MEMORANDUM

To: Devon Chaffee, Executive Director ACLU-NH   Date: April 14, 2022

From: FLO Analytics   Project No.: F2186.01.001

RE: **Analysis of the New Hampshire Executive Council Districts passed by the New Hampshire Senate on Thursday, March 24th, 2022.**

EXECUTIVE SUMMARY

This memo analyzes the New Hampshire Executive Council districts as recently passed by the New Hampshire Senate.

Our analysis tabulated ward-level vote returns for the 2020 Presidential race to determine the partisan leanings of the executive council districts they are constituted in the map recently passed by the New Hampshire Senate. Notice that the existing map was enacted by a previous GOP majority ten years ago following decennial redistricting.

In sum, three significant conclusions emerge from our analysis of the proposed map:

- Democratic voters are heavily concentrated within a single district, District 2.
- The boundary of District 2 bypasses nearby wards in favor of more distant wards, resulting in a high concentration of democratic voters.
- The boundary of District 1 bypasses nearby wards in favor of more distant wards, reducing the number of democratic voters in District 3.

INSTITUTIONAL CONTEXT

To preserve some of the Republic's most fundamental principles, New Hampshire's state constitution requires that its legislature revisit its Executive Councill boundaries on a ten-year basis, after each decennial Census. Following a decade of significant population growth between 2020 and 2010 – especially in southern areas of the state – New Hampshire's state legislature has been tasked with passing a plan that preserves the established democratic principle of "one person-one vote."

Significantly, the legislature's decennial map-making is constitutionally constrained to respect the municipal boundaries of the state's constituent townships – i.e., it is enjoined from drawing senate lines that bisect town or city ward boundaries.

ANALYSIS

Methodology

The standard metric used to quantify a party's support in a particular district is a concept known as "partisan lean" (PL). In the present context, we compute the PL of a (current or proposed) executive council district by comparing precisely how well the GOP fared in the focal district during the most recent Presidential contest minus the Party's performance in the US as whole.

In 2020, for instance, Donald Trump (R) won 47.7% of all votes cast for one of the two major parties in the US. In New Hampshire's five current executive districts, however, Trump's (R) two-party vote share was 46.3%, 47.5%, 44.2%, 52.1%, and 43.7%, respectively. The PL of the executive council districts were thus D+1.4, D+2.4, D+3.5, R+4.4, and D+4. The executive council districts, in other words, were generally competitive and, like the Granite State itself, relatively centrist.

It is worth noting that there are a variety of alternative ways one might choose to compute partisan lean – for example, by measuring GOP (or Democratic) support using vote shares in down-ballot state or federal contests, or (since New Hampshire has a partisan voter registry) using the proportion of registrants in the focal district who identify as Republicans. These alternatives are not without logical merit.

Nevertheless, we eschew down-ballot contests because local idiosyncrasies among the state's 24 elections (e.g., a political scandal or candidate's death during the campaign) would provide a distorted view of the parties' strength in that district. One adverse consequence of this choice is that, though we may capture the relative strength of GOP support, we may understate GOP support insofar as (1) the Republican Presidential standard-bearer in 2020 (Donald J. Trump) was comparatively unpopular and (2) Republicans do better relative to Democrats in down-ballot races compared to more prominent ones. These observations are in fact strong possibilities but tend to make our estimates more conservative.

We focus on vote shares rather than the partisan composition of the voter registration rolls because, if one looks at the population of registered voters at any given time, one is almost certainly going to find a biased sample of the general population that overstates the GOP vote to some degree. This follows from the notion that the citizens most likely to be on the roll at any given time are more apt to be residentially stable. Democrats, traditionally mobilize to get out their vote with registration drives – a phenomenon which may be exacerbated by New Hampshire's move to Election Day registration (EDR).

Democratic voters are heavily concentrated within District 2

As Figure 1 illustrates, the recently passed executive council map creates a District 2 that is highly concentrated with democratic voters. District 2 leans 9.9 points more democratic than New Hampshire as a whole. This results in adjacent districts (4 and 5, specifically) having fewer democratic voters, which will likely favor republican electoral fortunes.

The boundary of District 2 bypasses nearby wards in favor of more distant wards, resulting in a high concentration of democratic voters.

Figure 2 clearly demonstrates that the boundary of District 2 navigates around nearby GOP leaning wards to include more distant democratic leaning wards. For example, the southeastern boundary circumvents eight GOP leaning towns (Goshen, Lempster, Washington, Stoddard, Hillsborough, Windsor, Antrim, Bennington) with a combined population of 14,833 to encapsulate

nine democratic leaning towns (Sullivan, Roxbury, Marlborough, Nelson, Harrisville, Dublin, Hancock, Peterborough, and Sharon) with a nearly equal population (14,627) that lie further from the district's geographic center.

The boundary of District 1 bypasses nearby wards in favor of more distant wards, reducing the number of democratic voters in district 3.

As shown in Figure 2, District 1 follows a serpentine path into the southeast portion of the state, bypassing more northerly towns. The resulting districts split the City of Portsmouth from its democratic leaning neighbors along routes 4 and 16 (Durham, Madbury, Dover, and Somersworth) and establishes GOP leaning districts in District 1 and District 3.

CONCLUSION

The recently passed New Hampshire executive council map establishes districts that are likely to reduce the ability of democratic leaning voters to elect their favored candidates in Districts 1, 3, 4, and 5, while heavily concentrating democratic voters in District 2. The line drawing process appears to have prioritized partisan leanings over other redistricting criteria (e.g. following established boundaries, creating compact districts).

Figure 1: Partisan Lean by District – Executive Council districts as passed by the New Hampshire Senate on March 22, 2022
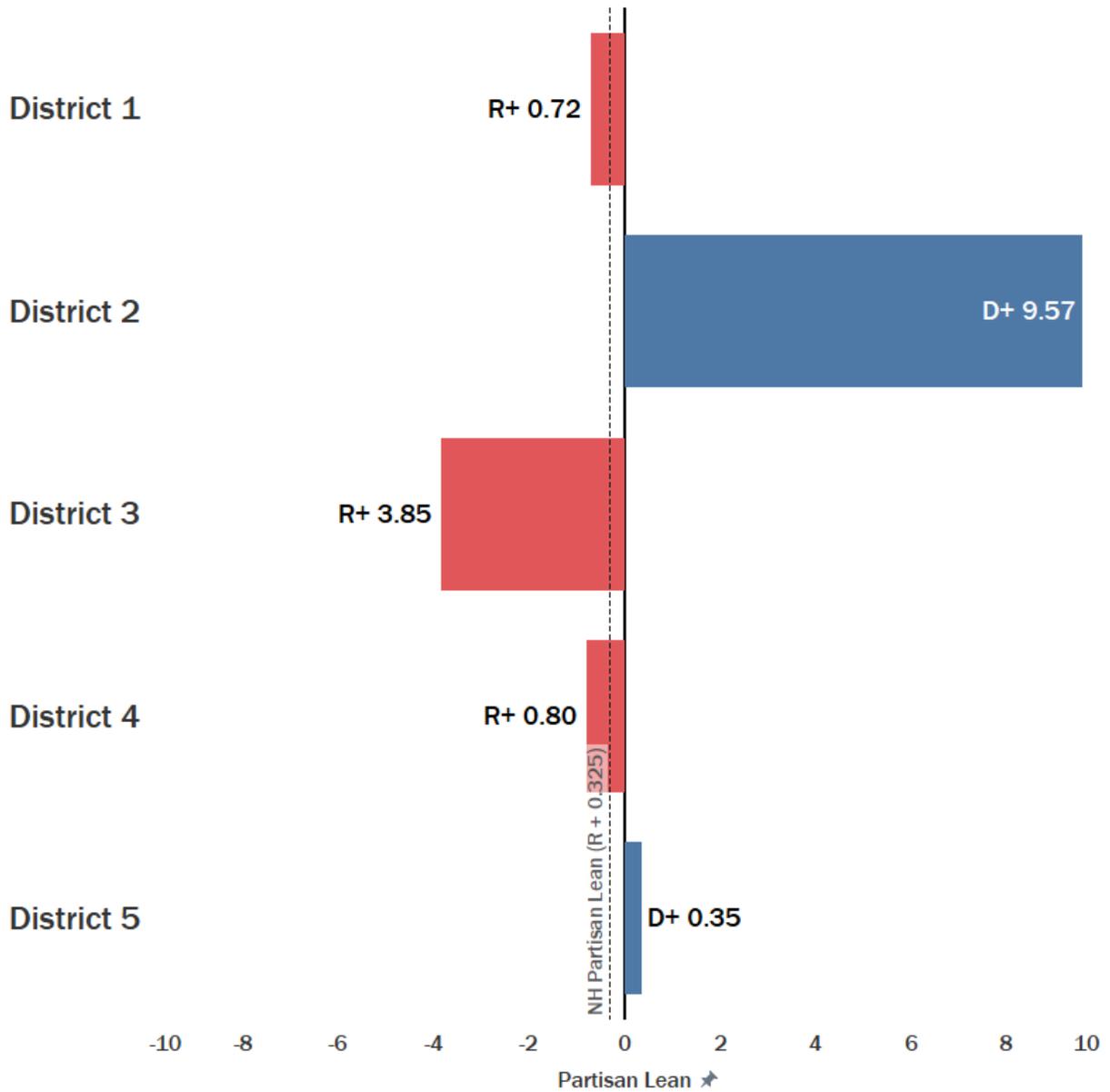
Figure 2: Partisan Lean overlayed on Executive Council District Map

Blue areas indicate Dem partisan lean
Red areas indicate GOP partisan lean
Darker shades indicate a stronger lean

Red circles show areas that bypass
nearby wards in favor of more distant
wards

District 1

District 2

District 4

District 3

District 5