, section 25-2(b) lists the criteria by which the Commission will be guided in redrawing the boundaries, and among the criteria are these: “(3) Insofar as practicable, districts shall be compact” and “(4) Where possible, district lines shall follow permanent and easily recognized features such as streets, streams, and clear geographical features”; and

WHEREAS the current boundaries of House District (HD) 23 preserve the integrity of the residents of Mānoa Valley to be part of one legislative district, with the small exception of residents who live on the slopes of Round Top west of Mānoa Road until ‘Ale’o Pl. and then west of Ferdinand until ‘Awapuhi St.; and

WHEREAS the boundaries of the proposed Technical Group (TG) House District 20 has a western boundary that runs along University Ave. as it goes past the University of Hawaiʻi at Mānoa Campus and then makes a right turn along East Mānoa Rd. and makes a left turn at Lowrey Ave., thus excluding from the TG District 20 all those living east and south of those boundaries, those residents constituting roughly one third of the residents of Mānoa Valley, and instead placing them in TG House District 24; and

WHEREAS to substitute for the loss of residents in the former HD 23, the boundaries move east as far as Koko Head Ave. in Kaimuki in one prong and to Monsarrat Ave. on the slopes of Diamond Head, up to, but not including, Kapʻolani Community College in the other prong; and

WHEREAS therefore, the boundaries of the proposed TG House District 20 neither make it compact nor follow clear geographical features; and

WHEREAS twenty-two residents of Mānoa, with only 48-hours’ notice, testified in opposition to the Technical Group's proposed District boundaries; and

WHEREAS for the second meeting of the Reapportionment Commission (October 28, 2021), fifty-one Mānoa residents submitted testimony in opposition to the Technical Group’s boundaries; and
WHEREAS several of these testifiers cited Mānoa Valley's historical status as one ahupuaʻa, one watershed; and

WHEREAS the Board of Mālama Mānoa, a community organization representing 4,103 residents of Mānoa Valley, voted unanimously to oppose dividing up Mānoa Valley into TG House Districts 20 and 24; and

WHEREAS the nonpartisan watchdog group Common Cause pointed to the TG House District 20 as a “suspect” district; and

WHEREAS the reapportionment plan of Bill Hicks, Chair of the Kailua Neighborhood Board, contains a House District 23 that includes all of the residents of Mānoa Valley and thus demonstrates that such boundaries can feasibly be drawn within a reapportionment scheme for Oʻahu as a whole; now therefore,

BE IT RESOLVED that the Mānoa Neighborhood Board no. 7 requests that the State of Hawaiʻi Reapportionment Commission respect the geographical and political integrity of Mānoa Valley by redrawing the district boundaries to include all of Mānoa residents within one House District; and

BE IT FURTHER RESOLVED that the Mānoa Neighborhood Board no. 7 supports and endorses the “Hicks Plan” that has been recently presented to the Reapportionment Commission and recommends its consideration for keeping compact, contiguous, and cohesive communities intact, including Mānoa House District 23, Lanikai/Enchanted Lake/Waimānalo HD 51, and Hawaiʻi Kai HD 17, while achieving a better population balance than the Commission’s Technical Group's proposal; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the State of Hawaiʻi Reapportionment Commission, the Senate President, the Speaker of the House, Senator Brian Taniguchi, Representative Dale Kobayashi, and Councilmember Calvin Say.

Elton T. Fukumoto - Vice Chair
Elton Fukumoto, Vice Chair
Mānoa Neighborhood Board No. 7

This Letter Was Adopted Without Opposition by the Mānoa Neighborhood Board No. 7, in its Regular Meeting on Wednesday, November 2, 2021.
December 16, 2021

State of Hawai‘i Reapportionment Commission
reapportionment@hawaii.gov

RE: December 17, 2021 Meeting
Agenda Item III. Public Testimony

Aloha e ka Luna Ho‘omalu Mark Mugiishi, M.D.,

In our December 15, 2021 Kahalu‘u Neighborhood Board #29 (KNB #29) special meeting, KNB #29 reviewed and discussed the House and Senate redistricting plan proposed by the Commission and also alternative redistricting plans that have been proposed. Our board was very honored to have both Chair Bill Hicks of the Kailua Neighborhood Board #31 and Chair Kimeona Kane of the Waimānalo Neighborhood Board #32 join us to share their insights and understandings of the process and proposals.

Following the review and discussion of the House and Senate redistricting plans proposed, the KNB #29 unanimously passed the following motion:

The Kahalu‘u Neighborhood Board #29 is opposed to the Reapportionment Commission’s proposed plan and SUPPORTS the approach of the Hicks plans for the House and the Senate that includes key concepts that uses Makapu‘u Point as a boundary, minimizes population deviation and keeps communities together as much as possible.

Mahalo for this opportunity to offer testimony and please reach out with any questions or requests for additional information.

Me ka ha‘aha‘a,
Ka‘ano‘i Walk, Chair
Kahalu‘u Neighborhood Board #29
December 16, 2021

State of Hawaiʻi Reapportionment Commission
reapportionment@hawaii.gov

RE: December 17, 2021 Meeting
   Agenda Item III. Public Testimony

Aloha e ka Luna Hoʻomalu Mark Mugiishi, M.D.,

In our December 15, 2021 Kahaluʻu Neighborhood Board #29 (KNB #29) special meeting, KNB #29 reviewed and discussed the House and Senate redistricting plan proposed by the Commission and also alternative redistricting plans that have been proposed. Our board was very honored to have both Chair Bill Hicks of the Kailua Neighborhood Board #31 and Chair Kimeona Kane of the Waimānalo Neighborhood Board #32 join us to share their insights and understandings of the process and proposals.

Following the review and discussion of the House and Senate redistricting plans proposed, the KNB #29 unanimously passed the following motion:

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Mahalo for this opportunity to offer testimony and please reach out with any questions or requests for additional information.

Me ka haʻahaʻa,

[Signature]

Kaʻanoʻi Walk, Chair
Kahaluʻu Neighborhood Board #29
Aloha,

Please find the attached testimony and resolution from the McCully-Moiliili Neighborhood Board for today's meeting of the Oahu Advisory Group.

I will not be in attendance to give oral testimony.

Mahalo,
Matt
RESOLUTION

STRONGLY URGING THE HAWAIʻI REAPPORTIONMENT COMMISSION TO REJECT THE CURRENT PROPOSED REAPPORTIONMENT PLAN FOR THE STATE LEGISLATURE

WHEREAS, a fundamental tenet of elections in the United States is the fair apportionment of representation across a given population, and the United States and Hawaiʻi governments each have legislative bodies with legislators elected to represent individual districts that have an approximate equal number of community members; and

WHEREAS, the process to ensure that districts have an approximate number of equal community members in line with the changing population of a place is called reapportionment or redistricting; and

WHEREAS, article IV, section 2, of the Hawaiʻi State Constitution calls for and explains the procedures for the convening of the Hawaiʻi Reapportionment Commission, which is tasked every ten years with creating a reapportionment plan for the State Legislature and a reapportionment plan for United States congressional districts; and

WHEREAS, in creating reapportionment plans, the Hawaiʻi Reapportionment Commission's main consideration is the number of people living in an area, but it also considers issues such as natural and manmade physical boundaries separating communities, contiguousness of connected communities, and the issues shared by connected communities; and

WHEREAS, given its many considerations and a short window in which the State Constitution requires reapportionment plans to be finalized, it is understood that creating reapportionment plans is an imperfect and difficult process; and

WHEREAS, on October 28, 2021, the Hawaiʻi Reapportionment Commission voted to accept a proposed reapportionment plan for the State Legislature; and

WHEREAS, due to significant increases in population in leeward of Oʻahu and in Kakaʻako, the proposed redistricting plan for Oʻahu sees many existing Oʻahu Legislative districts being redrawn entirely; and

WHEREAS, in particular, urban and east Honolulu districts are being significantly redrawn or combined; and

WHEREAS, the proposed reapportionment plan for the State Legislature creates House District 21, which covers the vast majority of the McCully-Mōʻiliʻili neighborhood and the Diamond Head neighborhood; and

WHEREAS, these neighborhoods, as drawn on the current maps, are only connected by the Ala Wai Golf course, which is not residential; and

WHEREAS, additionally, the proposed reapportionment plan leaves the McCully-Mōʻiliʻili neighbors who live along the Ala Wai Canal to be included with the representation for Waikīkī instead of with the rest of McCully-Mōʻiliʻili; and
WHEREAS, for the previous decade, McCully-Mōʻiliʻiʻili has had four State Representative districts that include our neighborhood, and those Representative districts also include adjacent neighborhoods; and

WHEREAS, in these districts, McCully-Mōʻiliʻiʻili is combined with parts of Mānoa (District 23), Makiki (District 24), Ala Moana (District 26), and Kapahulu (District 21); and

WHEREAS, the issues facing these adjacent neighborhoods are similar to the issues facing or directly impacting McCully-Mōʻiliʻiʻili; and

WHEREAS, the issues that face McCully-Mōʻiliʻiʻili are varied from and are not immediately impacted by the issues facing the Diamond Head neighborhood; and

WHEREAS, neither McCully-Mōʻiliʻiʻili nor Diamond Head will be best served by a Representative who has to consider the varied interests of these two distinct neighborhoods that are not physically contiguous through residential property; and

WHEREAS, the McCully-Mōʻiliʻiʻili neighbors who live along the Ala Wai canal will not be best served by a Representative who considers the interests of Waikīkī over the interests of McCully-Mōʻiliʻiʻili; and

WHEREAS, the Hawaiʻi Reapportionment Commission will be hosting a series of public meetings during November and December 2021, and January 2022, to take testimony on and finalize its reapportionment plans; now, therefore,

BE IT RESOLVED that that the McCully-Mōʻiliʻiʻili Neighborhood Board No. 8 strongly urges the Hawaiʻi Reapportionment Commission to reject the proposed reapportionment plan for the State Legislature adopted on October 28, 2021; and

BE IT FURTHER RESOLVED that the Hawaiʻi Reapportionment Commission is strongly urged to reject any reapportionment plan for the State Legislature that relies on using the Ala Wai Golf Course or any non-residential property to make a contiguous district; and

BE IT FURTHER RESOLVED that the Hawaiʻi Reapportionment Commission is strongly urged to keep as much of the McCully-Mōʻiliʻiʻili neighborhood represented by a single State Senator and single State Representative as practical or Constitutionally allowed; and

BE IT FURTHER RESOLVED that if the Hawaii Reapportionment Commission is unable to propose a reapportionment plan for the State Legislature in which the McCully-Mōʻiliʻiʻili neighborhood is only represented by a single State Senator and single State Representative, then the Commission is strongly urged to only combine McCully-Mōʻiliʻiʻili with immediately adjacent neighborhoods that face the same issues as or directly McCully-Mōʻiliʻiʻili; and

BE IT RESOLVED that the Neighborhood Commission Office is asked to transmit an electronic copy of this resolution to the electronic mailing list for this Board; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Chair and Commissioners of the Hawaiʻi Reapportionment Commission; the Chief Elections Officer of the State of Hawaii; the Chair of the Diamond Head/Kapahulu/Saint Louis Heights Neighborhood Board; the Chair of the Waikīkī Neighborhood Board; the Chair of the Mānoa Neighborhood Board; the Chair of the Makiki/Lower Punchbowl/Tantalus Neighborhood Board; and the Chair of the Ala Moana-Kakaʻako Neighborhood Board.
This resolution was ADOPTED by the McCully-Moiliili Neighborhood Board No. 8 at its December 2, 2021, regular meeting, 11-1-0 (AYE: Allred, Barber, Chang, Frisinger, Fujishige, Kim, Long, Prellberg, Robotti, Saito, Streitz; NAY: Hioki; ABSTAIN: None).
Aloha Oahu Advisory Council,

Mahalo for stepping up to serve our State during this once in a decade process. Thank you for the opportunity to testify this afternoon. My name is Matt Prellberg, and I am the chair of McCully-Mōʻiliʻili Neighborhood Board No. 8. The McCully-Mōʻiliʻili Neighborhood Board strongly urges the Commission to reject the proposed State Legislative Redistricting Plan. On December 2, 2021, our Board passed a resolution strongly urging this Commission to reject the proposed legislative redistricting plan. A copy of this resolution is attached to this testimony. Additionally, while I can’t speak on its behalf, at its November meeting, the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5 voted unanimously to support our Board in its attempts to pass this resolution.

We understand the process of redrawing these maps is difficult and imperfect, and we do not expect a map that perfectly represents a neighborhood or combination of neighborhoods. Despite this, the proposed maps for the State Legislative Redistricting plan are not satisfactory for our neighborhood. Specifically, our Board is opposed to this plan because of the proposed House District 21 and proposed House District 22.

Generally speaking, McCully-Mōʻiliʻili is the urban neighborhood with our mauka boundary being the H-1 highway, our makai boundary being the Ala Wai Canal, between Kapiolani Boulevard and Kapahulu Avenue. The proposed House District 21 is drawn to cover the majority of the McCully-Mōʻiliʻili neighborhood and the Diamond Head neighborhood, and the proposed House District 22 is drawn to cover all of Waikīkī and the portion McCully-Mōʻiliʻili along the Ala Wai Canal.

Our Board is opposed to the proposed map for three primary reasons:

1. The McCully-Mōʻiliʻili and Diamond Head neighborhoods are not physical "neighbors". The spirit and intent of redistricting law is for communities in a single district to be residentially contiguous. As drawn on the current map, House District 21 connects our neighborhoods using the Ala Wai Golf course. The golf course is obviously not residential property. Accordingly, the proposed district does not align with the spirit of the law that requires districts to be residentially contiguous.

2. The McCully-Mōʻiliʻili and Diamond Head neighborhoods are two distinct communities, and our interests cannot be best served by a Representative who has to consider the varied interests of these neighborhoods. McCully-Mōʻiliʻili is a low-income, transient community. Diamond Head is neither low-income nor transient. The issues facing our communities can vary widely, and in the history of government, it is not uncommon for the interests of low-income and transient communities to be ignored or sacrificed in favor of the wealthy and established. We are concerned that the House District 21 Representative will overlook McCully-Mōʻiliʻili in favor of Diamond Head.

3. The portion of our neighborhood along the Ala Wai Canal will be placed into the new District 21, including the majority of Waikīkī. Similar to our second point, the interests of Waikīkī vary from those in McCully-Mōʻiliʻili. In particular, one of the most significant issues currently facing our community is a proposed pedestrian bridge to be built over the Ala Wai Canal at the end of University Avenue, connecting McCully-Mōʻiliʻili and Waikīkī. The neighbors on the McCully-
Mōʻiliʻili side of the Canal and our Board remain opposed to this bridge while the neighbors on the Waikīkī side of the Canal are in favor of the bridge. We need a continued advocate, and our McCully-Mōʻiliʻili voices will be diluted if our elected official primarily serves the interests of the people of Waikīkī.

I think it is safe to say at this moment the proposed Oahu House map has broad opposition for many reasons. Ask anyone who has ever played Tetris with me and they will tell you that I am not a visuospatial thinker, so it is a good thing that each of you were selected for this position rather than me. And it is encouraging to hear that many others, including Chair Hicks, have the aptitude to draw maps that address many of the concerns of different neighborhoods. I reiterate that I understand no perfect map is possible, but just because there isn't a perfect map, does not mean that this Commission and the people of Hawaii should accept such a flawed map as this.

Accordingly, the McCully-Mōʻiliʻili Neighborhood Board strongly urges the Commission:

1. To reject the current proposed State Legislative Redistricting Plan;
2. To reject any plan that relies on using the Ala Wai Golf Course or any non-residential property to make a contiguous district;
3. To accept a plan that has includes as many residents of the McCully-Mōʻiliʻili neighborhood to be represented by a single State Senator and single State Representative as practical or Constitutionally allowed; and
4. If the Commission is unable to design a plan for the State Legislature in which McCully-Mōʻiliʻili is only represented by a single State Senator and single State Representative, to only accept a plan in which McCully-Mōʻiliʻili is combined with immediately adjacent neighborhoods that face the same issues as or directly McCully-Mōʻiliʻili, such as Mānoa, Makiki, Kapahulu, or Ala Moana, and not Waikīkī or Diamond Head.

Mahalo again for taking on this necessary and difficult kuleana.

Matt Prellberg
Chair
McCully-Mōʻiliʻili Neighborhood Board No. 8.
December 17, 2021

Re: Public Testimony on Reapportionment Commission Oahu Advisory Council Meeting December 17, 2021

Aloha, Oahu Advisory Council Members:

My name is Becky Gardner and I am submitting this testimony on behalf of myself as Owner & Principal of Policy Matters LLC. I took a keen interest in the Reapportionment process while I was a staff attorney for a Big island legislator in 2011 – at which time I did a fair amount of research on the constitutional and legislative history of our Reapportionment laws and advised neighbor island legislators and advocates on the legal missteps of the 2011 Reapportionment Commission, whose initial plans were challenged and invalidated in Solomon v. Abercrombie, 126 Haw. 283 (2012).

My comments today are focused on the errors of law the current Reapportionment Commission have committed; and I respectfully request this advisory council take the bold steps necessary to advise the Commission against moving forward with the proposed maps that are currently being reviewed (and in very large part, rejected) in the public hearing process pursuant to the legal mandates outlined in Article IV, section 2 of the Hawaii State Constitution, and Hawaii Revised Statutes (HRS) §§ 25-2 and 25-7.

I am concerned that this Commission has committed errors of law by:

1. Engaging in an invalid extraction process that fails to adequately and accurately remove non-permanent military service members and their dependents from the Hawaii State Census data, resulting in an artificially inflated population count for the Island of Oahu – a violation of Article IV, Section 6 of the Hawaii State Constitution; HRS 25-2; and the Step 1 process clearly outlined in Solomon; and

2. Unconstitutionally redrawing district lines that are: based on an erroneous extraction count in contravention of the Article IV Section 4 / Solomon Step 1 process; and violate Article IV Section 6, which directs the Commission to draw districts are contiguous, compact, do not “unduly favor a person or political faction”, and avoids the “submergence of an area in a larger district wherein substantially different socio-economic interests predominate”; and

3. Engaging in a pattern of processes and procedures that restrict, obscure, and dampen public participation in ways that undermine the spirt of Hawaii’s Sunshine Law codified in HRS Chapter 92.

Accordingly, I respectfully request this Advisory Council to officially object to the maps currently proposed by the Commission because they are (1) based on an unconstitutional extraction; (2) there are several alternative, constitutionally-valid maps submitted by Hawaii residents based on the “HICKS PLAN” which i) use Makapu’u point as a key starting point; ii) achieve a more favorable cross-district deviation as low as 2%, as opposed to the 8% deviation proposed by the Commission; and are iii) compact and contiguous.

Thank you for the opportunity to provide this testimony.

Sincerely,

Rebecca (Becky) Gardner, Esq.