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Redistricting Panel Cooperates with AG's Office on Probe

PHOENIX (Aug. 5, 2011) – The Arizona Independent Redistricting Commission has been, and will continue, cooperating with the state attorney general as he pursues his open meeting law and procurement investigation. Chairman Colleen Coyle Mathis stated: “In order to instill public confidence in the process and to put this matter behind us, I look forward to answering questions and will continue to fully cooperate with the inquiry.”

Although the attorney general suggested in an Aug. 4 news release that the commissioners must testify at his request, the statute he cites also indicates that he is not entitled to question commissioners with respect to privileged matters. It also applies only to open meeting law investigations and permits inquiries only into matters that are relevant to the open meeting law investigation and supported by reasonable cause.

In its first business meeting since the attorney general announced his investigation, the commission met Aug. 3 and received a briefing from its counsel, in open session, regarding the scope of the legislative privilege enjoyed by each commissioner as established by the Arizona Court of Appeals in 2003. (Video is available at azredistricting.org.) The meeting, however, was cut short because the commission had to leave for a previously scheduled public hearing. It is scheduled to continue its discussion with counsel on the attorney general's inquiry in a meeting the week of Aug. 15.

The commission first learned of the attorney general's inquiry on July 21, when his office announced it in a news release. During the past two weeks, the commission's attorneys have been in regular communication with the Attorney General's Office in an effort to work together to resolve this matter as quickly as possible – but within the scope of the law and respecting the commission's constitutional role. During this same time, the commissioners conducted 15 public hearings throughout the state about the redistricting process. There has been no delay or "stonewalling" by the commission. It will continue to fulfill its constitutional responsibility to establish new legislative and congressional districts while working to address the attorney general's concerns.

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