

Subject: Montana Production
Date: Friday, January 28, 2022 at 4:12:04 PM Eastern Standard Time
From: Sarah Wishingrad
To: AO Records
Attachments: MT Commissioner.pdf

They didn't send a cover letter but looks like this one is responsive to MT-MDAC-21-1688

Jeff Essmann

From: Jeff Essmann
Sent: Sunday, November 7, 2021 9:36 PM
To: Don K; jason.thielman@gmail.com
Cc: Terry Nelson; danielle@mtgop.org; Daniel Stusek
Subject: RE: Proposed amendment to CP 12

I assume this amendment would reduce R votes.

Confirm?

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Don K <don@donk.com>
Date: 11/7/21 8:46 PM (GMT-07:00)
To: jason.thielman@gmail.com
Cc: Jeff Essmann <jeff@jeffessmann.com>, Terry Nelson <terryndar@hotmail.com>, danielle@mtgop.org, Daniel Stusek <dstusek@gmail.com>
Subject: Re: Proposed amendment to CP 12

Why would we do this?

Don k

Sent from my iPhone

On Nov 7, 2021, at 8:35 PM, jason.thielman@gmail.com wrote:

I'm in India :-). And don't have all my files with me. However, we did draw this up and I discussed with NRRT legal. It is legally defensible, however, it creates a legal vulnerability. Court rulings are mixed. I think safest to avoid. However, we will run this past their legal one more time.

Sent from my iPhone

On Nov 8, 2021, at 3:52 AM, Jeff Essmann <jeff@jeffessmann.com> wrote:

Can you measure the impact if this proposed amendment? Can you get feedback from NRRT on legality of deviation increase?

Thanks,

Jeff Essmann

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "jeff.essmann" <jeff.essmann@mtleg.gov>

Date: 11/7/21 2:20 PM (GMT-08:00)

To: Jeff Essmann <jeff@jeffessmann.com>

Subject: FW: Proposed amendment to CP 12

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Weiss, Rachel" <RWeiss@mt.gov>

Date: 11/7/21 1:39 PM (GMT-08:00)

To: "Spencer, Nadine" <NSpencer@mt.gov>

Cc: "Kolman, Joe" <jkolman@mt.gov>, "Aldrich, Ginger" <KVAldrich@mt.gov>

Subject: Proposed amendment to CP 12

Good afternoon, Commissioners –

I've posted 3 documents on your [November 9 meeting page](#). They relate to a proposed amendment to CP 12. The documents include:

1. [A description of the amendment](#) and the population changes
2. [A map of the amendment](#)
3. [A map of the differences](#) from the original CP 12

I also posted a shapefile for those who are interested.

Please let me know if you have any questions.

Sincerely,

Rachel Weiss

Legislative Research Analyst

406-444-5367

Legislators are publicly elected officials. Legislator emails sent or received involving legislative business may be subject to the Right to Know provisions of the Montana Constitution and may be considered a "public record" pursuant to Montana law. As such, email, sent or received, its sender and receiver, and the email contents, may be subject to public disclosure, except as otherwise provided by Montana law.

Jeff Essmann

From: Jeff Essmann
Sent: Wednesday, November 3, 2021 7:54 PM
To: brock@fp1strategies.com; jason.thielman@gmail.com; Chris Shipp; Daniel Stusek; Danielle Tribble
Subject: FW: NARF Comments On Remaining Maps
Attachments: Montana_Performance_Report.pdf; doc00604520211103153430.pdf; NARF MT Testimony 11.03.21.pdf

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "jeff.essmann" <jeff.essmann@mtleg.gov>
Date: 11/3/21 7:42 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: FW: NARF Comments On Remaining Maps

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jacqueline De Leon <JDeLeon@narf.org>
Date: 11/3/21 6:51 PM (GMT-07:00)
To: dan.stusek@mtleg.gov, districting@mt.gov, jeff.essmann@mtleg.gov, joe.lamson@mtleg.gov, kendra.miller@mtleg.gov, maylinn.smith@mtleg.gov
Cc: Wesley Furlong <wfurlong@narf.org>
Subject: NARF Comments On Remaining Maps

Good Evening Commissioners,

I apologize for the tardiness of this submission. We were awaiting the completion of independent analysis of the remaining maps by our political science expert Loren Collingwood whose curriculum vitae can be found here: <https://polisci.unm.edu/people/faculty/profile/cvs/collingwood-cv-2020.pdf> . His analysis was completed today and so we completed our comments today in light of his findings. For consideration I have provided:

- 1) The Expert Report analyzing the competitiveness of Maps 11, 12, and 13
- 2) NARF's comments on the Remaining Maps
- 3) A letter from Blackfeet Chairman Timothy Davis

Thank you,

Jacqueline De León

Staff Attorney

Native American Rights Fund
1506 Broadway
Boulder, CO 80302-6296

jdeleon@narf.org

P:303-447-8760

F:303-443-7776



THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL, PRIVILEGED, AND EXEMPT FROM DISCLOSURE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE DELETE IT FROM YOUR SYSTEM WITHOUT COPYING, PRINTING OR FORWARDING IT, AND NOTIFY US BY REPLY EMAIL OR BY CALLING 303-447-8760. THANK YOU.

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Jeff Essmann

From: Jeff Essmann
Sent: Wednesday, November 3, 2021 7:48 PM
To: brock@fp1stategies.com; jason.thielman@gmail.com; Danielle Tribble; Chris Shipp; Daniel Stusek
Subject: FW: These 1003 Montanans Support Competitive Maps
Attachments: Fair Maps MT _ Sign On Letter 11_04.pdf

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "jeff.essmann" <jeff.essmann@mtleg.gov>
Date: 11/3/21 7:41 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: FW: These 1003 Montanans Support Competitive Maps

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Fair MapsMT <info@fairmapsmt.com>
Date: 11/3/21 7:28 PM (GMT-07:00)
To: districting@mt.gov
Cc: jeff.essmann@mtleg.gov, joe.lamson@mtleg.gov, kendra.miller@mtleg.gov, maylinn.smith@mtleg.gov, dan.stusek@mtleg.gov
Subject: These 1003 Montanans Support Competitive Maps

Hello Montana Districting & Apportionment Commission,

Please find attached 1003 signatories from across Montana who have signed on in support of the letter below. We'd appreciate if the full list of signatories was entered into the public record.

Thank you for all of your work and good luck in your meeting tomorrow.

All the best,
Fair Maps MT

We, the undersigned 1003 Montanans, oppose maps CP10 and CP12. We implore the Commission to follow their own criteria and goals by adopting a map with at least one competitive district that doesn't unduly favor either political party.

In July 2021, the Commission unanimously adopted their criterion and goals for the Congressional mapping process. The goals adopted include both not unduly favoring either political party and considering competitiveness, when possible. These goals were adopted by both Democratic- and GOP-appointed commissioners and were overwhelmingly supported by the public, as demonstrated by the public record.

At its core, a competitive district is one where no party is favored, meaning candidates have to appeal to a broad swath of voters - leading to more responsive leaders and healthier democracy. Competitiveness can be measured by Cook PVI scores, an industry standard. Republicans and Democrats agree that any newly drawn district between D+5 and R+5 is highly competitive. Both CP 10 and CP 12 have Cook PVI scores outside of the range of competitiveness. CP 10 has a Cook PVI score of R+7.8 and CP 12 has a Cook PVI score of R+6.5, while CP 11 and 13 have scores of R+4.75 and R+4.59, respectively.

As Montanans, we expect our public officials, including appointees, to keep their word -- and the adoption of a map where all districts are outside of the range of competitiveness is a broken promise.

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Jeff Essmann

From: Jeff Essmann
Sent: Wednesday, November 3, 2021 12:36 PM
To: Jason Personal; Terry Nelson; Danielle Tribble; Daniel Stusek; Chris Shipp
Subject: FW: CP12 Amendments - Pondera County
Attachments: CP12 Proposed Amendment, Pondera County, 03 Nov 2021.docx; Pondera County Precinct Boundaries.docx; Pondera County Voting Districts, Sep 2019.pdf

Can you guys sort out what each of these changes would do to our CP12 deviations if adopted?

Thanks

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Pondera Port Authority <pcpconrad@3rivers.net>
Date: 11/3/21 12:30 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: CP12 Amendments - Pondera County

Jeff,

I have attached the proposed amendments, precincts map, and metes and bounds description of precinct boundaries.

Thanks,

Rob

Jeff Essmann

From: Jeff Essmann
Sent: Saturday, October 30, 2021 3:27 PM
To: Kolman, Joe; Weiss, Rachel
Subject: FW: Districting Commission Continues Deliberations

You guys should go home already.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Montana Legislative Branch <MT-Legislative-Branch@announcements.mt.gov>
Date: 10/30/21 7:17 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Districting Commission Continues Deliberations

[View as a webpage](#) / [Share](#)



Meeting Notice

Who: Montana Districting and Apportionment Commission

When: November 4, 2021 at 9:30 a.m.

Where: Room 317, State Capitol and Zoom

Montanans have an additional chance to weigh in on congressional maps proposed by members of the Districting and Apportionment Commission. The commission will meet on November 4 to consider those written and verbal comments. The map proposals are available online at mtredistricting.gov.

The updated agenda for the November 4 meeting is also online. The commissioners will take comments during the morning and plan to select a single tentative map that afternoon. The tentative map will be used for a public hearing on November 9.

Written comments are encouraged. Please send written comments to districting@mt.gov, enter them directly on interactive maps of the proposals, or use the commission's webform.

The November 4 meeting starts at 9:30 a.m. in Room 317 of the State Capitol and on Zoom. Instructions on how to provide written comments or participate in the meeting are included on the meeting agenda.

For more information on the commission or the proposed maps, please visit the commission's website.

Commission website: mtredistricting.gov/

Commission staff: Joe Kolman (406-444-3747) or Rachel Weiss (406-444-5367) or districting@mt.gov

Commission webform: mtredistricting.gov/contact/

MONTANA STATE LEGISLATURE

State Capitol | PO Box 201706 | Helena, MT 59620-1706
(406) 444-3064



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This service is provided to you at no charge by Montana Legislative Branch.

This email was sent to jeff@jeffessmann.com using govDelivery Communications Cloud on behalf of: Montana Legislative Branch - State Capitol - PO Box 201706 - Helena, MT 59620-1706

GOVDELIVERY

Jeff Essmann

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Wednesday, October 27, 2021 6:12 PM
To: Daniel Stusek
Subject: I am sharing 'FOR IMMEDIATE RELEASE' with you
Attachments: FOR IMMEDIATE RELEASE.docx

Sent from my Verizon, Samsung Galaxy smartphone

Jeff Essmann

From: Jeff Essmann
Sent: Friday, October 8, 2021 12:15 PM
To: dstusek@gmail.com
Subject: FW: The only REDISTRICTING map that aligns with the law (HB506 Sec 1)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jeff Essmann <jeff@jeffessmann.com>
Date: 10/8/21 7:19 AM (GMT-07:00)
To: Tracy Sharp <theknowbetters@gmail.com>, PCF <paulfielder@blackfoot.net>
Cc: Debbie Churchill <debbie@mtgop.org>, Derek Skees <derekskees@gmail.com>, Ronalee Skees <ronaleeskees@gmail.com>
Subject: RE: The only REDISTRICTING map that aligns with the law (HB506 Sec 1)

- My immediate suggestion is to ask people to 1. Go to the Commission website and tag each of the 5 gerrymandered D plans as failing to meet the constitutional requirements of compactness.
2. Then ask them to support one of the GOP plans they like best and tag that map.
 3. Write critical letters to papers that the chair is likely to read.
 4. Raise money for a litigation fund.
 5. Dan and I will do our best to find a third vote for a fair plan, that's our job.
 6. Remember that MTGOP doesn't control the courts and the outcome of any lawsuit is always uncertain.
 7. I also believe in the power of prayer. Take this to the Lord in prayer.
 8. I think the Party Committee is evaluating a number of options as well. Contact Terry Nelson.

Jeff

----- Original message -----

From: Tracy Sharp <theknowbetters@gmail.com>

Date: 10/8/21 3:38 AM (GMT-07:00)

To: PCF <paulfielder@blackfoot.net>

Cc: Debbie Churchill <debbie@mtgop.org>, Jeff Essmann <jeff@jeffessmann.com>, Derek Skees <derekskees@gmail.com>, Ronalee Skees <ronaleeskees@gmail.com>

Subject: Re: The only REDISTRICTING map that aligns with the law (HB506 Sec 1)

ALCON,

What is our strategy for going forward if there is agreement regarding Paul's statement? Clearly we are pushing a very large boulder uphill. We are studying the maps and mobilizing our efforts here.

Thoughts? Plans? Backup plans? We can't leave this to chance.

Tracy Sharp

Lake County Republican Central Committee,
Chairman

On Fri, Oct 8, 2021, 02:18 PCF <paulfielder@blackfoot.net> wrote:

There is an attempt within some members of the Redistricting Commission to ignore the law and gerrymander the boundaries of the two Congressional districts.

Map CP-1 best meets the criteria set into law by HB506 Section 1 (bill is found in link below).

As Debbie states below, we must participate and insist that the congressional districts must be established according to existing law.

Map CP-1 has the best configuration for compactness where the width and length of both districts are most equal.

It has the minimal difference in populations between the two districts (plus or minus one).

And it divides the lowest number of counties (2).

That is the only map that best follows the intent of HB 506.

Any other map besides CP-1 is a violation of the law created by HB506 in the 2021 legislative session.

Map CP-3 is very similar to similar to CP-1 in compactness and only splitting 2 counties, but there is a population difference of 560 people between the two districts.

Representative Paul C Fielder, HD-13

Thompson Falls, MT

<https://leg.mt.gov/bills/2021/billpdf/HB0506.pdf>

From: Debbie Churchill [mailto:debbie@mtgop.org]

Sent: Thursday, October 7, 2021 4:59 PM

To: Debbie Churchill

Subject: REDISTRICTING - SAVE THE DATE

Hi Montana Patriots!

As you know, the drawing of the 2 Congressional Districts is the single most important issue facing our state for the next decade and beyond.

The Redistricting Commission met on Tuesday, October 5th. They approved 9 maps for consideration in selecting the final map. Public comment will be heard on **Tuesday, October 19th** at the Capitol Building, Room 102 in Helena. **SAVE THE DATE!**

The meeting is scheduled to hear public comment beginning at 10:00 am, however, the agenda may change between now and then. To keep updated, you can check the Agenda [here](#)

The Republicans submitted 4 maps with basic East/West Districts. The Democrats submitted 5 maps with crazy configurations in an attempt to gerrymander the "West" District so that no Republican can win. Here is a [link](#) to view the maps on the Commission's website. More to follow...

SAVE THE DATE and Get involved so we can Keep Montana Great!

Have a great day!

--

Debbie Churchill

MTGOP Grassroots Director

1300 Aspen Street, Ste. B

Helena, MT 59601

(406) 442-6469 (office)

(406) 799-8506 (cell)

debbie@mtgop.org

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SAVE THE DATE and Get involved so we can Keep Montana Great!

Have a great day!

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Debbie Churchill

MTGOP Grassroots Director

1300 Aspen Street, Ste. B

Helena, MT 59601

(406) 442-6469 (office)

(406) 799-8506 (cell)

debbie@mtgop.org

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, October 7, 2021 8:25 PM
To: Dan.Stusek@mtleg.gov
Subject: FW: The only REDISTRICTING map that aligns with the law (HB506 Sec 1)

They are trying to send me some kind of message.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Brad Tschida <tschida4mthouse@outlook.com>
Date: 10/7/21 8:06 PM (GMT-07:00)
To: PCF <paulfielder@blackfoot.net>
Cc: Debbie Churchill <debbie@mtgop.org>, Jeff Essmann <jeff@jeffessmann.com>, "Tracy Sharp (Polson Rep)" <theknowbetters@gmail.com>, Derek Skees <derekskees@gmail.com>
Subject: Re: The only REDISTRICTING map that aligns with the law (HB506 Sec 1)

Great assessment PCF.

CP-1 is the nest option, hands down.

Brad Tschida

“The power of evil men lives on the cowardice of the good.” - St. John Bosco

“Diligent hands will rule, but laziness ends in forced labor.”
Proverbs 12:24

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Have a great day!

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Debbie Churchill
MTGOP Grassroots Director
1300 Aspen Street, Ste. B
Helena, MT 59601
(406) 442-6469 (office)
(406) 799-8506 (cell)
debbie@mtgop.org

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, October 7, 2021 1:52 PM
To: dstusek@gmail.com; 'Brock Lowrance'
Subject: Draft op ed
Attachments: Montana is not a Pumpkin.docx

I am down at the farm and could not get the SOS website to work so this draft lacks the numbers. I hope my memory is correct.

Should we edit down to 500? Please whack away.

Thanks

Jeff Essmann

From: Jeff Essmann
Sent: Friday, September 24, 2021 12:50 PM
To: Debbie Churchill; Danielle Tribble
Subject: RE: **** EASY METHOD FOR SUBMITTING MAPS 15 September DEADLINE *****

The maps were accepted but the required information was not present. We need deviation numbers

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Debbie Churchill <debbie@mtgop.org>
Date: 9/24/21 12:48 PM (GMT-07:00)
To: Danielle Tribble <danielle@mtgop.org>, Jeff Essmann <jeff@jeffessmann.com>
Subject: Fwd: **** EASY METHOD FOR SUBMITTING MAPS 15 September DEADLINE *****

Danielle and Jeff,

Here is the email Tracy Sharpe sent out confirming that the Commission would accept pdf maps. Tracy is in Europe right now, but he is getting emails if we need to talk to him. His email address is below. Let me know if you need anything else from me.

Thanks!

----- Forwarded message -----

From: **Tracy Sharp** <theknowbetters@gmail.com>
Date: Fri, Sep 10, 2021 at 2:30 PM
Subject: **** EASY METHOD FOR SUBMITTING MAPS 15 September DEADLINE *****
To: Andy (and Sheila) Larssons <Andy@skinersights.com>, Bruce Cartwright <bruce606@gmail.com>, David Passieri <david.passieri@gmail.com>, Dorothy Ashcraft <dashcraft49@gmail.com>, Douglas Syme (Woods Bay) <douglas.syme@symeusa.com>, Frank & Mary Mutch <mutchs@gmail.com>, Fred Nelson <flatheadpolson@centurytel.net>, Freeman Robinson <freestyle05@prodigy.net>, Jack Konitz <jackkonitz5@gmail.com>, Jesse Maize <maizejesse@gmail.com>, Jessica Fruitman <jessicafruitman2009@gmail.com>, Julie Reffner <jmrefner@gmail.com>, Kathryn L. Johnson <kljohnson_22@yahoo.com>, Larry Ashcraft <lashcraft42@gmail.com>, Linda Reksten <lereksten@me.com>, Linda Sauer (Last Chance Patriots) <linda@lastchancepatriots.org>, Marylee Syme (Doug's Wife) <Marylee.Syme@symeusa.com>, Pachyderms (Frank) Delgado <fdmdelgado@blackfoot.net>, Pachyderms (Michal) <michali@blackfoot.net>, Penny Jarecki <pennymt@outlook.com>, Philip Barney <barnowitz@yahoo.com>, Ron McClellan <mcclellan@montanasky.net>, Sandi Hammer <sandie@sandiehammer.com>, Sheila Larsson <sheila0913@yahoo.com>, Steve Dennison <stevedennison75@yahoo.com>, Susan Lake <jlake@ronan.net>, Susie Thoft <Bobthoft@yahoo.com>,

Tammy Baer <honeybeemaria73@gmail.com>, Lake County Republican Central Committee
<LCRCC.MT@protonmail.com>, Dan Kramer <mrws.techman@gmail.com>

Ron and Tiger Team, please disseminate....

Fellow America First Patriots,

The most important issue for us over the next few days is providing maps highlighting the east/west split AND keeping Bozeman and Missoula in separate districts. I know (from experience), the process for submitting maps is sometimes a bit confusing. However, I talked directly to the Commission today and they confirmed two things:

- PDF maps are okay and accepted. This means if you want to use any one of the maps Debbie provided and submit them as PDF documents with your comments, that is fine.
- The committee likes/prefers you provide a map link for detail purposes, but they are perfectly happy with you submitting a link provided to you *by someone else* if you like the map it refers to.

Right now, the issue is numbers. ***We must/must bombard the committee with east/west maps that keep Bozeman and Missoula in separate Congressional districts.*** End of story.

To make it as easy as possible for you, and this is completely acceptable to the committee, you can use the link below to the map that I created. You can use my comments--modified a little so they don't all look the same! My map is not perfect, but it is a .02 deviation and it keeps Missoula and Bozeman separate. In fact, I keep the entire county Bozeman is in out of the west altogether.

So, some cut and paste skills are required. Here is what to do:

1. Copy this URL and paste it in your email: <https://districtr.org/plan/45035>
2. Copy and paste this in your "To:" line: districting@mt.gov
3. Copy and paste the below listed email addresses into the "Cc:" line:
 - Dan.Stusek@mtleg.gov
 - Jeff.Essmann@mtleg.gov
 - Joe.Lamson@mtleg.gov
 - Kendra.Miller@mtleg.gov
 - Maylinn.Smith@mtleg.gov
4. Copy and paste this into your "Subject" line: Districting and Apportionment Map and Comment Submission
5. Copy and paste the comment below into the body after your URL cut-and-paste item. I recommend you adjust this a bit to make it sound like it isn't cut-and-paste even though it is!
 - Districting and Apportionment Committee,

Here is my proposed map submission for the Congressional redistricting. I have reviewed this map and, while not perfect, it best supports the concept of an east/west split that I believe is the most sensible for Montanans. The issues of the largely agricultural east are different from those of the mountainous west, so this keeps issues of like concern bound together. This map also keeps the two large reservations, Browning and CSKT, in one district.

This map achieves a .02% population deviation--well within the required restrictions and in compliance with Montana constitutional requirements, and it also agrees with the precedent established when we previously had two House

representatives. Naturally, I expect the commission to comply with HR506, the Montana Constitution, and other applicable and binding laws.

Thank you for your efforts and consideration.

- o YOUR NAME, ADDRESS, EMAIL, AND PHONE NUMBER

Go forth and get 'er done!

Tracy

--

Debbie Churchill
MTGOP Grassroots Director
406-799-8506

Jeff Essmann

From: Jeff Essmann
Sent: Saturday, August 28, 2021 8:45 AM
To: Terry Nelson
Subject: RE: Redistricting Meeting

Monday night will work great for me. My trip to Mexico got delayed by a day.

Thanks

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Terry Nelson <appleburysurvey@gmail.com>
Date: 8/28/21 8:37 AM (GMT-07:00)
To: Vondene Kopetski <vondene@gmail.com>
Cc: Danielle Tribble <danielletribble10@gmail.com>, Derek Skees <derekskees@gmail.com>, Chris Shipp <cjshipp@gmail.com>, Debbie Churchill <debbie@mtgop.org>, Don Kaltschmidt <donk@mtgop.org>, Maryrose Beasley <mrosebeasley@gmail.com>, Sarah Swanson <sswanson@fesmt.com>, Tim Stark <tim.alan.stark@gmail.com>, fred thomas <sfredthomas@yahoo.com>, Vondene Kopetski <vondene@bresnan.net>, Doug <dstandley@fredsappliances.com>, Jeff Essmann <jeff@jeffessmann.com>
Subject: Re: Redistricting Meeting

Dear Redistricting Committee,
Below is an invite to a Zoom meeting for next Monday, August 30th, at 7PM. We will be having Jeff Essmann and Dan Stusek on the phone to give us an update on how they see the Districting Commission going. I hope you all can make it on.

The topics we will initially cover are:
Report from Dan and Jeff
New Mapping employee and creating new maps
Fundraising to pay for new employee
Commission schedule and when we need to complete different tasks.

--

Terry Nelson
406-360-2941
terryndar@hotmail.com

Terry Nelson is inviting you to a scheduled Zoom meeting.

Topic: Redistricting Committee 8-30-2021

Time: Aug 30, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83430337412?pwd=VIZlenR4L3JDYitsaHgrT2pEa1YxQT09>

Meeting ID: 834 3033 7412

Passcode: 262229

One tap mobile

+13462487799,,83430337412#,,,,*262229# US (Houston)

+16699006833,,83430337412#,,,,*262229# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 834 3033 7412

Passcode: 262229

Find your local number: <https://us02web.zoom.us/j/83430337412?pwd=VIZlenR4L3JDYitsaHgrT2pEa1YxQT09>

Jeff Essmann

From: Jeff Essmann
Sent: Tuesday, August 24, 2021 9:56 PM
To: Tom Lutey
Subject: RE: Districting story

No. The Republicans were Jon Bennion and Linda Vaughan. I was running the Legislative Campaign Committee for Republican legislators and running for reelection to the Montana Senate.

The MT Constitution prohibits public officials from being appointed to the Commission. So no elected or senate confirmed state employees may serve in that capacity.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Tom Lutey <Tom.Lutey@lee.net>
Date: 8/24/21 5:03 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Re: Districting story

?You weren't on the 2010 commission?

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Tuesday, August 24, 2021 5:54 PM
To: Tom Lutey
Subject: Districting story

Tom, The current Districting Commission is the first one I have served on. Jeff Sent from my Verizon, Samsung Galaxy smartphone ?
??
??
??
ZjQcmQRYFpfptBannerStart

This Message Is From an External Sender
This message came from outside your organization.
ZjQcmQRYFpfptBannerEnd
Tom,

The current Districting Commission is the first one I have served on.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

Jeff Essmann

From: Jeff Essmann
Sent: Sunday, July 11, 2021 4:13 PM
To: dstusek@gmail.com
Subject: Draft email to legislators and grass roots activists.
Attachments: Appeal to Current and Former Legislators and Interested Grassroots Republicans.docx

Please edit and pass on to Nelson, Don K, Merwin and his successor, Skees and Hertz.

Thanks,

Jeff

Jeff Essmann

From: Jeff Essmann
Sent: Sunday, July 11, 2021 1:09 PM
To: dstusek@gmail.com
Subject: revised criteria for Legislative Districts
Attachments: Mandatory Criteria for Legislative Districts v2.docx

Look this over and see what you think. I would plan to keep this under cover until we see what Kendra has to offer.

Jeff

Jeff Essmann

From: Jeff Essmann
Sent: Monday, June 28, 2021 9:48 AM
To: dstusek@gmail.com
Subject: FW: Testimony from Bryce Bennett

Call me if you get a chance.

J

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "jeff.essmann" <jeff.essmann@mtleg.gov>
Date: 6/28/21 9:44 AM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: FW: Testimony from Bryce Bennett

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Maylinn Smith <arl4435blackfoot@gmail.com>
Date: 6/28/21 9:21 AM (GMT-07:00)
To: "jeff.essmann" <jeff.essmann@mtleg.gov>, "Aldrich, Ginger" <KVAldrich@mt.gov>, "Maylinn Smith (Maylinn.Smith@mtleg.gov)" <maylinn.smith@mtleg.gov>
Subject: Testimony from Bryce Bennett

Commission Essmann,

I have done some research on your request. I cannot find grounds for requiring someone who made a public comment to provide proof supporting their statements made during governmental meetings. Although a record is being developed, I do not review this record to be equivalent to the record developed in judicial proceedings since this is not sworn testimony. I see no bases for ever striking any public comments given its purpose.

I am aware statements have been made during the public comment portion of the Commission's meetings that are either factually or legally inaccurate. Asking that an individual making these comments to provide evidence supports their statement is not consistent with the goals of public comments. The public comment portion of the commissions meetings provides the public an opportunity to share viewpoints that may be critic, harsh or which may not be supported by actual evidence. The public still has a right to make their comments.

Each commissioner gets to determine what weight should be given to statements made during the public comments period when making any decision. People engaged in the work of the commission are always free to provide differing viewpoints on topics previously raised during a public comment period in order to provide additional input to the commission.

I believe this request could chill public comment and I am not going to engage in any action that could have this type of impact unless a meeting becomes disruptive.

I am include Ginger on this response to see if she know of any authority that would support what you are requesting.

Maylinn Smith

----- Forwarded message -----

From: **Jeff Essmann** <jeff.essmann@mtleg.gov>

Date: Wed, Jun 23, 2021, 3:36 PM

Subject: Testimony from Bryce Bennett

To: <maylinn.smith@mtleg.gov>

Madame Chair,

After recently reviewing some of the testimony from the public at our June 10 Commission meeting, I wish to raise an objection to certain testimony that was offered by Senator Bryce Bennett. In his statement to the Commission during the public comment period, he stated that he had had discussions with some of his legislative colleagues on the “ludicrous maps” that led to inclusion of criteria on Congressional Districting in HB 506. He further stated that there was “admission by some” that these maps were “created by partisan folks on the other side of the aisle.”

I attended the Montana Republican Officer’s Convention last weekend and spoke with various leading Republican legislators and asked if such an admission had been made. I was told no admissions had been made.

I would like you to ask Senator Bennett to provide proof of his statement. If he cannot provide proof that the subject maps were created by Montana Republicans I would respectfully request that his comments be stricken from the record as untrue and false. Senator Bennett has a history of making statements that are untrue such as the ones he made as part of a committee commenting on the Ballot Interference Prevention Act in the 2018 Voter Information Packet. I will no longer allow his falsehoods to go unchallenged. Thank you for your consideration.

Legislators are publicly elected officials. Legislator emails sent or received involving legislative business may be subject to the Right to Know provisions of the Montana Constitution and may be considered a "public record" pursuant to Montana law. As such, email, sent or received, its sender and receiver, and the email contents, may be subject to public disclosure, except as otherwise provided by Montana law.

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Jeff Essmann

From: Jeff Essmann
Sent: Monday, June 14, 2021 4:54 PM
To: dstusek@gmail.com
Subject: op ed on criteria
Attachments: Clear Objective Rules Minimize Gerrymandering.docx

A little long and I couldn't figure out how to have the correct website instead of the hyperlink in the article. But I know you will improve this greatly.

Thanks,

JEff

Jeff Essmann

From: Jeff Essmann
Sent: Tuesday, June 8, 2021 2:44 PM
To: Maritsa
Subject: FW: Proposed Mandatory and Discretionary Criteria for both Congressional and Legislative Districts
Attachments: Mandatory Criteria for Congressional Districts.docx; Mandatory Criteria for Legislative Districts.docx

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "jeff.essmann" <jeff.essmann@mtleg.gov>
Date: 6/8/21 2:41 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: FW: Proposed Mandatory and Discretionary Criteria for both Congressional and Legislative Districts

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Dan Stusek <dan.stusek@mtleg.gov>
Date: 6/8/21 9:59 AM (GMT-07:00)
To: Joe Lamson <joe.lamson@mtleg.gov>, Kendra Miller <kendra.miller@mtleg.gov>, Jeff Essmann <jeff.essmann@mtleg.gov>, maylinn smith <maylinn.smith@mtleg.gov>
Cc: Rachel Weiss <RWeiss@mt.gov>, Joe Kolman <jkolman@mt.gov>
Subject: Proposed Mandatory and Discretionary Criteria for both Congressional and Legislative Districts

Good morning Chair Smith and fellow Commissioners,

Commissioner Essmann and I would like to share our proposed criteria for discussion and we look forward to the conversation.

Sincerely,

Dan Stusek

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Jeff Essmann

From: Jeff Essmann
Sent: Tuesday, March 16, 2021 1:20 PM
To: dstusek@gmail.com
Subject: powerpoint and bio
Attachments: Jeff Essmann bi1.pdf; Redistricting in Montana 2021.pptx

Here you go. I preview it to the group at 4 pm your time today.

J

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, March 11, 2021 11:22 AM
To: dstusek@gmail.com
Subject: draft letter
Attachments: Dear Madame Chair.docx

Jeff Essmann

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Tuesday, January 5, 2021 8:59 AM
To: Sonja@RepublicanRedistricting.org
Subject: NCSL's online redistricting seminar - Republican Breakout

I am a Republican Commissioner for the Montana Districting Commission and would like to participate in the Republican breakout sessions.

Thank you.

Jeff Essmann

Sent from my Verizon, Samsung Galaxy smartphone

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, November 4, 2021 8:12 AM
To: Brock Lowrance
Subject: RE: MT Redistricting TalkingPoints/Handouts

Did you forget a couple attachments? PVI

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Brock Lowrance <Brock@fp1strategies.com>
Date: 11/4/21 8:06 AM (GMT-07:00)
To: cjshipp@gmail.com, jason.thielman@gmail.com, danielle@mtgop.org, Jeff Essmann <jeff@jeffessmann.com>, Daniel Stusek <dstusek@gmail.com>
Subject: MT Redistricting TalkingPoints/Handouts

Attached are clean talking points. 4 pages:

- Topline Talkers on CP12
- Objectiveness Talkers and Dave's Handout
- Misc Rebuttals
- Info on PVI (only if really needed)

Danielle is printing talkers for Jeff/Dan/Shipp/Danielle to have on hand.

Danielle also printing 8 copies of the "Dave handout" so Jeff/Dan can provide at meeting.

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, November 4, 2021 8:10 AM
To: Brock Lowrance; cjshipp@gmail.com; jason.thielman@gmail.com; danielle@mtgop.org; Daniel Stusek
Subject: RE: MT Redistricting TalkingPoints/Handouts

Let's get 12 of Dave's handout so we gave extras for press.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Brock Lowrance <Brock@fp1strategies.com>
Date: 11/4/21 8:06 AM (GMT-07:00)
To: cjshipp@gmail.com, jason.thielman@gmail.com, danielle@mtgop.org, Jeff Essmann <jeff@jeffessmann.com>, Daniel Stusek <dstusek@gmail.com>
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Jeff Essmann

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Wednesday, November 3, 2021 6:09 PM
To: Brock@fp1strategies.com
Subject: Accepted: MT Redistricting Messaging Call/Zoom

When: Nov 3, 2021 6:30:00 PM

From: Jeff Essmann
Sent: Saturday, October 30, 2021 1:42 PM
To: terryndar@hotmail.com
Subject: FW: Explanation of Cook PVI
Attachments: CookPVI2021.xlsx

From: Evan Wilson [<mailto:evanw@mooreinformationgroup.com>]
Sent: Tuesday, October 26, 2021 12:52 PM
To: Danielle Tribble
Cc: Jason Thielman; Daniel Stusek; Jeff Essmann
Subject: Explanation of Cook PVI

I am slammed this week with Focus Groups and travel so I'm not sure I will be able to pen anything formal. I will inquire with the MIG team about likelihood of an interested parties memo. They're also busy. Redistricting is crunch time for polling firms.

In the meantime, I will gladly speak on the record to any reporter that Danielle/MTGOP send to me. Feel free to send this spreadsheet as an example on background. The original can be downloaded directly from the Cook Report [here](#). The Cook Political Report and PVI is the Industry standard when it comes to ballparking how a congressional district stacks up against it's peers. As any reporter can clearly [read about here](#):

Exhibit A.) An R+5 PVI rating **does not** mean that the average or predicted outcome of a congressional race is likely to land with a Republican winning by five. According to Dave Wasserman and Cook:

A Partisan Voter Index score of D+2, for example, means that in the 2016 and 2020 presidential elections, that district performed an average of two points more Democratic than the nation did as a whole, while an R+4 means the district performed four points more Republican. If a district performed within half a point of the national average in either direction, we assign it a score of EVEN.

Exhibit B.) Any new district drawn remotely close to R+5 is highly competitive. In fact, according to Wasserman/Cook, there are only 78 congressional districts in America that fall between D+5 to Even to R+5. That is less than one-fifth of all congressional districts.

The most striking House statistic of the last 25 years maybe the decline of competitive districts, places where members have the greatest political incentives to work on a bipartisan basis. In 1997, our Partisan Voter Index scored 164 districts between D+5 and R+5, more than a third of the House and greater than the number of strongly Republican (148) and strongly Democratic (123) districts.

After the hyper-polarized 2016 election, there were only 72 districts between D+5 and R+5 - less than one-sixth of the House and a 56 percent decline since 1997.

However, in 2020, for the first time since we launched the PVI in 1997, the number of "swing seats" rebounded slightly from 72 to 78. That still pales in comparison to the numbers of solidly Republican (192) and Democratic seats (165). But the uptick speaks to two converging trends that could either prove unique to the Trump era — or a very early sign the nation's geographic polarization is peaking.

Exhibit C.) Does the Cook Political Report's PVI ratings line up with reality? For example, how many of those R+5 and under districts actually elected a Republican in 2020? And vice-versa with Democrats?

Answer: There are currently THIRTY SIX DISTRICTS labeled by Cook as "R+" that are in fact held by Democrat members of Congress. See attached.

Evan Wilson
Vice President
Moore Information Group
Direct line: 720-728-0408



Jeff Essmann

From: Jeff Essmann
Sent: Thursday, October 28, 2021 3:25 PM
To: 'Eric Dietrich'
Cc: dstusek@gmail.com
Subject: RE: PVI ratings
Attachments: R Proposal Election_Breakdown.xlsx

Yes. You should be receiving a press release with our new compromise proposal soon. I have attached a spreadsheet that demonstrates competitiveness based on recent real local races. Four recent house races with two to each party and 16 of 19 races since 2016 that were within 10 points or + or – 5% as they say.

Jeff

From: Eric Dietrich [<mailto:edietrich@montanafreepress.org>]
Sent: Thursday, October 28, 2021 3:16 PM
To: Jeff Essmann
Cc: dstusek@gmail.com
Subject: Re: PVI ratings

Thanks, Jeff — really interesting stuff. Do you and Dan have a measure you can point to at this point that you think is a better way to pin down what should/shouldn't count as a "competitive" district given that that seems to be an unavoidable question with the congressional maps?

- Eric

On Thu, Oct 28, 2021 at 11:19 AM Jeff Essmann <jeff@jeffessmann.com> wrote:

Eric,

The following is the text of an email I got from an old political friend of mine, Evan Wilson. I had sought his help in explaining why the Cook PVI and fivethirtyeight numbers on partisan lean misrepresent the real world when it comes to actual political campaigns and race outcomes. Thought you might be interested as a data guy who has the patience to explain numbers in your stories. Please feel free to contact him.

Jeff Essmann

Jeff,

I am slammed this week with Focus Groups and travel so I'm not sure I will be able to pen anything formal. I will inquire with the MIG team about likelihood of an interested parties memo. They're also busy. Redistricting is crunch time for polling firms.

In the meantime, I will gladly speak on the record to any reporter that Danielle/MTGOP send to me. Feel free to send this spreadsheet as an example on background. The original can be downloaded directly from the Cook Report [here](#). The Cook Political Report and PVI is the Industry standard when it comes to ballparking how a congressional district stacks up against it's peers. As any reporter can clearly [read about here](#):

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However, in 2020, for the first time since we launched the PVI in 1997, the number of "swing seats" rebounded slightly from 72 to 78. That still pales in comparison to the numbers of solidly Republican (192) and Democratic seats (165). But the uptick speaks to two converging trends that could either prove unique to the Trump era — or a very early sign the nation's geographic polarization is peaking.

Exhibit C.) Does the Cook Political Report's PVI ratings line up with reality? For example, how many of those R+5 and under districts actually elected a Republican in 2020? And vice-versa with Democrats?

Answer: There are currently THIRTY SIX DISTRICTS labeled by Cook as "R+" that are in fact held by Democrat members of Congress. See attached.

Evan Wilson

Vice President

Moore Information Group

Direct line: 720-728-0408



--

Eric Dietrich
Reporter
Montana Free Press

--

edietrich@montanafreepress.org
406-544-1074

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, September 30, 2021 8:51 PM
To: terryndar@hotmail.com
Cc: Daniel Stusek
Subject: FW: Fred , are you ready for Montana's new congressional seat?

Can we get this one modeled too?

Sent from my Verizon, Samsung Galaxy smartphone

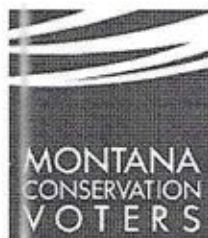
----- Original message -----

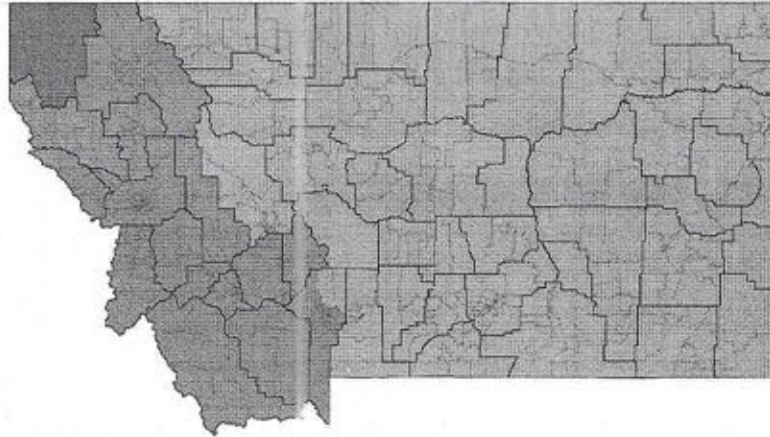
From: Fred Thomas <sfredthomas@yahoo.com>
Date: 9/30/21 6:47 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Fwd: Fred , are you ready for Montana's new congressional seat?

Mr. Prez. Im sure you've seen this — how does this district treat us?? Fred
Sent from my iPhone

Begin forwarded message:

From: "Jake Brown, Political Director" <jake@mtvoters.org>
Date: September 30, 2021 at 12:19:40 PM MDT
To: Fred Thomas <sfredthomas@yahoo.com>
Subject: Fred , are you ready for Montana's new congressional seat?
Reply-To: mcv@mtvoters.org





Fred,

Montana's independent Commission on Redistricting and Apportionment is rapidly closing in on the deadline to vote on and approve the new Congressional districts that Montana will use in future elections.

Fighting for clean air and water, public lands and our outdoor way of life means we need fair and competitive districts. Communities should choose their elected officials, not the other way around!

The Commission will narrow down the hundreds of maps submitted from the public on October 5 and then begin deliberations on the final maps on October 19. This short window means that MCV members only have two weeks to submit written comments to the Commission about the maps they would like to see approved.

If you would like to receive more updates about redistricting, you can [sign up here](#).

We're calling on all conservationists to weigh in on this critical process. If we want to adopt congressional districts that are fair, competitive and represent our unique love of the outdoors, we'll need everyone to get involved. In the coming days, we'll be sending out several updates asking you to submit written comments after the Commission chooses the final maps on October 5 - so please stay tuned!

Thanks for your attention.

Sincerely,



Jake Brown
Political Director

P.S. If you would like to stay up to date on how to participate in the redistricting process, [sign up here](#)



Paid for by Montana Conservation Voters, P.O. Box 63, Billings, MT 59101. Montana Conservation Voters is a 501(c)4 nonprofit organization. Membership dues and contributions are not tax-deductible.

Montana Conservation Voters
2822 3rd Ave N Suite 208

Billings , MT 59101
United States

If you believe you received this message in error or wish to no longer receive email from us, please [unsubscribe](#).

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, September 30, 2021 7:52 PM
To: Fred Thomas
Subject: RE: Fred , are you ready for Montana's new congressional seat?

Not sure, but I will get it to Terry Nelson for analysis.

J

Sent from my Verizon, Samsung Galaxy smartphone

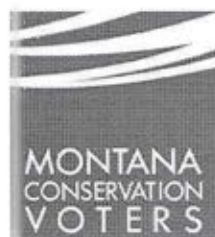
----- Original message -----

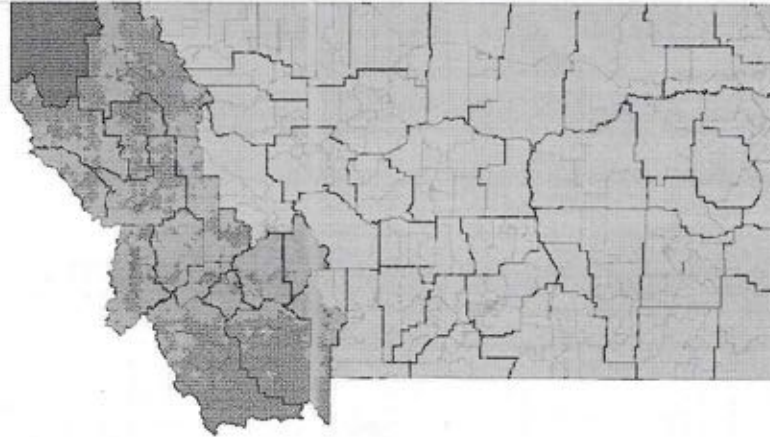
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Mr. Prez. Im sure you've seen this — how does this district treat us?? Fred
Sent from my iPhone

Begin forwarded message:

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Date: September 30, 2021 at 12:19:40 PM MDT
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The Commission will narrow down the hundreds of maps submitted from the public on October 5 and then begin deliberations on the final maps on October 19. This short window means that MCV members only have two weeks to submit written comments to the Commission about the maps they would like to see approved.

If you would like to receive more updates about redistricting, you can [sign up here](#).

We're calling on all conservationists to weigh in on this critical process. If we want to adopt congressional districts that are fair, competitive and represent our unique love of the outdoors, we'll need everyone to get involved. In the coming days, we'll be sending out several updates asking you to submit written comments after the Commission chooses the final maps on October 5 - so please stay tuned!

Thanks for your attention.

Sincerely,



Jake Brown
Political Director

P.S. If you would like to stay up to date on how to participate in the redistricting process, [sign up here](#)



Paid for by Montana Conservation Voters, P.O. Box 63, Billings, MT 59101. Montana Conservation Voters is a 501(c)4 nonprofit organization. Membership dues and contributions are not tax-deductible.

Montana Conservation Voters
2822 3rd Ave N Suite 208

Billings , MT 59101
United States

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Jeff Essmann

From: Jeff Essmann
Sent: Thursday, September 9, 2021 6:55 PM
To: Terry Nelson
Subject: RE: Redistricting Meeting

So I think the committee priorities should be

1. Encouraging grassroots activists (GRA) to submit congressional maps showing a traditional E/W split with 0.5% pop deviation.
- 2 Encouraging GRA to submit written comments supporting congressional districts with traditional E/W split with the minimum number of counties split.
3. Encourage GRA ,to encourage Commission to not draw districts to favor a political party but to draw them so that both districts are as competitive as possible.

And encourage GRA to participate in Sept 17 ZOOM mtg.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Terry Nelson <appleburysurvey@gmail.com>
Date: 9/9/21 6:30 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Re: Redistricting Meeting



 Virus-free. www.avast.com

On Thu, Sep 9, 2021 at 6:20 PM Jeff Essmann <jeff@jeffessmann.com> wrote:
Terry

I am up in a deer stand so won't be zooming in except on a big buck.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Terry Nelson <appleburysurvey@gmail.com>

Date: 9/9/21 5:26 PM (GMT-07:00)

To: Derek Skees <derekskees@gmail.com>

Cc: Vondene Kopetski <vondene@gmail.com>, Danielle Tribble <danielletribble10@gmail.com>, Chris Shipp <cjshipp@gmail.com>, Debbie Churchill <debbie@mtgop.org>, Don Kaltschmidt <donk@mtgop.org>, Maryrose Beasley <mrosebeasley@gmail.com>, Sarah Swanson <sswanson@fesmt.com>, Tim Stark <tim.alan.stark@gmail.com>, fred thomas <sfredthomas@yahoo.com>, Vondene Kopetski <vondene@bresnan.net>, Jeff Essmann <jeff@jeffessmann.com>, Dan Stusek <dstusek@gmail.com>

Subject: Re: Redistricting Meeting

Reminder of meeting tonight at 7PM

On Mon, Aug 30, 2021 at 8:21 PM Terry Nelson <appleburysurvey@gmail.com> wrote:

Dear Committee, Great meeting tonight. As discussed, our next meeting will be next Thursday at 7:00 PM

Below is the zoom link

Terry

Terry Nelson is inviting you to a scheduled Zoom meeting.

Topic: Redistricting Committee 9-9-2021

Time: Sep 9, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86458385842?pwd=MTlFSVd4dnNUUldySzloMnp6TlBtUT09>

Meeting ID: 864 5838 5842

Passcode: 082035

One tap mobile

+16699006833,,86458385842#,,, *082035# US (San Jose)

+12532158782,,86458385842#,,, *082035# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 864 5838 5842

Passcode: 082035

Find your local number: <https://us02web.zoom.us/j/86458385842?pwd=MTlFSVd4dnNUUldySzloMnp6TlBtUT09>

--

Terry Nelson
Applebury Survey
529 W River Rd, Hamilton, MT 59840
406-961-3267
appleburysurvey@gmail.com



Virus-free. www.avast.com

--

Terry Nelson
Applebury Survey
529 W River Rd, Hamilton, MT 59840
406-961-3267
appleburysurvey@gmail.com

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, September 9, 2021 6:53 PM
To: Unknown
Subject: FW: TOMORROW- Redistricting Zoom Link
Attachments: Equally Competitive.pdf; Equally Competitive Data.pdf; block-assignments.csv

Let's talk about this. In deer stand now but this proposal splits many counties which our criteria discouraged.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Don K <don@donk.com>
Date: 9/9/21 8:53 AM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Cc: danielle@mtgop.org
Subject: FW: TOMORROW- Redistricting Zoom Link

Jeff:

This may be a way to deal with the competitive issue the ds love so much..we make 2 EQUALLY COMPETITIVE districts . Remind them that we have two districts not one and if they want them competitive (their issue) then let's give them 2 districts that are as competitive as we can. The Ds will be trapped in their own words and this may stop the only district that favors them (Lampson's SW district) which will show clear gerrymandering by making District 1 so Red a D could never win and 2 lean D..better to have 2 equally competitive?? Your thoughts?
Don "K"

From: Terry Nelson [<mailto:appleburysurvey@gmail.com>]
Sent: Wednesday, September 08, 2021 12:21 PM
To: Jennifer Flaherty
Cc: Danielle Tribble; Derek Skees; Chris Shipp; jason.thielman@gmail.com; DON K
Subject: Re: TOMORROW- Redistricting Zoom Link

Dear Jennifer,

Attached is a map I created in Dave's which I believe is what we kind of want for our Republican map. It clearly gerrymanders stuff to get as equally competitive as possible. It also is within 28 people.

Terry

On Fri, Sep 3, 2021 at 3:18 PM Jennifer Flaherty <jflaherty@magellanstrategies.com> wrote:

Terry - I forgot that you do not have access to my pans in the American GeoData.
Here are the steps to take the CSV out of Dave's and import your plan.

Let me know if you have any questions....

On Fri, Sep 3, 2021 at 2:35 PM Jennifer Flaherty <jflaherty@magellanstrategies.com> wrote:
Got it, thanks!

On Fri, Sep 3, 2021 at 2:30 PM Terry Nelson <appleburysurvey@gmail.com> wrote:
Here you go.

On Fri, Sep 3, 2021 at 2:24 PM Jennifer Flaherty <jflaherty@magellanstrategies.com> wrote:

Terry - attached are the steps to export your map out of Dave's.
You should be able to zip up and email it to me. If not, let me know and I can give you access to a shared Google drive folder.

Danielle - if the scores are on your mover list, upload here and I can start to prep the data for reports based on maps.

https://drive.google.com/drive/folders/197oMYQ_IBT15u_NPiLmCDWCCft0J-Za1?usp=sharing

Jeff - email me a list of parameters, counties in/out, etc you want to see if your 2 plans.

Everyone - has a nice Labor Day weekend!



Virus-free. www.avg.com

On Thu, Sep 2, 2021 at 2:30 PM Danielle Tribble <danielle@mtgop.org> wrote:

Danielle Tribble is inviting you to a scheduled Zoom meeting.

Topic: Redistricting Update

Time: Sep 3, 2021 01:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/93184391386?pwd=eWdNYUIZOFFBMnJKWWpvQUFUL0lFdz09>

Meeting ID: 931 8439 1386

Passcode: 357487

One tap mobile

+16699006833,,93184391386#,,,,*357487# US (San Jose)

+12532158782,,93184391386#,,,,*357487# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)
Meeting ID: 931 8439 1386
Passcode: 357487
Find your local number: <https://zoom.us/j/93184391386>

--

Danielle Tribble
Montana Republican Party
1300 Aspen Street, Ste. B
Helena, MT 59601
406-442-6469

--

Terry Nelson
Applebury Survey
529 W River Rd, Hamilton, MT 59840
406-961-3267
appleburysurvey@gmail.com

--

Terry Nelson
Applebury Survey
529 W River Rd, Hamilton, MT 59840
406-961-3267
appleburysurvey@gmail.com

Jeff Essmann

From: Jeff Essmann
Sent: Thursday, September 9, 2021 6:22 PM
To: Terry Nelson
Subject: RE: Redistricting Meeting

Terry

I am up in a deer stand so won't be zooming in except on a big buck.

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Terry Nelson <appleburysurvey@gmail.com>
Date: 9/9/21 5:26 PM (GMT-07:00)
To: Derek Skees <derekskees@gmail.com>
Cc: Vondene Kopetski <vondene@gmail.com>, Danielle Tribble <danielletribble10@gmail.com>, Chris Shipp <cjshipp@gmail.com>, Debbie Churchill <debbie@mtgop.org>, Don Kaltschmidt <donk@mtgop.org>, Maryrose Beasley <mrosebeasley@gmail.com>, Sarah Swanson <sswanson@fesmt.com>, Tim Stark <tim.alan.stark@gmail.com>, fred thomas <sfredthomas@yahoo.com>, Vondene Kopetski <vondene@bresnan.net>, Jeff Essmann <jeff@jeffessmann.com>, Dan Stusek <dstusek@gmail.com>
Subject: Re: Redistricting Meeting

Reminder of meeting tonight at 7PM

On Mon, Aug 30, 2021 at 8:21 PM Terry Nelson <appleburysurvey@gmail.com> wrote:

Dear Committee, Great meeting tonight. As discussed, our next meeting will be next Thursday at 7:00 PM

Below is the zoom link

Terry

Terry Nelson is inviting you to a scheduled Zoom meeting.

Topic: Redistricting Committee 9-9-2021

Time: Sep 9, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86458385842?pwd=MTlFSVd4dnNUUldySzloMnp6TlBtUT09>

Meeting ID: 864 5838 5842

Passcode: 082035

One tap mobile

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+12532158782,,86458385842#,,, *082035# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

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+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 864 5838 5842

Passcode: 082035

Find your local number: <https://us02web.zoom.us/j/86458385842>

--

Terry Nelson

Applebury Survey

529 W River Rd, Hamilton, MT 59840

406-961-3267

appleburysurvey@gmail.com



Virus-free. www.avast.com

Jeff Essmann

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Thursday, August 19, 2021 4:53 PM
To: Jeff Essmann
Subject: I am sharing 'data' with you
Attachments: data.xlsx

Sent from my Verizon, Samsung Galaxy smartphone

Jeff Essmann

From: Jeff Essmann
Sent: Friday, August 13, 2021 11:45 AM
To: Daniel Stusek
Subject: RE: Proposal for Redistricting Assistance

Doesn't a lot of this just rebuild what NRRT already has?

J

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Daniel Stusek <dstusek@gmail.com>
Date: 8/10/21 12:06 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Fwd: Proposal for Redistricting Assistance

----- Forwarded message -----

From: **Jason Thielman** <jason@stevedaines.com>
Date: Tue, Aug 10, 2021 at 11:18 AM
Subject: Fwd: Proposal for Redistricting Assistance
To: Daniel Stusek <dstusek@gmail.com>

Take a look ... Magellan is good.

Begin forwarded message:

From: Jennifer Flaherty <jflaherty@magellanstrategies.com>
Subject: **Proposal for Redistricting Assistance**
Date: August 9, 2021 at 8:55:43 PM EDT
To: Jason@stevedaines.com

Jeff Essmann

From: Jeff Essmann
Sent: Sunday, July 25, 2021 8:34 AM
To: Don K
Subject: RE: Potential Redistricting Litigation

Our Commission staff has been providing us legal background on the case law impacting our work. All of those memos are on our website attached to the meetings they were discussed at for the past two years.

The Commission adopted a 1% maximum deviation with exceptions for maintaining political subdivisions and Voting Rights Act districts and then further agreed to a maximum average deviation of less than 1% which will limit the use of the exceptions.

We are in good shape on that front. Now to start drawing lines....

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Don K <don@donk.com>
Date: 7/25/21 8:15 AM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Fwd: Potential Redistricting Litigation

Sent from my iPhone

Begin forwarded message:

From: Emily Jones <emily@joneslawmt.com>
Date: July 24, 2021 at 5:12:10 PM MDT
To: Danielle Tribble <danielle@mtgop.org>, Don K <don@donk.com>
Cc: Talia Damrow <talia@joneslawmt.com>, Jami Westermeyer <paralegal@joneslawmt.com>
Subject: RE: Potential Redistricting Litigation

Don and Danielle,

This e-mail responds to Spenser's question below regarding population deviation regulations for federal congressional and state legislative districts. Our research has disclosed the following:

Montana law provides that, subject to federal law, congressional districts must be established on the basis of population. Mont. Code Ann. Section 5-1-115(1). While state legislative districts in Montana are

required to be within a plus or minus 1% relative deviation from the ideal population of a district as calculated from a census, subject to two exceptions (Section 5-1-115(2)), congressional districts do not have this requirement in state law. Montana law only provides that congressional districts “may not be drawn for the purposes of favoring a political party or an incumbent member of congress.” Section 5-1-115(3). Additionally, the following data or information may not be considered in the development of a plan: (a) addresses of incumbent legislators or members of congress; (b) political affiliations of registered voters; (c) partisan political voter lists; or (d) previous election results, unless required as a remedy by a court. *Id.*

Congressional Districts

Federal law provides additional guidance regarding redistricting of congressional districts. In the U.S. Supreme Court case of *Karcher v. Daggett*, 462 U.S. 725 (1983), the Court looked at the question of whether a redistricting plan in New Jersey (Feldman Plan) satisfied constitutional requirements where the population of the largest district was less than 1% greater than the population of the smallest district. The Court held that under the circumstances of that case, the deviation was unconstitutional because the plan was the not the result of a good-faith effort to achieve population equality. 462 U.S. at 727.

Article I, § 2 of the U.S. Constitution establishes a “high standard of justice and common sense” for the apportionment of congressional districts: “equal representation for equal numbers of people.” *Id.* (citing *Wesberry v. Sanders*, 376 U.S. 1, 18 (1964)). Precise mathematical equality, however, may be impossible to achieve in an imperfect world; therefore the “equal representation” standard is enforced only to the extent of requiring that districts be apportioned to achieve population equality “as nearly as is practicable.” *Id.* In *Kirkpatrick v. Preisler*, the U.S. Supreme Court explained: “[The] ‘as nearly as practicable’ standard requires that the State make a good-faith effort to achieve precise mathematical equality. Unless population variances among congressional districts are shown to have resulted despite such effort, the State must justify each variance, no matter how small.” 394 U.S. 526 (1969). Article I, § 2, therefore, “permits only the limited population variances which are unavoidable despite a good-faith effort to achieve absolute equality, or for which justification is shown.” *Id.*

The U.S. Supreme Court has stated that there are two basic questions that shape litigation over population deviations in state legislation apportioning congressional districts. Parties challenging apportionment legislation bear the burden of proof of showing whether the population differences among districts could have been reduced or eliminated altogether by a good-faith effort to draw districts of equal population. *Karcher*, 462 U.S. at 730. If the challengers fail to show that the differences could have been avoided, the apportionment scheme must be upheld. *Id.* at 731. If, however, the challengers can establish that the population differences were not the result of a good-faith effort to achieve equality, the State must bear the burden of proving that each significant variance between districts was necessary to achieve some legitimate goal. *Id.*

The Court has expressly declined to adopt any fixed numerical standards which excuse population variances without consideration of the case-by-case circumstances. Thus, there are no federal numerical standards that the redistricting commission must comply with. Rather, the commission must attempt to achieve equal representation for equal numbers of people as nearly as practicable and make a good-faith effort to achieve precise mathematical equality. The question for the commission on apportionment for the new congressional district should not be “how much of a deviation is allowed,” but “how close can we come to exactly equal representation.” Failure to demonstrate that even slight deviations achieve a legitimate state goal could be held unconstitutional, as was the Feldman Plan in *Karcher*.

State Legislative Districts

Legislative districts in Montana are subject to the requirements of Section 5-1-115, which requires a 1% or less deviation from the ideal population as calculated by the census, unless a greater deviation is necessary to 1) to keep political subdivisions intact or 2) to comply with the Voting Rights Act (think Native American vote). We found no state or federal case law interpreting Section 5-1-115(1), which means that it appears to be good, binding law at this time. The *Brown v. Thompson* case that Danielle sent does not appear to apply because that case was interpreting apportionment/redistricting of state legislative districts in Wyoming and Wyoming, unlike Montana, did not have a 1% or less deviation

requirement. Wyoming's redistricting plan at issue in *Brown*, although containing significant discrepancies among state legislative districts, was drawn along county lines and always had been, and thus there was no built-in bias. Conversely, not only has Montana not historically drawn legislative districts along county lines, but also Montana has a specific statute requiring districts to be within 1% of census data, unless one of two exceptions applies. Of course, the devil is in the details with those two exceptions, and a court would likely look at the factors present under the specific circumstances of the proposed plan in determining whether the exception had been met and passes constitutional muster.

I would like to have a call to discuss this in further detail next week. I am curious if we have any information about whether Legislative Services is providing legal guidance to the commissioners on these issues and if that differs in any way from this research. Please let me know when you are available to discuss.

Thank you!
Emily

Emily Jones



(406) 384-7990

www.joneslawmt.com

****Jones Law Firm is a paperless office. You will not receive a hard copy of any attachments to this e-mail unless specifically requested.**

From: Spenser Merwin <spenser@mtgop.org>
Sent: Monday, July 12, 2021 12:20 PM
To: Emily Jones <emily@joneslawmt.com>
Cc: Danielle Tribble <danielle@mtgop.org>; Don K <don@donk.com>
Subject: Potential Redistricting Litigation

Emily,

Hope you are doing well! The Chairman had a question regarding the redistricting process as it relates to population deviation. Given the different numbers of deviation we are hearing (1%, 3%, 5%, etc) we are curious what is stated/required/recommended for both Congressional and Legislative districts. Before any more resources are put forward on this potential path we wanted to understand what is in statute, what is delegated to the Commission, etc.

Any insight would be greatly appreciated!

Best,

Spenser

Spenser Merwin
Executive Director
Montana Republican Party
(406) 640-4385
spenser@mtgop.org

Jeff Essmann

From: Jeff Essmann
Sent: Monday, June 28, 2021 12:58 PM
To: Vondene Kopetski
Subject: RE: Missoulia: FYI.....Let a Computer Do The Redistricting

You could remind people that the Democrat leaning Southwest district that has been floated on social media for over a year put all the reservations in the Hard Republican district.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Vondene Kopetski <vondene@gmail.com>
Date: 6/28/21 12:50 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: Re: Missoulia: FYI.....Let a Computer Do The Redistricting

Great idea, thanks.

On Mon, Jun 28, 2021 at 10:02 AM Jeff Essmann <jeff@jeffessmann.com> wrote:

You could respond and let her know her "algorithm" putting equal shares of rural and urban populations in both districts would likely violate our state Constitution requirements of compact and contiguous. Funny she didn't think it was important that our Native populations need to be distributed in that fashion.

J

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Vondene Kopetski <vondene@gmail.com>
Date: 6/28/21 9:46 AM (GMT-07:00)
To:
Subject: Missoulia: FYI.....Let a Computer Do The Redistricting

https://missoulia.com/opinion/columnists/opinion-let-a-computer-do-the-redistricting/article_41397054-2846-5369-8811-6e08f910ba5b.html

Jeff Essmann

From: Jeff Essmann
Sent: Monday, June 28, 2021 7:00 AM
To: Spenser Merwin; terryndar@hotmail.com; chairman
Subject: FW: Western Native Voice and redistricting on Facebook
Attachments: Screenshot_20210628-034954_Facebook.jpg

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Aaron Flint <flintmontana@gmail.com>
Date: 6/28/21 3:54 AM (GMT-07:00)
To: Dan Stusek <dstusek@gmail.com>, Jeff Essmann <jeff@jeffessmann.com>
Subject: Western Native Voice and redistricting on Facebook

https://m.facebook.com/story.php?story_fbid=4239870202742886&id=211129648950315

Jeff Essmann

From: Jeff Essmann
Sent: Wednesday, June 23, 2021 3:12 PM
To: dstusek@gmail.com
Subject: Process proposal
Attachments: Proposal for Order of drawing districts.docx

Jeff Essmann

From: Jeff Essmann
Sent: Monday, April 26, 2021 9:13 AM
To: Spenser Merwin
Subject: RE: redistricting criteria

This looks like a bill not a committee amendment. I think the words " and Reservations" should be added to 115 (2)(b) after the words "political subdivisions of the state" .

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Spenser Merwin <merwin.spenser@gmail.com>
Date: 4/26/21 9:02 AM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: redistricting criteria

--

Spenser Merwin

Email: Merwin.Spenser@gmail.com
Phone: (860) 671 0891

From: ess-tech@bresnan.net
Sent: Friday, October 29, 2021 11:27 AM
To: 'jason.thielman@gmail.com'
Subject: FW: East-West Map with Blackfeet and Flathead in West

Here you go. John Wright

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Friday, October 29, 2021 11:18 AM
To: Jeff Essmann (ess-tech@bresnan.net) <ess-tech@bresnan.net>
Subject: FW: East-West Map with Blackfeet and Flathead in West

From: Jeff Essmann [<mailto:jeff.essmann@mtleg.gov>]
Sent: Friday, October 29, 2021 11:15 AM
To: Jeff Essmann
Subject: FW: East-West Map with Blackfeet and Flathead in West

From: j w [<mailto:jwright68@hotmail.com>]
Sent: Saturday, September 25, 2021 11:04 AM
To: rweiss@mt.gov; Joe Lamson; maylinn.smith@mtleg.gov; kendra.miller@mtleg.gov; jeff.essmann@mtleg.gov; dan.stusek@mtleg.gov
Subject: RE: East-West Map with Blackfeet and Flathead in West

Hello Presiding Officer and Commissioners,

I will not be able to participate in the October 5th meeting so I am providing my additional thoughts on the East-West III or PM 238 Map.

1. It was based on testimony that wanted the Flathead and Blackfeet Reservations to be in the same district.
2. It keeps every county intact with the exception of Pondera which was broken up to ensure the Blackfeet Reservation remained whole. Pondera County is frequently broken up for Montana Legislative races.
3. Lewis and Clark County remains in the same district as Jefferson County since they share economic interests. Travel to the west of Helena is more difficult because of McDonald Pass, especially in the winter months. This also provides more diversity for the Eastern District both economically and politically.
4. There is no cracking or packing of voters since Kalispell and Bozeman remain in the Western District, and the counties remain whole with the exception of Pondera.
5. Park County (Livingston) was put in the Eastern District because of population deviation factors and the difficulty of travel to Bozeman during the winter months. There are gates on I-90 near Livingston because of frequently poor road conditions during the winter. It also allows the Western District to be more compact.
6. The 2020 Senate race should be most considered because the former Governor turned out to be the strongest Democratic candidate during the 2020 election. The proposed Western District was under 51% Republican in a +10 GOP election for U.S. Senate. This makes the Western district a naturally competitive district with no cracking or packing needed.
7. This map was created with bipartisanship in mind.

8. The total deviation is only 0.07% with the reason for the deviation not being 0% is the counties are not broken up, with the exception of Pondera because of the Blackfeet Reservation, to ensure communities of interest remains intact.

Thank you for your time and consideration and feel free to email me questions

John Wright
Westby, MT

Sent from Mail for Windows

From: j w
Sent: Sunday, September 19, 2021 8:29 AM
To: Joe Lamson; maylinn.smith@mtleg.gov; kendra.miller@mtleg.gov; jeff.essmann@mtleg.gov; dan.stusek@mtleg.gov; rweiss@mt.gov
Subject: East-West Map with Blackfeet and Flathead in West

Hello Presiding Officer and Commissioners,

This is my third East-West Map (East-West Map III) that has the Blackfeet and Flathead reservations in the West while placing Park County in the East to achieve a low deviation of 0.07%. The justification for the slight deviation from 0% is getting the Blackfeet and Flathead reservations in the same district and the mountain pass between Livingston and Bozeman making travel difficult in the winter months. Park County being placed in the East makes the West District more compact in area as well.

This map allows both Bozeman and Kalispell to remain in the West so the gerrymandering accusations are negated on both sides.

East-West Map III:
<https://districtr.org/plan/49176> (Maximum deviation 0.07%)

Thank you for your time and consideration and feel free to email me questions

John Wright
Westby, MT

Sent from Mail for Windows

Legislators are publicly elected officials. Legislator emails sent or received involving legislative business may be subject to the Right to Know provisions of the Montana Constitution and may be considered a "public record" pursuant to Montana law. As such, email, sent or received, its sender and receiver, and the email contents, may be subject to public disclosure, except as otherwise provided by Montana law.

From: ess-tech@bresnan.net
Sent: Tuesday, October 26, 2021 12:51 PM
To: 'Daniel Stusek'
Subject: RE: Congressional Districts proposal

Looks straightforward. I sent you an updated cleaned spreadsheet. Look over my edits and see if you agree Bennett Jacobson race was competitive. Where are the Pondera raw numbers from Terry? I think we should provide as well.

Jeff

From: Daniel Stusek <dstusek@gmail.com>
Sent: Tuesday, October 26, 2021 12:28 PM
To: ess-tech <ess-tech@bresnan.net>
Subject: Congressional Districts proposal

Good afternoon, we have attached a proposal for review. We have included election results using an updated list of 19 races based off the list Commissioner Miller provided during our previous meeting. We have substituted the 2017 US House race for the two 2014 races. We believe this is a more accurate representation as 2014 races are excluded from analysis in national models and the 2017 House race is relevant as it involves the same race we are drawing and is more recent. Based on previous competitiveness criteria presented, both our proposal and CP 11 would include 17 of 19 races with the +/- 5% deviation. This allows Flathead County to be kept whole while also keeping Gallatin County whole and placing both in a western district. We believe this is a fair compromise. Please consider and advise us on whether this is something you would consider for approval

<https://davesredistricting.org/join/c205cdff-03db-4efb-b2c5-f57053b58e49>

Sincerely,

Dan and Jeff

From: ess-tech@bresnan.net
Sent: Friday, October 29, 2021 11:27 AM
To: 'jason.thielman@gmail.com'
Subject: FW: East-West Map with Blackfeet and Flathead in West

Here you go. John Wright

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Friday, October 29, 2021 11:18 AM
To: Jeff Essmann (ess-tech@bresnan.net) <ess-tech@bresnan.net>
Subject: FW: East-West Map with Blackfeet and Flathead in West

From: Jeff Essmann [<mailto:jeff.essmann@mtleg.gov>]
Sent: Friday, October 29, 2021 11:15 AM
To: Jeff Essmann
Subject: FW: East-West Map with Blackfeet and Flathead in West

From: j w [<mailto:jwright68@hotmail.com>]
Sent: Saturday, September 25, 2021 11:04 AM
To: rweiss@mt.gov; Joe Lamson; maylinn.smith@mtleg.gov; kendra.miller@mtleg.gov; jeff.essmann@mtleg.gov; dan.stusek@mtleg.gov
Subject: RE: East-West Map with Blackfeet and Flathead in West

Hello Presiding Officer and Commissioners,

I will not be able to participate in the October 5th meeting so I am providing my additional thoughts on the East-West III or PM 238 Map.

1. It was based on testimony that wanted the Flathead and Blackfeet Reservations to be in the same district.
2. It keeps every county intact with the exception of Pondera which was broken up to ensure the Blackfeet Reservation remained whole. Pondera County is frequently broken up for Montana Legislative races.
3. Lewis and Clark County remains in the same district as Jefferson County since they share economic interests. Travel to the west of Helena is more difficult because of McDonald Pass, especially in the winter months. This also provides more diversity for the Eastern District both economically and politically.
4. There is no cracking or packing of voters since Kalispell and Bozeman remain in the Western District, and the counties remain whole with the exception of Pondera.
5. Park County (Livingston) was put in the Eastern District because of population deviation factors and the difficulty of travel to Bozeman during the winter months. There are gates on I-90 near Livingston because of frequently poor road conditions during the winter. It also allows the Western District to be more compact.
6. The 2020 Senate race should be most considered because the former Governor turned out to be the strongest Democratic candidate during the 2020 election. The proposed Western District was under 51% Republican in a +10 GOP election for U.S. Senate. This makes the Western district a naturally competitive district with no cracking or packing needed.
7. This map was created with bipartisanship in mind.

From: ess-tech@bresnan.net
Sent: Tuesday, October 26, 2021 2:16 PM
To: Jeff Essmann
Subject: FW: Congressional Districts proposal
Attachments: Election_Breakdown.xlsx

From: Daniel Stusek <dstusek@gmail.com>
Sent: Tuesday, October 26, 2021 12:28 PM
To: ess-tech <ess-tech@bresnan.net>
Subject: Congressional Districts proposal

Good afternoon, we have attached a proposal for review. We have included election results using an updated list of 19 races based off the list Commissioner Miller provided during our previous meeting. We have substituted the 2017 US House race for the two 2014 races. We believe this is a more accurate representation as 2014 races are excluded from analysis in national models and the 2017 House race is relevant as it involves the same race we are drawing and is more recent. Based on previous competitiveness criteria presented, both our proposal and CP 11 would include 17 of 19 races with the +/- 5% deviation. This allows Flathead County to be kept whole while also keeping Gallatin County whole and placing both in a western district. We believe this is a fair compromise. Please consider and advise us on whether this is something you would consider for approval

<https://davesredistricting.org/join/c205cdff-03db-4efb-b2c5-f57053b58e49>

Sincerely,

Dan and Jeff

From: ess-tech@bresnan.net
Sent: Tuesday, October 26, 2021 12:51 PM
To: 'Daniel Stusek'
Subject: RE: Congressional Districts proposal

Looks straightforward. I sent you an updated cleaned spreadsheet. Look over my edits and see if you agree Bennett Jacobson race was competitive. Where are the Pondera raw numbers from Terry? I think we should provide as well.

Jeff

From: Daniel Stusek <dstusek@gmail.com>
Sent: Tuesday, October 26, 2021 12:28 PM
To: ess-tech <ess-tech@bresnan.net>
Subject: Congressional Districts proposal

Good afternoon, we have attached a proposal for review. We have included election results using an updated list of 19 races based off the list Commissioner Miller provided during our previous meeting. We have substituted the 2017 US House race for the two 2014 races. We believe this is a more accurate representation as 2014 races are excluded from analysis in national models and the 2017 House race is relevant as it involves the same race we are drawing and is more recent. Based on previous competitiveness criteria presented, both our proposal and CP 11 would include 17 of 19 races with the +/- 5% deviation. This allows Flathead County to be kept whole while also keeping Gallatin County whole and placing both in a western district. We believe this is a fair compromise. Please consider and advise us on whether this is something you would consider for approval

<https://davesredistricting.org/join/c205cdff-03db-4efb-b2c5-f57053b58e49>

Sincerely,

Dan and Jeff

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Sunday, October 31, 2021 7:09 PM
To: ess-tech@bresnan.net
Subject: FW: revised comment on redistricting

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "jeff.essmann" <jeff.essmann@mtleg.gov>
Date: 10/31/21 7:07 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: FW: revised comment on redistricting

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Thompson Smith <thompsonrsmith@gmail.com>
Date: 10/31/21 4:40 PM (GMT-07:00)
To: districting@mt.gov, Maylinn.Smith@mtleg.gov, Jeff.Essmann@mtleg.gov, Joe.Lamson@mtleg.gov, Dan.Stusek@mtleg.gov, Kendra.Miller@mtleg.gov
Subject: revised comment on redistricting

Dear Montana Redistricting Commission,

Since the Commission decided yesterday, October 30, to continue deliberations, I am submitting this revision of my previous comments. I believe there was some confusion due to the last-minute submission of new compromise maps from both Republican and Democratic members of the Commission.

First, I will reiterate my thanks to all of you for your service and your citizenship, and for this opportunity to submit comments.

I have been a resident of Lake County and the Flathead Indian Reservation for 38 years. I served as a governor-appointed member of the Flathead Basin Commission for 3 terms, 12 years, from 2005 to 2017, including several years as chair.

I am writing to urge you to support redistricting map 13. I believe it is the fairest of the options still under consideration and would best ensure proper representation of Montanans in Congress.

Many of the comments from participants in the hearing yesterday stressed the need of the Commission to follow the law in making your decision, but some were not acknowledging that part of the difficulty you face is that the laws call on you to draw the lines in consideration of a number of factors which can pull you in different directions.

There was little mention of one of the most important of those laws, even though it is noted on the website of the Montana Districting and Apportionment Commission: 42 USC 1973, which states that no district, plan, or proposal for a plan is acceptable if it affords members of a racial or language minority group "less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." In addition, as your website also notes, the Commission must consider "communities of interest."

In Montana, the "racial or language minority groups" of primary concern, acknowledged in our state Constitution, are our Indigenous citizens and communities. They are also groups that have historically been underrepresented. In the political process that non-Indians imposed upon Indigenous communities, they have been harmed more often than given voice over the past 132 years.

When we are drawing lines in regard to these provisions and mandates as they affect Indigenous people in Montana, it is therefore appropriate that we give careful consideration to the comments from representatives of those communities.

The sole Indigenous testimony, to my knowledge, at the October 30 hearing was from Shelly Fyant, Chairwoman of the Tribal Council of the Confederated Salish and Kootenai Tribes. Due to time limits she was not able to complete her testimony, which would have clarified, as is stated in her full written testimony, that her preference is for map 13. (I will note here that while I am submitting my comments as a private citizen, I work as a historian and geographer for the CSKT.)

Ms. Fyant noted in particular that both of the districts should include at least two Tribal nations, something that is accomplished by map 13, which includes both the Blackfeet and Flathead Reservations.

It is worth noting that the CSKT and Blackfeet not only work closely together on many issues, but have also been intermarried for many years, with many families now closely related. This was recently shown in powerful ways when our state mourned the passing of Blackfeet Chief Earl Old Person. One of his great-grandsons is Vance Homegun, who is an enrolled member of the Confederated Salish and Kootenai Tribes, one of the ablest young learners of the endangered Salish language, and a teacher at the Nk'wusm Salish

Immersion school in Arlee. When Chief Old Person's body was transported from the funeral home in St. Ignatius to Browning for the funeral services, many members of the CSKT showed their respect for the Blackfeet leader by standing in silent tribute along Highway 93 as the hearse — led by law enforcement vehicles of both the CSKT and Blackfeet — passed through St. Ignatius, Ronan, Pablo, and Polson. In a sense, the people of the CSKT were showing the same respect that Mr. Old Person had shown to the Salish community five years before, when renowned elder Louie Adams passed away and Mr. Old Person drove to Arlee to deliver a stirring eulogy in the jam-packed community center.

All of which reinforces our understanding that the Flathead and Blackfeet reservations indeed constitute a "community of interest," and that both should be included in the western congressional district.

Map 13 also satisfies the two main concerns raised by many Flathead County residents at the hearing: that Flathead County not be split or attached to eastern Montana, and that the laws are followed.

As former chair of the Flathead Basin Commission, I would also note that map 13 has geographic coherence, as is also called for in Montana law, by encompassing the totality of the Flathead drainage system within Montana.

In fairness, we should all note that many aspects of our political and cultural geography straddle the Continental Divide, and this poses special challenges for the Commission. Every one of the maps has certain unfortunate lines in this respect, including map 13; as the testimony of many residents of Helena noted, their affinity is far more with Butte-Anaconda-Deer Lodge than with places to the east.

However, the same is true of Glacier County. It encompasses the east side of Glacier National Park, which for 111 years has defined and protected the "Crown of the Continent," a world-renowned symbol of how both the environmental and cultural identity of this part of the world span the Divide. Indeed, during my time on the Flathead Basin Commission, we expended considerable resources in working with the Blackfeet Nation to protect the Flathead Basin through the establishment in Browning of a check station for aquatic invasive species — a check station that guarded the eastern gate to the Flathead system.

For all these reasons, it is clear that map 13 makes sense, and is the best and fairest of the available options.

Thanks in advance for your consideration of my comments, and again for your dedicated service to Montana.

Respectfully,

Thompson Smith
53950 Marsh Creek Rd
Charlo, MT 59824
406-396-5479
thompsonrsmith@gmail.com

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Jeff Essmann

From: Jeff Essmann
Sent: Wednesday, November 3, 2021 12:54 PM
To: jason.thielman@gmail.com
Cc: Terry Nelson; Danielle Tribble; Daniel Stusek; Chris Shipp
Subject: RE: CP12 Amendments - Pondera County

Thanks

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: jason.thielman@gmail.com
Date: 11/3/21 12:43 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Cc: Terry Nelson <terryndar@hotmail.com>, Danielle Tribble <danielle@mtgop.org>, Daniel Stusek <dstusek@gmail.com>, Chris Shipp <cjshipp@gmail.com>
Subject: Re: CP12 Amendments - Pondera County

Yes

Sent from my iPhone

On Nov 3, 2021, at 2:34 PM, Jeff Essmann <jeff@jeffessmann.com> wrote:

Can you guys sort out what each of these changes would do to our CP12 deviations if adopted?

Thanks

Jeff

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Pondera Port Authority <pcpconrad@3rivers.net>
Date: 11/3/21 12:30 PM (GMT-07:00)
To: Jeff Essmann <jeff@jeffessmann.com>
Subject: CP12 Amendments - Pondera County

Jeff,

I have attached the proposed amendments, precincts map, and metes and bounds description of precinct boundaries.

Thanks,

Rob

<CP12 Proposed Amendment, Pondera County, 03 Nov 2021.docx>

<Pondera County Precinct Boundaries.docx>

<Pondera County Voting Districts, Sep 2019.pdf>

Jeff Essmann

From: Jeff Essmann <jeff@jeffessmann.com>
Sent: Wednesday, November 3, 2021 8:06 PM
To: brock@fp1stategies.com
Cc: Daniel Stusek
Subject: Cheat sheet

Can we get a cheat sheet with the 16 to 20 races attached ? Names and percentages? Dan I think you have right?

Jeff

Sent from my Verizon, Samsung Galaxy smartphone