

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Friday, June 24, 2011
9:04 a.m.

Location

**Executive Tower - Pharmacy Board Meeting Room 312
1700 West Washington
Phoenix, Arizona 85007**

Attending

Colleen C. Mathis, Chair
Jose M. Herrera, Vice Chair
Scott Day Freeman, Vice Chair
Linda C. McNulty, Commissioner
Richard P. Stertz, Commissioner

Mary O'Grady, legal counsel
Joe Kanefield, legal counsel
Raymond F. Bladine, Executive Director
Kristina Gomez, Deputy Executive Director
Buck Forst, Information Technology Specialist
Ana Garcia, Assistant

Reported By:
Marty Herder, CCR
Certified Court Reporter 50162
www.courtreportersaz.com

Phoenix, Arizona
June 24, 2011
9:04 a.m.

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P R O C E E D I N G S

(Whereupon, the public session commenced.)

CHAIRPERSON MATHIS: This meeting of the Arizona Independent Redistricting Commission will now come to order. It's Friday, June 24th, at 9:04 a.m.

And let's all rise for the pledge of Allegiance.

(Whereupon, the Pledge of Allegiance commenced.)

CHAIRPERSON MATHIS: I'd like to remind the public that if you'd like to speak during our public comment period to be sure to fill out a request to speak form, that Ray Bladine has, and you can give that to our executive director, and we'll be sure you're on the docket to speak.

I'd also like to just go through roll call quickly.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

VICE-CHAIR HERERRA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty.

1 COMMISSIONER McNULTY: Here.

2 CHAIRPERSON MATHIS: Commissioner Stertz.

3 COMMISSIONER STERTZ: Here.

4 CHAIRPERSON MATHIS: We have a quorum.

5 And since this is kind of our Phoenix debut with
6 our full team, I thought I would acknowledge our legal
7 counsel, two people who have long track records of public
8 service in our state.

9 Joe Kanefield, former counsel to Governor Brewer,
10 and Mary O'Grady, former Solicitor General for the State of
11 Arizona.

12 Thank you both for being here.

13 And I'd like to acknowledge our staff too. Ray
14 Bladine, and Kristina Gomez is around in the back. Buck
15 Forst is here, our chief technology officer. And I believe
16 Ana Garcia is here as well.

17 Thank you.

18 Thanks, staff, for being here.

19 So that takes us to agenda item two, which is
20 recognition presentation.

21 If I could ask Jim Barton to come up to the
22 microphone.

23 From mid-February to the end of May, when this
24 commission was even younger than it is now, Jim was assigned
25 to us by the Attorney General's Office to serve as legal

1 counsel for the Commission until we could get our own
2 counsel hired.

3 And Jim did a fabulous job serving this
4 Commission.

5 He did it in an objective and nonpartisan way.

6 He also exudes a quiet confidence that I found
7 comforting. And perhaps this demeanor, I don't know where
8 it comes from, Jim, but maybe it's your years of service in
9 the U.S. Navy as a submarine warfare officer.

10 But Jim is a true credit to the Attorney General's
11 Office and to the people of Arizona.

12 And we're just all lucky to have him serving on
13 your behalf.

14 We're also grateful to Attorney General Horne and
15 to Solicitor General Cole and the Attorney General's Office
16 at large for their support in sending Jim our way.

17 So, Jim, we have a little token of appreciation to
18 give to you, to remind you of our gratitude. And thank you
19 for helping us find our sea legs.

20 I'd like to take this -- and maybe can get a
21 picture actually with Jim, the whole Commission.

22 RAY BLADINE: Colleen.

23 CHAIRPERSON MATHIS: Yes.

24 RAY BLADINE: You might take your glasses off.

25 CHAIRPERSON MATHIS: Thank you.

1 RAY BLADINE: I didn't want a picture of you like
2 that.

3 CHAIRPERSON MATHIS: Thank you for snapping me on
4 that one.

5 So we have a hunk of plexiglass for Jim, in
6 appreciation of your sage advice and counsel from the
7 Independent Redistrict Commission.

8 Thank you very much.

9 Photo opportunity.

10 (Applause.)

11 CHAIRPERSON MATHIS: Thank you. Thanks again,
12 Jim.

13 JAMES BARTON: Chair Mathis, and thank you
14 Commission. I enjoyed the opportunity to work with you all,
15 and I confident that you'll do a great job for Arizona going
16 forward. So thank you very much.

17 CHAIRPERSON MATHIS: Thank you.

18 This takes us to agenda item three, call for
19 public comment.

20 And I have a number of slips here, but just to
21 remind anyone if they'd like to address us, please go ahead
22 and fill one out. There's still time.

23 The first person I have is Andi Minkoff, previous
24 IRC Vice Chair, and the subject is mapping consultant.

25 ANDI MINKOFF: I guess I'm shorter than I thought.

1 I have a terrible case of laryngitis. Can you all
2 hear me?

3 CHAIRPERSON MATHIS: Yes.

4 ANDI MINKOFF: Okay. Before I begin my brief
5 remarks, on behalf of my fellow commissioners on the last
6 commission, I have to issue an apology to Joe Kanefield.

7 Because Joe performed for us the functions that
8 Jim performed for you.

9 And, Joe, I guess we owe you a leucite plaque.

10 I'll call Steve Lynn, and we'll see about that.
11 But only if we have any money left in our budget.

12 First of all, I want to tell you, Madam Chair, and
13 your fellow commissioners, that probably more than anybody
14 else in this room I feel your pain, if I may quote Bill
15 Clinton.

16 I've been there. I did that.

17 Like Joe didn't get a plaque, I also did not get a
18 T-shirt.

19 But I know what you have committed to, and I
20 commend you for your dedication and your willingness to take
21 on this project.

22 And months from now, when your office wonders if
23 you're ever coming back to work, and your family writes you
24 an e-mail telling you they have forgotten what you look
25 like, I hope you will remember that it truly is worth it.

1 If I had known when I applied for this Commission
2 the workload that was ahead of me, I don't know that I would
3 have done it. But when all is said and done, it is
4 probably one of the most satisfying tasks that I ever
5 undertook.

6 And when your task is through, I hope it won't
7 take you nine years like it did us, I hope you will get the
8 feeling of a job well done and of the incredible service
9 that you're doing for your state.

10 First of all, a little bit about me, a very little
11 bit.

12 I've lived in all Arizona almost all my life,
13 since I was three years old I moved to Phoenix. And I tell
14 people I grew up in a small town, now I live in a big city,
15 and I never had to move.

16 It's been a very long time.

17 I am a former teacher of American government. I
18 taught at the Phoenix Union High School District. So the
19 love that I have for the political and the democratic
20 governmental process that we have is very, very intense.

21 I believe in what we're doing.

22 And I believe that the citizens of the
23 Redistricting Commission is really the way to go.

24 Proposition 106, that became a part of the Arizona
25 Constitution after the 2000 election, gave you the

1 responsibility to draw the lines and to create the new
2 districts that will be used in our state until the next
3 census in 2020.

4 Boy, that's a long way away.

5 It took it away from the Legislature, for a number
6 of reasons.

7 It gave it to you, and it did not give it to any
8 mapping consultant that you may hire.

9 And that's what I want to speak about.

10 When I came on the Commission, I was very, very
11 consistent. I came on this Commission to help create
12 competitive districts.

13 If my original application still exists, you'll
14 see in my written statement that I wanted to create more
15 competitive districts, not Republican districts, not
16 Democratic districts, but districts where every voter
17 regardless of political party has an opportunity to select
18 their representatives and where decisions are not made in
19 the party primaries.

20 I became a broken record, as a member of the
21 Commission, asking at every step of the mapping process,
22 when are we going to get competitive districts, when are we
23 going to start dealing with competitiveness.

24 I believe very strongly, and research has
25 shown, that competitive districts moderate the political

1 process.

2 If you have single party districts, members of the
3 extreme of that party, and believe me both parties have
4 extremes, tend to get elected, because the party faithful
5 tend to control the nominating process. And if it is a
6 one-party district, you're going to have somebody who speaks
7 to the fringe of that party.

8 Independents tend not to vote in party primaries,
9 as much as I believe they should.

10 If you have competitive districts and the parties
11 are foolish enough to elect people on the fringes, those
12 people are going to be defeated at the election, whether
13 they're far right or whether they're far left, because
14 surveys have shown that most of us are somewhere close to
15 the middle.

16 We may be a little right of center, we may be a
17 little left of center, but we are relatively close to the
18 middle. And most of us do not subscribe to the fringes at
19 boundaries of each political party.

20 So if we have competitive districts, we'll have
21 people who are a little bit closer to the middle and who can
22 talk to each other.

23 And believe me, that's something that both
24 Washington, D.C., and the Arizona Legislature could use more
25 of, is civil discourse.

1 We've seen what happens when it degenerates into
2 name calling, where people refuse to even talk to people in
3 the other party, and exclude them from meetings to discuss
4 policies and legislation and so on.

5 So I urge you to make competitive districts high
6 on those -- on that list of six criteria that you are to
7 consider in drawing districts.

8 When we hired our mapping consultant, we hired
9 National Demographics Corporation outside of Claremont,
10 California.

11 And we were really green, and none of us had any
12 experience at hiring a mapping consultant and what they do
13 and at what the criteria should be.

14 The NDC people are very talented. They're very
15 capable. They made an excellent presentation.

16 When we selected them, that was the main decision
17 that we made as to what the final map would be.

18 It -- certain parts of it were out of our hands,
19 and we had no idea at the time.

20 A lot of the technical work has to be done by your
21 mapping consultants.

22 I urge you all to become familiar with the
23 Maptitude software.

24 I would sit at the meetings, and when NDC would
25 present us with draft maps, I would sit there and open up

1 the software, and I could analyze it much more carefully in
2 terms of what I was interested in. I could go to different
3 areas. There's census data that's a part of Maptitude. And
4 it will really help you get a handle on the districts that
5 you're creating.

6 I was assured when I began to ask questions that
7 there would be plenty of time to consider competitive
8 districts.

9 You certainly don't consider them when you draw
10 the grid.

11 You don't consider any factors other than equal
12 population and compactness and contiguity.

13 But once you begin to modify that grid, and the
14 public is going to go ballistic when they see it, because
15 you're not supposed to take the other things into account at
16 that point, but once you begin to modify those lines, please
17 keep competitiveness in mind.

18 I kept asking -- and at that time Florence Adams
19 and Alan Heslop were the principals of NDC. And Doug worked
20 for them. Doug is now, as I understand, Mr. Johnson, Doug
21 Johnson, is now the principal of National Demographics.

22 And Ms. Adams continually told me,
23 Commissioner Minkoff, don't worry about it, there will be
24 plenty of time to consider competitiveness.

25 And then we would get to a different draft map,

1 and I would say, well, now can we consider competitiveness?

2 And I was told by the mapping consultants, and
3 because we were novices we believed what they told us, that
4 this was not the time and there would be time later on.

5 Finally, in August of 2011, at a public meeting at
6 the Doubletree Hotel in Tucson, Arizona, I asked the
7 question again. Because we were getting close to a final
8 map to put out for public comment.

9 And I was told by Ms. Adams, and I still remember
10 it, that we're so far down the mapping process that at this
11 point the only thing that we can do is tinker around the
12 edges a little bit.

13 At that point I knew that we had been manipulated
14 by our mapping consultants, because they had been telling us
15 up until August of 2011 that there was plenty of time to do
16 it. And then finally, when I said, okay, now do we consider
17 competitiveness, I was told that essentially it was too
18 late.

19 It's their job to follow your direction. It is
20 not their job to determine what the final map will be.

21 That's your job.

22 They were much too heavily involved, whatever
23 their agenda was. The agenda doesn't matter. They did what
24 they should not have done.

25 As a result, when our final map was presented to

1 DOJ for preclearance, according to the Judge It test, which
2 tests for competitive districts, after the 1990 census, the
3 Legislature that was mostly concerned with protecting
4 incumbents and making their own districts as safe as
5 possible, managed to create seven competitive legislative
6 districts out of the 30.

7 Our map created four.

8 That's a disgrace.

9 When people appeared at public meetings, they told
10 us again and again, give us competitive districts, don't
11 give us districts where a small minority of the party
12 faithful can decide who our representatives are. That's not
13 what we want.

14 We want to participate.

15 We thought we were doing that. And because our
16 mapping consultants manipulated the process, we were not
17 able to do that.

18 If you -- you read the letter to the California
19 Redistricting Commission that I wrote about NDC.

20 The California Commission did not even allow them
21 to make a full presentation.

22 And the reason that they did not is that the
23 National Demographics Corporation is affiliated with an
24 organization called The Rose Institute out of Claremont,
25 California, which does have a definite political bent.

1 NDC's interaction with them is almost complete.
2 Florence Adams and Alan Heslop were the principals of both
3 The Rose Institute and NDC last time around.

4 NDC is very well-connected with The Rose
5 Institute.

6 And The Rose Institute, as I wrote in my letter to
7 you, has a number of political activists who are looking to
8 advance the agenda of The Rose Institute.

9 NDC was asked to make public all of their
10 connections with The Rose Institute and the names of the
11 contributors to The Rose Institute.

12 And they declined to do so.

13 With issues of transparency in government being so
14 important right now, I don't think you want to hire a
15 mapping consultant that hides information from you and from
16 the public.

17 Since I'm leaving town tomorrow morning for a week
18 and I don't know what your schedule is, if you do have any
19 questions you'd like to ask me, I'd be happy to answer them
20 at this time.

21 CHAIRPERSON MATHIS: We can't ask questions.

22 ANDI MINKOFF: Oh, you can't?

23 Well, you've got my phone number. If you need to
24 call me and ask questions, and presumably you'll have to do
25 it with at least three of you there in a public session, but

1 I will be available.

2 I'm not going to be able to stay for the whole
3 meeting. Our grandson is staying with us while his sisters
4 are at camp and parents are in New York, and I promised
5 to get him to (inaudible).

6 VICE-CHAIR HERRERA: We can thank you for your
7 service to the previous Commission and also thank you for
8 being here.

9 ANDI MINKOFF: Thank you very much.

10 CHAIRPERSON MATHIS: Thank you very much.

11 Our next speaker is Shirl Lamonna, representing
12 Overlook Group. And the subject is fairness.

13 SHIRL LAMONNA: My name is Shirl Lamonna. I am
14 representing the Overlook Group.

15 It is our opinion that the Independent
16 Redistricting Commission was not fair or impartial in the
17 attorney selection process on May the 12th and the 13th.

18 It's our understanding that since inception your
19 goal was to select two attorneys, one with a perceived
20 alliance to the Democrats and the other with a perceived
21 alliance to Republicans, as this had been what worked well
22 for the previous Commission.

23 And while it appears on the surface that that goal
24 was achieved, neither party actually got their first pick,
25 despite a motion by Vice Chair Freeman for an amendment that

1 would have achieved that result.

2 According to the meeting minutes,
3 Chairperson Mathis addressed the importance of public
4 perception and stated that independent voices need to be
5 heard.

6 But we fail to see how this was accomplished when
7 she opposed a substitute motion allowing each party to
8 select an attorney that they trust.

9 It does appear that this selection process was
10 biased and a ploy to prevent the Republicans from selecting
11 an experienced attorney who's familiar with the Arizona
12 redistricting process.

13 And, in fact, the intent of an open meeting was
14 circumvented by choosing attorneys in a continuation session
15 which did not afford sufficient notice for the public to
16 attend.

17 It clearly did not demonstrate bipartisanship
18 behavior, and it does little to instill public confidence in
19 the independence of this Commission.

20 Thank you for your time.

21 CHAIRPERSON MATHIS: Thank you.

22 Our next speaker is Kenneth Moyes representing
23 Citizens for Common Sense Redistricting. And the subject is
24 mapping companies.

25 KENNETH MOYES: Good morning.

1 CHAIRPERSON MATHIS: Morning.

2 KENNETH MOYES: I have a lengthy document that I'm
3 not going to read the whole thing. But how do I get the
4 document into the minutes?

5 Okay. When we're finished, I'll give you the
6 whole package.

7 Representative government is guaranteed in the
8 Constitution under Article 1, Section 2.

9 The specific purpose and the subsequent
10 redistricting of the decennial census requirement in the
11 Constitution was to ensure a true and fair representative
12 government.

13 The above-reproach choice of a mapping company and
14 its software, in reality a stealthy black box, that's the
15 company itself, is critical to building districts that meet
16 the Constitutional requirement.

17 Since we are all dependent on a truly clinical
18 company to provide software that will achieve an unbiased,
19 chips fall where they may set of boundaries that meet the
20 Voting Rights Act of 1965, which was enacted to prevent
21 voter disenfranchisement, the selection of a purely clinical
22 provider is paramount to achieve the intent of the Act.

23 Any selection must have the above-reproach nature
24 to absolutely protect against voter disenfranchisement, the
25 mission of the Commission.

1 A review of providers considered by the Commission
2 reveals the following:

3 Company number one, Strategic Telemetry, located
4 as 236 Massachusetts Avenue, Northeast, No. 205, Washington,
5 D.C, Its president, Ken Strasma, was the National Target
6 Director for President Obama's 2008 campaign.

7 His firm has led numerous Democratic campaigns, as
8 well as the New York City Mayor Michael Bloomberg's 2009
9 reelection campaign.

10 Source and reference: What's Next, Four
11 Innovators Pushing Campaign Ahead by Kostas, I cannot
12 pronounce his last name, it's a Greek name, Ph.D.,
13 March 1st, 2011.

14 I have a source, a URL source here as a reference.
15 It's in the document. You'll have it.

16 In a published article, Targeting The Most Unusual
17 Electorate In American, by Ken Strasma, February 1st, 2010,
18 Ken wrote the following -- and this is out of context, but
19 it's a continuing -- a continual sentence.

20 Bloomberg's decision to switch his party
21 affiliation to Independent -- and that is from Republican --
22 and his progressive positions -- and that's the key -- on
23 most issues was what led many Democratic consultants,
24 including my firm, Strategic Telemetry, to support him.

25 A definite political agenda.

1 That's another source, and that's been cited here,
2 and you'll have that.

3 The highly partisan views of Mr. Ken Strasma do
4 not represent a political leadership position as Strategic
5 Telemetry.

6 Strategic Telemetry should be eliminated from the
7 list.

8 This company would not be a suitable vendor
9 because it is an activist and not clinical.

10 Company number two: Research Advisory Services,
11 Inc., Post Office Box 162996, Phoenix, Arizona.

12 Research Advisory president and founder, Mr. Tony
13 Sissons, is politically affiliated at the campaign level
14 with Arizona Democratic State Representative Krysten Sinema
15 and has a business relation with the Service Employees
16 International Union, SEIU.

17 The following statements made by Candidate Obama
18 on January 15, 2008 while addressing SEIU membership on the
19 subject of elected officials: Do they have a track record
20 of voting the right way and helping you build to more power,
21 and we're going to turn the nation purple.

22 And we all know about SEIU.

23 SEIU has donated to the 2010 election campaigns of
24 the following Democratic candidates without apparent
25 reciprocal contribution to any other party's competing

1 candidates: Giffords, 10,000; Grijalva, 10,000; Pastor,
2 2500; Mitchell, 10,000; Kirkpatrick, 10,000; Hulbert,
3 10,000.

4 Additionally, unusually strong support by the
5 Democratic President of the United States for SEIU and their
6 financial support to Democratic candidates needs to be
7 factored thoroughly by the Commission and the public into
8 the influence that it will likely have on Mr. Sissons'
9 company.

10 SEIU's recent historic political activism,
11 including a record of partisan heavy financial support for
12 candidates associated only with the Democratic Party, must
13 raise a red flag to the Commission of the absence of a
14 clinical nature of Mr. Sisson's Research Advisory.

15 This is a highly political company that is just
16 the opposite of the clinical company needed to meet the
17 Voting Rights Act goal of no disenfranchisement.

18 Can we expect this company to let the chips fall
19 where they may?

20 No.

21 The State of Arizona solicitation number -- I'm
22 not going to read the entire number -- statement of work,
23 Section 2.16, allows for the contractor to provide
24 consultative assistance in the event of any legal action
25 that arises relating to redistricting plans that develop

1 within the contractor's assistance.

2 This will permit the selected provider to
3 participate in any court action, thus again the company's
4 would not be purely clinical. Especially if it's action
5 that they had taken.

6 The Commission must have and act on concern that
7 Mr. Strasma and Mr. Sissons and their companies will likely
8 not be clinical as their previous actions have demonstrated,
9 but rather allow political bias on redistricting into that
10 black box, therefore likely disenfranchising voters in favor
11 of previously demonstrated partisan politics.

12 Finally, the State of Arizona solicitation,
13 there's another number, statement of work, Section 2.17,
14 calls for full disclosure of contractors and all key staff
15 members for a ten-year period preceding the offer on
16 political affiliation, activities, contributions, and
17 services performed, and so on.

18 I hope you have that.

19 It is justifiably viable -- pardon me, it is
20 justifiably vital that the American Independent -- I'm
21 getting punchy here.

22 It is justifiably vital that the Arizona
23 Independent Redistricting Commission remove these
24 contractors from consideration for the award of a contract
25 for this or any other subcontracting work associated with

1 Arizona redistricting.

2 Thank you.

3 CHAIRPERSON MATHIS: Thank you.

4 Our next speaker is Don Nevins, representing
5 Men of The Bean. The subject is fairness in redistricting.

6 DON NEVINS: Good morning, commissioners.

7 CHAIRPERSON MATHIS: Morning.

8 DON NEVINS: My name is Don Nevins. Men of The
9 Bean means we're a coffee group.

10 CHAIRPERSON MATHIS: Oh, thank you.

11 DON NEVINS: My concern, a concern of our group is
12 fairness and equity in what results the Commission arrives
13 at.

14 We are very concerned, to say the least.

15 To that end, we provided our own redistricting
16 map.

17 It's not that hard for citizens to get at it.

18 Did we consider the criteria for drawing maps?

19 Yes, we did.

20 In line with the Voting Rights Act.

21 District shall comply with the United States
22 Constitution and the United States Voting Rights Act.

23 Congressional districts shall have equal
24 population to the extent practical.

25 Districts shall be geographically compact and

1 contiguous to the extent possible.

2 District boundaries shall represent communities of
3 interest to the extent practical.

4 To the extent practical, district lines shall use
5 visible geographic features, city, town, and county
6 boundaries, and undivided census tracks.

7 To the extent practical, competitive districts
8 should be favored where to do so would create no significant
9 detriment to other goals.

10 I do have the size of that last one.

11 I have here our citizens' attempt at a
12 redistricting. We think is fair and unbiased.

13 I also have the description of the information
14 that was used into our redistricting effort.

15 I'd like that to present that to you for being
16 entered into the records.

17 Thank you.

18 CHAIRPERSON MATHIS: Thank you.

19 Our next speaker is Lynn St. Angelo, representing
20 herself, on the subject of communications.

21 LYNN ST. ANGELO: Good morning.

22 CHAIRPERSON MATHIS: Good morning.

23 LYNN ST. ANGELO: Thank you. I want to thank the
24 Commission for posting the tentative date for this meeting.
25 That is very helpful.

1 I hope you continue to do that.

2 Transparency and communicating with the public
3 should be the goal of the Commission. There is no way for
4 someone though to watch a video of 20 -- 122 minutes where a
5 lot of the people, about half of the public who are
6 speaking, could not be heard.

7 I don't know if you listened to the Oro Valley
8 meeting minutes, but I did. And about half of those
9 people, and there was a problem with the microphone in that
10 meeting.

11 But, and I am not a technical person, but it seems
12 that there must be some way that that audio could be
13 enhanced so that when you go online and you look at that,
14 someone -- especially someone new who's trying to figure out
15 what's going on could actually hear what's being said.

16 The other problem with the video that is online is
17 that you cannot fast forward it.

18 So if you are actually looking for something, you
19 have to listen through the entire thing. And if you want to
20 hear it again, you have to go back, start it, and hear it
21 all over again.

22 Again, I'm not a technical person, but it seems
23 like there should be a way to make that more accessible.

24 Someone who's trying to find out what is going on
25 quickly, and especially someone new who's looking at the

1 process, would have a really hard time doing that.

2 I think it is much more user friendly to have
3 written minutes that can be printed in addition to the video
4 and audio.

5 And so I request that written minutes be posted.

6 Thank you.

7 CHAIRPERSON MATHIS: Thank you.

8 Our next speaker is Michael Liburdi. He's an
9 attorney representing Fair Trust. And the subject is
10 mapping services RFP.

11 MICHAEL LIBURDI: Good morning, Madam Chair.

12 CHAIRPERSON MATHIS: Good morning.

13 MICHAEL LIBURDI: Good morning, Madam Chair,
14 members of the Commission, and counsel.

15 My name is Michael Liburdi. I'm an attorney at
16 Snell and Wilmer, and I represent the Fair Trust.

17 The Fair Trust is an organization that's committed
18 to ensuring that the Independent Redistricting Commission
19 follows the Constitutional process and allow -- and adheres
20 to impartiality every step of the way.

21 And as we begin today's hearing, I just wanted to
22 come up and speak a little bit about the Constitutional
23 provision that I had in mind.

24 Subsection 3, of Article 4, Part 1, Section 1
25 reads, that the commissioners need to be committed to

1 applying the provisions of this section in an honest,
2 independent, and impartial fashion, and to upholding public
3 confidence in the integrity of the redistricting process.

4 And as this meeting progresses this morning and
5 into this afternoon, we hope that the Commission will
6 analyze many different factors with all the different
7 submissions.

8 What kind of political activity has each of these
9 individual principals been engaged in.

10 What kind of political contributions have these
11 individuals made.

12 And have those political contributions been
13 targeted to a specific party or specific ideologies.

14 And, also, what kind of public statements have
15 these individuals made on the record, in the news media, and
16 whatnot, with respect to certain aspects of the
17 redistricting process that could potentially taint them or
18 show that they don't -- they're not coming into this process
19 with an open mind.

20 So with that, I will let you get on to the
21 business of the day.

22 Thank you very much.

23 CHAIRPERSON MATHIS: Thank you.

24 And our final speaker is the Honorable James
25 Kraft, former state legislator. And he's representing state

1 of Arizona citizens. And the subject is the cube.

2 JAMES KRAFT: Thank you, Ms. Chairman,
3 commissioners.

4 I'm holding a cube, and I want to make a little
5 presentation about your objectives.

6 Consider the way we perceive the material object
7 such as the cube. We cannot see the cube from one angle.
8 We cannot see the cube from all sides at once, only one
9 angle.

10 It is essential that the experience of this cube,
11 the perception be partial with only one part of the object
12 directly given at a moment.

13 However, it is not the case that we only
14 experience sides that are visible from our present
15 viewpoint.

16 As we see those sides, we also intend, we
17 cointend, the sides that are hidden.

18 As we see these sides, we also intend and we see
19 more than strikes the eye. The presently -- one day he'll
20 get his mic working here.

21 We see more than strikes the eye. Presently
22 visible sides are surrounded by halo of potential visible
23 but actual absent sides.

24 The other sides are given, but given precisely as
25 absent.

1 They too are a part of our experience.

2 Let us formulate this structure in regard to its
3 object and its subject dimensions.

4 Objectively, what is given to us we see a cube is
5 a blend of the sides that are present and absent.

6 Subjectively, our perception therefore is a
7 mixture of parts of the intent what is present, and the
8 other part intent of what is absent. The other sides of the
9 cube.

10 At any given moment only certain sides of the cube
11 are present to us and the others are absent.

12 But we know that we can either walk around a cube,
13 or we can turn the cube around, and the absent side becomes
14 to view, while the present goes out of view.

15 Our perceptions, dynamic, not static, even if we
16 look at one side of the cube, the static motion of our eyes
17 introduces the kind of searching mobility that we are not
18 even aware of.

19 When we experience our bodily object such as a
20 cube, we recognize it as an identity in a manifold of sides,
21 aspects, and profiles.

22 This manifold is dynamic. Whatever perspective we
23 have on the cube at any given moment, we can move ourselves
24 or the cube and generate new flows of sides, aspects, and
25 profiles.

1 What was seen becomes unseen. What was unseen
2 becomes seen. And the cube remains itself throughout.

3 Our experience is a mixture of actual and
4 potential. Whatever certain sides or aspects are given, we
5 cointend that they are not but that could be given if we
6 were so changed to change our position, our perspective, and
7 our ability to perceive in the light.

8 This cube is empty at the moment.

9 As commissioners journey forward, fill the cube
10 for the benefit of all Arizona citizens and voters as a
11 redistricting concludes the new 30 districts containing a
12 population of 213,067, and nine congressional districts
13 representing approximately 710,224 Arizonans.

14 Your job is to take this empty cube, and each
15 person has their name on it, but the most important
16 recipient is the Arizona voters, and to fill it with the
17 needs and the hopes of Arizona as it continues.

18 Thank you very much.

19 CHAIRPERSON MATHIS: Thank you, Mr. Kraft.

20 Anyone else from the public that would like to
21 address the Commission?

22 (No oral response.)

23 CHAIRPERSON MATHIS: I believe that concludes our
24 public comment section. I'm out of slips up here.

25 That takes us to agenda item four, interviews of

1 mapping consultants.

2 And while we're conducting this in public session,
3 just so that it's fair for the people going later in the
4 day, we'd ask that those being interviewed later in the day
5 leave the room just to provide fairness to the others so
6 that you don't hear the questions that we're asking, of
7 course.

8 And there's a waiting area down the hall,
9 actually, with some chairs, that you can go to, and sit
10 down.

11 In fact, Kristina will show you where that is.

12 We just ask that anyone being interviewed today
13 would please comply with that request.

14 (Whereupon, multiple people left the room.)

15 CHAIRPERSON MATHIS: Our first mapping consultant
16 is Research Advisory Services.

17 If they could come up to the microphone.

18 And the way we plan to do this is just to go in a
19 round-robin format.

20 Each of the commissioners will ask questions of
21 you, and you will respond accordingly.

22 I'm sorry, before we ask you guys to start, if you
23 don't mind, you can sit down, for sure.

24 But Jean Clark, the administrator from State
25 Procurement, is here. And it might be nice to have her make

1 a few introductory comments about the day.

2 JEAN CLARK: Good morning.

3 Madam Chair, commissioners, just want to give just
4 some general overview for today.

5 As you know, we have moved forward in the
6 selection of four firms to be interviewed today.

7 We'll be interviewing four firms, two this morning
8 and then two this afternoon.

9 Again, the nature of those interviews is for
10 further clarification and exploration in regard to the
11 proposals that have already been submitted, which are, you
12 know, confidential information.

13 I just wanted to also remind you that as you are
14 considering these things, taking your notes, going through
15 the process and evaluation, I want to ensure you that you
16 remain consistent in your consideration in regards to the
17 evaluation factors that were stated in the request for
18 proposal.

19 I know we've provided the public with a copy of
20 the scope of work, but, again, those evaluation criteria
21 that were identified in the request for proposal are first,
22 and the order of importance, is methodology for the
23 performance of the work, which is in relationship to the
24 scope of work requirements.

25 Secondly, the capacity of the offeror, meaning

1 their breadth of the services, the firm's experience, their
2 political, their financial backgrounds, as well as their key
3 personnel experience.

4 Next was cost component.

5 And then lastly, their conformance to our required
6 terms and conditions and the instructions that were included
7 in there for them to follow for their proposal submittal.

8 I also would like to just remind you again to
9 remain consistent as you're considering each one of these
10 firms.

11 Also to think through your basis and your
12 rationale for your decisions as you are evaluating.

13 And as you continue throughout the day today in
14 asking questions, I just want to warn you, because I know it
15 becomes kind of easy to kind to kind of maybe steer out of
16 some boundaries, but, again, I'd ask you not to address the
17 cost component of the proposals in your questions, but also
18 be cognizant of framing your questions that the question is
19 in regard to that particular offeror and their proposal, and
20 not be divulging any information from a competing offeror,
21 or, you know, comparing in such when you're asking your
22 questions.

23 So, again, please try to stay focused on the
24 individual offeror that is being -- presenting at that time.

25 So, with that, enjoy your day.

1 CHAIRPERSON MATHIS: Are there any questions for
2 Ms. Clark from any of commissioners?

3 COMMISSIONER McNULTY: I do have one question,
4 either for Ms. Clark or legal counsel.

5 Because we're asking questions to clarify the
6 RFPs, you just mentioned that they're confidential
7 documents, which I understand. But, in order to get
8 clarification on the aspects of the responses, it may be
9 necessary to disclose the response that has been given.

10 Is that, it that -- is everyone's understanding
11 consistent that that's acceptable or is it not?

12 JEAN CLARK: We discussed that, and we said, you
13 know, based upon the fact that we wanted to have this in an
14 open setting that we knew that by, you know, asking those
15 questions, part of that information from the proposal may be
16 disclosed.

17 COMMISSIONER McNULTY: Thank you.

18 CHAIRPERSON MATHIS: Any other questions for
19 Ms. Clark?

20 (No oral response.)

21 CHAIRPERSON MATHIS: I'd like to make a few
22 introductory comments about this whole thing.

23 We thank, first of all, the State Procurement
24 Office for guiding us through this process.

25 This started a while ago where we crafted a

1 request for proposal, seven firms responded to that, and we
2 received those responses earlier this month.

3 Four were qualified to move forward in this
4 process, and those are the four that we're seeing today.

5 So with that, thank you very much, Jean, for your
6 help.

7 And we will start with our first form, which is
8 Research Advisory Services.

9 And as I mentioned before, we'll just ask
10 questions in a round-robin format, no particular order. So
11 if any commissioners would like to start the process, feel
12 free to go ahead.

13 VICE-CHAIR FREEMAN: Madam Chair, did we ask the
14 vendors to provide an initial presentation?

15 CHAIRPERSON MATHIS: Yes, we did, I believe.

16 I was not in communication with the vendors, so
17 maybe they can even tell us what exactly --

18 JEAN CLARK: I can.

19 Do you want me to?

20 CHAIRPERSON MATHIS: Yes.

21 JEAN CLARK: Specifically the correspondence that
22 went out was that there be no more than a 20-minute
23 presentation, and they would be presenting the overview of
24 their proposal in a submittal and their personnel and those
25 key aspects. And then the remainder of the time would all

1 be questions and answers.

2 CHAIRPERSON MATHIS: Thank you for that
3 clarification.

4 Good question, Mr. Freeman.

5 And with that, I believe we'll begin the
6 presentation.

7 And feel free to start however you like.

8 TONY SISSONS: Thank you, Ms. Mathis.

9 My name is Tony Sissons, and I appreciate the
10 attention of all of the commissioners.

11 This is a process that you've been involved in for
12 many months.

13 And that because of the kind of work that I do,
14 I've been involved in redistricting for over 20 years. This
15 is my third round of redistricting, so. . .

16 This is an opportunity that is just delicious for
17 me to have the opportunity to make a presentation with the
18 possibility of becoming the contractor for mapping.

19 So, I'm very delighted to be here.

20 I will introduce my team, basically when we see
21 the slide that is about them.

22 So if I may, I'll just proceed with this, about a
23 ten-minute presentation.

24 CHAIRPERSON MATHIS: That would be great. Thank
25 you.

1 TONY SISSONS: There really are five key features
2 that set our team apart, I think from the other -- and I am
3 familiar with the work done by other firms. You know,
4 working in this industry you kind of know what everybody
5 else does.

6 When it comes to the work for the state
7 Commission, we are ready to go right now.

8 We have -- one of the things that you sort of
9 mention later on in your process was the need for the
10 consultants to provide voting history and election
11 registration information.

12 When we saw that as a requirement in later
13 addendums to the RFP, we really weren't at all concerned,
14 because we had that database created, basically throughout
15 the decade.

16 And so, and we're using it in our consulting for
17 some of the counties that we are doing the supervisorial
18 redistricting for counties.

19 So having that data -- election canvass database
20 ready to go right now I think is a very important thing.

21 And I'll touch on that in a minute.

22 The second key feature, I think, is that, as I
23 said, I've been doing this for a number of years, and I have
24 prepared -- every plan that I've prepared has been for a
25 jurisdiction that is subject to Section 5 preclearance from

1 the Justice Department.

2 And every one of the plans I have prepared has
3 been cleared by the DOJ on the first submittal. No letters
4 from DOJ asking for more information. Basically just an
5 approval letter from the Department of Justice saying this
6 plan is free to be used.

7 Okay.

8 Another thing I would like you to notice that my
9 firm and all of our subcontractors are all private
10 Arizona-based companies.

11 We're not associated with the think tanks or
12 advocacy groups. We're just companies in Arizona in the
13 business to do what we're doing.

14 And basically our allegiance is to the law,
15 obviously the federal law as well at the Arizona State
16 Constitution, and an allegiance to the process, to the
17 Commission, who we hope to be helping, and also to the
18 electorate.

19 The fourth point is that in my years in doing the
20 work that I do, I've many times found myself in a situation
21 where I have to testify in court about some of my findings
22 on different topics.

23 And I've just found it incredibly necessary to be
24 extremely careful in all the work that we do.

25 And that forensic attention to detail is

1 something that our entire, our entire team is really
2 practiced in.

3 And then the other thing I want to let you know is
4 that we do have an online public redistricting mapping
5 application that we developed for our county redistricting
6 clients.

7 It's active right now.

8 I'll talk about it a little bit more in a minute.
9 But that's an application that very easily can be expanded
10 to cover the entire state, so that the citizens of Arizona
11 would have the opportunity to, if the Commission chooses to
12 implement this as an approach, for citizens to submit plans,
13 that could be very easily set up.

14 And in a few minutes we'll just give you a quick
15 demonstration of how that mapping software works.

16 Okay.

17 So those are the five things I wanted to tell you
18 about, and I want to now just basically flesh those out a
19 little bit.

20 Obviously we've got the complete file of all of
21 the census data already in our redistricting GIS.

22 We've been doing work for counties a little bit,
23 so we obviously had to have that ready to go.

24 And really, any consultant who appears before
25 you should have that ready to go or else they shouldn't be

1 here.

2 But the second point, the complete database of
3 Arizona voter registration and election history at the level
4 of the voting precincts for primary and general elections in
5 all of those -- in those four election years, that database
6 is complete. It's been tested.

7 And, in fact, we have -- we are using it for our
8 county clients right now.

9 I will comment that any consultant who doesn't
10 have that database built, tested, and ready to go probably
11 has weeks of work ahead of them just to get to where we are
12 today.

13 Now, on the second point on being ready to roll,
14 we've presumptuously drawn a grid plan map for both the
15 legislative and congressional districts, basically to get a
16 feel for what is involved in drawing a grid map.

17 Both of those maps in our view are potentially
18 adoption ready, but, you know, so then it becomes a policy
19 choice for the Commission as to whether to spend the time --
20 to have the consultants spend the time drawing the map under
21 your guidance or listening to a presentation from us on the
22 map that we have drawn or why it looks the way it does, and
23 then, you know, giving you the opportunity potentially to
24 adopt a grid map in very short order to try and help get
25 back on schedule a little bit better.

1 The second point, early on when we were doing our
2 work for counties, we discovered that the federal mapping
3 database does have some errors in it in terms of the
4 labeling of voting precincts.

5 The precinct names of the counties are using in
6 300 cases, 300 instances, have a different name in the
7 federal mapping database, which costs an immense amount of
8 confusion, especially for those entities who are using --
9 choosing to use that data from the Census Bureau without
10 realizing there's a problem.

11 I'm not going to belabor this point here, because
12 it's, it's something that I, when I discovered this
13 situation in April, I notified the Census Bureau, and I
14 notified the State of Arizona.

15 And that's as much as I can do at this point, is
16 to just notify official people about the problem.

17 But we have created sort of a work around to that
18 problem for the Commission's use of the data in this
19 process.

20 My only concern is that there are other people
21 outside of this process who will be wanting to examine,
22 especially the Voting Rights issues, and will, if they're
23 not aware of the scrambled precinct names, that there would
24 be problems in being able to consistently come up with the
25 same answers that we come up with.

1 Okay.

2 On our second point, our, as I mentioned, our plan
3 approval success rate I think is unmatched.

4 Each of the 17 plans that we've drawn have been
5 precleared with no DOJ requests for additional information.

6 In adopting those 17 plans, that took the voting
7 work of 79 elected officials in all of those jurisdictions.
8 And amongst all 79 votes cast to approve those 17 plans, the
9 final tally was 77 yes votes and 2 no votes.

10 And I put this in to sort of illustrate the fact
11 that in all of those cases the plans we drew were adopted
12 unanimously or close to unanimously by every jurisdiction.

13 I wanted to make that point that we do not -- we
14 do not draw, you know, contentious plans.

15 We draw plans based on what we hear from the
16 jurisdiction, based on the instructions that we're given,
17 that we are given by the group that hires us.

18 We do know the kinds of information that DOJ is
19 looking for in its preclearance review of a plan. And we
20 certainly can work alongside your legal counsel to assure
21 that DOJ gets what it needs.

22 I put together this team, I asked these folks to
23 work with me on this, because we want to provide the highest
24 quality of redistricting services to all of our Section 5
25 jurisdiction clients, including obviously the -- hopefully

1 the State of Arizona.

2 When I saw the RFP from the State asking that we
3 identify the political registration of the members of the
4 team, you know, I hadn't -- I didn't know that, so I had to
5 sort of -- I felt that's kind of an invasive kind of thing,
6 but then in this setting, it probably makes sense, and it
7 made sense to all of my team members.

8 So I did poll the team. And the results, I think,
9 I was very pleased to see that our political registration
10 turns out to be very balanced, with three Independents, two
11 registered Republicans, and two registered Democrats.

12 So, if we -- if there's any arm wrestling to be
13 done in our team, we'll do it in the privacy of our office.

14 Okay. So here's who we are.

15 I consider myself to be a redistricting expert
16 after doing this for as many years as I have, and I am the
17 team leader for this project.

18 Ivy Beller Sakansky is a -- has a special master's
19 degree in GIS.

20 And she's sitting at the end of the table there.

21 Ivy will be the principal redistricting mapping
22 specialist.

23 Marci Rosenberg, sitting next to her, is
24 responsible for project coordination, as well as some of the
25 data analysis.

1 Connor Plese, who isn't here today, he's attending
2 a wedding in another state, he will be working directly for
3 me providing project assistance and also data analysis.

4 I've asked David Schwartz of Goodman Schwartz
5 Public Affairs to be on the team to provide special
6 consultation and activities and community outreach, public
7 input, and meeting facilitation.

8 His firm is very well known in this Valley for it,
9 actually throughout the state, for the kind of calming
10 influence that they bring to public hearings.

11 Phil Ponce, who's sitting in front of the computer
12 here, is our specialist on online public mapping
13 applications. And he also -- as materials come in from
14 outside, any of the GIS or technical materials that are
15 submitted by citizens or advocacy groups, his job will be to
16 basically manage those GIS resources and help us make heads
17 or tails, help us make sense of what is submitted to us.

18 And then we have Alfred Yazzie, who has a
19 nationwide reputation and is very well known to the
20 Department of Justice as a tribal language consultant
21 expert. He's a specialist in Native American voting issues,
22 and he's testified in Federal and State courts many times on
23 matters of Native American voting, and he also was --
24 provides Navajo language translation.

25 So, really, I've asked him to be on the team,

1 because, you know, I think we all know that Arizona has the
2 largest reservation population of any state in the union.

3 And the language requirements built into the
4 Voting Rights Act make it very, very clear that the
5 Commission has got to demonstrate the efforts that it went
6 to to make sure that the language, I think it's called
7 Section 203 -- attorneys, correct me if I'm wrong, the
8 language requirements in public processes.

9 We've got to be very, very careful in that area.

10 I mentioned earlier our forensic attention to
11 detail.

12 We -- I have a long history of working on
13 oftentimes contention public policy issues.

14 I choose to do that. That's fun.

15 And believe it or not, I do like clambering up on
16 the stand to testify. That's also fun.

17 People think I'm weird. That's fine.

18 I have testified as an expert witness in state and
19 federal courts.

20 And basically to have the confidence to do that,
21 in the work that I do, and in the materials I prepare for
22 the reports, there's a standard of surety that's necessary
23 to testify with confidence.

24 And that permeates our firm's work.

25 All of my coworkers are, you know, on the same

1 page with me about our carefulness.

2 We build -- any time we're creating computer
3 models, we're building error trapping routines into them,
4 making sure that -- we never do data entry without also
5 entering the total, and then testing the sum of the totals
6 against the sum of the individual columns to be sure that
7 we're catching our own mistakes.

8 We're just very, very careful people.

9 And, lastly, we created this public internet
10 redirecting mapping application.

11 Phil Ponce and I worked upon it several months ago
12 getting ready for county redistricting.

13 When I did the city of Phoenix redistricting ten
14 years ago, we had a citizen redistricting kit, which is
15 basically, basically a stack of printout and some foldout
16 maps that we made available for citizens to crayon and
17 submit that way.

18 I ended up reviewing 4 complete maps and
19 12 partial maps.

20 I didn't consider that to be a very successful
21 process for a jurisdiction as large as the city of Phoenix.

22 Well, even this slide is out-of-date.

23 Yesterday when I was putting it together, it said
24 we received 12 district maps.

25 Last night six more came in. Now it should say

1 20.

2 Because people are using the system. We are
3 getting maps.

4 And I do have a copy of the kind of response that
5 we send back to, in this case Gila County and Mohave County,
6 so that their elections people that can then send the map
7 back to the person who submitted it and get comments on how
8 well that map has complied with that county's redistricting
9 requirements.

10 We're getting good feedback that the mapping
11 system is easy to use.

12 And, you know, I know this is taking longer than
13 ten minutes.

14 Can I ask you for five more minutes for Phil to
15 show you how this system works?

16 It really will be -- I think you'll enjoy it.

17 CHAIRPERSON MATHIS: Yes.

18 TONY SISSONS: Thank you.

19 PHIL PONCE: As Tony said, Tony and I have been
20 working together 20 plus years, Tony.

21 TONY SISSONS: Right.

22 PHIL PONCE: And he approached me six months ago
23 with this concept.

24 The bottom line is as a mapping company, we're
25 continually looking for opportunities to interact with our

1 end users. And when Tony brought this to my attention, I
2 just thought it was a fantastic application.

3 And I'm just going to go through this very, very
4 quickly and highlight what makes it so easy to use.

5 And if there's any questions, we'll happy to
6 address that.

7 You'll notice this link here. Anybody can type
8 this link from any computer in the world and up will come
9 this map.

10 The idea here is that there's no installation.
11 And most everybody has web browsers that are capable of
12 this.

13 So when I bring this up, this is for, in this
14 case, Gila County.

15 And you get this map.

16 You have a table here that I'll bring down a
17 little bit that shows the information and the statistics,
18 how they lay across for each of them, as well as a graph
19 that gives you a visual.

20 Obviously this one is fairly well balanced because
21 this is a finished -- or a proposal. And the concept is, is
22 the users to use this and to submit their proposals to us.

23 As Tony said, I unfortunately put my e-mail on the
24 copy, so I'm getting all sorts of requests. And I think I'm
25 going to change that where I'm not on the list.

1 But the point is that people are using it, and
2 we're pretty excited about that.

3 We have everything in Spanish with a single click
4 here. I'll switch it back to English.

5 We can open the guide.

6 This reaches out to a PDF file that instructs the
7 users how to use this on a step-by-step basis.

8 And Tony's taken a lot of time to do this. We
9 have this both English and Spanish.

10 And so let me just do this very, very quickly.

11 I'm going to -- I won't even log in.

12 You'll notice that as I hover over a polygon, it
13 reports the information about that polygon.

14 And so this is in area one, and let's say I want
15 to move that to area two.

16 I'm going to go ahead and say that's my target.
17 I'm going to -- I had to hold the control key down, and
18 you'll notice that information is tallied here. And by
19 simply hitting the move button, I've now moved that district
20 into here, and that the information here as well as the
21 graphics will show a little bit different.

22 And for those of you that were perceptive, you can
23 see now that two is a little higher than one.

24 We have a mean here that kind of helps the users
25 see what they've done, good or bad, to that, to the

1 movement.

2 At the end of the day, when they're done, they can
3 either save it or submit it. If you save it, you can come
4 back and work on it another day.

5 And when you hit the submit button, we get the
6 information back to us.

7 The tool is very easy to use.

8 You'll notice that with exception of holding the
9 control key down, I'm not hardly even touching the keyboard.

10 And it's easy to see the aerials.

11 And, again, we're going to have this same coverage
12 over the entire state of Arizona.

13 And you can see this.

14 And there's a lot I can show you as we can play
15 here, but time is of the essence.

16 So with that, unless there's any questions, and
17 like I said, we've been getting a lot of great feedback on
18 the ease of use of the tool, and I think it's just a
19 testament to how Tony wants to keep this fully open and
20 solicit as much comments as possible to make this right.

21 TONY SISSONS: Thank you, Phil.

22 Thank you for your indulgence and for showing off
23 our -- we're obviously very proud of this, and we're using
24 it.

25 And, you know, it takes me about 15 minutes to

1 import the file that a citizen has sent to us into our copy
2 of Maptitude for redistricting, 15 minutes to pull it in and
3 analyze it and add all of the built-in measurements from
4 Maptitude, such as measuring the compactness, measuring --
5 well, really all of the, all of the six requirements of the
6 Constitution can be, can be quickly measured on any
7 citizen's submitted plan.

8 So, with that, I would enjoy answering your
9 questions.

10 CHAIRPERSON MATHIS: Thank you very much for your
11 presentation, and to all of you for being here today.

12 I'd like to ask the other commissions if they have
13 questions, and we can go in any order you'd like.

14 VICE-CHAIR HERRERA: I'll start.

15 CHAIRPERSON MATHIS: Sure, Mr. Herrera.

16 VICE-CHAIR HERRERA: Thank you.

17 Mr. Sissons, thank you for your presentation. I
18 think I like the fact that members of the public can create
19 their own map in both English and Spanish. That's a great
20 idea.

21 I want you to address the issue of perceived bias.

22 I don't know if you heard, you probably heard
23 before, so I want you to address that, and how, if selected,
24 how will that affect you at all.

25 I understand you have two Republicans on staff --

1 TONY SISSONS: Right.

2 VICE-CHAIR HERERRA: -- two Independents, two
3 Democrats.

4 I don't know how Republican the Republicans are.
5 I don't know how Democratic the Democrats are. I have no
6 idea who the Independents are.

7 So talk about that.

8 TONY SISSONS: I will. Thank you.

9 I was a little surprised at the comment this
10 morning about my association with SEIU.

11 I think over the period of they have been in
12 Phoenix, I've done probably 5 or \$6,000 worth of work,
13 basically database work, that they had lists of addresses
14 and wanted to know the legislative district -- count the
15 Legislative districts for each of their members.

16 So it was just a case of using the GIS to add the
17 legislative and congressional district codes to an address
18 list, which is something I've done for the Chiropractors
19 Association, for many other associations who lobby the
20 legislature.

21 So, over the period -- I mean, I'm a businessman.
22 You know, I'm not a political activist.

23 Personally, in the past, as you clearly can see --
24 and I don't mind -- everything about my proposal to you can
25 be on the internet as far as I'm concerned.

1 There's nothing about my proposal that I feel
2 needs to be kept secret.

3 Over the years, my wife and I have made
4 contributions to candidates, both Republican and Democrat,
5 mainly Democrat.

6 A lot of them -- one of the rules I use is that I
7 don't make a political contribution if I'm approached by a
8 candidate.

9 And so that sort of -- that has happened to sort
10 of lean in the direction of Democratic candidates or
11 Progressive candidates or more than Republican.

12 Although when my friend John Shadegg was running
13 for Congress, I worked with him on Yuma counting
14 redistricting 20 years ago, and I contributed to his
15 campaign.

16 And I've contributed to other Republican
17 campaigns.

18 As to doing work for, you know, I do work for the
19 organizations that hire me.

20 I'm in business.

21 And it really seems -- you know, redistricting
22 comes around very infrequently. Not frequently enough, as
23 far as I'm concerned.

24 I know you'll have a different perspective.

25 Since, you know, since it only comes around very

1 occasionally, it just would seem really silly for me as a
2 businessman to decide right when redistricting starts, I
3 know, I'll just cut my marketplace completely in half by
4 only doing work for Democrats or only doing work for
5 Republicans.

6 That just does not make economic sense to me.

7 So, I've given advice to Republican leadership and
8 to folks in the Republican party, just as I have to the
9 Democratic party and Democratic Caucus.

10 Those questions really were kind of prompted by a
11 series of articles about redistricting that I had published
12 in the Arizona Guardian online newspaper, and that prompted,
13 you know, several calls from folks that had either wanted to
14 take issue with something I said or ask questions for
15 clarification.

16 So, as far as I'm concerned, I mean, how I feel as
17 a person is my own belief.

18 How I feel as -- you know, how I act as a
19 businessman in the kind of fairness setting that is really
20 the requirement of this process, that's a different matter.

21 You know, I'm a certified soccer referee. I bring
22 that mentality to all of my work.

23 Just the matter of not favoring any team and just
24 being very concerned about the levelness of the playing
25 field.

1 I hope I've answered your question.

2 VICE-CHAIR FREEMAN: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Freeman.

4 VICE-CHAIR FREEMAN: I wanted to build on
5 Commissioner Herrera's question and follow up on that.

6 The Constitution speaks about this Commission
7 discharging its duties in an honest, independent, impartial
8 fashion in a way that upholds public confidence in the
9 integrity of the redistricting process.

10 And I know you kind of addressed the bias issue
11 both in your presentation and in response to
12 Commissioner Herrera.

13 I thank you for that.

14 But following up on that, you mentioned the
15 articles that you've written.

16 I'd like to have you address that a little more.
17 Because, do you think that the public might question your
18 independence and fairness considering a lot of the
19 statements you've made to media about how the maps, this IRC
20 should look or perhaps must look?

21 And I am referring to some of those articles that
22 were published before the Arizona census data was even out.

23 And where you contend, I can think of at least one
24 of them, that the IRC must construct at least or about ten
25 districts that are deemed competitive, however you define

1 that.

2 Can you reassure the public that you and your
3 company would not present this Commission with maps and
4 options designed to buttress those public positions that
5 you've already made, rather than, you know, shooting
6 straight with this Commission in essence and giving us what
7 we're asking you to do.

8 TONY SISSONS: Right. And I don't remember, I
9 don't remember the article mentioning ten.

10 In two of the articles I've written I mentioned
11 that the possibility exists for the creation of as many as
12 12 competitive districts. And that's a point that I've made
13 several times, because I think it's very important.

14 Ten years ago, that Commission basically heard
15 that by the time you comply with the Voting Rights Act,
16 there really aren't enough Democrats left to make very many
17 competitive districts throughout the state.

18 And that wasn't true then, and it isn't true now.

19 And I recognize that, you know, if Democrats and
20 Republicans are sort of not agreeing with each other
21 99 percent of the time, on this point they agree, that they
22 both want safe districts. Both parties want safe districts.

23 So that their candidates would, you know, have an
24 easy opportunity to become members of the Legislature.

25 My view is that I don't think the IRC ten years

1 ago was well served in receiving the advice that only a few
2 competitive districts are possible.

3 I have done extensive analysis of what the
4 possibilities would -- could have been using the maps that
5 the IRC had drawn ten years ago, and, with not an awful lot
6 of changes, was able to achieve as many as -- I was hired by
7 the City of Flagstaff to present a map on Flagstaff's
8 behalf. I was told not to make any changes in the Tucson
9 area, but just to concentrate on just the northland and the
10 Phoenix metro area.

11 And without any difficulty came up with nine
12 competitive districts, with all of the, all of the voting
13 rights districts that the Commission had already basically
14 drawn and determined completely undisturbed by that movement
15 towards nine competitive districts.

16 Later on, out of curiosity after the process was
17 over, I did go down to Tucson, and there were two districts
18 sitting side by side that were both just out of the
19 competitiveness range, one favoring -- one having a
20 Republican predominance and the other having a Democratic
21 predominance.

22 And with just a movement of the line between those
23 two districts brought those two into the category of being
24 competitive.

25 So that took it up to 11 districts, with all 10 of

1 the voting rights districts completely undisturbed.

2 So my message, I think, to the Commission is to
3 not be limited by the thought that only a few competitive
4 districts are possible.

5 My view is that as many as 12 competitive
6 districts can be drawn with no damage to any of the voting
7 rights district and without creating awkward looking
8 district shapes.

9 Now, I'm also aware of the advice that we finally
10 got at the end of the decade from the Arizona Supreme Court,
11 saying it is entirely and only the Commission's prerogative
12 to decide how many competitive districts to draw.

13 Working as your client, that would be my
14 direction.

15 I will draw the number of competitive districts
16 that you say that you want drawn.

17 But, you know, it's just so very important to me
18 for you to know what the upper limit is.

19 VICE-CHAIR FREEMAN: If I might.

20 CHAIRPERSON MATHIS: Mr. Freeman.

21 VICE-CHAIR FREEMAN: That raises a number of other
22 follow-ups, but let me focus on this one.

23 You mentioned the litigation from the last go
24 around.

25 TONY SISSONS: Yes.

1 VICE-CHAIR FREEMAN: Do you think the public might
2 question your independence considering that you were
3 retained on behalf of interest groups that sued the last IRC
4 as their paid expert to testify in litigation brought by
5 those groups against the last IRC?

6 And are you concerned that the public might
7 perceive the advice and/or options that you present to
8 this Commission as more geared to buttressing the opinions
9 that you offered in that litigation than to giving us fair
10 and impartial and balanced consulting services?

11 TONY SISSONS: Well, when I'm hired as an expert
12 witness, as I was by three groups who had filed suit on the
13 competitiveness issue, when I'm hired by -- to be an expert
14 witness, I don't join the team.

15 My purpose, the team who has hired me probably
16 feels that it's good to have somebody able to instruct the
17 court on the, you know, on the technical matters before the
18 court.

19 And my job as an expert witness -- and I am a
20 member of the Forensic Expert Witness Association.

21 My job is to not adopt -- in fact, I insist often
22 with some clients that they not even tell me what their
23 legal strategy is.

24 I don't want to be sort of infected by their
25 viewpoints on how they want the case to come out.

1 So my job as an expert witness is to analyze what
2 I'm asked to look at and report to the court what I find.

3 So I don't know, I'm a little puzzled that
4 you're finding my participation as being part of a partisan
5 effort.

6 VICE-CHAIR FREEMAN: No, I'm asking you to address
7 possible public concerns. That's an important aspect of
8 what we do here.

9 TONY SISSONS: I agree.

10 You know, I'm not really sure how to respond to
11 that.

12 The public may -- I mean, obviously some members
13 of the public this morning in searching the internet and
14 seeing my name pop up in this context and that context have
15 drawn their own opinions about things.

16 I don't know that those opinions have been very
17 accurate, but, you know, I don't know how I would control
18 that.

19 CHAIRPERSON MATHIS: Thank you.

20 Other questions from other commissioners?

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Yes, Mr. Stertz.

23 COMMISSIONER STERTZ: Mr. Sissons, I have a couple
24 questions for you.

25 Could you provide the Commission your number of

1 successful Department of Justice preclearance applications
2 as they would pertain to state redistricting applications?

3 TONY SISSONS: That number is zero, with a slight
4 kind of -- I did work on -- with a three judge panel in 1991
5 to create Arizona's sixth congressional district's map.

6 That map, because it was prepared by the three
7 judge panel by the Federal judiciary, did not have to go for
8 preclearance.

9 COMMISSIONER STERTZ: Thank you.

10 And in regards to competitiveness, could you
11 provide me your opinion as to any situation that you would
12 favor the drawing of a competitive legislative or
13 congressional district that would cause a community of
14 interest to be disrupted.

15 TONY SISSONS: Well, the whole matter of community
16 of interest is a tough one to deal with, and so it's a
17 little bit difficult to answer your question, but I'm going
18 to try.

19 In my view, a community of interest tends to be a
20 geographical area in which most of the voters in that area
21 probably share similar viewpoints about politics, about
22 lifestyle.

23 And we delineate communities of interest for the
24 purpose of not dividing them and not moving them into new
25 districts where they are less likely to be able to affect

1 outcome of elections.

2 We delineate communities of interest so that --
3 well, when you do divide a community of interest with a
4 district -- new district boundary, you basically have made
5 that group of voters of less proportion in two districts
6 rather than being in their full proportion in a single
7 district as they were.

8 That's the reason we, that's the reason we
9 delineate communities of interest.

10 I'm very aware in this state and throughout the
11 country, communities of interest are sort of being viewed as
12 building blocks towards safe districts.

13 And a tendency for the people who draw maps to
14 sort of join them together or chain them together into
15 groupings that move very strongly, very quickly towards kind
16 of ideologically homogenous full districts.

17 So I sense it, you know -- I sense that possibly
18 you and I may have a different view of what constitutes a
19 community of interest, which prompts your question and makes
20 it difficult for me to answer it just because of my
21 different perception of what a community of interest is.

22 COMMISSIONER STERTZ: Well, then that would lead
23 me up to a follow-up question, if I could get a couple
24 definitions from you.

25 I would like a definition from you on -- one would

1 be on communities of interest.

2 But then the next would be the phrase significant
3 detriment, and how those two you see interrelate.

4 TONY SISSONS: Well, the Supreme Court, the
5 U.S. Supreme Court has given us clear direction that a
6 community of interest is something that needs to be
7 determined early in the process.

8 It's something that should not be sort of
9 discovered later in the process, because that has the
10 perception of making it seem as though that community of
11 interest might have been discovered to justify a, you know,
12 a districting decision midway through the process.

13 The Supreme Court has also mentioned that the
14 communities of interest should be -- the public record of
15 them should be backed up with demographic evidence or some
16 form of evidence that all of the people or most of the
17 people within that community of interest do truly share a
18 community of interest.

19 Do truly share that kind of ideological
20 consistency.

21 So, you know, my advice to the Commission in
22 moving forward is to very early on be asking at public
23 hearings for people to tell you about their communities of
24 interest, ask them for maps, ask them for what the
25 boundaries are, and ask them why do you consider this to be

1 a community of interest that is important to you.

2 Now, if somebody comes to you and says my
3 community of interest is bounded by these streets and it's
4 my community of interest because we all go bowling on
5 Thursday night, so, whatever the reason is, or we're all
6 members of the same sheriff posse, or whatever the reason
7 is, compare that with people who I think will probably be
8 approaching you in the process and saying simply, you must
9 consider communities of interest without specifying what
10 that community of interest is they're talking about.

11 Because to some degree communities of interest has
12 been kind of turned into code for we want you to draw safe
13 districts.

14 So. . .

15 If we get the work, we'll spend some time -- you
16 know, if you honor us with this contract, we will spend some
17 time talking about definitions of communities of interest,
18 and how to get that information from the public in a way
19 that the Justice Department will not have any problems with
20 it, and especially that the courts will not have any
21 problems with it.

22 Because the Arizona Supreme Court definitely the
23 last time around I think saw that communities of interest
24 were being used as building blocks to creating safe
25 districts.

1 COMMISSIONER STERTZ: Okay. Again, as a follow-up
2 to that, with the success that you've had in other municipal
3 applications to the DOJ, you obviously had to have a
4 definition of communities of interest.

5 And, again, I'm going to ask the question of you,
6 what in your opinion is a community of interest?

7 TONY SISSONS: Wish I had my notebook with me.

8 COMMISSIONER STERTZ: Well, then I'm going to skip
9 to the next one, because you're struggling with that.

10 So I'm going to go to something that you've spoken
11 of before and I want to address, which is the phrase
12 significant detriment, which is a constitutional
13 clarification of the competitiveness clause.

14 And I'd like you to speak to that as far as
15 definition and clarify that in your opinion.

16 TONY SISSONS: I'm certainly -- it's only in the
17 state context that I run into the competitiveness issue and
18 this significant detriment phrase, because that's not
19 attendant in any of the county or municipal work that I do.

20 It's my reading, my understanding of that wording,
21 that the framers of Proposition 106, in putting that
22 proposition on the ballot, were after -- they were given the
23 instruction to the voters and to future Commissions to
24 always consider competitiveness, that consideration of
25 competitiveness should be somewhat aforethought throughout

1 the process.

2 But, you know, it may be that the clause you're
3 referring to, without significant detriment, was just added
4 as a caution not to overdo the competitiveness aspect of it,
5 not to have that competitiveness issue rise above the other
6 federal goals of the Constitution.

7 CHAIRPERSON MATHIS: Other questions?

8 COMMISSIONER STERTZ: Not at this time.

9 CHAIRPERSON MATHIS: Okay.

10 Ms. McNulty.

11 COMMISSIONER McNULTY: Mr. Sissons, thank you for
12 coming.

13 On the question of significant detriment or the
14 definition of communities of interest, who would decide on
15 the definitions? Would it be the five of us or would it be
16 our consultant?

17 I'm assuming that we will work with our lawyers
18 and develop definitions and we will instruct you how to
19 proceed and you will.

20 Please tell me how you view it.

21 TONY SISSONS: I view it in that way.

22 The levels of sophistication that --

23 COMMISSIONER McNULTY: Speak into the mic.

24 TONY SISSONS: I'm sorry.

25 The level of sophistication that you all have and

1 the amount of resources, consultative resources that you
2 have available to you are far beyond what counties and
3 cities often have available to them.

4 So in those contexts I do find myself more in a
5 position of to help manage the process.

6 And certainly I would not shy away from making
7 suggestions to you as we go, as we go through this process.

8 But I view this engagement as one of providing
9 mapping services to you.

10 I think it's good that you would be hiring a firm
11 that knows -- you know, could manage an entire process all
12 by itself. In other words, we know every aspect of
13 redistricting.

14 But in this setting, with the public scrutiny
15 that's involved, you know, I'd just as soon you take the
16 heat than me.

17 COMMISSIONER McNULTY: I want to ask you a
18 question about mapping.

19 When I think of the state of Arizona, when I close
20 my eyes, I see a place with a lot of mountains and rivers
21 and cities and canyons and so forth.

22 Pretty quick here, I feel as though when I close
23 my eyes I need to see census data, a picture in my head of
24 census data and voting behavior.

25 And I want -- I would like you to talk about how

1 you're going to get me there. How are you going to get all
2 of us there.

3 TONY SISSONS: Right. This is the fun part of
4 mapping for me, being able to sort of take dry, tabular
5 census data -- to be able to take dry tabular census data
6 and turn it into maps that are meaningful.

7 As we were experimenting with creating a grid map,
8 just testing, you know, the approach to use, if we got the
9 work.

10 And, you know, it was very clear. If we divided
11 Arizona into nine sort of equally-sized grid shapes on the
12 map, a third of the state, a third of the state, a third of
13 the state, and each of those thirds split into thirds, we
14 very quickly discovered that 70 some percent of the
15 population was in a single cell of that grid plan, and that
16 the four or five of the more northerly grid cells are almost
17 devoid of population, or at least percentage-wise, only in
18 the one or two percentage points.

19 So thinking of a grid, you think in sort of
20 checker board terms.

21 You got to throw that out the window pretty
22 quickly.

23 Our -- you know, the geography of our population,
24 I won't say it draws the maps for us, but to some degree the
25 rules that we apply in drawing the grid map soon move us in

1 the direction of some grid -- four or five grids, I'm
2 thinking now of the legislative map, ten or so grid cells in
3 the Phoenix metro area, four or five grid cells in the
4 Phoenix(sic) area, and the rest the state very sparsely
5 represented in the remaining grid cells.

6 Your perception is good in terms of where the
7 population concentrations are.

8 And we can create, for instance, a map showing
9 census tracts in which we color code the -- each tract by
10 the number or -- well, yeah, in this case the number of the
11 population in each of them.

12 And, you know, you'll pretty much see that the
13 more dense colors represent the urban concentrations of the
14 metropolitan areas, and the rest of the state is very
15 lightly colored, with, you know, very, very rural
16 populations.

17 I don't know how close I'm getting to what you're
18 asking.

19 COMMISSIONER McNULTY: Let me ask a follow-up
20 question.

21 On a day-to-day basis I, again, picture us sitting
22 around asking our consultant, what if, what if, what if, and
23 having you draw us 50 what-if maps that show us various
24 possibilities so that we all can make decisions about how to
25 proceed.

1 How do you see it?

2 TONY SISSONS: Oh, I welcome that.

3 The speed at which my staff works, the speed at
4 which our computer works, we can turn those -- we can answer
5 those questions very quickly.

6 To some degree the -- to answer your questions
7 will be a function of whatever hinderance getting that
8 information back in front of your eyes is, you know, whether
9 we're responding to you individually or as collectively as
10 members of the Commission.

11 And maybe the approach is for us always to receive
12 questions from you -- well, in a public setting obviously,
13 we get a direct question. But otherwise through the
14 executive director, and our response come back through
15 executive director. That would be my view.

16 But I think central to your question is how
17 quickly can we fill your understanding of the spread of the
18 population.

19 You know, the intensity of who lives where.

20 We can do that in many different ways and are just
21 anxious for the opportunity to do that.

22 COMMISSIONER McNULTY: And then as we sit here in
23 these public meetings, can we ask you those
24 what-if questions and you can show us on your map there?

25 TONY SISSONS: Oh, yes. Indeed.

1 COMMISSIONER McNULTY: I expect we'll be doing a
2 lot of this in this setting.

3 TONY SISSONS: Right. We're good at that.

4 I've got to say we learned some lessons from the
5 consultant ten years ago, because Doug Johnson is very good
6 at answering questions live and in person. So I've learned
7 some tricks from Doug.

8 COMMISSIONER McNULTY: Thank you.

9 CHAIRPERSON MATHIS: I have a question.

10 So since this Commission is made up of two
11 Republicans, two Democrats, and one Independent, and being
12 that Independent I'm interested in your work or hearing
13 about your experience with Independents.

14 TONY SISSONS: Well, my -- it -- to some degree
15 it's kind of difficult to factor Independents into any of
16 the calculations of the voting rights issues relative to who
17 is a candidate of choice of minority populations, simply
18 because, you know, really, even though Independents are
19 registered as Independents, 95 percent of them vote for
20 Republican and Democratic candidates, because there aren't
21 enough Independent candidates on the ballot.

22 And so, to some degree -- and I don't know how you
23 feel about your choice for being an Independent.

24 I sort of have the attitude of my own choice of
25 being an Independent, and that is, you know, I was a member

1 of a major party for many years, but kind of became a
2 feeling of disaffection set in, the extreme partisanship
3 sort of moved me towards being an Independent.

4 But, you know, then, again, when I go -- when I do
5 my vote by mail ballot, I'm doing basically the same
6 behavior that I did when I was registered as a Democrat.

7 So. . .

8 Independents are -- they turn out probably
9 15 percent lesser in general election. Independent turnout
10 is usually 15 percentage points below Democratic turnout,
11 which is typically below -- five or six percent below
12 Republican turnout.

13 So some theorists have said that no longer rooting
14 for a team, you're less likely to attend the game.

15 I hope I'm not insulting you, Madam Chair.

16 CHAIRPERSON MATHIS: Not at all. No, we're going
17 to work on those numbers and hopefully improve those
18 statistics.

19 Another question. Since this is such a niche area
20 and comes around so rarely, I'm just curious about your
21 motivations for getting into this. If you could tell us
22 about that.

23 TONY SISSONS: You want to know about my obsessive
24 for ten years?

25 CHAIRPERSON MATHIS: Yes.

1 TONY SISSONS: As I said, I'm a businessman.

2 During the rest of the decade, I'm doing
3 demographic analysis for various clients.

4 One of my specialties for those clients is
5 reporting -- analyzing and reporting on the effect of
6 proposed legislation on different kinds of clients.

7 And I'm often hired by private nonprofit groups
8 that are concerned with economically vulnerable clients.
9 And so I do a lot of number crunching to basically say, you
10 know, how many people are going to get affected by this
11 proposed legislation.

12 So that fills a lot of my decade.

13 And I do some work for private industry, and also
14 for cities and towns that are going through general plan
15 processes.

16 I will do demographic work for them.

17 This is an awful lot of -- there's a awful lot of
18 questions that start with the word where, and where is a
19 geography term.

20 So it's part of our, you know, it's part of our
21 vernacular.

22 So that's certainly -- because -- well, 20 years
23 ago, I worked for one of the caucuses and helped as sort of
24 like a contract staff to help the Legislature draw
25 congressional and legislative plans.

1 Then I ended up testifying in federal court.

2 And shortly after that, three counties received
3 notices from the Justice Department that their supervisorial
4 plans could not be precleared.

5 So the attorney I was working with at the time, an
6 attorney John P. Frank, who I think many of us probably
7 remember, he received a call from each of those counties in
8 turn, and he said, well, I've got the guy in my office who I
9 can send up to help you fix your plan.

10 So I did really three plan fix -- actually four,
11 because one of them was a supervisorial plan as well as a
12 community college plan.

13 So those four, you know, that established my
14 reputation as a plan fixer.

15 And I assume that counties after a while thought,
16 well, you know, maybe if we hired this guy in the first
17 place, we wouldn't have to hire him at the end to fix
18 things.

19 And so, you know, 17 successful preclearances
20 later, here I am, hoping to do my 18th with you.

21 CHAIRPERSON MATHIS: Thank you.

22 Questions from other commissioners?

23 Mr. Herrera.

24 VICE-CHAIR HERRERA: Mr. Sissons, I am on record
25 as saying I just want to hire the best and the brightest

1 mapping consultant. But close to that, I do want to hire a
2 local company.

3 I think taxpayers would appreciate, especially
4 with this economy, if the dollars we're spending, it's a
5 good chunk of change, that the money stays here locally.

6 Can you convince us why we should hire a local
7 company?

8 TONY SISSONS: Right. And I am a member of Local
9 First Arizona. I have been for years.

10 I entirely agree that it's disconcerting when a
11 large amount of money, such as, you know, redistricting,
12 taxpayer money spent on redistricting is basically exported
13 out of state to contribute to another state's economy. I
14 would just assume that that money stay and circulate in
15 Arizona.

16 I understand that those Arizona residents go eat
17 in a restaurant in Blythe, that some of the money escapes,
18 but to a large degree -- and I don't really know all the
19 studies on this. I've read them, but I haven't retained
20 them.

21 I think it's something on the order of, if a
22 dollar is sort of sent out of -- well, if a dollar is paid
23 to an out-of-state company, only 13 cents of it stays within
24 the Arizona economy.

25 But, you know, with multipliers involved,

1 apparently local firms will keep, I think it was something
2 on the order of 43 or 44 cents of that dollar circulating
3 for a long time within the community.

4 Which is a fourfold, three to fourfold increase in
5 that share.

6 VICE-CHAIR HERRERA: Thank you.

7 CHAIRPERSON MATHIS: Other questions?

8 VICE-CHAIR FREEMAN: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: I'd just like to build on a
11 line of questions that Commissioner Stertz asked.

12 He asked you about how you would define
13 communities of interest. And ultimately you said it is our
14 decision. I would agree with you on that. And we can take
15 the heat for that.

16 In your proposal though I believe you said that,
17 see if I can find it in my notes, that you intend to
18 recommend to this Commission methods for determining the
19 locations, geographic extents, and identifiable reasons for
20 considering an area a community of interest.

21 So I think you have something in mind there.

22 And perhaps what you could share that with me, if
23 you have something in mind.

24 And also a broader point is going back to sort of
25 the perception of bias issue, which is, can you address what

1 concerns the public might have, because you made some
2 comments here today and in your proposal about how
3 communities of interest can be used to, in effect,
4 perpetrate a sham.

5 I think there's lots of things that could be used
6 to perpetrate a sham on this Commission that we want to try
7 to avoid.

8 In particular I noted, and I am kind of -- I can't
9 believe I'm going to hear myself say this, but I looked at
10 your Facebook page.

11 And it's open for the public, and it has -- I
12 mean, don't ever want to go there.

13 But there are a couple of tidbits, and one tidbit
14 in particular I wanted to ask you about.

15 I know you can't control who posts on your page.
16 I give you that.

17 But someone commented that competitive districts
18 will only come when we drop the, quote, communities of
19 interest, unquote, and then an expletive.

20 And there was some more after that.

21 And your response was basically, I can't disagree.

22 That was the quote. And you had some more
23 explanation on that.

24 So my concern is that there might be people out
25 here who I mean -- communities of interest, respecting them,

1 it's a constitution requirement.

2 And we want to make sure I think the public to be
3 assured that the mapping consultant for this Commission
4 would have the requisite respect.

5 So if you've got something in mind as to how you
6 would advise us on communities of interest, share that and
7 address the public perception concern.

8 TONY SISSONS: My view is that a community of
9 interest is first geographically small. Because it
10 stretches credibility to believe that a city, which is I had
11 proposed as a community of interest, that everyone in that
12 city shares the ideological viewpoint.

13 They don't.

14 And the registration and their vote canvass
15 results make that clear.

16 That once you get up to the level of a city, that,
17 you know, really is outside the realm of what I consider to
18 be a community of interest.

19 Now, I've heard school districts proposed as
20 communities of interest.

21 Some of the smaller ones in rural areas may be.

22 In urban areas, a school attendance zone, yes, I
23 think that's very likely that that covers a neighborhood of
24 kind of consistent lifestyles and possibly ideological
25 views.

1 But by the time you get up to the level of a full
2 school district, I think that's outside the realm of being a
3 community of interest.

4 I've never, I've never sort of encouraged the
5 delineation of, well, for instance, Native American
6 reservations as a community of interest, simply because they
7 are afforded their own protections under the Voting Rights
8 Act and under the goals of the Constitution.

9 I can see that a neighborhood block watch area
10 would be a community of interest.

11 When I did the city of Phoenix, we mapped out
12 every neighborhood association and every community block
13 watch area, sort of identified those at the very start of
14 the process, so we wouldn't be running our city council
15 district lines through the middle of any of them.

16 So it's a matter of scale. It's also a matter of
17 do the residents that geography want to be considered a
18 community of interest?

19 They are sometimes encouraged to appear before
20 city councils, boards of supervisors, and certainly this
21 Commission, to state that my city wants to be kept whole,
22 you know, within, within a district.

23 Now, you have to wonder, did that, did that idea
24 come from that person and how representative is that person
25 of that entire city.

1 I mean, this is a tough area. It's very nebulous.
2 You're going to here a lot of claims.

3 And certainly in the articles that I wrote, if I
4 remember the article, I was suggesting that having -- you
5 know, if I had the opportunity to work on this process, that
6 one of the first things we would have to do is decide on how
7 to view communities of interest.

8 What are the tests?

9 What are the criteria for saying, yes, this is a
10 community of interest we choose to protect, but this other
11 one that you're proposing isn't.

12 I'm so completely open on the whole issue of
13 community of interest, with the exception of them being very
14 large, and with the exception of there being the thought
15 that they have to be chained together, you know, so that
16 like-minded communities of interest can be assembled into
17 districts.

18 I think when people make housing choices these
19 days, they find themselves moving into a neighborhood and
20 finding out that the neighbors on either side kind of think
21 the same way they do.

22 There's kind of an automatic self-selection in our
23 housing these days to the extent that household economics
24 can make that happen.

25 And that, that self-selection of where to live,

1 and kind of creating a consistency of ideology in that
2 neighborhood, you know, I think, I've always advised people
3 drawing maps to guard against amplifying that effect.

4 And so my thought is that the best districts are
5 the ones that have the variety of viewpoints.

6 VICE-CHAIR FREEMAN: Thank you.

7 CHAIRPERSON MATHIS: Other questions from other
8 commissioners?

9 Ms. McNulty.

10 COMMISSIONER McNULTY: I have to take my own
11 advice.

12 I have two very different questions.

13 The first one is, who is -- who is RAS -- who are
14 you and the other members of your teams also working for,
15 and can you assure us that we will have your undivided
16 attention?

17 And the second is, I was very pleased to see that
18 you have a public input specialist who actually is an expert
19 in that area, and I'd like you to talk a little bit about
20 that.

21 TONY SISSONS: Well, Research Advisory Services,
22 RAS, shares my initial, Ronald Anthony Sissons. That way I
23 can get tailored shirts with my initials and charge it as a
24 business expense.

25 Sorry.

1 You know, a private company. I don't have any
2 affiliations with anybody.

3 In the work that I do, I ask various smaller
4 firms, largely Arizona firms, to join with me, you know,
5 customizing approaches to whatever RFP we're going after.

6 This is the team I put together for this one, and
7 it is very specialized for this particular engagement.

8 And I'm drawing a blank on the rest of your
9 question.

10 COMMISSIONER McNULTY: Do you have time to do this
11 job is number one.

12 TONY SISSONS: Yes. Right now we are the prime
13 consultant for three counties and one small city, the city
14 of Globe, which who knew that Globe had election awards.

15 They really do.

16 And they have to go through this process just as
17 everyone else does.

18 So three counties and the city of Globe.

19 And then on four counties we are a subconsultant
20 to do the kind of initial mapping or to kind of create maps
21 for their staff to kind of build on.

22 And also to kind of be watching over the voting,
23 the voting rights statistics, the analysis of the voting
24 rights issues for those four counties.

25 So, that's the extent of our redistricting

1 work, you know, for gigs as the prime and four as a
2 subconsultant.

3 Most of those processes are in their third and
4 fourth months, so, you know, we're sort of -- we've done all
5 of the heavy lifting at the front end of those processes.
6 So it should be for us kind of smooth sailing to draw maps,
7 analyze things, hand things off to other consultants, and
8 have plenty of time for you.

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE-CHAIR HERRERA: Is your company subsidized by
12 any other person or organization?

13 TONY SISSONS: Early on it was subsidized by my
14 wife. She was a full-time employee, and I was struggling to
15 build a business.

16 That's the only subsidy that I've ever had.

17 Every penny that has come into my company bank
18 account has been payments on invoices for work that I've
19 done for clients.

20 VICE-CHAIR HERRERA: Client revenue.

21 TONY SISSONS: 100 percent client revenue.

22 CHAIRPERSON MATHIS: Other questions?

23 COMMISSIONER STERTZ: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: Mr. Sissons, you're

1 obviously familiar with the, I think, Polsby-Popper test.

2 TONY SISSONS: I know how to use it, yeah.

3 COMMISSIONER STERTZ: What is your firm's opinion
4 of its use in regards to utilizing the test for statewide
5 compactness and redistricting?

6 TONY SISSONS: Ten years ago the Commission used
7 the Polsby-Popper test, as well as a couple of other tests
8 for compactness.

9 The software I use has probably a dozen different
10 measurements that can be used.

11 So, it seemed to be the opinion of the Commission,
12 gradually toward the end of the process, they were more
13 concerned with just looking at the results of the Perimeter
14 Test and the Polsby-Popper test to make a judgment about
15 compactness.

16 And certainly that test allows scoring of
17 individual districts, but also scoring of a full plan, you
18 know, the aggregate compactness score of a full plan.

19 I see no detriment to its use.

20 COMMISSIONER STERTZ: Thank you.

21 And then how would you -- what would give you your
22 understanding of the phrase the relative geographic
23 dispersion of a district and how it pertains to a
24 compactness?

25 TONY SISSONS: Relative geographic dispersion?

1 I don't know that I have an answer for that.

2 It's not -- I'm trying to wrap my mind around what
3 that would mean in terms of measurement of the compactness.

4 COMMISSIONER STERTZ: We have a series of
5 districts, as you described earlier, that are -- just by
6 simple grid are derived, as Commissioner McNulty said,
7 looking at the 30,000 foot view, you see mountains and
8 ranges and washes, et cetera.

9 When you look at population centers, you've got
10 large capacities of geography that will have to be tied
11 together to create equally balanced districts.

12 That gives you a relative geographic dispersion of
13 a district.

14 And I am trying to wrap my arms around how you as
15 a firm would approach that as a -- as well as you've already
16 answered the question regarding Polsby-Popper. Because the
17 two inherently have, with this state, have some conflicting
18 order to them.

19 TONY SISSONS: Yeah, right.

20 And certainly geography rules.

21 Those large rurally populated areas have to be in
22 a district.

23 So we end up forced by the geography of population
24 to creating what to some observers might -- they might
25 perceive that as being a gerrymandered district because it

1 goes up and pick ups this area.

2 You know, the geography forces us into some
3 strange shapes.

4 You know, and I've just been aware of that through
5 my 20 years of doing this, that, that it's only in the
6 fairly compact, regular grid street patterns that you can
7 really draw compact districts.

8 You know, the most compact shape is a circle, but
9 you couldn't fill the state with circles because there are
10 areas between those circles that aren't in a district.

11 So it's art. It's a craft. It's a lot of things,
12 you know, trying to create shapes that don't alarm the
13 eyeballs.

14 But we have to recognize that, you know, sometimes
15 you've got to travel 200 miles with a district boundary to
16 pick up enough population to be a district.

17 COMMISSIONER STERTZ: My final question, as you
18 now go through that exercise in your head as you've just
19 described, can you see the question that the public may
20 perceive regarding competitiveness and communities of
21 interest as being one of conflict in some of the public
22 writings that you have?

23 Because communities of interest are what drive
24 those large geographic areas that you've just described as
25 we are then picking up, we're trying to achieve compactness,

1 competitiveness, and communities of interest all having
2 merit.

3 TONY SISSONS: Right. And certainly the wording
4 of the Constitution makes it very clear that the crafters of
5 that proposition knew that all of those goals would get in
6 each other's way.

7 And it's, you know -- in some of my, engagements
8 I've been able to convince the board of supervisors to take
9 a look at the list of design criteria or districting
10 principles, and rank order them to give instructions to
11 their consultant as to whenever I find two goals
12 conflicting, which one should I go with.

13 You know, which is an approach that we could use
14 here.

15 COMMISSIONER STERTZ: Do you see that potentially
16 the phrase significant detriment was added to solely the
17 competitive clause because of that particular reason?

18 TONY SISSONS: Well, I'm obviously not in my -- I
19 wasn't a participant in that process, so I don't know what
20 was discussed.

21 It's just been my, my interpretation of the --
22 that last competitiveness clause having a different wording
23 than the -- to the extent practicable wording of the other
24 non-federal clauses that made me wonder, well, why does it
25 say that.

1 And my view, and I am just as eligible to be wrong
2 as anyone else, is that that clause is to say, please keep,
3 you know, competitiveness aforethought, but, by the way
4 don't overdo it.

5 COMMISSIONER STERTZ: Thank you.

6 TONY SISSONS: Thank you.

7 COMMISSIONER STERTZ: Thank you very much.

8 CHAIRPERSON MATHIS: Questions from other
9 commissioners?

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: Just going on the issue of
13 competitiveness and how we or you would advice us to
14 recognize a competitive district.

15 I mean, it's my understanding that one of the
16 rationales for favoring competitive districts, at least a
17 rationale that I think has been put out there, is that
18 members of either major political party always feel like
19 they're sort of in the game, there's a shot that one of
20 their elected representatives could be a member of their
21 party.

22 Maybe it might be tougher in some districts than
23 others, but at least they got a shot.

24 Would you agree then that if we look back in the
25 last five years and look at a district and we see House

1 members or Senate members or some combination of both
2 changing party affiliation, that that district, it certainly
3 couldn't be denied that it wasn't competitive. I mean,
4 those voters had their shot.

5 Would you agree with that?

6 TONY SISSONS: Yeah, I would say that the
7 districts have become more competitive during the decade.

8 Possibly as a function of sort of the refreshing
9 of the electorate, as people come and go.

10 And certainly, you know, it is largely a function
11 of the political party's perception of, you know, their
12 candidates' chances in a given district.

13 Because, you know, a lot of times people are
14 recruited by political parties to run for office.

15 In that recruitment effort, you know, if the
16 district is really too safe for one or the other, the other
17 party just doesn't really bother.

18 But one thing I've noticed, as the size of the
19 Independent component of registration increases, the
20 percentage size of the Democrat and Republican components
21 gets smaller.

22 And so the margin between those, the two major
23 parties, if you just look at their percentages, that margin
24 appears to be shrinking, because really Independents aren't
25 factored in in really the kind of partisan D versus R

1 mathematics.

2 And so with the -- with that margin between them
3 appearing to shrink, it's more likely that the political
4 parties are thinking, hey, we may have a chance now in
5 district so and so, and will field a candidate.

6 And sometimes they pick a good candidate who
7 manages to against all odds gain the seat, and sometimes
8 they don't.

9 So it's something that sort of we get to measure
10 retrospectively over ten years that we can't really
11 anticipate at the time that we're drawing the maps.

12 VICE-CHAIR FREEMAN: And I would agree with you.

13 If you just looked at party affiliation of the
14 members, you could argue that some districts became less
15 competitive over time.

16 Just as you can argue that some became more
17 competitive over time, which is what you said.

18 Because I'm looking at a chart showing party
19 affiliation of memberships, and I am seeing as far back as
20 2002 certain district that had members of both parties
21 representing them.

22 And then later on in the decade it was all Ds or
23 all Rs.

24 And conversely I'm seeing all these Rs to begin
25 with, and then you see the other figure there.

1 So, I mean, just looking at that, I agree there's
2 limitations to that sort of methodology, but we had as many
3 as nine competitive districts last time.

4 Would you agree with that?

5 TONY SISSONS: I've seen that argument before, and
6 I really have nothing to counter that view. If you're
7 basically measuring it on the basis of how many districts
8 had split delegations and, you know, towards the end of the
9 decade, I think the count is somewhere up in around nine
10 districts.

11 So that does appear to -- you know, it does appear
12 that districts have shifted somewhat to creating a more
13 competitive environment for candidates to choose to run,
14 yes.

15 VICE-CHAIR FREEMAN: Some have shifted away from
16 that though.

17 TONY SISSONS: Right. Yes.

18 This is an interesting area. You know, we need to
19 take a coffee break and thrash this out. I just love this
20 stuff.

21 CHAIRPERSON MATHIS: I'm being sensitive to time,
22 just so everyone knows. It's 11:17.

23 And we have noted that our next interview would
24 start then, but we started yours late, and so we started
25 yours at 9:51, and so you still have another 20 minutes, a

1 little less than 20 minutes to go.

2 So, I just wanted the other commissioners to be
3 aware of that.

4 Other questions from other commissioners?

5 COMMISSIONER McNULTY: I'll ask a follow-up.

6 Given what we know now about what's happened in
7 the last ten years, is there any way to factor that in to --
8 I mean, it seems to me it's different to look back than it
9 is to look forward.

10 So, we've got this constitutional provision that
11 says we have to take competitiveness into account.

12 And there's going to be some give and take among
13 the provisions.

14 But how do we take those, the kinds of issues that
15 Mr. Freeman was just talking about, into account, looking
16 prospectively rather than retrospectively?

17 TONY SISSONS: How do we learn from, how do we
18 learn from the last decade and apply it in a way that
19 pleases the greatest number of people.

20 Because no matter how you choose to apply whatever
21 those lessons are, you're going to upset some and please
22 some.

23 So that may be -- you know, the syndrome that
24 Commissioner Freeman is talking about, it may be something
25 we really can't learn from.

1 Because I don't know that anything that that
2 Commission did created that syndrome.

3 That was just something that was kind of
4 happenstance of the mood of the electorate, the national
5 mood. Many, many factors affecting that.

6 One of my concerns about having too many -- having
7 an abundance of safe districts, just locks other potential
8 elected officials out the process.

9 It just doesn't seem fair for a commission to
10 basically favor the political parties to a greater
11 extent than they favor the abundance of choice for the
12 electorate.

13 I just -- you know, philosophically it just seems
14 that creating -- you know, you'll probably be under a lot of
15 pressure to create safe districts.

16 And that serves, that serves the parties well.

17 But it doesn't -- I don't know that it serves the
18 electorate well.

19 As I mentioned earlier in the slide, there on my
20 list of allegiances, and political parties aren't.

21 CHAIRPERSON MATHIS: Questions from other
22 commissioners?

23 COMMISSIONER STERTZ: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: As a follow-up to that, I

1 don't think that the line of questioning that at least I was
2 bringing forward regarding competitiveness versus
3 communities of interest was in any regard leaning towards
4 the assembly of 30 safe legislative districts.

5 It was the goal to know that competitive
6 districts -- or that competitiveness would not be the
7 governing factor of your decision making or your guidance in
8 your expertise to us, as we are all the amateurs here and
9 you are the professionals in this engagement.

10 But the concept of communities of interest are the
11 public.

12 And you've said multiple times that the general
13 public is who you were serving.

14 Yet in some of the writings that you've had, it's
15 given the indication that competitiveness would trump
16 communities of interest.

17 And I'm trying to get my arms around that, because
18 it seems like a contradiction.

19 If you could engage that for a moment, I'd
20 appreciate it.

21 TONY SISSONS: And I think the answer to that is
22 my perception of a community of interest, as I explained
23 earlier, is a smaller geography than the Commission was
24 asked to look at as communities of interest last time.

25 They were told that very, very large swaths of

1 Arizona were communities of interest that needed to be
2 protected.

3 And, you know, to the extent that a community of
4 interest implies a shared value system, to believe that that
5 shared value system is shared by all the residents of huge
6 areas just doesn't make sense to me.

7 I do remember 20 years ago, when the city of
8 Casa Grande wanted to be considered a community of interest,
9 and was really incensed that it would end up in two
10 legislative districts.

11 And the folks who are sort of saying, don't you
12 dare divide us, were, you know, a group of chamber of
13 commerce folks from Casa Grande.

14 How representative their view was of all of the
15 citizens of Casa Grande, you know, is hard to imagine.

16 Two hundred miles further south in Nogales,
17 Nogales was very, very happy to be in three legislative
18 districts because they had at their bidding nine elected
19 officials.

20 Tiny Nogales had one tenth of the legislature had
21 to pay attention to them.

22 So it really depends on -- you know, we sort of
23 sit at the 3,000 foot level and say that's a community of
24 interest, that isn't.

25 We need to hear from people about what they

1 consider to be their communities of interest.

2 COMMISSIONER STERTZ: Okay.

3 I just went back to look at the definition as they
4 defined it in the last Commission, and it was -- and this,
5 again, is not where we will be defining it. This is again a
6 look back, because you had mentioned that they had looked
7 purely at geography, at large tracts of land.

8 And their community of interest was defined by a
9 group of people in a defined geographic area with concerns
10 about common issues, such as religion, political ties,
11 history, tradition, geography as one of the points,
12 demography, ethnicity, culture, social, economic status,
13 trade, or other common interest that would benefit from
14 common representation.

15 I'm trying to now place that definition of what
16 guided their decision making and how you just described your
17 interpretation.

18 TONY SISSONS: There's nothing in that list that I
19 would strike.

20 I think the U.S. Supreme Court would say, yeah,
21 but you better have the statistics to back it up.

22 And then -- I will also think that that definition
23 of communities of interest was, was coined later in the
24 process.

25 I don't think that that definition was adopted at

1 the point the Commission was starting to look at the issue
2 of communities of interest.

3 COMMISSIONER STERTZ: And as a follow-up to
4 Commissioner McNulty's question regarding staffing and
5 availability, your team put together a schedule of delivery
6 based on the statement of work contained in the RFP, which
7 was extremely extensive.

8 And you've built a team to be able to deliver
9 that.

10 TONY SISSONS: Right.

11 COMMISSIONER STERTZ: In your proposal, and I'm
12 sure that you're also aware that we've been given
13 information by the Elections Board that they're asking us to
14 have map delivery by the 1st of October.

15 In your proposal, you're looking for delivery to
16 the Department of Justice at the end of January.

17 How do we reconcile those two, the disparity
18 between those two dates?

19 TONY SISSONS: Well, I do believe that the request
20 from the counties as to when they would like to see maps is
21 a request from them.

22 I don't think there's anything in law that
23 requires that particular date.

24 I may be wrong on that.

25 But my sense is that, you know, if the data

1 arrives, if the census data arrives, it did come a little
2 early this year, but it had arrived on April 1st.

3 And maps have to be delivered, maps have to be
4 adopted, so counties know the shapes of legislative
5 districts so that they can conform their precincts to those
6 legislative and congressional districts in just a six-month
7 period.

8 You know, I don't know that that schedule could be
9 met by any Commission.

10 And certainly, you know, I'm fully aware that this
11 Commission is watching the calendar and have some concerns
12 about, you know, making deadlines, which is one of the major
13 thrusts of our proposal is to try and get you back on
14 schedule.

15 CHAIRPERSON MATHIS: Any other questions?

16 COMMISSIONER McNULTY: Would you talk about the
17 expertise of your public input facilitator, please?

18 TONY SISSONS: I'd love to, but I'd rather have
19 him tell you about it too, if that's acceptable.

20 COMMISSIONER McNULTY: Thank you.

21 DAVID SCHWARTZ: First of all, thank you for
22 having us, and thank you to Mr. Sissons for bringing us on
23 the team, and appreciate the chance to speak before you.

24 You know, Goodman Schwartz Public Affairs,
25 oftentimes when people ask me, they'll say, what is it you

1 do, public affairs, and, you know, often you kind of become
2 a shorthand for politics.

3 And usually the face kind of contorts.

4 And they'll start to go, well, that's interesting.

5 What I have found in politics is that actually
6 very exciting, because really what it is, I think, is the
7 study of human behavior.

8 And any time you get more than two people or more
9 together, you start to see the dynamics of human behavior
10 coming into play.

11 And if we were picked to work with you, I can
12 already tell, this will be a fascinating process to watch
13 all of you as you interact in all the work you have before
14 you.

15 I commend you, because you have a yeoman's amount
16 of work before you.

17 Our job, I think, working with Tony Sissons' team,
18 is our job is -- I always advise clients, you'll often hear
19 me say, when the day is done how will we know when we've
20 won.

21 I think your job is you'll come with a map that is
22 approved by Department of Justice and that it is that you
23 can go forward.

24 Our job is not to be your political adviser or I
25 don't think so much as to help you map.

1 And I think of all the consultants and all the
2 people you bring on, our job is to help you get a map that
3 has been vetted by the public.

4 And I was listening this morning about when you
5 first started and you called to the public.

6 There were probably some very divergent opinions
7 raised or questions and concerns.

8 When I look at that and say there's actually one
9 common theme.

10 Everybody in this room and all of the hundreds, if
11 not thousands of people that we will interact with, is that
12 they're Arizonians, and they care about these maps. They
13 care deeply about it.

14 And what I love is the fascination of the
15 interaction, the human behavior, and the concerns people
16 raise.

17 And our job is to help you tap into that
18 community.

19 Some of it will be community outreach.

20 Some of it will be actually staffing the public
21 meetings.

22 And getting the data input into a way that you can
23 take, quantify it, and play with it, so you understand the
24 concerns.

25 We love that stuff.

1 Exactly how the lines come before you, it makes no
2 difference to me.

3 Our job is to be a resource to you, to the staff,
4 and to help the citizens of Arizona to begin crafting that
5 map so that you feel comfortable, that it meets, and that
6 the Department of Justice.

7 We have a team of public involvement, public
8 information specialists.

9 And we are excited about this.

10 I own a piece of property up in northeast Arizona.
11 I especially want to be going there to help on those
12 public meetings, and that way I can go see the cabin a
13 little more.

14 But I, again, welcome the opportunity. I would
15 love for work for you guys.

16 I love the dynamic, that even though you may agree
17 or disagree on some things.

18 And I for one really liked your question earlier
19 about the local firms, as a local firm myself.

20 I'd love to work for you because when you're all
21 done, you will all go back to your areas and live your
22 lives, and I will, and all of my -- everybody on our team,
23 we live here. And this matters, and it's important.

24 And I love the opportunity to work with you as
25 well.

1 CHAIRPERSON MATHIS: Thank you.

2 VICE-CHAIR FREEMAN: Madam Chair, if I could just
3 ask a follow-up.

4 CHAIRPERSON MATHIS: Sure. Mr. Freeman.

5 VICE-CHAIR FREEMAN: Have you worked in your field
6 on a statewide redistricting effort before? Have you worked
7 with RAS before?

8 And if not, when were you retained to participate
9 on this project?

10 DAVID SCHWARTZ: I've not worked on any of the
11 state redistricting efforts. I've not been involved in the
12 campaigns leading up to it.

13 It is a -- so I have an interest in this and I
14 have a passion for it. It kind of goes to the chairwoman's
15 question about passion.

16 About 20 years ago, I used to work at the City of
17 Phoenix when Mr. Bladine was a young deputy city manager
18 there and I was a much, much, much, much younger guy working
19 at City Hall.

20 And I remember watching that process, and it was
21 fascinating. People would get in the rooms. They had
22 crayons and maps, because we didn't have the kind of mapping
23 capabilities you have now.

24 And now you do it with a click of a button.
25 Before it was a lot of highlighters and crayons.

1 So, I have a -- I won't say a background, but an
2 interest in that from watching that unfold and how
3 passionate people get.

4 And what I have watched since that one and then
5 ten years later and now here is the amount of interest
6 you're seeing from people, and that, as Mr. Sissons says,
7 now you have people that can actually play with the maps
8 online.

9 And I think it's fascinating.

10 But as a firm we have not been involved in any of
11 the campaigns leading up to redistricting or efforts before.

12 VICE-CHAIR FREEMAN: And your work with RAS and
13 when you were brought on board.

14 DAVID SCHWARTZ: I have not directly worked with
15 RAS, Tony Sissons.

16 I have -- and so he had asked, would you be
17 interested on being on this team.

18 And at first I was thinking that would be kind of
19 interesting and be very potentially political Jonesing.

20 I love that.

21 The ability to get in and dissect, seek the input
22 that people have, help you quantify that and use that as
23 you're putting together the best map forward.

24 One of the members, Marcie Rosenberg, and I have
25 worked on some projects in a prior life on some stuff, but

1 actually, to your question, I have not worked directly for
2 Mr. Sissons before, but I would love the opportunity to.

3 VICE-CHAIR FREEMAN: Thanks.

4 CHAIRPERSON MATHIS: Any other questions of
5 Mr. Schwartz or Mr. Sissons or any other team members.

6 We have a little bit of time, a couple minutes.

7 Did you have any final thoughts or comments?

8 VICE-CHAIR HERERRA: Before --

9 CHAIRPERSON MATHIS: Oh, you do, Mr. Herrera. Go
10 ahead.

11 VICE-CHAIR HERRERA: Yeah. I don't know if it's a
12 question.

13 The issue of communities of interest is an
14 interesting one for me.

15 And we talk about it. But we haven't really
16 delved into it.

17 It's not until they come forward we'll have to be
18 doing this job. It's not as simple as looking at a
19 description and say, okay, I think I know what it is.
20 Because it's not for me.

21 And I'm looking, but I'm -- I'm looking forward to
22 hearing when we start visiting places or even here when
23 those individuals come forward and say I am a community of
24 interest.

25 Because we'll have to be asking those questions,

1 and it won't be as simple as, okay, here's the definition,
2 yes, you're a community of interest.

3 I wish it were. But it's not going to be that
4 simple.

5 It's not a question. Just, we have a lot of work
6 ahead of us.

7 There's things that I don't understand.

8 Communities of interest is one of them. It is a
9 complex one.

10 As we may not agree on what a community of
11 interest is.

12 So, that's just my comment.

13 CHAIRPERSON MATHIS: Thank you.

14 Any comments from the group, any other questions,
15 final thoughts that you have?

16 COMMISSIONER McNULTY: I do have a final thought.

17 I'd like to commend Mr. Sissons on a very thorough
18 and thoughtful submittal. It's clear that a lot of work
19 went into it.

20 It was very focused on the request for proposal
21 that we submitted.

22 And I thank you and appreciate you for taking so
23 much time to put a response and proposal together.

24 TONY SISSONS: Thank you very much. On behalf of
25 my team, we're just very happy to be here. We'd love to

1 spend a lot more time with you.

2 CHAIRPERSON MATHIS: Thank you.

3 Mr. Freeman, did you have a question?

4 VICE-CHAIR FREEMAN: If we get more time, I might
5 have.

6 CHAIRPERSON MATHIS: We're really at the end, but
7 there's one minute I think. Because it's 11:35. And they
8 get until 11:36.

9 VICE-CHAIR FREEMAN: Well, maybe one more.

10 Your proposal speaks of the mechanics and
11 philosophy of the grid plan we're going to put together.

12 TONY SISSONS: Right.

13 VICE-CHAIR FREEMAN: What is that? To you what
14 was the intent of that?

15 TONY SISSONS: Right.

16 I think the grid plan was kind of -- it may seem
17 odd to say before you can draw a map you got to draw this
18 artificial thing.

19 Well, what that grid plan requirement does, it
20 does two useful things in my review.

21 One is that it signals to everybody, it signals to
22 elected officials, to political parties, to the electorate,
23 that it is a clean slate start.

24 We are not making adjustments to existing
25 districts.

1 We're wiping everything off the map and starting
2 from scratch.

3 I think that's, you know, whether that's a good
4 thing to do or not, that was the choice of the voters who,
5 you know, 56 to 44 percent voted for the passage of
6 Prop 104 -- or 106.

7 So, the crafters of that proposition must have had
8 the idea that we really need a process in which we basically
9 start fresh every ten years and not just make adjustments to
10 existing districts.

11 The other thing it does have from a technical
12 perspective is that -- your eyes are going to glaze. It
13 undoes the starting point bias.

14 Which in essence says -- and I've experienced this
15 many times, and one of my compatriots many years ago, Allen
16 McGuire, did lots of experiments on this -- where you start
17 drawing really affects how the map will look.

18 If you start with the northeast corner of the map
19 and work, you know, pull up enough population to create a
20 district, sort of lock it down and move on to the next one.
21 And somebody else is starting at the other end of the map.
22 Those maps will look completely different.

23 So the starting point kind of creates the bias for
24 the districts you're ending up with.

25 So, in having nine, nine grid shapes for

1 congressional and 30 grid shapes for legislative, in essence
2 that spreads that bias to kind of 30 starting points rather
3 than a single starting point.

4 That's my schtick on the grid plan.

5 VICE-CHAIR FREEMAN: Thank you.

6 I will yield now because I know we have to move
7 on.

8 VICE-CHAIR HERRERA: I have five seconds, and I'll
9 be quick.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE-CHAIR HERRERA: You know, Mr. Sissons, I
12 enjoyed reading your proposal. I don't typically enjoy
13 reading proposals, but I did this one.

14 I thought it was very thoughtful. It was very
15 responsive, very detailed. I wasn't left with any
16 questions, you know, is he avoiding a question. When I'm
17 reading a proposal, that's what I want. I want everything
18 to be answered.

19 Because if we didn't bring you back for an
20 interview then, you know, if the proposal should have
21 been -- also today's discussion, I thought it was very
22 considerate and thoughtful.

23 You put a lot of time into it.

24 I like the fact you have somebody doing public
25 input, and also taking the Native American population into

1 account, which my opinion I feel that they're ignored.

2 And so I appreciate all the work you've done, and
3 I --

4 TONY SISSONS: I must apologize. Our specialist
5 is in the audience.

6 VICE-CHAIR HERRERA: At least wave his hand?
7 Thank you.

8 TONY SISSONS: He's very well known to the Justice
9 Department, so I think they will be pleased to see his
10 involvement in the process.

11 VICE-CHAIR HERRERA: Thank you so much.

12 VICE-CHAIR FREEMAN: Your definition of
13 five seconds would make a lawyer proud.

14 CHAIRPERSON MATHIS: Thank you for pointing that
15 out, Mr. Freeman.

16 I also just want to thank you, Mr. Sissons, and
17 your entire team for filling out this proposal so completely
18 and well and for taking the time to be here today and give
19 us a great presentation.

20 We appreciate it.

21 TONY SISSONS: Our pleasure, our collective
22 pleasure.

23 CHAIRPERSON MATHIS: Thanks.

24 So being sensitive to time and our court reporter
25 who is working away, and it's been two hours and 40 minutes

1 since we started the meeting, if we could do a brief recess
2 for -- and let the other firm get set up and ready to go.

3 If I could ask everybody to just be brief.
4 Ten minutes is my hope.

5 It's 11:40 a.m. We'll go into recess.

6 (Brief recess taken.)

7 CHAIRPERSON MATHIS: The meeting will now come out
8 of recess.

9 It's currently 11:53 p.m.

10 I apologize for the tardiness in starting. Our
11 public comment went longer than usual, which is great, but
12 got us a little bit off schedule.

13 Our next firm that we will be interviewing is
14 National Demographics Corporation.

15 And if you would like to start with a presentation
16 for us first, you'd be welcome to do so. However you would
17 like to proceed.

18 We thank you very much for being here today.

19 DOUG JOHNSON: Thank you very much for having us
20 this morning.

21 My name is Douglas Johnson. I'm president of
22 National Demographics.

23 This is Sara Larsen, the senior analyst with our
24 company.

25 It is a pleasure to be with you here today. And

1 we definitely appreciate you taking the time to let us
2 present to you today.

3 As you have a presentation to walk through,
4 explaining a little bit more about us and summarizing a lot
5 of what we have in our proposal, and we look forward to the
6 discussion with you about how we might be able to help the
7 Commission in this important and historic process.

8 so, let me start out first with a little bit about
9 NDC.

10 We are the nonpartisan redistricting experts
11 really in the country, especially in the Southwest. We have
12 been doing this for 32 years now, since 1979.

13 Focused almost entirely on local government clients.

14 We started out doing cities, school districts,
15 special districts, water districts, every kind of local
16 election-based agency there was.

17 Virtually all of which are nonpartisan.
18 They had nonpartisan elections, and that's how they operate.

19 Obviously they have their all dynamic politics at
20 the local level. It's not just State, Democratic, and
21 Republican, traditional breakdown.

22 So we have done some states as well. Obviously we
23 did Arizona, as you know well.

24 We've done work in Mississippi, Washington,
25 and some side work and consulting into Florida and other

1 places.

2 So we've been around the block a lot in the last
3 32 years. We know how this process works, and we know what
4 it takes to get this through, both successfully completed
5 and in an open public, transparent manner.

6 Because that is how all of your local clients have
7 to operate.

8 We deal with all of those issues that you will
9 face. We deal with communities of interest. We deal with
10 keeping the districts compact.

11 All the criteria that you face, to some degree or
12 another, every local government faces. And particularly the
13 Voting Rights Act is one that we have dealt with again and
14 again and again.

15 And we should add, we've got deep roots in
16 Arizona. We did the original districts for Phoenix. We've
17 done the original and all the redistricting for Glendale,
18 the original and the redistricting for Surprise, for Mesa.
19 We've been deeply involved in local government redistricting
20 in Arizona.

21 And I'm also happy to say we've, given the scope
22 of the project before you and hopefully before us, we have
23 expanded the team to meet some unique elements of the
24 Commission's undertakings.

25 We've brought in Dr. Bruce Cain to be a part of

1 our team.

2 He is kind of a legend in redistricting,
3 and he literally wrote the book on competitiveness and
4 redistricting, called The Reapportionment Puzzle, that he
5 wrote about the California 1981 redistricting, at which
6 point he was a partisan.

7 He actually was the head of the line drawing team
8 for the assembly Democrats in California in '81.

9 And his book goes on in length about exactly the
10 challenges you'll face as you identify competitiveness in
11 terms of how they're different factors that come into play,
12 how the measures differ in different parts of the state,
13 where there may be more Independents or more partisans who
14 have a leaning to Independent. All the different factors
15 really come out of his book.

16 Dr. Michael MacDonald, who was a competitive
17 expert last time, actually was a student of Professor Cain.

18 So he has graciously agreed to join this effort
19 and offer his expertise in how we would identify and measure
20 competitiveness. And he really is one of the top experts in
21 the country in redistricting, all elements of redistricting
22 regarding competitiveness.

23 Dr. Lisa Handley, safe to say she's the top
24 expert, top testifying expert in racially polarized voting
25 in the country. She has done, I think, 29 different court

1 cases involving racial polarized voting since 2000.

2 One note I should add, in the proposal, her
3 section actually talks about California, and that was my
4 fault.

5 I forgot to put a cover note on there.

6 She also is one of the world's leading experts
7 advising the United Nations on elections and voting and how
8 that works.

9 So when we were putting together the Arizona
10 proposal, she was in Liberia working for the UN and could
11 not deliver to us an updated PDF.

12 I meant to put a note on that saying that what
13 she'll be providing here is essentially the exact same role
14 that she proposed earlier in her California proposal.

15 So we included that so you would have the scope.

16 But my apologies for not clarifying why it's in
17 California.

18 That was because it's tough to get PDF editing and
19 internet access in rural Liberia and those precincts.

20 So she really does know this issue forwards and
21 backwards.

22 In the 2001 case, she was the expert that both
23 sides in the trial relayed on for their evidence. And her
24 testimony was uncontested.

25 Mr. David Meyer works for NDC as well. He is an

1 expert in online redistricting and online GIS.

2 He has put up a wide variety of websites involved
3 where people can zoom in and zoom out on maps. They can
4 actually draw lines online.

5 He's -- in his work for NDC, I think he's the only
6 person in the country, certainly the only one I know of, who
7 is running both instances of the ESRI online redistricting
8 solution and the Caliper Corporation's online redistricting
9 solution.

10 He's really a whiz at this stuff in terms of
11 getting the maps up so the public can see them, zoom in, and
12 not just look at the big picture, but look at their house if
13 they want to.

14 And all of that online GIS infrastructure that's
15 out there today, he is the go-to guy.

16 So we really are trying to put together the best
17 in the business to help you out.

18 Then there's Justin Levitt, who actually is from
19 Scottsdale, who's a whiz on the desktop software, has an
20 amazing mind for demographics.

21 He's actually off on another engagement today, but
22 he can -- if you just ask him, give me the demographics of
23 the central Scottsdale, give me the demographics of western
24 Riverside, this is an amazing mind for capturing the
25 testimony and the input and putting -- translating that into

1 maps.

2 And Sara here with me worked diligently through
3 the whole process on the 2001 redistricting.

4 When it comes to knowing the importance of
5 recordkeeping, and perhaps how we didn't do it so well
6 during the process, and had to kind of recreate what we had
7 done in 2001, that fell on Sara's shoulders. And she knows
8 the process and the records and how those records need to be
9 kept to share with the public better than anyone else out
10 there.

11 And she also knows probably more than she wanted
12 to about the preclearance process and everything that has to
13 be done to help the lawyers prepare those documents.

14 And myself, Douglas Johnson, I started with NDC in
15 the 1991 redistricting cycle, came back in 2001, and have
16 been working for NDC continuously since then.

17 Worked on a lot of local clients, worked a lot on
18 the Arizona project as well.

19 And when the founders of the company retired in
20 about 2003, I bought the company from them.

21 So that's how it's now that I'm the president.

22 It's been an interesting process, and it's been --
23 I love this work. This is work that you can only do if you
24 really love it. Otherwise it will drive you completely
25 insane.

1 But, I think our work has been recognized
2 nationally.

3 The National Conference of State Legislatures, you
4 may know, runs a series of redistricting seminars every
5 quarter for the year and a half leading up to the release of
6 census data.

7 And they had me come in and speak on how you
8 identify communities of interest, and how you use them, how
9 you conduct redistricting in public.

10 This is a brand-new idea to most state
11 legislators, and one that they're not really thrilled with,
12 but they were fascinated in that process.

13 And then as we got closer, it became more and more
14 data issues.

15 And this is really the meat of what I -- where my
16 expertise comes from.

17 Is when you talk about census data, and what does
18 it mean, and what does it really represent, not just the
19 numbers on the surface, but where does this come from and
20 how are they collected, certainly one of the experts in
21 that.

22 And the big data this year, of course, is the
23 citizen voting age population data.

24 We've never had this data before. This is
25 the first redistricting ever that's been done with that

1 data.

2 And the data has issues, and it has problems. And
3 there are two different data sets with that. And working
4 with it is a real complicated adventure.

5 And when NCSL closed their last meeting with,
6 okay, the big question we've all been talking about for
7 six sessions, what does it mean, how do line drawers use
8 CVAP data, they asked me to give that presentation.

9 So, been working with Census Bureau for years on
10 it, and I look forward to bringing that expertise to help
11 you through this process.

12 We are indeed an unbiased team.

13 As I said, we've been doing this for 32 years.

14 If we had any bias or favoritism in our work, we
15 would never have survived that long. This is a
16 reputation-based business, and word gets around.

17 We have worked for all Democratic clients. We
18 have worked for all Republican clients. We have worked for,
19 most of our clients, who I have no idea what the partisan
20 makeup is.

21 But we are kind of a mixed team.

22 We have -- I'm a registered decline to state
23 voter, California's version of an Independent.

24 Mr. Levitt is Republican.

25 The rest are all Democrats.

1 We have a real mix. And it doesn't come into our
2 work at all.

3 Because that's not our role, and I'll talk a
4 little bit about our role.

5 One of the things that I'm proudest about that
6 highlight how nonpartisan it is, those conferences that
7 every year or every quarter that NCSL did, they always start
8 or end with breakout sessions run by the RNC, the Republican
9 National Committee, and the DNC.

10 And then they have a side room for technicians to
11 go and talk data details, while all the policy makers kind
12 of go off to breakouts.

13 At one of them there were a lot of reformers who
14 had started coming to these meetings to learn more, and they
15 really wanted a non-profit or a nonpartisan reform breakout
16 session.

17 And when they went to NCSL and said, will you
18 announce and sponsor this session, NCSL's response to them
19 was: We will on one condition, if you get Douglas Johnson
20 to agree to facilitate it.

21 But I thought that kind of was the capstone on our
22 history and our background of unbiased and nonpartisan work
23 in this field.

24 Obviously, the policy makers that we work for in
25 these engagements have their own views and opinions, and

1 that's why they're the policy makers and why we're the
2 consultants.

3 We also have a deep bench, that's detailed in our
4 proposal, of people that we have worked with. In 32 years,
5 we've built a lot of relationships.

6 So as specialized needs may come up, or there are
7 questions or extra things that come up that the public or
8 Commission wants, we can call on these people, and they're
9 all available, and we've worked with them for years.

10 From Voting Rights Act specialist lawyers, to
11 statisticians, to database technicians, meeting
12 facilitators.

13 If you suddenly decide to increase the number of
14 meetings, we can have additional facilitators who facilitate
15 not just meetings but redistricting sessions.

16 We have -- they're mostly college professors that
17 we work closely with that frequently facilitate meetings who
18 double or triple staff.

19 So outreach specialists to different ethnic
20 groups.

21 Whatever you need, we probably know them, and can
22 bring them on board in a matter of hours, if not a day, when
23 the Commission finds those needs.

24 I mentioned our reputation.

25 In 32 years of this, we have really refined and

1 focused on what is our role. And our role as your
2 consultant is to help the public, offer advice, and not so
3 much answers to you as questions for you to focus on.

4 We don't view our goal as telling you what the
5 schedule is. It's to say in our experience here are
6 different approaches you can take to your scheduling. These
7 are the trade-offs and the pluses and minuses of which one.

8 Same thing with plans.

9 When the public comes in and asks for a test plan
10 to be drawn and you want to see what that looks like, it's
11 not our job to draw it and say here it is. It's our job to
12 say here's one or two or three ways that you can achieve
13 what the public asked for, here's of all what we call the
14 ripples into the other parts of the map, what do you think.

15 It's up to you to be deciding those things.

16 If you were coming in and presenting plans, people
17 would resent it and they would wonder where these plans came
18 from.

19 And we would not have survived for 32 years, as I
20 keep saying.

21 So we've got that role pretty well down, and we're
22 very proud of that role.

23 One thing I cite a lot is in the 2001 lawsuit over
24 the Arizona redistricting. Both sides were asking the judge
25 to implement plans drawn by NDC.

1 The Commission obviously was defending its plan
2 that we had drawn at their direction, and the plaintiffs
3 were asking for a different plan to be adopted that was also
4 drawn through the process in response to public request and
5 direction from the Commission.

6 So we took that as a very good sign that we had
7 done our job.

8 We had shown the options.

9 Obviously the policy makers disagreed over which
10 option they liked the best, and that's what the whole court
11 battle was about.

12 But the fact that both sides were promoting our
13 plans we took as a very good sign that we had done our job
14 to put the options out there.

15 The other piece in addition to knowing our role is
16 we've been through this a lot.

17 This is not our first rodeo.

18 We know how this process works. We know where the
19 speed bumps are. We know where the key challenges and the
20 problems are.

21 And given the Commission has a relatively short
22 time frame to get this done for next year's elections, we
23 think that will be a real benefit to you.

24 And, again, not that we will tell you what to do,
25 but we can provide where these -- information about where

1 these bumps are, what the schedule challenges are, and what
2 each option that you might choose would mean.

3 And then obviously it would be your choice to
4 direct us which way to go on.

5 But we've been down this road.

6 We know about the Voting Rights Act.

7 We know that we need to racially polarize voting
8 experts working on this about a month ago to get those
9 numbers done, because without that analysis it's going to be
10 very hard to get very far.

11 And if we start drawing plans, which we may need
12 to do, before we have that, the public may get a little
13 confused and maybe even upset when the polarized voting
14 experts and the lawyers come in and say we know you've been
15 going down this road but you need to take a step back and
16 change in order to ensure compliance.

17 So we know how this works. We know where these
18 bumps are. We know what you need to kind of get going both
19 in front of the public and behind the scenes as soon as
20 possible.

21 And in terms of the process and the public, we
22 did -- back the '80s, we actually invented the public
23 participation kit. These were paper kits that had maps and
24 numbers in them, and people would take them home and draw
25 lines.

1 And it's a lot of work.

2 Back then they were using calculators or doing
3 math by hand.

4 And people still did it.

5 People get engaged in this process. We used to
6 get 10 or 11 maps from a single individual and doing a city
7 redistricting.

8 So when we saw the success of that, we really seen
9 how engaging the public benefits this process, how the
10 public will come up with ideas that no one ever thought of
11 before.

12 And it's great for the public because instead of
13 coming up and saying, I like that, I don't like that, or you
14 guys are blowing it, why are you voting for this map. The
15 response can be, show us one that's better.

16 It's a chance for the public to really engage in
17 the process and more or less write the law, which they
18 normally can't do in a public policy debate.

19 So we started in the '80s engaging the public in
20 this process, and that has evolved.

21 About eight years ago we started having Excel,
22 pre-populated Excel spreadsheets, so that they still didn't
23 need the expensive software. Anyone with Microsoft Office
24 could do it. But they would just put in which district they
25 would assign each row of population units to and draw their

1 district and submit them.

2 Now, of course, we're in a whole new era.

3 As I mentioned before, the online redistricting
4 tools.

5 And we are the leading experts in that field. We
6 were beta testers for both ESRI and Caliper in developing
7 their software and running different engagements using both
8 of those packages.

9 So we really understand the value and importance
10 of the public and want to bring them in.

11 In addition to being able to draw lines, much of
12 the public just wants to review the lines, see where they go
13 and come in and comment.

14 They don't want to take the time to draw them
15 themselves.

16 There's no need for them to have to go through all
17 the adventure of logging in, creating the account, using the
18 online redistricting system just to do plans.

19 There are so many new tools. They're amazing.
20 I'll show you a little bit of them at the end of this.

21 But there's Google Earth. There's Google Maps.
22 There's even Google Mapmaker where people can just zoom in
23 on Google Maps and put little dots around the neighborhood
24 and click share.

25 So that they can show their neighborhood and say

1 keep it together.

2 So you don't have to figure out, what do they mean
3 when they say my neighborhood.

4 Anyone with internet access and who knows how to
5 get directions using Google Maps or Mapquest or any of that
6 can figure this stuff out.

7 We've been using all these tools extensively in
8 our local engagements.

9 There's also local GIS data. This is the biggest
10 change to the technical side since 2001.

11 In 2000 we were all, thank goodness, we got this
12 census file.

13 You know, we wouldn't have anything in terms of
14 base GIS without the census. Now our problem is that the
15 local GIS is so much more accurate than the census GIS.

16 We spent a lot of our time working with city
17 planners saying, wait, that line is here, but it's not
18 really here.

19 And this is where our experience in knowing what
20 the census data really means and how those relate. That,
21 yes, the census data doesn't project perfectly.

22 But we can use this other data.

23 And we work with them. Now we can get zoning
24 data.

25 Now we can get industrial sections, residential

1 sections, multi-family versus single family. All of that
2 data can come from your cities or counties, and that can all
3 be incorporated with a draft community of interest map.

4 You don't want the city planning staff to be
5 giving you your communities of interest, but it's a
6 lot easier for the public if we put a map up and we're
7 doing a hearing in Phoenix and say here's the multi-family
8 areas, here's the single family areas, here's the commercial
9 areas.

10 Do those make sense, communities of interest, and
11 let the public tells us to how to fix them, than it is to
12 put a blank map up and have the public try to draw the lines
13 themselves.

14 And of course engaging the public now, you know,
15 you're already there with the online recording and video
16 casting of these meetings.

17 Twitter is out there for -- if you're not doing it
18 officially, I'm sure people in the audience will be doing
19 it.

20 The big change that I tell people that have been
21 through this before is wait. Now we all have these internet
22 modems that link on laptops.

23 People are going to be sitting in the audience
24 listening to your feedback as people present their plans,
25 editing their plans, and coming up at the end of public

1 comment with a revised plan from an hour ago.

2 This is a whole new era. And it's fascinating.
3 And it's great that we can embrace it and understand it.
4 But it is a new era, and it's a big change for people that
5 are used to how it was done before.

6 Database experts, I talked a little bit about
7 this.

8 We built scores of database from L.A. County to
9 Mississippi.

10 Dr. Cain actually built the California statewide
11 database, which is now the national model for these things.

12 We've done databases every which way.

13 They're hard. They're complicated. You really
14 got to know what's involved, but we've done them again and
15 again and again.

16 That's no problem for us.

17 I talked a little bit about this before, but the
18 new data is great. It gives us a huge new way of moving
19 faster in finding communities of interest and getting our
20 districts nailed down.

21 But it also presents new challenges.

22 I talked about in this voting age population data.
23 It's not from the centennial census. It's from a census
24 survey.

25 And understanding that difference and

1 understanding margin of error data is all very important,
2 especially since the Ninth Circuit Court has said CVAP is
3 where it's at.

4 So these are all challenges that your consultants
5 need to know now and understand.

6 It talks a little bit already about Dr. Handley's
7 qualifications.

8 I mean, she really is the go-to person on this
9 stuff.

10 And the amazing thing is where she really differs
11 from a lot of the experts in this is she talks like a normal
12 person.

13 She can sit down in front of a judge or in front
14 of the Commission and explain these things in ways that we
15 all can understand and react to.

16 And she and I have worked together extensively.
17 I've worked with a lot of these experts. And we really have
18 a comfort level in terms of how we exchange data and how
19 fast we can move and her confidence in our data.

20 So in terms of figuring out the Voting Rights Act,
21 we're the go-to team.

22 I mean, California has its own new Voting Rights
23 Act, the California Voting Rights Act. There's been about
24 four cases to this point filed, and we've been the
25 demographers brought in for all of those.

1 The federal cases, as you may know, have dropped
2 way off. But I'm sure that will start up again in about
3 six months when all the states are finishing.

4 So we talked about the racially polarized voting
5 experts.

6 One element that I should mention that's on here,
7 it's key to know what racially polarized voting experts can
8 and cannot do. They can give you your effective district
9 number, the number that you need to be sure of when you're
10 looking at retrogression under Section 5.

11 And this is a big part of the important puzzle.
12 Numbers are important, but they're not the final
13 determinant, in Section 5 and Section 2.

14 Your numbers can go down in Section 5 districts as
15 long as the district stays as an effective district and any
16 other protected class population that's coming out of that
17 district is going into another district where they will also
18 be effective for that protected class.

19 So it's not just about the numbers. You need to
20 know that effective level, and that's what the racially
21 polarized voting expert can give you if the number is clear.

22 Section 5 is the same way.

23 There is this bright line that the courts have
24 drawn that you have to be able to get to a majority
25 50 percent plus one of a district.

1 And your racially polarized voting expert doesn't
2 really calculate into that as much anymore at that voting.
3 But just because you don't have to draw a district doesn't
4 mean that you shouldn't draw the district.

5 And your racially polarized voting expert can tell
6 you, well, Latinos can win in this area if they're
7 40 percent of CVAP. If you draw a 40 percent CVAP district,
8 then, okay, they don't have a Section 2 case, but that
9 doesn't mean you shouldn't draw it.

10 That's what you can certainly look at and see does
11 this make sense from a community perspective.

12 And that's where your racially polarized voting
13 expert comes in.

14 That don't draw lines. They don't go in and see
15 where you can get to 50 percent CVAP.

16 That's why we've had this long partnership with
17 Dr. Handley, and we work together so well, is because that
18 is your technical consultant's role.

19 And one of the things I want to focus on is it's
20 not enough to know the software. It's not enough to know
21 the laws.

22 In this process, this is where Arizona is so
23 different, this is very public. Your decisions are all made
24 in public. The public is participating in every decision.

25 If you get a technician who may know the software

1 better than anyone in the country but can't describe it,
2 can't present it to you, then it's very hard for the public
3 to know what's going to, it's very hard for you to focus on
4 the decisions. You can find yourself spinning your wheels,
5 trying to figure out, well, where did this map change, what
6 are you asking us.

7 This is where our experience -- we've -- I haven't
8 done a complete count, but I think we're very close to
9 100 completed redistricting projects now.

10 We have dealt with this in public. These are all
11 redistricts done in public.

12 And we've gotten very good at using every
13 technology, not just the mapping software, not just
14 Power Point, but the combination them.

15 Let me actually just show you a little demo of
16 this.

17 Switch over.

18 So you've probably at this point all seen what the
19 mapping software looks like.

20 This is a Maptitude map.

21 You know, you can -- very handy. You can zoom in.
22 You can zoom out.

23 But it's fairly artificial.

24 Even when you start getting in and you start
25 getting school districts and street lines, it's still kind

1 of an abstract piece.

2 Very useful.

3 It's also hard to show where changes have been
4 made.

5 And that's where we broke in. And this is
6 actually why the record in 2001 is a Power Point
7 presentations, is we realized it's much more effective to
8 take a shot of this map and put the description next to it
9 of why the lines have changed.

10 Now let me show you what's really changed.

11 Make sure I still have my internet connection
12 live.

13 Now if you want to understand a district, let me
14 show you -- let's look at downtown Phoenix.

15 See if I my internet connection hangs in there.

16 There is Google Earth. This is a free software
17 package.

18 All you need is for your technicians to be
19 experienced at working with it so they know how to put the
20 files up and distribute them so anyone can get to them.

21 But you'll see how you can zoom in similar map,
22 but now you're tying into all those resources out there in
23 Google. If someone wants to put their own geography in,
24 they can get it.

25 Now we're looking at South Phoenix area.

1 We're going to go 3-D.

2 And heading into downtown.

3 So the pink is District 16.

4 You can see as we head into downtown, gives a real
5 sense of what are we looking at in these districts when
6 we're drawing these abstract lines.

7 And going into 14 and in 15 here of the central
8 corridor, friends of Brown & Bain there.

9 Getting up to more central Phoenix.

10 And you can really see -- you may remember last
11 time there was a big debate about Moon Valley and where it
12 related to the hills. If we had been able to do this back
13 then, that debate would have been over in five minutes
14 instead of taking days of debate.

15 This is following the highway up through the
16 hills, into north Phoenix.

17 And you can see there's Google images and maps and
18 data.

19 This gives you a whole different feel for the
20 where the district are and when we're walking through the
21 districts.

22 This is what we do all the time now, because our
23 goal is to make plans presentable to the public and get them
24 engaged.

25 And so this is a great tool, for meetings.

1 I've been to -- I presented this at one conference
2 where there was a bunch of redistricting lawyers, and then I
3 went to a redistricting law conference where one of them who
4 had been there says, yeah, we're not going to get away with
5 nearly what we got away with last time. We can make up
6 stories about communities of interest and no one knew any
7 better.

8 I saw a demo where they zoomed in, and our coastal
9 district they were pulling up Google Earth or Google street
10 view, shots of the cows.

11 Yeah, not so coastal in that part.

12 So this is a new era. We're on the cutting edge
13 of working with all these things, and we look forward to
14 working with you in all of these elements if this goes
15 forward.

16 That's my presentation, but we're happy to answer
17 any questions.

18 CHAIRPERSON MATHIS: Great. Thank you.

19 So we've just been going in a round-robin format,
20 and there's no particular order or anything, and different
21 commissioners will just ask you questions.

22 Would anyone like to start?

23 VICE-CHAIR HERRERA: Actually I started first last
24 time.

25 CHAIRPERSON MATHIS: Are you going to --

1 VICE-CHAIR HERERRA: I yield the floor.

2 CHAIRPERSON MATHIS: Oh, wow.

3 VICE-CHAIR HERERRA: I would like to go second.

4 CHAIRPERSON MATHIS: There are conditions.

5 VICE-CHAIR HERERRA: I'm only kidding.

6 CHAIRPERSON MATHIS: Okay. Anybody else who would
7 like to start?

8 VICE-CHAIR FREEMAN: I'll take
9 Commission Herrera's question.

10 CHAIRPERSON MATHIS: Mr. Freeman.

11 VICE-CHAIR FREEMAN: My question goes,
12 Mr. Johnson, to the public perception of potential bias.

13 And what you probably will hear and have heard
14 before is that NDC has this connection with The Rose
15 Institute, and some people may regard that as having a
16 particular political leaning.

17 Can you address that and any concerns the public
18 might have in that area?

19 DOUG JOHNSON: Sure. Happy to.

20 It's the legacy of the past that just won't die.

21 The very 30 second background is that in 1981
22 there were only two computers in California that could
23 handle redistricting. One was working at the legislature.
24 It was actually California Tech, but it was the legislators'
25 computer. And one was at The Rose Institute.

1 Back then, I don't know if you know the history of
2 it. '81 was an extremely partisan gerrymander. The
3 majority party picked up California three new seats and two
4 more from the other party. It was one of the -- the guy who
5 drew it told the press it was his contribution to modern
6 art.

7 So the people in charge didn't like that The Rose
8 Institute was analyzing these plans and providing the press
9 with an alternative viewpoint.

10 They actually unveiled the plans as individual
11 outlines. Didn't even show which districts were next to
12 each one.

13 They simply said here's the outline of
14 District 14. We don't know the political leaning of it.

15 So they claimed.

16 Of course they did.

17 The Rose Institute took those maps and 24 hours
18 later had analyzed them and released the numbers, and the
19 majority party was not pleased.

20 They actually launched a franchise tax award
21 board, California's version of the Corporation Commission,
22 investigation of Claremont McKenna College to see whether
23 the entire college was a front for the Republican party as a
24 way to try to force The Rose Institute out of its public
25 role in redistricting.

1 The only tax board's investigation that we know of
2 that ended with a letter of apology for ever starting the
3 investigation in the first place.

4 But that said in place, it wasn't that The Rose
5 was necessarily partisan. It's that the majority party --
6 or I should say, it wasn't that Rose was necessarily
7 Republican partisan, but the executive director then was --
8 had been a Republican party official before.

9 So that was understandable.

10 But what really drove it was the desire of the
11 majority party, that happened to be Democrats, but it wasn't
12 really relevant, whichever one would be equally angry,
13 trying to shut down the public debate.

14 And that lead to lots of fireworks.

15 And that really established this view 30 years
16 ago.

17 And it wasn't even really true then, and it's
18 certainly not true now.

19 In 1991, one of the Democratic line drawers in '81
20 actually came over and worked for The Rose Institute, as
21 kind of co-director of our redistricting arm.

22 Currently on the board of The Rose Institute is
23 the retired Democratic speaker of the assembly who ran the
24 state assembly during the 2001 redistricting.

25 This is an old reputation based in history that

1 has, you know, nothing to stand on for over 25 years now.

2 NDC has always been nonpartisan.

3 The founders were registered Republicans.

4 I was a registered Republican. I worked 14 years
5 ago, right out of college, for a member of Congress named
6 Steve Horne, who is a Republican from Long Beach.

7 But all of our work is nonpartisan.

8 We would not survive in this business if we had
9 any partisan leanings.

10 And we've been hired by Republicans groups,
11 Democratic groups, everyone.

12 You know, we have recommendations. One of the
13 things I'm proudest of is that we've recently been a through
14 a couple of situations where there was threatened voting
15 rights lawsuits where we were brought in to help the
16 jurisdiction through the process.

17 In both Visalia and Madera, both the jurisdictions
18 offered a reference for us, and the people who were the
19 plaintiffs threatened to sue have offered to be references
20 for NDC.

21 All sides recognize that we come in with a
22 professional, unbiased expertise.

23 We're not here to share our thoughts. We're here
24 to get the job done and guide you to the conclusions that
25 you want to reach.

1 So people can accuse us of anything.

2 It is a highly politically charged realm.

3 They can say we're Republican operatives. They
4 can say we're aliens.

5 It's hard to rebut.

6 But, I mean, if you look -- plus if you look at
7 the team we have here, before you today, Dr. Bruce Cain was
8 the assembly technician fighting The Rose Institute in 1981
9 for the Democrats.

10 The big controversy in California was that the
11 line drawer they hired was too close to Bruce Cain and that
12 he had Democratic bias, so, you know, I was actually a
13 little worried about concerns here. Thankfully it hasn't
14 arisen because Dr. Cain, like The Rose Institute, since the
15 mid '80s has been an academic and is not working for one
16 party or the other.

17 Nor am I.

18 So it's hard to rebut rumors and innuendo when
19 they don't have anything behind them.

20 But, again, I guess the fact that I come back to
21 again and again in Arizona is the Commission plan NDC drew
22 at the Commission's direction.

23 The plan that the plaintiffs wanted implemented
24 NDC drew at the Commission's direction.

25 We drew both plans.

1 And the congressional plan in Arizona passed 5-0.
2 It was unanimous.

3 The legislative plan passed 4-1. And it was
4 bipartisan.

5 And, again, we work at your direction. We listen
6 to you.

7 We advise you on the Voting Rights Act. We advise
8 you on competitive measures. But the decisions are all
9 yours.

10 When I tell people what we go through in public
11 redistricting, the technicians that do internal
12 redistricting are amazed.

13 When we provide census block lists of the changes
14 we made in a given test, people say why on Earth would you
15 do that?

16 We say transparency, so that everyone knows
17 exactly what has moved.

18 There's no hide the ball.

19 We don't show you changes made up here and we
20 secretly made a change down below. You will see everything,
21 and get block lists of everything, and we'll generate them,
22 and they'll be in the public before the meetings happen, so
23 the public can check everything.

24 So even if we did have bias, which we don't,
25 everything is transparent, and you will see it all, and the

1 all decisions will be yours.

2 VICE-CHAIR FREEMAN: Thank you.

3 CHAIRPERSON MATHIS: Questions from other
4 commissioners?

5 VICE-CHAIR HERRERA: I do have a couple questions
6 follow up to the commissioner, just regarding the perceived
7 bias.

8 Did NDC ever -- were they ever subsidized by any
9 other organization including The Rose Institute?

10 DOUG JOHNSON: No. No.

11 We actually have worked very hard.

12 The history there, The Rose Institute existed
13 before NDC.

14 When everything happened in '81, the college kind
15 of said, could you guys do the redistricting contracts
16 outside?

17 Like when we first did Phoenix, the original
18 districts of Phoenix, that contract was with The Rose
19 Institute. It wasn't NDC. Same people, but -- and so the
20 college asked us to separate the contract work out, and
21 that's where NDC's redistricting work really took off and
22 The Rose took to research.

23 So we hire people who work at The Rose Institute
24 to work for us, but there's no -- we actually pay The Rose
25 Institute both donations to nonprofit, because we benefit

1 from what they're doing, and we pay them if we use their
2 computers or plotters or anything like that. But there's no
3 resources at all coming the other way.

4 VICE-CHAIR HERRERA: Not ever since NDC started.

5 DOUG JOHNSON: Right.

6 VICE-CHAIR HERRERA: Okay. Now, are you still
7 affiliated with the Rose Institute?

8 DOUG JOHNSON: Yes, I'm a fellow at the Rose
9 Institute.

10 VICE-CHAIR HERERRA: What do you do?

11 DOUG JOHNSON: I'm their -- well, we have -- we
12 set three, now two fellows.

13 I'm the redistricting and elections expert there.
14 So I lead academic research projects, study projects.

15 We just did a project for the City of Glendale,
16 because their city council elections were -- as precinct by
17 precinct election results came in, we used our online GIS
18 expertise to put those precinct results live on the web.

19 So we do a lot of kind of those academic projects.

20 And then I do a lot of press. I do a lot of
21 media, a lot of research that informs the public and the
22 press discussion.

23 And then I help -- when I help people write
24 redistricting issues, like Prop 11, Prop 20, and efforts in
25 Utah and New York, that's done in The Rose Institute because

1 that's more of a research academic side.

2 VICE-CHAIR HERERRA: Just to follow up.

3 How often do you work with The Rose Institute? It
4 seems to me you work for NDC, you're really busy, but then
5 you have this other gig.

6 Could you explain that to me?

7 DOUG JOHNSON: Not very much these days, because
8 this is a busy time for NDC.

9 Typically it's maybe a day a week out there.

10 But it's all -- the Claremont McKenna College,
11 which is the parent of The Rose Institute, is very
12 entrepreneurial, and my work at Rose is driven by if there's
13 work to be done.

14 You know, I'm not salaried. I get paid by the
15 project.

16 So when there's projects to be done, I'm there.
17 And when there isn't, there isn't.

18 Obviously with everything that's going on right
19 now, I'm not doing much at The Rose.

20 VICE-CHAIR HERRERA: When was the last time you
21 did a project for The Rose?

22 DOUG JOHNSON: Oh, we did a little 24-hour one
23 about two weeks ago.

24 There was a community group that wanted to draw a
25 plan to submit to the California Redistricting Commission.

1 And they didn't have the computers or the
2 resources, so they came to the Institute and said, will you
3 help us to draw a plan that they wanted.

4 And they gave us the map, and we put together the
5 package for them.

6 VICE-CHAIR HERRERA: The reason I ask, I meant --
7 The Rose Institute also has a Facebook account. And it
8 seems like a lot of the comments tend to be leaning to the
9 right. This is just my opinion. And you're featured pretty
10 prominently in the blog. Everything other post I read has
11 your name on there.

12 So I just want to talk about the perceived bias,
13 because people will look at that.

14 I saw that, and I read -- not only today, but I
15 read it before. If I was someone coming in completely
16 unaware of The Rose Institute and I was reading the blog, I
17 would consider them, based on the comments from the public,
18 which they can't help, that they're mostly conservatives
19 according to -- this is my opinion.

20 How would you address the perceived bias?

21 DOUG JOHNSON: Well, could you give me an example
22 of a post that you thought had Republican bias?

23 VICE-CHAIR HERRERA: There was -- talking about
24 getting rid of 17th Amendment --

25 DOUG JOHNSON: No, we don't have any posts on the

1 17th Amendment. Are you talking about --

2 VICE-CHAIR HERRERA: No, no, not you, the public
3 comment.

4 DOUG JOHNSON: Well, there's nothing I can do
5 about the public comment -- the public has nothing to do
6 with it.

7 The reason I'm so surprised and asking you for an
8 example is that of the eight students who write all of our
9 twitter messages and blog posts, seven of them are
10 Democrats.

11 And I think the eighth -- I'm not sure if the
12 eighth is Independent or Republican.

13 So that's why I ask.

14 And I am glad to hear you say that.

15 Yeah, there's no Republican bias in The Rose. If
16 there's anything in our blog, it's the other way.

17 VICE-CHAIR HERRERA: You do understand that
18 there's that perception. This isn't --

19 DOUG JOHNSON: Yeah, there are people who were
20 involved in '81 who still show up every time we do anything,
21 and they're still bitter about being exposed in '81, and
22 they will say anything.

23 But that's why I always ask, do you have any
24 specifics, is there any citation to us ever showing any bias
25 anywhere.

1 We just sent -- I guess I should say, the other
2 thing I did as Rose Institute, yesterday I put The Rose
3 Institute's name on a letter to the California Commission
4 asking them to focus more on the Voting Rights Act.

5 And the letter was actually organized by Common
6 Cause. The other signers were the League of Women Voters,
7 MALDF, MALEO, the association AARP, retired folks, the Asian
8 American Coalition.

9 So, not exactly your right wing bogeyman.

10 VICE-CHAIR HERRERA: Sure. I appreciate that.

11 DOUG JOHNSON: I don't deny that people are
12 running around saying these things.

13 The thing I point back to is look at the facts and
14 make sure they're not just bitter about 1981.

15 VICE-CHAIR HERRERA: By the way, let me clarify.
16 I don't think you're an alien.

17 DOUG JOHNSON: Thank you.

18 CHAIRPERSON MATHIS: Questions from other
19 commissioners?

20 COMMISSIONER McNULTY: Madam Chair, I have a
21 follow-up question.

22 When you applied to do the California districting,
23 you actually applied under The Rose Institute flag rather
24 than under the NDC flag. So I was curious to hear your
25 comment that you're not affiliated with them now.

1 Can you explain how you make the decision which
2 flag to use in making your application?

3 DOUG JOHNSON: Yes, that was the one exception.

4 What happened there is I'm not director of
5 Institute. I'm a fellow.

6 And we talked about it. And the board of the
7 Institute and the director, given that The Rose has been
8 doing California redistricting work since 1973 and had
9 pushed for reform many times, they felt that that should be
10 an exception to the rule and that we should pitch California
11 as The Rose Institute since we had a long history of being
12 involved in reform efforts in California.

13 So this actually had to go up to the college
14 president to make that decision, and that was the way that
15 they decided to go.

16 But that's the only redistricting pitch that
17 The Rose Institute has made since I think the '80s.

18 But you're right. That was an exception, and it
19 was an exception done because of the long history of
20 The Rose involved in trying to push for reform, so they want
21 to be part of the new reform.

22 COMMISSIONER McNULTY: That was redistricting
23 reform?

24 DOUG JOHNSON: Yes.

25 COMMISSIONER McNULTY: In our RFP, we requested

1 that we get disclosure of anyone that had donated to the
2 offeree.

3 So I would understand in your case you have made
4 disclosure about all of the funding sources for NDC.

5 DOUG JOHNSON: Yes.

6 COMMISSIONER McNULTY: As opposed to The Rose
7 Institute.

8 DOUG JOHNSON: Well, this came up in California.
9 The Rose Institute isn't a real entity.

10 The Rose Institute is a research institute within
11 Claremont McKenna College.

12 And this is why the California Commission didn't
13 go with Rose, is that they decided they needed to know every
14 donor to the Claremont McKenna College.

15 COMMISSIONER McNULTY: And there are no specific
16 donors to The Rose Institute? If there were, they aren't
17 disclosed in our application because our applicant is NDC.

18 DOUG JOHNSON: Right. The Rose Institute has
19 nothing to do with this proposal and will have nothing to do
20 with this work.

21 CHAIRPERSON MATHIS: Other questions from
22 commissioners?

23 COMMISSIONER STERTZ: Madam Chair?

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: By the way, good morning.

1 Or are we into the afternoon?

2 Could you provide the Commission with your number
3 of successful Department of Justice preclearance
4 applications as they would pertain to state redistricting
5 applications?

6 DOUG JOHNSON: Well, the Arizona initial
7 application 2001 to the legislative map is the only plan
8 we've ever done that didn't get preclearance out of 50 or 60
9 of our projects that have gone through.

10 So none of our local clients has ever been denied
11 preclearance, and none of our local clients has ever been
12 challenged.

13 Nor have any of our other earlier state projects.
14 That's the only one.

15 COMMISSIONER STERTZ: So of complete statewide
16 applications that have been made for preclearance, how many
17 of those for -- or for DOJ approval, how many of those --
18 how many states have you done?

19 DOUG JOHNSON: Oh, Mississippi, Washington.
20 Those are before.

21 I don't know if those are both congressional and
22 legislative. Those were before I was working for NDC.

23 They went through Florida. We were community of
24 interest consultants then. We weren't drawing the plans,
25 but the state, city, those plans were cleared, the Arizona

1 congressional plan was cleared, and the second Arizona
2 legislative plan was cleared.

3 And the preclearance process is one of the few
4 areas where there's really no difference between a state and
5 local government.

6 There are lots of differences in the process and
7 in the line drawing, but in preclearance it's the same,
8 regardless of what type of entity you are.

9 And we've got scores of successful preclearance
10 filing at the local level.

11 COMMISSIONER STERTZ: At the local level you're
12 talking about local municipalities as well as counties?

13 DOUG JOHNSON: Yes.

14 COMMISSIONER STERTZ: So in that process of local
15 municipalities and counties, how many preclearance processes
16 have you gone through successfully?

17 DOUG JOHNSON: I would say it's probably somewhere
18 between 40 and 60.

19 I haven't compiled a list.

20 And not only have we gone through preclearance
21 successfully, none of them have ever been challenged
22 legally.

23 VICE-CHAIR HERRERA: Clarification.

24 How many states have to go through preclearance?

25 DOUG JOHNSON: I think it was a handful. Maybe

1 20.

2 VICE-CHAIR HERRERA: Okay. And have you done work
3 with all 20, or some of them?

4 DOUG JOHNSON: No.

5 VICE-CHAIR HERERRA: Which ones, out of the 20,
6 which ones require clearance from the Department of Justice?

7 DOUG JOHNSON: That we worked with?

8 VICE-CHAIR HERERRA: That you --

9 DOUG JOHNSON: Oh, actually, I mentioned
10 Washington because it's the state we worked with. They
11 wouldn't have gone through preclearance.

12 VICE-CHAIR HERERRA: Good point.

13 DOUG JOHNSON: But Mississippi, Florida, Arizona.

14 VICE-CHAIR HERRERA: So three.

15 DOUG JOHNSON: Yeah.

16 VICE-CHAIR HERERRA: And how many cleared on the
17 first try?

18 DOUG JOHNSON: All except for the legislative
19 plan.

20 VICE-CHAIR HERERRA: Just give me a number. Is it
21 three out of -- one out of three, or two out of three? I'm
22 not understanding.

23 DOUG JOHNSON: Well, there were three filings for
24 Arizona. There was two rounds of legislative and
25 congressional, and two of those helped clear.

1 Mississippi I didn't work on. It was before I was
2 with NDC.

3 VICE-CHAIR HERRERA: Did it clear?

4 DOUG JOHNSON: Yes.

5 VICE-CHAIR HERERRA: On the first try?

6 DOUG JOHNSON: Yes.

7 VICE-CHAIR HERERRA: Okay.

8 DOUG JOHNSON: In Florida the state senate and
9 congressional plans that we were not drawing lines for, but
10 advisers to, both precleared on the first try. So that
11 would be six.

12 VICE-CHAIR HERERRA: Okay. Thank you.

13 DOUG JOHNSON: And if there is questions, I would
14 be happy to talk about, we knew that preclearance here was
15 going to fail.

16 That was a result of some decisions that the
17 Commission made.

18 So if there is question about that, I'm happy to
19 address that.

20 VICE-CHAIR HERRERA: Please explain that to me.

21 DOUG JOHNSON: I've got some quotes for you I want
22 to go to.

23 But the facts on the ground of that were the
24 preclearance numbers for Arizona Latino legislative
25 districts were really high. And the Latino community, the,

1 what do you call it, the Coalition for Fair Redistricting I
2 think it was, they came to the Commission in open meetings
3 and asked for the Commission to spread the Latinos out.
4 They wanted more influence in more districts even though
5 they knew that that would not meet the DOJ's strict
6 retrogression standards.

7 And this was discussed a lot.

8 The lawyers weighed in. The racially polarized
9 voting expert weighed in.

10 We weighed in and said, you're going to be short
11 of your numbers. But if you go with Latino support, if the
12 Latino group endorses it, then, like I said, numbers are not
13 the whole case here.

14 And they would have gotten preclearance.

15 And I have the quotes for you.

16 What happened -- so, in October when the
17 Commission was essentially signing off on their plans, this
18 was the plan that took their final shape, Mr. Solarez and
19 Mr. Kaiser, who were both spokesmen for the Minority
20 Coalition, came in and talked about this.

21 And this is right out of the transcript of our
22 meeting.

23 Mr. Solarez said, you know, thank you for paying
24 attention to the needs to minorities, even though they
25 talked before you were put on the Commission, that's when

1 the group was upset there were no Latinos on the Commission,
2 that you guys performed up to par, respect has to be shown,
3 you respected the state of Arizona.

4 Mr. Kaiser came in and said, we wish to thank you
5 very much. We wish we achieved a more compact district, but
6 we have nine districts, nine that Latinos considered their
7 effective districts, you lived up to your end of the
8 bargain, we'll live up to our end.

9 That was the agreement that he knew they had to
10 show up.

11 What then happened is between October 14th and
12 final adoption on November 9th, the Coalition came in and
13 they wanted a change made, a last minute change made down in
14 San Manuel in Pinal County.

15 And the Commission didn't really discuss why.

16 But we ran the test. We showed them the test.
17 Part of what it would have done was eliminate a competitive
18 district, and it would not have increased the numbers of
19 that district.

20 But the Coalition wanted the change made.

21 The Commission, for reasons that I still don't
22 know, decided not to make the change.

23 And the Minority Coalition was upset.

24 They then changed their position.

25 And the Commission was hoping that they would

1 still endorse the plan because all the Phoenix districts
2 were the same, all the Tucson districts were the same,
3 everything in Pinal was the same except for that one
4 neighborhood in San Manuel.

5 So they went hoping that the Coalition would
6 support it, knowing if they didn't have Coalition support it
7 would fail, over that dispute apparently. I don't know if
8 that's the Minority Coalition, and they flipped.

9 And actually Mr. Kaiser, who had said, you lived
10 up to your end of the bargain, we'll live up to ours, was
11 actually the author of the letter from the Coalition asking
12 for DOJ to deny preclearance.

13 And as we had said all along, if they didn't have
14 the Coalition's backing for not meeting those numbers, they
15 were going to lose preclearance.

16 It was a conscious choice.

17 It was discussed in public. And the goal was
18 entirely noble of meeting the wishes of the community of
19 interest, in this case the Latinos, to have more districts
20 where they could elect their candidates or have a major say.

21 I can't speak as to why the Commission didn't make
22 the San Manuel changes. I'm guessing because they didn't
23 want to lose one of their competitive districts.

24 It was eventually lost because of the public
25 objection.

1 But I do want to note that this was a preclearance
2 that we knew would fail if the Coalition didn't endorse it.
3 That was our advice to the Commission.

4 The Commission was fully aware of it. The
5 Coalition was fully aware of it.

6 So that's what your consultant can do.

7 We can't tell you don't adopt this plan.

8 We can tell you this plan will have these
9 challenges before it. It's up to you to decide whether or
10 not to do it.

11 And that's exactly what we did in 2001. And
12 that's why preclearance failed, because the Coalition
13 changed its position.

14 VICE-CHAIR HERRERA: Thank you.

15 May I ask two follow-up questions real quick?

16 CHAIRPERSON MATHIS: Sure.

17 VICE-CHAIR HERERRA: Were you approached by any
18 other Latino groups that disagreed with what this Coalition
19 was asking, that you're aware of?

20 DOUG JOHNSON: No.

21 VICE-CHAIR HERERRA: Any Latino group you spoke to
22 wanted to be dispersed as into as many districts as
23 possible.

24 DOUG JOHNSON: No, it wasn't dispersed into as
25 many districts as possible.

1 They knew that -- the districts -- the district we
2 were focusing on they knew they could win. That's why they
3 felt confident in.

4 What they said is that they were packed.

5 Essentially to meet Section 5, their position was
6 that you're violating Section 2.

7 There was no need for the district -- I don't know
8 the exact numbers offhand, but there was no need for the
9 districts to be 80 percent. They wanted them to be drawn
10 65 percent because then they could win them, in their view.

11 So it wasn't they wanted to be dispersed. They
12 wanted more 50 percent districts, or whatever the exact
13 numbers were.

14 That was their position.

15 And if you look at the list of prominent Arizona
16 Latino leaders, they were all in that Coalition, that I know
17 of.

18 And, as I said, they had a dispute with the
19 commissioners, they disagreed later on, and that's why they
20 changed their viewpoint.

21 It wasn't a secret.

22 But we knew, we knew that without their support
23 that plan was going down.

24 VICE-CHAIR HERERRA: My last follow-up question.

25 Did you go on record as saying that the map they

1 were submitting was not going to precleared?

2 DOUG JOHNSON: We certainly told them that. I
3 don't know if I told them that in public or in private.

4 The racially polarized voting expert told them
5 that, that it -- well, not that it was not going to
6 preclear. That it did not meet the retrogression standards
7 and they needed the support of the Latino to make it happen.

8 That was our advice all along is that you're not
9 meeting retrogression standards, but that's okay. This is
10 part of the whole picture.

11 And just last week this happened in Virginia where
12 DOJ precleared a plan that reduced the African American
13 percentage of all the African American seats, because the
14 African American community wanted it.

15 That gave them more say in the districts.

16 That is a perfectly normal part of Section 5.

17 The hitch here was the later on dispute between
18 the Commission and the Coalition that undermined everything
19 that had gone on up to that point.

20 So, yes, we did advise them of that.

21 Even more importantly, the lawyers and racially
22 polarized voting expert advised them they were not going to
23 meet the retrogression numbers of those districts. They had
24 to have community support in order to get preclearance. And
25 as a result of later action, later developments, they lost

1 the support that they had had when it was adopted.

2 VICE-CHAIR HERRERA: Thank you.

3 CHAIRPERSON MATHIS: Questions for other
4 commissioners -- from other commissioners?

5 DOUG JOHNSON: If I may, Madam Chair.

6 CHAIRPERSON MATHIS: Yes.

7 DOUG JOHNSON: One point I need to reinforce, the
8 lesson on this, again, is we don't tell you adopt this or
9 don't adopt this. We tell you here's the plan and the risk.
10 It illustrates it's the Commission's decision which way to
11 go.

12 CHAIRPERSON MATHIS: I have a question.

13 What did you say Independents are called in
14 California?

15 DOUG JOHNSON: Decline to state. Means decline to
16 state a party preference, DTS.

17 CHAIRPERSON MATHIS: Okay. Yeah.

18 DOUG JOHNSON: It's actually -- it's classic
19 California. There's an American Independent Party in
20 California, which is the biggest third party because
21 everyone thinks it's Independent. It's actually the residue
22 of George Wallace's Segregationists Party from the 1950s.

23 So, they chose a very good name, and California
24 hasn't figured out to clarify.

25 CHAIRPERSON MATHIS: Thanks for that history.

1 As the sole Independent on the Commission, I'm
2 curious to know what work you've done for or with
3 Independents.

4 DOUG JOHNSON: Well, all of our work on reform
5 issues and writing Prop 11 and writing Prop 20 has had a
6 group -- they changed the name a couple times, but it's like
7 American Independents or something like that. It's a
8 national group trying to mobilize respect for
9 non-Republican, non-Democratic party registrants.

10 So we've partnered with them in writing reform
11 efforts everywhere.

12 It is an issue in that Independents are not a
13 geographically concentrated population, thus you can't draw
14 districts around Independents.

15 So in redistricting, you know, it comes back to
16 communities.

17 And really where I think the voice of Independents
18 is best heard is in districts that focus on communities and
19 neighborhoods. That's really the goal, not focusing on one
20 party versus the other party, but focusing on where
21 Independents are, focus on their communities and their local
22 issues and the local issues that drive each community.

23 CHAIRPERSON MATHIS: Have you worked with any
24 Independent clients, just out of curiosity?

25 DOUG JOHNSON: Yes, we've done work for -- they're

1 not registered Independent, like Independent parties,
2 because we don't work for parties.

3 But, you know, we worked for local groups. We
4 just did -- I just did a project for a Fremont -- a City of
5 Fremont group that the planning commissioner, some other
6 local activists, who wanted to get -- split the Fremont out
7 of the California draft map, so we drew a map for them.

8 All of our local government work arguably is --
9 it's nonpartisan.

10 Some of them are registered. Some of them are
11 not.

12 But many of them are, at the local level, are
13 nonpartisan.

14 CHAIRPERSON MATHIS: Thank you.

15 DOUG JOHNSON: There just aren't that many
16 Independent entities in the redistricting realm.

17 CHAIRPERSON MATHIS: Some day.

18 DOUG JOHNSON: Yes.

19 CHAIRPERSON MATHIS: Any other questions for
20 Mr. Johnson?

21 COMMISSIONER McNULTY: Mr. Johnson, as I picture
22 Arizona right now, I see a lot of geographic features,
23 streets, cities, mountains, canyons, rivers.

24 Pretty quick, I need to have a picture in my head
25 of the census data and the voting behavior of the people of

1 Arizona. That's the picture that needs to come up in my
2 head.

3 And I would ask you how you're going to get us
4 there.

5 I would also as a follow-up note that in your
6 proposal you have offered or suggested that we use Maptitude
7 GIS rather than Maptitude for Redistricting, and I'd be
8 curious to hear your thoughts about that.

9 DOUG JOHNSON: Okay. So two different questions
10 there.

11 In terms of getting up to speed, I don't know if
12 you've seen the press releases that we did when the census
13 came out, but we sent out press releases to the papers of
14 which districts are balanced and which districts are out of
15 balance.

16 So we've already got some of that prepared. It's
17 going out to press. You may have seen the pictures in the
18 newspapers showing those maps.

19 If you did, you probably remember it because it's
20 very interesting.

21 Phoenix actually has a lot of underpopulated
22 districts.

23 Everyone talks when the growth of Maricopa County,
24 and there is, but it's all in the Valley, in the East and
25 West Valleys. Phoenix actually has some underpopulated

1 seats.

2 So we've got those numbers by district already.
3 We put those out months ago.

4 And obviously we've got -- you know, all the
5 technology is ready to go.

6 We've already run the American Community Survey
7 and sent the special tabulation data on CVAP, which is for
8 the whole state, because we had to run it for all of our
9 local clients, so we just did the whole state.

10 We're ready to hit the ground running with data
11 tomorrow.

12 One of the things that the last Commission did,
13 and this was a silver lining of the lawsuit going on for so
14 long, is they always had to be ready to redraw if the court
15 told them to. So we built the election databases from 2004,
16 2006, 2008, and they handed it off to the legislature who
17 had us build a 2010 primary -- legislative primary and
18 general election databases.

19 So that data is already all available at the
20 precinct level through 2008. It's available in the old
21 blocks. We just need to translate it to the new blocks, and
22 get -- the one piece that isn't in there, that you need, is
23 the voter registration files.

24 So we were actually working with the Secretary of
25 State to get that data for 2010 so we could run the surname

1 list. So the other piece in here you want is how many
2 Hispanic surname voters are there in each district.

3 So the Secretary of State has compiled that, the
4 database of all the voters in the state. I think they
5 geocoded it, but that's when this Commission came into
6 being, and so the Secretary of State had to hold off giving
7 that to us until -- (inaudible).

8 So we are -- we already built the election results
9 databases.

10 The last piece that needs to be built is the
11 registration data, and we've been coordinating with the
12 Secretary of State.

13 Unfortunately it took too long, so they didn't get
14 it to us before the new Commission came into being. It
15 would have been simpler.

16 So that they have it. They've archived it for us,
17 or for whoever your consultant is.

18 And we've done that work.

19 So we're ready to hit the ground running
20 instantly.

21 The Maptitude GIS versus Maptitude for
22 Redistricting has two elements to it.

23 One is simply cost. Maptitude for Redistricting
24 costs about 7 or \$8,000 a copy and Maptitude GIS costs about
25 \$400 a copy.

1 Maptitude GIS can do -- it has all of the data.
2 It has all of the viewing capabilities to look at maps and
3 analyze where things are and answer questions.

4 The only thing it lacks is the tools to draw lines
5 and there's -- from my perspective as your technical
6 consultant, I don't have a problem with that. You know, you
7 can certainly have that software.

8 This was a legal decision last time, and I've seen
9 it in other jurisdictions as well.

10 And it also is a process issue.

11 The lawyers here and in every jurisdiction freak
12 out when the elected officials who are covered by open
13 meetings laws and open records laws have the ability to draw
14 lines, because they're terrified what they are doing in the
15 back room and not saving.

16 So that's a big open meeting legal issue, and I
17 leave that to the lawyers and your new legal team's views on
18 that.

19 On the process side, it becomes very, very
20 difficult for a Commission to work through plans when
21 instead of having plan A, B, and C, they now have
22 Commissioner A's plan versus Commissioner B's plan, and it
23 becomes very personal.

24 And it's one thing to analyze a plan and say, you
25 know, the public gave us this great map, let's look at what

1 we like and dislike, versus, my fellow commissioner, let me
2 tell you what I dislike about your map.

3 That becomes real difficult for the dynamics
4 within the Commission.

5 Some groups do it that way.

6 We've found commissioners who were determined,
7 even whether the Commission as a group doesn't want them to
8 do it, it's the only tool available, they go in, click
9 submit, and, boom, their plan is in.

10 But from our perspectives your consultant is
11 giving ideas and options. That is something to consider.

12 We're happy to work with you if you do want
13 Redistricting on your computers and want to draw them and
14 give them to us yourselves.

15 But we do want to leave it out there. It's both
16 an open meeting issue for your attorneys to address and
17 manage, and if you do do it they have to manage all that,
18 and it's a process issue of do you want to be discussing
19 plans that have your fellow commissioners' names on them and
20 how we would handle that.

21 Which you certainly can, but it is a level of
22 complexity added to this.

23 So our suggestion generally is to not do that.

24 One thing we saw in Arizona, if the commissioners
25 ask for a map in a public meeting, someone walked in that

1 with map the next day.

2 You know, there was no -- you could both direct us
3 obviously as your consultants. We'll draw whatever you want
4 and turn it around very fast.

5 But even in the meetings there would -- you know,
6 they would throw it out, well, we'd really like someone to
7 revise the Flagstaff plan to fix, you know, the Tohono
8 O'odham piece, just to make something up.

9 And that plan would come in follow, often from
10 more than one source the next day.

11 It doesn't preclude your ability to get what you
12 want. It's simply a process question.

13 Our advice, our suggestion is to consider those
14 factors. We'll work with you whichever way you decide to
15 go.

16 COMMISSIONER McNULTY: As a follow-up question,
17 you've talked about the fact that things have changed a lot
18 in ten years.

19 Everybody in the state has the capability to draw
20 maps now and will be working online with map drawing tools.

21 DOUG JOHNSON: Uh-hmm.

22 COMMISSIONER McNULTY: We will be not necessarily
23 drawing our own maps, but we might be using the ability to
24 do that to look at what-ifs and how various changes might
25 affect the data.

1 So my question for you is, I envision in this
2 process a lot of what-ifs, and I envision it happening in a
3 public setting in a room like this, where we're all
4 what-if'ing, and we're directing our consultant to what if,
5 and we're having people lined up at a microphone asking what
6 if, and looking at options on a screen.

7 And I'd like you to talk about how you see the
8 day-to-day process of this working.

9 DOUG JOHNSON: Okay.

10 I think you're definitely right about exactly how
11 this will go.

12 There are two pieces to this.

13 One is that we'll be able to pull up numbers and
14 show how many people are in different areas and look at if
15 we're trading this area for this area, are there similar
16 numbers or are they way off.

17 That is all easy. We can do that live in a
18 meeting.

19 We can do smaller changes live in a meeting.

20 Certainly, you know, okay, we've cut through this
21 neighborhood, can we unite the neighborhood, and what's the
22 deviation that results from that. That kind of stuff is
23 live in the meeting.

24 The one caution, there are some consultants that
25 are -- they want to do all the line drawing in the meeting.

1 We have done that. We've worked on projects that
2 have worked that way. But we usually advise against that,
3 because the big picture issues, if you're drawing it live in
4 the meeting, you're only going to look at one approach.

5 People go down a road, and they either decide,
6 yes, we like it, or, yes, we don't -- or, no, we don't.

7 There's not the time to sit back and have three
8 different line drawers saying, well, okay, if we want to put
9 Chandler with the East Valley, what does that do to the
10 other 28 districts, versus putting Chandler with Tempe.

11 Those are big picture things, and you have to take
12 time, and you have to look at them from different
13 perspectives.

14 You know, obviously that decision is going to
15 impact everything from the map.

16 And so, okay, what if we put Chandler with Tempe
17 and over here you put Avondale with Pinal versus Avondale
18 with Phoenix.

19 Looking at all of that takes time. It takes
20 hours.

21 And I don't know if you want to spend hours of
22 public meeting time checking those things.

23 The other piece to it, too, with the big picture
24 issues, is that there are checks built into the software to
25 make sure that no census blocks got missed.

1 You know, visually you can easily miss census
2 blocks, and so there are checks that run, there's integrity
3 changes that run in every plan.

4 Those can -- some of them are quick. They take
5 five minutes. Some of them take an hour or two to run.

6 And so that's where it's -- you know, that's why
7 we work all night, is getting these things run to report
8 back to you the next day.

9 We can do them in public, but it's not exactly
10 good use of the public's time to sit there and wait for the
11 integrity check to run for 20 minutes.

12 So certainly we can look at 99 percent of what
13 will come up live in the meeting, and we can draw it and
14 tell you what happens.

15 The big challenge is going to be that you're going
16 to get lots of dissimilar comments.

17 You'll have one person asking you for something in
18 the East Valley and one person asking for something in the
19 West Valley.

20 We can look at each one of those, and we'll be
21 able to kind of categorize for you, yeah, these seem to be
22 isolated. We can -- they only impact the two or three
23 districts in question. That's fine.

24 But what if they both then ripple into Phoenix?

25 Do we want to work through one of them, finish

1 that, work through the other one, finish that, and ripple it
2 all the way through live in the meeting, we can. It's going
3 to make your meetings very long.

4 And it is a little limiting in that you'll take
5 one approach, and if you get there, there's something that
6 looks pretty good, you'll stop.

7 Whereas if we were working on it outside, we look
8 at it one way, look at it another way, look at it a third
9 way, and probably come up with something brand-new.

10 One of the key points in the 2001 process where I
11 think we really had a breakthrough with the Commission is
12 that they have been kind of focused on one map, and this is
13 in the draft map development, and kind of focusing very
14 linear.

15 At some point we said, you know, let's take a step
16 back.

17 And we proposed this.

18 And they thought it was a curious idea, but they
19 were game for it.

20 And we came in with eight different maps, all of
21 which took all of their directions and implemented it, but
22 there's a lot of leftover space. I mean, especially when
23 you're doing the draft map where there haven't been specific
24 directions.

25 And suddenly there's kind of an ah-ha moment.

1 Everyone said, oh, now we see the big picture of these
2 different choices.

3 And they went -- and of the eight, four were easy,
4 immediately saying, no, we don't like where that goes.

5 And that really opened up the eyes, and said we're
6 not just focusing on one little change.

7 Maybe putting this precinct with Chandler makes it
8 then possible to move the Salt River Tribe reservation to a
9 different district that before we looked at and hadn't been
10 possible before.

11 So that big picture stuff is really hard to do
12 live, minute by minute, with the public staring and
13 commenting on your stuff.

14 So the little stuff, definitely, without a doubt
15 we'll do it in public and get answers.

16 The big stuff we can do, but there's definitely a
17 value in taking a step back every so often and say let's
18 take a big picture look at this and see as we work to the
19 minute level what might have been possible to improve at the
20 macro level.

21 COMMISSIONER McNULTY: I would just in follow up
22 point out that the -- when the public passed this
23 constitutional amendment, they really wanted this process to
24 be taken out of the back rooms of the legislature and done
25 in the sunshine.

1 DOUG JOHNSON: Uh-hmm.

2 COMMISSIONER McNULTY: And it's going to be
3 important for us that we not have it done in the back room
4 of a consultant's office.

5 So our biggest challenge is going to be on the one
6 hand to do this efficiently but on the other hand to do it
7 publicly.

8 DOUG JOHNSON: I totally agree 100 percent with
9 both the letter and the spirit of what you just said.

10 It's actually curious though.

11 It's more transparent to do it in stages, because
12 as you mentioned there's a lot of people out there with the
13 ability to draw lines on their laptops, and they'll all have
14 access to the redistricting system.

15 What we give after each of these tests is a list
16 of every census block in the plan.

17 Live in the meeting, I'm moving a lot of blocks.
18 We're moving a lot of areas, moving cities and counties.

19 The public can't see block by block what's moving.
20 They'll see the pictures, but they won't notice what we may
21 have touched, what we may have moved.

22 They'll get the idea. They'll look at the big
23 picture. But they won't be able to look back and go in and
24 say, okay, in our neighborhood, this block really matters to
25 us, where did it end up.

1 Because they have GIS capability too. A lot of
2 them.

3 And so by running these tests and distributing
4 these block equivalency files, they're called, they can
5 actually import them, they can spend an hour or two doing
6 their analysis, and come in really prepared to give you
7 detailed feedback, as opposed to trying to desperately track
8 what we're doing on the screen and really kind of winging in
9 a meeting.

10 So there's definitely value to drawing in the
11 room. And certainly we will not do anything in the back
12 room that isn't reported for every census block in the
13 state. Because we won't make decisions. We will offer you
14 options.

15 And that's what it's all about.

16 CHAIRPERSON MATHIS: Questions from other
17 commissioners?

18 VICE-CHAIR HERRERA: Madam Chair, I have three,
19 but I can ask one and then wait.

20 CHAIRPERSON MATHIS: And, Mr. Freeman, I think,
21 you spoke at the same time.

22 VICE-CHAIR FREEMAN: You need to decide.

23 CHAIRPERSON MATHIS: A tie breaker. I'll go with
24 Mr. Freeman.

25 VICE-CHAIR FREEMAN: Mr. Johnson, the issue of our

1 time line has become a matter of concern in some quarters, I
2 think.

3 And in your proposal you have a proposed schedule,
4 and because our dates got shifted back, we have to shift
5 your proposed schedule back, but can you comment on that?

6 What do you foresee? Is it a realistic schedule?
7 Is it -- when do you perceive the end game, the final map
8 approval, when would that occur? Are there parts of that
9 schedule where there's a potential for being bogged down or
10 a potential of gaining time?

11 DOUG JOHNSON: It is tight. It is a tight
12 schedule.

13 There are a couple of opportunities.

14 One is that a lot of your big picture communities
15 of interest haven't changed.

16 The issues between the Navajo and the Hopi have
17 been around for over a hundred years. In the last ten years
18 not that much has changed.

19 The community of interest that is the river, the
20 Colorado River communities has not changed much over the
21 last ten years.

22 Their ties remain in place.

23 So I think in terms of doing 57 public meetings
24 like the last Commission did before prior adoption, they
25 were inventing wheel.

1 You may make very different decisions.

2 I will anticipate that you will. Every Commission
3 would.

4 But a lot of the testimony hasn't changed, and you
5 don't need to go as much to every corner.

6 It would be nice if we could go to every corner of
7 the state, but one place you can get back on track with the
8 schedule and shoot for target dates is by, as we said, we
9 proposed a minimum of six and you probably want to do more
10 than that before getting to your draft plan, but it could be
11 done.

12 The other piece is at the end of this.

13 And you'll hear a lot from the counties and
14 Secretary of State of when you have to get this done. You
15 may already have heard, I don't know.

16 But the last Commission finished November 9th,
17 which would have been late but okay. Except then it took
18 almost, I think, two months to prepare and file a
19 preclearance filing, into January. And by that point the
20 counties were having heart attacks about when they're going
21 to get ready.

22 So one of the reasons for having Ms. Larsen
23 available is she knows what that two months was like and
24 what they went through getting that ready.

25 And instead of just learning on the go as to some

1 degree we were in 2001, now we know what's coming, and we
2 know how to track all this stuff, and we know how to keep
3 track of it, so that -- I won't put words in the legal
4 team's mouth, but hopefully less than two months will be
5 needed for filing.

6 Now, the counties and the Secretary of State will
7 obviously hope that you use that less than two months to
8 take the pressure off of them.

9 I don't remember the whole time line of when
10 different people had to go to court to get filing dates
11 changed, but I think that was later on.

12 But, maybe you don't need to get the map done by
13 November 9th. Maybe you have some flex back there. But
14 there's not much on that back end.

15 So I think you're really looking at needing to do
16 this fairly quickly.

17 We spent six weeks developing the grid last time.

18 There's -- you know, we can do it in 48 hours this
19 time if you want.

20 It was something brand-new before.

21 We came up with all different options on how to do
22 it.

23 Well, now we've got the options listed. You can
24 just choose whichever one you want to do and draw it.

25 So there are places to make up time, but I think

1 that the main impact is going to have to be on your outreach
2 schedule. You know, in terms of just how many days of
3 outreach can you do.

4 Now, there's new technology. There's
5 videoconferencing among remote sites that we did -- we do
6 some of that. I shouldn't say we. It was the staff that
7 did it.

8 But videoconferencing that links different sites
9 so you can have one day of hearings but cover three or four
10 sites is possible, so you could get a lot of input even if
11 you have fewer actually scheduled meeting times.

12 But it's going to be tough.

13 The one thing I do encourage is it's almost a rule
14 of tens. The draft maps or the draft hearings, the
15 pre-draft hearings when nobody is really looking at much of
16 a map other than what the public is trying to filter in,
17 you'll get some interest. Then interest will go up tenfold
18 after your draft plan comes out.

19 Now, once the Commission has issued its draft
20 plan, people who have assumed that things will be okay will
21 suddenly be, like, oh, wait, my city is on the cutting
22 block, and they'll turn out.

23 So you'll get ten times more people at the second
24 round of hearings.

25 So definitely if you're going to have to reduce

1 the number, reduce the first round when they're smaller
2 hearings anyway, and make sure the public has more time on
3 the second round.

4 But there's a lot of choices, and your time line
5 is tight.

6 We could do it. We're actually working -- we have
7 clients with much tighter time frames.

8 So I have no doubt, but there are some tough
9 choices that will have to be made.

10 CHAIRPERSON MATHIS: Thank you.

11 Mr. Herrera.

12 VICE-CHAIR HERRERA: There's seven proposals that
13 were submitted. I read them all.

14 But I had a chance once we narrowed it down to the
15 four to go through them again. And I love looking through
16 stuff and pointing out mistakes, because I do them too, and
17 I want people to tell me that I made a mistake so I can
18 correct it next time.

19 And in your proposal I noticed that -- I have new
20 glasses. It's very possible that I misread something. But
21 the word California, it was in there numerous times when it
22 should have been Arizona.

23 Can you?

24 DOUG JOHNSON: Yes, that's Dr. Handley's piece of
25 it, as I mentioned.

1 Where she had written a proposal. She'd been with
2 us for the California work when we had that.

3 Unfortunately when it came to time to do Arizona's
4 work, she was in remote corners of Liberia, and we had just
5 had the PDF.

6 I had meant to put a note in the compilation of
7 the I think 14 documents. I failed to file that note on it.
8 So that was my fault.

9 The main reason we put it in was the services that
10 she's offering are identical. Racially polarized voting
11 experts do the same thing in every engagement, so we wanted
12 you to have the list of services, but it wasn't possible to
13 get an edited version from her in the time frame that you
14 work on because there's not good internet access in Liberia.

15 VICE-CHAIR HERRERA: In follow-up, when I read it,
16 one of the first things I thought is this is The Rose
17 Institution application to California. They just changed
18 Arizona to -- I used to do that when I was younger. I
19 would, you know, they would give you a paper, and I would
20 change the name of the instructor to Mrs. Johnson.

21 I looked at it that way. Maybe I'm wrong. Can
22 you?

23 DOUG JOHNSON: I know very well.

24 Your questions were sufficiently different that I
25 had to rewrite every word of that proposal.

1 The only piece where that happened is in the
2 subcontractor piece, because, as I said, racially polarized
3 voting, racially polarized voting, that's where the
4 California piece is.

5 Every word of our proposal is new, and you'll see
6 it all on California -- there I go making a mistake there.

7 VICE-CHAIR HERRERA: What did you say?

8 DOUG JOHNSON: I said California at the mic.

9 Actually the audience in particular will recall in
10 2001 Alan Heslop had some mental block, could not say
11 Phoenix. He always said Los Angeles.

12 And it was, really?

13 And I just did it too.

14 Yes. No, every word of that is, from my
15 perspective preparing it, unfortunately fresh, because your
16 questions were different.

17 And the only piece that is standard to all of our
18 proposals is NDC's technical background, our computer
19 capabilities, and our expertise, but that's true of every
20 proposal.

21 VICE-CHAIR HERRERA: Thank you. I have another
22 question.

23 The issue of public input is really important to
24 me. I think that's one of the things that we need to -- and
25 I do take seriously and I think all the commissioners do.

1 How do you propose to take public input? And if
2 you have -- if someone doesn't have access to a map or
3 create their own map, would you be able to help them with
4 that if the public wants? Do you have something set up
5 already? Because I think public input is probably the most
6 part thing.

7 DOUG JOHNSON: Yes. I think -- I totally agree
8 with you. That's why I enjoy this work, is engaging with
9 the public and seeing people care.

10 The best moments of this work for me are, have
11 always been, when we're doing some city and we put out one
12 of these participation kits and the high school teacher
13 gives her students extra credit for filling out a kit, and
14 suddenly we go from 5 or 15 to 40 or 50. And the high
15 school kids come in and they give their speeches about how
16 they make their choices.

17 I mean, that gives me chills talking about it
18 right now.

19 It really is -- that is the goal. Otherwise this
20 is just a technical process, and we could do it in the
21 Secretary of State's office.

22 And so the online redistricting is a phenomenal
23 tool to those who have access to it.

24 Obviously we would encourage distribution of
25 information to every library, to everybody that doesn't have

1 the computer access at home, really reaching out to that.

2 And in the meetings, certainly we will be live
3 with the maps on the screen.

4 When people talk about communities, they may have
5 used the online tool to draw their neighborhood, and come in
6 with that, or submit on it. If not, we'll put it up. We'll
7 highlight the blocks, we'll say, is this your neighborhood,
8 and we'll save that, we'll register it as the community of
9 interest testimony from, you know, Jane Smith.

10 We'll work interactive.

11 We have stayed after meetings where people want to
12 try to -- they come in with a request for a change.

13 And the Commission says, well, where would you
14 draw the line?

15 I don't know.

16 Well, we'll stay after, we'll meet early with
17 them.

18 Went to Glendale, the city of Glendale in 2002.

19 Now Assemblyman Gallardo was very involved,
20 because he was a local community activist. He was borrowing
21 somebody's computer to draw lines, and they cut him off.
22 They told him he wasn't to do it anymore.

23 And so every public meeting we came an hour early,
24 and we would sit down with him and draw where he told us to
25 draw and make those connections.

1 Because that really is -- that's why we do this
2 work.

3 And being able to relate to the public, to
4 understand the public, and as they're talking, being able to
5 make sure that they complete their picture.

6 You know, being able to think about it and know
7 the map in our head and say, when someone says move these
8 people from A to B and these people from B to C to be able
9 to politely and professionally say, okay, we've got two
10 shifts, how do we get a population from C back to A. So we
11 make sure we get their testimony, even elements they haven't
12 thought of, but the Commission needs to know, to implement
13 their plan.

14 So, yes, it will be interactive with the public as
15 they comment. It will be working with them if they want
16 before and after the meeting, and making every possible tool
17 available. Google Earth files, Google Map files, all that
18 stuff, available so that the public can get whatever they
19 want.

20 VICE-CHAIR HERRERA: How do you intend to capture
21 that information for us? I don't think I quite heard that
22 in the answer.

23 DOUG JOHNSON: Two pieces to it. As we're drawing
24 the lines on the maps as they speak, we'll be saving those
25 files, you know, choose a census block, we'll select them

1 and draw them to a new layer that's their community.

2 As we go along, we'll combine those that will have
3 the communities of interest later.

4 The other piece is that we'll work -- one of the
5 new things, we work with the local data, local GIS planning
6 teams, is we'll have draft -- we would suggest putting
7 together draft community of interest definitions, so when
8 someone comes and refers to a neighborhood, we'll say, well,
9 here's the data we got from the City. It's their definition
10 of that neighborhood. Do you agree with that? Or where
11 should we move this line?

12 So, we'll do it in the computers and we'll keep a
13 log of everyone who testifies, every community of interest
14 they mention.

15 Going back to the transcripts, recreating this log
16 last time, we've learned, and now we keep that as we go
17 along.

18 It's not just every direction we get from you.
19 It's also every community of interest that anyone ever
20 mentioned.

21 And that will all be in a log and put on the web
22 so that the people who made the comments can check what we
23 recorded and say either, oh, you misunderstood me here or,
24 oh, I thought about it more and I also want you to add this
25 neighborhood in.

1 We just had that one client where they wanted
2 Japantown and San Jose put together. So we went to the
3 Japantown community group and got a map of their official
4 Japantown drew it.

5 And when we put it up, they came back and said,
6 well, you've got the official Japantown, but here's the
7 community center that really should be a part of that end.

8 So it's interactive with the public. Here's what
9 we reported. Did we get it right.

10 And then getting it into the system as fast as
11 possible so that every map we draw we can kick out a report,
12 which of the communities of interest that you heard about
13 are split in this plan.

14 VICE-CHAIR HERRERA: Okay. I just want you to
15 clarify. If selected, members of the public will be able to
16 access -- for example, if Joe Blow in Phoenix wants to
17 create his own map, he'll be able to go to a URL and easily
18 create his own map, if we were to hire you?

19 DOUG JOHNSON: Well, if you go with the online
20 redistricting tools, yes. That would be the Caliper
21 solution or ESRI solution.

22 VICE-CHAIR HERRERA: Thank you.

23 CHAIRPERSON MATHIS: Questions from other
24 commissioners?

25 VICE-CHAIR FREEMAN: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Freeman.

2 VICE-CHAIR FREEMAN: Mr. Johnson, I read a lot and
3 I hear a lot about what this Commission should be doing or
4 should have done before. And as a lawyer, I'm a litigator,
5 and my ears perk up sometimes when I hear people giving me
6 conclusions that I regard as sort of legal conclusions that
7 I might object to them with my lawyer cap on as an
8 incomplete or inaccurate conclusion of law.

9 And I think there's sort of an interesting
10 intersection between what the mapping consultant does for
11 us, the Commission, and the Commission's legal team.

12 And, you know, could you comment upon that?

13 You said ultimately we call all the shots, but
14 is -- I know you have to have some knowledge of the law
15 obviously, but do you defer then to instructions from legal
16 counsel, to our instruction? How does that work in your
17 mind?

18 DOUG JOHNSON: Oh, yes, on legal decisions we
19 defer to the lawyers, certainly.

20 The legal opinions are extremely rooted in
21 demographic data, so we'll become intimately familiar as we
22 go through this.

23 And part of what we found is that, you know, it
24 becomes a shorthand where we're all talking on the same
25 page, and we're feeding a lot of data, a lot of inputs,

1 running a lot of tests for the legal team as they come to
2 their conclusions.

3 And different legal teams that we work with rely
4 on us more, or less.

5 Some who really know the Voting Rights Act, you
6 know, they just want the data, and they may very well say,
7 hey, can you draw a test that goes here, here, and here and
8 show me what it means.

9 They know what it means.

10 I haven't worked with this team before, so
11 throwing out generalities.

12 But I'm guessing since they made it through your
13 selection process, they're probably in that realm.

14 Other of our local clients are doing this in
15 house, with their in-house counsel. It's hard enough to
16 keep track of water law or education law and they haven't
17 had a lot of time to go over the voting rights law, and so
18 they rely on us much more.

19 So we're happy to share our non-lawyer opinions
20 and non-lawyer ideas, and usually we can point them to where
21 the law is, so that as lawyers are making their decisions
22 about that, but we scale up and down depending on what the
23 legal team wants us to do.

24 On legal advice and legal opinions, that's
25 lawyers, and we're not going to talk.

1 VICE-CHAIR FREEMAN: Thank you.

2 CHAIRPERSON MATHIS: Ms. McNulty.

3 COMMISSIONER McNULTY: Mr. Johnson, I want to give
4 you the opportunity to respond to this, because it was an
5 aspect of your submittal that concerned me quite a bit.

6 It relies very extensively on generalized
7 statements about your experience and far less on detailed
8 methodology.

9 And following up on what Mr. Herrera said, the
10 references to California are not just in Ms. Handley's
11 resume. They are actually in response to question one.

12 There were three appendices you referred to that
13 were omitted.

14 And I think as you're aware there were other
15 omissions.

16 There was a reference to Dr. Lisa Handley that was
17 referred to as Dr. Lisa Hauser.

18 What that says to me is that you're very, very
19 busy.

20 And the question that it leads me to ask is what
21 else do you have going on, do the other folks you're
22 working for also have the impression that you're very busy,
23 and do you have a complete team that can focus pretty
24 exclusively on this for the next six months?

25 DOUG JOHNSON: Yes, that's a very good question,

1 very legitimate concern.

2 All of us in this industry are very busy right
3 now, certainly.

4 This is the year.

5 This is our third time through the year, and so we
6 have planned for that, scaled up for that.

7 Normally in mid decade I have two grad students
8 and two professors that work for me part-time.

9 Right now I have five full-time staff and four
10 professors working part-time for me, because we do know this
11 is our busy time, so we've scaled way up.

12 I also have two more people, two more GIS
13 technicians kind of awaiting this decision. If we get this
14 work, we'll hire them as well.

15 And part of the advantage of the connections to
16 Claremont and the reason we stay connected is that we have
17 all these Rose Institute people. They have 27 students, all
18 of whom are training on redistricting, and know the issue
19 and know the mapping software.

20 So we are better prepared than anyone for this
21 cycle, and we're ready to pick it up.

22 Yes, everyone has a lot of work going on.

23 Where it shows is in the bids, because I have to
24 do those.

25 I'm the president of the company. They got to

1 come from me.

2 And this bid, well, as you know, it was a
3 rollercoaster process of amendments and revisions and
4 amendments and revisions.

5 My apologies for that. I was getting to turn it
6 in, I spotted the Handley Hauser oops, and I was hoping you
7 hadn't noticed that.

8 But, that was a bid thing.

9 Getting bids in is not my specialty. I don't
10 specialize in the government procurement process. I do
11 specialize in getting these projects and terms effectively.

12 So in terms of the step by step, how we get this
13 done, we would have multiple people, at least two, and
14 depending on the agenda for a given meeting, very often
15 probably three of our team at each of your line drawing
16 direction sessions.

17 We'll have someone working the computer, someone
18 taking that log that I talked about of every comment and
19 direction.

20 And very -- in many cases, someone who's live with
21 the computer on the screen and someone else who's kind of
22 checking things and getting ready and anticipating what the
23 next question will be so we can answer them quickly.

24 And the line turn will be intense.

25 And we'll have some people who work on the

1 legislative plan, some people who work on the congressional
2 plan.

3 The reason for that is that you really can't work
4 regionally, especially on the congressional side.

5 Every change to every district impacts the other
6 districts. So when you're talking about it, you have to
7 talk about the whole thing.

8 And that gives you the opportunity to work on the
9 map, and then to switch maps. If you do need -- if you do
10 give some direction, we'll take a couple of hours, or that
11 will take overnight, or that you want to give the public a
12 day to look at and get back to you on their thoughts about
13 it, then you can switch.

14 And our congressional team can work on that and
15 our legislative team can come in and talk to you about the
16 legislative map.

17 So there will be a lot of that interactive, a lot
18 of switching maps.

19 Obviously we need to coordinate these very
20 tightly, because the communities of interest talked about
21 apply to both plans, and that is our responsibility and
22 that's where we're good at that.

23 And that's why we create geographic files for all
24 the communities so that we can carry those around.

25 In the public hearings it will be less intense,

1 more just the public talking, but we will again have someone
2 there on the maps, keeping track, and the record will be
3 created both through their geographic files that they're
4 making and the log that we'll keep of those meetings.

5 So, and really step by step what we see is we get
6 public input. We may do some kind of summary of that input
7 for you, to present to you, here are the things that we
8 think we heard from the public request for maps.

9 Get your review of that list. Did we miss
10 something. Is there something that someone asked for but
11 that you're not interested in seeing.

12 You would actually give us a direction on what to
13 draw. We're not taking direction from the public.

14 As involved as we want to be with them, ultimately
15 you have to give us direction.

16 And then either live right then, or, you know,
17 when we come back to present the results, we would walk
18 through each of those changes and walk through every block
19 that moved as a part of that test and say, here's what you
20 asked us for, here's what might have been an unanticipated
21 impact of that, or how -- here's something we have to
22 balance it, do you want to keep this in kind of our rolling
23 plan or plans, or is it not worth the impact and the impact
24 was worse than the benefit.

25 And these maps will go forward, and the other

1 pieces that will have multiple options going, there will be
2 multiple maps going forward, so you may say, keep this in
3 map one, but don't keep it in map two.

4 And at every point in this we'll be giving you
5 demographics and spreadsheets, telling you what are the
6 demographics of each district, so that you can compare and
7 fill in the regions with what the voting expert has told
8 you, what are the partisan boundaries of each district once
9 located as that data is enters the data set, so that you can
10 look at the competitiveness of it.

11 And I suspect Dr. Cain will give us kind of a
12 formula that involves a lot of different factors to measure
13 competitiveness.

14 And so we will be giving the summary of each
15 district under those formulas.

16 One of the interesting things that I've seen in
17 the debate is there became this impression there's a magic
18 point of the 3.5 percent in the judgment measure. And if
19 you were 3.4, you were competitive. If you were 3.6, you
20 weren't.

21 That may not have been the best approach for
22 competitiveness, and I can assure you Dr. Cain will have
23 some other advice for us.

24 Degrees of competitiveness, we'll look at that.

25 So we'll be getting to those every step of the

1 process, once -- the competitiveness ought to be after the
2 part of the block process, but everything else every step of
3 the way.

4 COMMISSIONER McNULTY: So I'm clear, who is on the
5 congressional team and who is on the legislative team and
6 who is the person who will be at the public hearings?

7 DOUG JOHNSON: Well, in the hearings to some
8 degree it will vary.

9 Obviously as we get started I'll be very involved.
10 As they become more routine, it may be Sara. It may be
11 Justin Levitt who's also here. Especially as different
12 teams are busy, we may have people from the other team
13 covering the public hearings.

14 Justin Levitt leads our GIS team. And so he will
15 be working. We have Helen and Sam and Patrick and Ian. And
16 we have other people that are actually doing the day-to-day
17 work under our direction.

18 COMMISSIONER McNULTY: Are they at The Rose
19 Institute or NDC or both?

20 DOUG JOHNSON: They're all past Rose people. I
21 think one of them is still a current. One of them is an
22 undergrad at the Rose.

23 But, yeah, they come out of Rose, but still
24 they'll all be NDC employees --

25 COMMISSIONER McNULTY: Are they, are they

1 referenced in our RFP?

2 DOUG JOHNSON: No. They are actually team
3 members. This is just the GIS technicians.

4 Everything that they do will be cleared by Justin,
5 me, Dave, and eventually you.

6 COMMISSIONER McNULTY: Okay. I'm sorry I
7 interrupted you.

8 So there's the congressional team and then there's
9 the legislative team.

10 DOUG JOHNSON: Well, those are the people that
11 will break out into the two teams.

12 And it will vary as the workload changes.

13 You know, one thing you saw before, it's actually
14 interesting, the legislative plan is much more complicated
15 to draw than the congressional, because the question is how
16 many lines you have to draw.

17 So there are only nine lines on a congressional
18 map. There are 30 on the legislative map.

19 So, resources will move between them.

20 I guess the reference to the teams would be on a
21 given meeting.

22 And I haven't broken out exactly who will be
23 working on what, because we don't have much -- we don't have
24 any direction yet. We don't know how much work there will
25 be on either side.

1 But I've got a lot of resources. I mean, the key
2 thing is we've got a lot of resources.

3 We've got a pool of 20 we can pull more people
4 from. I'm confident that our team today, we know these are
5 things are flexible, and we can pull a lot of people very
6 quickly.

7 CHAIRPERSON MATHIS: I have a question.

8 Dr. Cain just came up again, and you referred to
9 him earlier in your representation as a legend. And based
10 on his CV it appears he has an amazing track record in this
11 area.

12 I'm just curious if you've worked with him before
13 on past projects and if so can you talk about those.

14 DOUG JOHNSON: Yes, actually here in Arizona, he
15 was the special master brought in by the federal court when
16 the process was briefly under federal court oversight. And
17 he was assigned by the court to work with the Commission --
18 well, to observe the Commission, to evaluate the
19 Commission's work, and to report back to the court on how he
20 thought things were going.

21 And so he did that.

22 I worked with him on that.

23 It was an interesting situation where the court
24 said, no one is to approach him, you only talk to him if he
25 approaches you.

1 That's the role of a special master.

2 So we didn't have a lot of interaction, but when
3 he did, we did interact.

4 We have known each other for years. We're
5 somewhat professional rivals.

6 One of the things you'll benefit from is we have
7 very different perspectives.

8 I've been a long-time advocate of redistricting
9 reform.

10 He's been much more traditional that redistricting
11 doesn't matter that much. So reform might be nice, but it's
12 not going to change the world.

13 We've done editorial boards together where we joke
14 around about, you know, wait, wait, wait, I need to say I
15 agree with Bruce, because I don't get to say it very often.

16 Actually one of the -- he was the big bogeyman in
17 California because they thought the other bidder -- the
18 other bidder was one of his former students, and they were
19 worried they were too close and, thought that he was too
20 Democratic, which is why I was all ready for questions about
21 Democratic bias on our team as well today.

22 So that's why we think we've brought you the best
23 in the business by pairing two people who in most policy
24 debates are rivals, between me and him.

25 CHAIRPERSON MATHIS: Thank you.

1 DOUG JOHNSON: Oh, I should say part of what
2 triggered it is after the California debate he actually
3 e-mailed me saying, I thought you really did well in
4 Arizona, I like what you did in Arizona, if you'd like I'm
5 happy to send you a letter of recommendation to the Arizona
6 Commission when you apply to them.

7 And I replied by saying, thanks, but let's go one
8 more step, let's go in together.

9 That's how we ended up doing this.

10 CHAIRPERSON MATHIS: Thank you.

11 Mr. Herrera.

12 VICE-CHAIR HERRERA: Thank you.

13 What I want to go, go back to
14 Commissioner McNulty's mentioning about some of the mistakes
15 or the omissions on your proposal.

16 You know, reading your proposal, two words didn't
17 come up to me. I didn't think -- it wasn't -- it was not
18 thorough, and I don't think it was thoughtful really.

19 It concerns me, because I look at it, and some of
20 the items that were mentioned, they were huge. There was
21 some other items that were missing, as you probably found
22 out already.

23 But what also concerned me is you said you just
24 noticed it recently, like today.

25 I mean, do you guys not read a proposal, have

1 somebody else read it before you submit it?

2 This is a big deal.

3 When I saw those mistakes, I didn't, I didn't see
4 that NDC was really serious about it, because of those
5 mistakes, those omissions. And I came up to the conclusion,
6 and I could be wrong, that NDC doesn't care about the job or
7 that they did it before, they'll do it again, they'll be
8 selected again.

9 And reassure me that that's not the case.

10 DOUG JOHNSON: Sure. I assure you that none of
11 those impressions are truly held by me.

12 We've been in this for 32 years. We're very well
13 known. I've given lots and lots of speeches. I've given
14 lots and lots of projects.

15 We have -- you asked for three references. We
16 gave you, I think, 15.

17 A proposal is a piece of paper. It's words.

18 It really encompasses our history.

19 And so, yes, the time line was fast. We had to
20 get it ready fast.

21 The piece I just caught today was the typo about
22 Hauser versus Handley.

23 Spell check, we review it, but --

24 VICE-CHAIR HERRERA: Do you admit that there was
25 California written in other places that you had said were

1 not that Ms. McNulty pointed them out?

2 DOUG JOHNSON: Not that I'm aware of. It
3 certainly could be. It's a big proposal. Could be.

4 If you've got it in front of you and you're saying
5 it is, I believe you.

6 But, again, this is the proposal for a firm that
7 is very, very well known.

8 Yes, proposals have to be written fast.

9 These are not corporate proposals. These are not
10 traditional government proposals where you can have ten
11 rounds of reviews and your purchasing department do it.

12 Also the consultants you're talking to are really
13 small shops.

14 And this is a once every ten-year business.

15 We have a fairly unique business model that lets
16 us do it ten years every year.

17 But we're very unusual in that, so that we don't
18 have a purchasing and a bids department that you might think
19 of when you're comparing the corporate proposal.

20 So I guess I would say, yes, there are typos.

21 Are there substantive problems? I think it
22 captures very well our proposal.

23 I think a lot of this is you're talking about the
24 scheduling. You know, we gave you an idea. Obviously the
25 plans have already flipped the map. Really the schedule

1 comes down to us working with you to do that.

2 And you're really hiring us based on our
3 experience and our reputation, not for our game plan.

4 Because you guys are the ones who will make the
5 decision on the game plan.

6 We gave you some ideas, but if 32 years of history
7 doesn't give you a good sense of us, words on paper aren't
8 going to swing you one way or another.

9 VICE-CHAIR HERRERA: I have a follow.

10 You consider yourself a small shop?

11 DOUG JOHNSON: Yes.

12 VICE-CHAIR HERERRA: Did you put down -- I think
13 there's a question in the application that if you have a
14 certain number of employees do you consider yourself a small
15 business or not.

16 How did you answer?

17 DOUG JOHNSON: We answered that that we had not
18 gone through the government paperwork process to qualify as
19 a government authorized small -- what is it, SBE.

20 We're so small we don't have a team to spend the
21 time --

22 VICE-CHAIR HERRERA: So you said no to the answer;
23 correct?

24 DOUG JOHNSON: We put that we're not certified.

25 VICE-CHAIR HERERRA: Did you check the box no?

1 DOUG JOHNSON: Right.

2 But your question here is are we a small business.
3 Yes.

4 The form asks are we a certified small business
5 enterprise. No, because we haven't gone through the
6 certification process.

7 VICE-CHAIR HERERRA: And you also keep referring
8 to the benefit of having going with things you have that
9 connection with Rose Institute. I think you said that more
10 than one. The benefit of that -- their knowledge and all
11 that, all that expertise and the people. Is that --

12 DOUG JOHNSON: I can clarify that.

13 The Rose Institute is a research institute that
14 does a lot of work on redistricting.

15 We -- I know the team. I know the people there,
16 the students and grad students.

17 If we need more people, we can hire them and bring
18 them on the team.

19 It's not an institutional support.

20 It's the fact that we know people who know how the
21 software works and can bring them on.

22 Just as in the proposal it talks about, you know,
23 I'm good friends with Victor Griego, head of Diversified
24 Strategies For Organizing and a Cesar Chavez organizer. And
25 if you want additional resources to help you reach out to

1 the Latino community, I can pick up the phone and he'll be
2 on the jump tomorrow.

3 We have a wide pool of people we can draw from
4 because we've been in this, again, for a long time and we've
5 come across a lot of people.

6 The Rose Institute team is one of the schools we
7 can draw people from.

8 But, again, it would not be any institutional
9 support.

10 This is not a Rose Institute proposal. This is
11 purely NDC.

12 CHAIRPERSON MATHIS: Commissioners, I just want to
13 let everyone know the time. It's 1:39 p.m. And I had it
14 that they were to end around 1:37 p.m. And if I've done
15 math wrong, if anybody knows, let me know, but that's my --
16 it seems fast.

17 COMMISSIONER STERTZ: Madam Chair, unfortunately
18 I've sort of not been able to ask any questions, and I'd
19 like to have the opportunity to do so.

20 CHAIRPERSON MATHIS: Okay.

21 COMMISSIONER STERTZ: I'd like to drill down on a
22 couple things real quick.

23 Well, the implication is that because you put
24 together a sloppy proposal that you're going to be a sloppy
25 consultant.

1 I want you to, I want you to answer that question.

2 VICE-CHAIR HERRERA: I don't think the word sloppy
3 was ever used.

4 COMMISSIONER STERTZ: I'm going to use that as a
5 generalization.

6 I'd just like to have -- I'd just like to hear
7 your answer to that.

8 DOUG JOHNSON: I didn't take any malice or
9 anything from it.

10 COMMISSIONER STERTZ: And I know that with time
11 short I'm being curt, and I apologize for that.

12 DOUG JOHNSON: No, I think the ability to
13 precisely respond to very, very specific government
14 procurement forms is very different than the ability to
15 perform in a public forum in front of an audience, helping
16 the public through this process, and responding to extremely
17 complicated legal demographic and community issues.

18 They're two totally different realms.

19 I admit, I'm not good at filling out forms and
20 breaking -- essentially we have our standard proposal. It
21 gives our local clients -- we think it works very, very
22 well. It's very detailed and very organized.

23 I'm not good at breaking it up to match the
24 individual questions that this bid tried to have us break it
25 out to.

1 I admit that.

2 But when it comes to being in front of the
3 audience, with the public, helping them get engaged in this
4 process, you focus on what are the action items, totally
5 different realms, and that is, I mean, 32 years speaks for
6 itself. That is our specialty.

7 And NCSL has recognized us as the national leaders
8 on public engagement.

9 They have, you'll see it's in my resume and all
10 that.

11 COMMISSIONER STERTZ: So it's clear to me that
12 based on your breath of experience and professional
13 reputation around the United States that the quality of your
14 firm and your deliverable products may not -- would exceed,
15 if I can paraphrase that, that would exceed the quality of
16 the proposal that you put forth.

17 DOUG JOHNSON: To put it mildly.

18 COMMISSIONER STERTZ: Thank you.

19 I've got a couple other questions I want to sort
20 of drill down on.

21 In regards to The Rose Institute, there's been a
22 lot of questions going around about Claremont College, Rose
23 Institute.

24 The people that are coming from Rose Institute, is
25 there any compensation that comes either through Claremont

1 College or The Rose Institute, any of those, that would
2 supplement their income in such a way that it would allow a
3 any preference in how you would be proposing your fee
4 structure to the Commission?

5 DOUG JOHNSON: No, there's no relationship at all.

6 Given that the California version of the
7 Corporation Commission has already been all over the
8 college, the college is much stricter on that than any
9 client could ever be. I mean, there is no mingling of that
10 at all.

11 COMMISSIONER STERTZ: That's fine. Thank you.

12 And in regards to the -- there's been a question
13 earlier regarding the -- you are, you are primarily a
14 California firm; correct?

15 DOUG JOHNSON: We're a California corporation, but
16 our work is fairly evenly between California and Arizona.

17 COMMISSIONER STERTZ: Would you say that because
18 you are primarily a California firm that the travel expense
19 that you'll be incurring would be greater than, equal to, or
20 how would you respond to that in regards to an Arizona firm?

21 DOUG JOHNSON: In the travel expenses would be
22 greater than -- our preferred pricing structure though is
23 actually just a per meeting fee, where we can work with you
24 on time and expenses if you want. But, we actually prefer
25 just to do a per meeting, because it lets us focus on

1 getting the job done and less on filling out forms and
2 paperwork.

3 COMMISSIONER STERTZ: Okay. Thank you.

4 Now if you were -- we've been instructed by the
5 Arizona Elections Board through reference from the counties
6 that October 1st is a target deadline.

7 As you're probably aware.

8 Your proposal shows that you would be
9 submitting to -- assuming that your start date would move a
10 month later than how you proposed it.

11 And I'm going to start off with a first question.

12 Am I correct to assume that your proposal is
13 prepared prior to the delivery of the extension?

14 DOUG JOHNSON: Yes, the first draft of it.

15 COMMISSIONER STERTZ: Thank you.

16 That therefore that tells me the reason why the
17 schedule wasn't adjusted accordingly.

18 And I wish you would have taken the extra week.
19 You probably would have found some of the, some of the
20 errors that you had in doing a subsequent one-week review.

21 In regards to the timetable, do you believe that
22 you'll be able to deliver maps and get your preclearance put
23 together in this calendar year?

24 DOUG JOHNSON: Yes, we can certainly give you
25 options that will give you there.

1 COMMISSIONER STERTZ: Okay. Terrific.

2 And now I'm going to go back to a couple things
3 regarding competitiveness versus communities of interest.

4 Provide me with your opinion as to any situation
5 that you would favor the drawing of a competitive
6 legislative or congressional district that would cause a
7 community of interest to be disrupted.

8 DOUG JOHNSON: We would never prefer any kind of
9 drawing.

10 Our work is to take your preferences and your
11 requests and draw what you request us to draw.

12 So if there is direction from you to try to draw a
13 competitive district in one area, we will often flag, if we
14 can see an advance. This is one thing that we really work
15 hard to do. That it might require splitting up a community
16 of interest. We'll say, if this -- if drawing this test
17 competitiveness district requires splitting up the
18 community, is that okay under this direction. And we'll get
19 back and report on that.

20 Preferences are not our thing. Doing what you ask
21 us to do is our thing, and then coming back to you with a
22 full report, that's how we finish that. It will be your
23 decision.

24 COMMISSIONER STERTZ: So the content of drawing in
25 a back room, at your discretion, is not something that you

1 consider to be part of your normal business model.

2 DOUG JOHNSON: No.

3 COMMISSIONER STERTZ: Thank you.

4 Let's talk about definitions as you understand
5 them to be.

6 I'd like to get your definition about what you see
7 to be a community of interest.

8 DOUG JOHNSON: There are a lot of definitions.

9 I mean, cities, counties. There are certain
10 things already in the language of Prop 106 that could be
11 considered either stand-alone entities or the discretion or
12 communities of interest.

13 Obviously there's a lot of local planning data
14 that I've talked about, a lot of census data that I've
15 talked about.

16 But ultimately it boils down to the people in the
17 community, what do they think is their community of
18 interest, and what other communities nearby do they think
19 they match up best with.

20 So it really is, to the degree you can get the
21 public involved, up to them.

22 And people have different views.

23 Sun City is very clearly -- came in last time, and
24 there's a lot of community of interest ties between the
25 three Sun Cities, Sun City, West, and Grand. And they came

1 in very clearly and said don't you even think about putting
2 us all in one district.

3 There's pitches -- pitchforks and torches
4 threatened at one point.

5 Both what is your community of interest and how
6 should the line treat that community of interest are two
7 questions.

8 We can provide a lot of data, a lot of graph
9 options for people to react to to get the discussion going.
10 But ultimately it comes down to the testimony of the public
11 and your decision about that testimony.

12 Some of the testimony in public obviously will be,
13 you know, strongmen. There's the infamous story of the
14 neighborhood that wanted the grocery store in their
15 district, and it was pretty clear the Commission quickly
16 realized there was an incumbent between the neighborhood and
17 the grocery stores, and they were trying to get the
18 incumbent drawn into their city.

19 So ultimately it will come down to you which
20 public input to take.

21 But in terms of defining it, there's a lot of
22 data, and then it's up to what the people that live there
23 say is their neighborhood.

24 COMMISSIONER STERTZ: Thank you.

25 And in regards to the phrase significant

1 detriment, as it appears in the sixth component of our -- of
2 Prop 106 in the constitutional language, can you give me
3 your understanding of why that phrase was or what the
4 meaning of it is in the -- in that last clause?

5 DOUG JOHNSON: There are options for defining it.

6 I think we can give you different ways. Like
7 compactness, there are different measures of compactness
8 that can be used, but even the author of one of those
9 measures ultimately came down to what he called the
10 interocular test, by which he meant I know it when I see it.
11 It was his measure that's built into our software.

12 In terms of communities of interest definition,
13 the public will share that with you, but ultimately it will
14 be your decision.

15 Significant detriment is tough. If you can arrive
16 at a definition to give us a measure, we will incorporate
17 that into a report on every time we give you a plan, but
18 ultimately it is a key piece of how you draw the lines, and
19 it's going to have to be your decision.

20 We'll help you along. We've actually done a lot
21 of research, both the last Commission and again for the
22 NCSL, on academic definitions, academic definitions of
23 community of interest, other states' definitions of these
24 things.

25 So we'll give those to you as options for you to

1 consider.

2 But the definitions we'll use of significant
3 detriment is what you tell us.

4 COMMISSIONER STERTZ: I've got two last questions
5 for you.

6 The first is, and it's a -- would it be a clear
7 statement to say that your model of project management is
8 decision or is commission for the legislative body driven?

9 DOUG JOHNSON: Oh, entirely. Yes.

10 And we really -- overwhelming majority of our work
11 is nonpartisan local government or for the Arizona
12 Independent Commission.

13 COMMISSIONER STERTZ: Thank you.

14 And then lastly, because I know time is of the
15 essence and we're trying to wrap up here, obviously you're
16 familiar with the Polsby-Popper test.

17 DOUG JOHNSON: Very well.

18 COMMISSIONER STERTZ: And as it pertains to
19 district compactness, how would you describe your firm's
20 work on utilizing the test for redistricting?

21 DOUG JOHNSON: We used it a lot.

22 Part of the reason we used it a lot is it's fast.

23 If we're live in a meeting and someone wants a
24 compactness test, we run Polsby-Popper and perimeter scores
25 and have them in about five minutes.

1 There are better -- well, there are other tests
2 that measure it other ways, but they take an hour or two to
3 run on a plan.

4 So we use it a lot because it's quick.

5 We use all the measures in different projects.

6 COMMISSIONER STERTZ: Thank you, Madam Chair.

7 CHAIRPERSON MATHIS: You're welcome.

8 VICE-CHAIR HERRERA: I just have one
9 clarification.

10 The issue of communities of interest, you really
11 didn't answer the question, and I just wanted to -- in terms
12 of your definition. And I just wanted to point out that
13 it's not easy.

14 Do you agree? It's tough.

15 DOUG JOHNSON: Right. My answer is really it's up
16 to your decision.

17 We'll give you lots of options, and I'm here to
18 offer you options, not to decide what is a community of
19 interest for you.

20 But, oh, yes, it is certainly tough.

21 VICE-CHAIR HERRERA: Thank you.

22 DOUG JOHNSON: And that's one of the reasons for
23 Google Earth. The geographic communities are much easier to
24 identify now than they were ten years ago.

25 VICE-CHAIR HERRERA: Thank you.

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Commissioner Stertz.

3 COMMISSIONER STERTZ: Sorry. One more last as a
4 follow-up to that.

5 Do you believe that competitiveness as it pertains
6 to the redistricting process is favored over communities of
7 interest?

8 DOUG JOHNSON: I mean, I can tell you my personal
9 belief, but, as I said before, my personal beliefs have
10 nothing to do with our work for this Commission.

11 It will come down to your decision and what you
12 tell us.

13 COMMISSIONER STERTZ: I think actually it is
14 incumbent, because the way that someone is actually
15 operating themselves will give -- in other words, we'll give
16 you -- we'll ask you for advice, and you may choose to give
17 us advice in a particular way or phrase it in a particular
18 way that's going to give us some guidance in a way that you
19 might want to guide us.

20 So I would like to hear your personal opinion.

21 DOUG JOHNSON: Well, I think -- I believe the
22 language of the initiative, that competitiveness should be
23 favored where there's not significant detriment.

24 Some significant detriments are obvious.

25 Glendale, the city of Glendale is cut into

1 six pieces when its population is only enough for one.

2 That's a pretty significant detriment.

3 The plan still had it.

4 But there is a very wide range of degrees between
5 what's clearly significant and what is fairly fine to you, a
6 perfectly square competitive district.

7 To some degree District 5 in eastern Arizona is a
8 nice, compact, follows city lines, respects the reservation,
9 and was a competitive district.

10 And that's a pretty easy case to say there's no
11 significant detriment there.

12 In between those two, there's a lot of gray that I
13 don't know where I fall on it. And I would present it to
14 you and get your thoughts.

15 COMMISSIONER STERTZ: Very good. Thank you.

16 CHAIRPERSON MATHIS: Okay. The time is now 1:53.

17 Thank you very much for coming today and
18 presenting a proposal to us and for filling that out for us.
19 And thank you for coming.

20 Any other comments before we break for lunch?

21 VICE-CHAIR FREEMAN: Thank you.

22 CHAIRPERSON MATHIS: We might want to cut lunch
23 15 minutes short, if that's possible.

24 It was originally scheduled for 45 minutes. If we
25 could make up 15, that would be helpful.

1 So let's recess. It's 1:53 p.m.

2 If everyone could plan to be back at 1:25 -- I'm
3 sorry, did I say 1:00. 2:25. Thank you.

4 (Lunch recess taken.)

5 CHAIRPERSON MATHIS: All right. We're going to
6 come back out of recess now.

7 The time is 2:31, and we have two more firms to
8 interview this afternoon.

9 The first one is Strategic Telemetry, and I want
10 to apologize to you for being late in our schedule. We're
11 running behind.

12 But if you wouldn't mind coming up and --

13 BUCK FORST: I need two minutes.

14 CHAIRPERSON MATHIS: Oh, I'm sorry. Sorry, Buck.
15 Should have checked.

16 KENNETH STRASMA: In the interest of time we'd be
17 happy to start the Power Point if you prefer. Or we can
18 wait.

19 I don't want to put pressure on you. We'll be
20 quiet.

21 CHAIRPERSON MATHIS: So just so you know too, the
22 way we've been working is about 20 minutes for the
23 presentation or so. And if you go over that's okay. We'll
24 go over for an hour and 45 minutes, each firm is given that
25 opportunity. And then each of the commissioners just go

1 around and ask questions in no particular order.

2 KENNETH STRASMA: Okay. Great.

3 Just wanted to take into account the comments from
4 this morning and wanted to make sure anyone watching on the
5 live stream later will be able to hear me.

6 Good afternoon, and thank you very much for the
7 opportunity to respond to your RFP and to present in person.

8 My name is Ken Strasma. I am president of
9 Strategic Telemetry.

10 And I am pleased to respond to your RFP because I
11 feel we're uniquely qualified to serve as the technical
12 mapping consultant for this project.

13 My firm staff has a combined 30 plus years of GIS
14 mapping and redistricting experience. And a lot of
15 experience in very large scale projects under tight time
16 lines.

17 Myself, I've either drawn or helped draw
18 redistricting plans for more 30 states, that includes
19 shepherding them through the DOJ preclearance process where
20 necessary, court challenges when they arose.

21 I was also involved in setting up the electoral
22 and demographic databases behind those plans and pretty much
23 know the process from start to finish.

24 Others in my firm who would be key players on this
25 project, Andrew Drechsler, who's here today, would be the

1 project manager and day-to-day point of contact.

2 He has extensive experience in logistics and
3 project management having served as a deputy director of
4 scheduling and advance for Secretary Babbitt and as
5 vice president was a multi-million dollar research firm
6 before he joined Strategic Telemetry.

7 Korinne Kubena, who would be our director for
8 public input, was the deputy -- or the associate director of
9 political affairs for the Bush White House. And also served
10 as the deputy field director for Mayor Mike Bloomberg's
11 reelection campaign in 2009.

12 And Willie Desmond, who would be our senior GIS
13 analyst, was our person on the ground in Chicago at the
14 Obama campaign in the 2008 election interfacing with the
15 very large staff there.

16 Other members of our team also have a lot of
17 experience with large projects and tight time lines.

18 Redistricting is a complicated and contentious
19 process. I know that's not news to anyone in this room.

20 And even good maps can sometimes look bad to
21 someone who's just getting in the process for the first
22 time.

23 I've used this map here very often in
24 redistricting trainings and will often start out by asking
25 does this look like gerrymander to you.

1 It's almost a universal yes will come out. It's
2 got an eye there. It's got a mouth. It's got wings. It
3 would be hard to draw a worse looking district than this.
4 But as is often the case, when you drill down deeper to
5 understand the reasons for decisions made, it makes a lot
6 more sense.

7 If you turn on the water layer, you'll see that
8 the narrow body is because that district runs between two
9 lakes.

10 If you turn on the minor civil division layer,
11 you'll see that the jagged edges are because with respect to
12 municipal boundaries.

13 So a district that at first blush looks very bad,
14 when the reasons behind those decisions are understood, it
15 makes a lot of sense.

16 And that's really the key to the process that
17 we've outlined in our proposal.

18 I realize the proposal is more than 50 page long,
19 and I'm definitely not going to try to read it section by
20 section, but rather touch on some of the highlights, and
21 then in the question and answer I'll be more than happy to
22 get into details of any specifics.

23 Because redistricting is so contention, because it
24 involves subjective decisions, because it has very real
25 political consequences, someone is going to be unhappy with

1 any map that's produced.

2 I wish I could say that we know the magic formula
3 for producing a map that everyone is going to like. That's
4 not the case. No one can claim that. Someone is going to
5 be dissatisfied.

6 What I hope that we can do is minimize the extent,
7 if not completely eliminate it, to which anyone my suspect
8 that there is a partisan or backroom agenda at work in this
9 map.

10 And to do that, we've outlined a procedure in
11 process that is very well documented and 100 percent
12 transparent.

13 After the initial grid map was drawn, and we began
14 the process of tweaking that map in order to meet the six
15 criteria spelled out in Prop 106 and the statement of work
16 in the RFP, subjective decisions would have to be made at
17 every step along the process.

18 We described it in our proposal that we would be
19 saving plan snapshots every hour as this plan is being
20 drawn. So if anyone, any commission member ever wants to go
21 back to see what was the plan, you know, the draft work in
22 progress at this particular point, we will have all those
23 files saved.

24 Every time a decision is made about trying to
25 improve a district, we'll record in a plan change log, the

1 reason for that change, the criteria that we were seeking to
2 improve.

3 We would record the file number for the snapshot
4 of the plan that was saved before then.

5 And we would make the changes on the GIS mapping
6 software, and then we would analyze the impact of the
7 change, in order to look at metrics for the impact on the
8 goal criteria that we're seeking to improve and also record
9 metrics documenting unintended impacts on other criteria.

10 It's very important to be able to do both of those
11 hand in hand.

12 Then, we have to ask, does the change achieve the
13 desired result and does the desired result outweigh any
14 negative unintended consequences.

15 If the answer to that is yes, then the change is
16 saved, we record that in the plan change log, and commit the
17 change on the map on the GIS software.

18 If the answer is no, the change is rolled back, we
19 record the fact it was rolled back, and equally importantly
20 we record why.

21 So if anyone is wanting to have an explanation as
22 to why particular decisions were made, it will be known
23 every step of the process.

24 So at the end of this, the change is either kept
25 or rolled back, and the process begins again.

1 This is one of the great things about advances in
2 the computer technology. The kind of storage that it takes
3 to save this level of documentation would have been
4 prohibitive 10 or 20 years ago. Now it's very simple to do.

5 And we hope by having this 100 percent
6 transparent, thoroughly documented process, we'll be able to
7 eliminate any suspicion as to motives behind any of the
8 players behind the Commission, behind the process itself.

9 This is necessary because this process involves
10 balancing various different criteria. Even if it didn't,
11 even if we were seeking just to maximize a single criteria,
12 there would still be subjective decisions that have to be
13 made.

14 If the Commission were to direct that we were to
15 look at only making compact districts, there would be
16 subjective decisions made about which one of the hundreds of
17 measures of compactness we should favor over others.

18 One of the most common questions people will ask
19 when they are first looking at redistricting is, why don't
20 you draw nice square districts?

21 One of the answers to that is, under some of the
22 most common measures of compactness, a perfect square is not
23 the most compact possible district. A circle is.

24 And, of course, you can't district a state into
25 circles, because you can make one perfectly compact

1 district, but the ones around it then suffer.

2 Which is another reason why in this whole process
3 we're never looking at metrics just for a single district,
4 but also how it impacts the surrounding districts for the
5 totality of the state map.

6 Imagine if we were looking not at compactness but
7 communities of interest.

8 Still, we would have to balance which communities
9 you look at.

10 Is it only governmental jurisdictions, is it
11 census statistical areas, or is it unofficial areas like
12 neighborhood associations or other communities of interest
13 like that.

14 So even if we were to limit it to a single
15 criterion at a time, there would still be subjective
16 decisions that will need to be made, and we hope that this
17 process would eliminate doubts as to why they were made.

18 People might not agree with every decision,
19 but they would at least be able to know the reason for each
20 one.

21 And in the real world, of course, we're not
22 looking at a single one at a time. We're having to balance
23 multiple criteria.

24 The original Proposition 106 and the statement of
25 work in the RFP listed six criteria including

1 competitiveness as one that was described as being a goal
2 that should be achieved if doing so does not harm any of the
3 others.

4 I notice there's been a significant amount of
5 discussion on the role of competitiveness, and that the 2009
6 state Supreme Court ruling seems to indicate that
7 competitiveness must be given coequal standing with the
8 other criteria.

9 Now, I think this is an important example for the
10 approach that we would take for this process.

11 I would not view our firm's role as being making a
12 decision like that.

13 That's the sort of thing that the Commission, with
14 the advice of legal counsel, would decide. And we would
15 proceed as directed.

16 But we're not lawyers. We don't assume to be
17 interpreting court rules.

18 We can flag issues like that.

19 We can give advice when asked.

20 But the Commission is the policy maker here, and
21 we will proceed as directed by the Commission on all
22 questions like this.

23 I mentioned earlier the question of communities of
24 interest and what should be defined as a community of
25 interest.

1 That's the sort of question I really feel is best
2 answered by the people in those communities.

3 You know, as someone who lives in Wisconsin and
4 has an office in Washington, D.C., I'm not going to be the
5 expert on what is considered a community in suburban
6 Phoenix.

7 The people who testify at public hearings are
8 going to be far more expert in that than I could ever hope
9 to be.

10 And which is one of the reasons, for this measure
11 and various others, that I'm glad that there is a robust
12 public input program planned as part of this project.

13 So public input can be a formal testimony at
14 hearings like this. It may involve a statewide map that's,
15 you know, drawn on a GIS program and submitted
16 electronically.

17 It may be just an idea or a concept presented at
18 a public hearing.

19 It may be a hand-drawn map on a scrap of paper.

20 Or it may be even less traditional. It may be a
21 Twitter tweet, it may be a post on Facebook, an e-mail to
22 the Commission, a post on a website discussion board. All
23 of these are valuable types of public input.

24 For testimony at Commissions -- at Commission
25 hearings, especially that that includes map submissions, or

1 more specific concerns about maps, what we propose would be
2 having our staff covering these hearings. We would get
3 office space in Arizona. We have high speed scanners we've
4 used for previous similar projects where we would be able
5 to scan public input forms.

6 As an example, here I know there's a form that
7 people testifying today here have filled in.

8 This is just a draft. We would work with the
9 Commission on the ideal form that captures information
10 about the nature of the comment, is it addressing
11 procedure, is it addressing overall goals, is it addressing
12 a specific perceived shortcoming of one of the draft maps,
13 is it suggesting a potential improvement, does the
14 testimony and submission include a map, or does it -- is it
15 a more general submission as in please try harder to
16 preserve this particular community.

17 All of these would be scanned and entered for
18 things like the check boxes or numbers. Optical character
19 recognition software on the scanners can enter those
20 automatically.

21 Our operators can enter other information, and
22 would digitize maps that are presented that would need to
23 be analyzed.

24 I've been witness to some public input setups
25 where the hearing are legally pro forma.

1 Someone has an opportunity to come present their
2 feelings, and, you know, people smile and nod, and that's
3 as far as it goes.

4 I am heartened that that does not seem to be the
5 intention of the Commission, that it's taking public
6 hearings, public input very seriously.

7 And so I do want to go that next step. And if
8 someone submits a map, we would digitize it. If necessary,
9 we would be able to analyze it using the same metrics that
10 we're analyzing the plans that are being drawn by and for
11 the Commission, so that we'd be able to see, one, if the
12 public suggestion actually is a significant improvement.

13 I'm a great believer in the wisdom of crowds. If
14 there are hundreds of people working on maps, they may well
15 come up with ideas that we have not come up with that
16 should be incorporated in the final map.

17 And even if the metrics indicate that the change
18 would not be an improvement, at least we would then be able
19 to answer the question of why. And people would not feel
20 that their input was rejected without a legitimate reason.

21 Summary information would be available to the
22 Commission on regular reports.

23 And if the Commission members ever wanted the
24 more detailed information, they would be able to click
25 through to get the images of the original paper

1 documentation that was submitted.

2 I mentioned some of the non-traditional types of
3 public input that would be available.

4 One of them is Twitter.

5 This is just a random example we pulled out a
6 couple days ago. Tweets of people who mentioned
7 redistricting over the last three days. And this next
8 slide shows a Word file, prevalence of different words in
9 those Tweets mentioning redistricting.

10 This is nationwide, not Arizona, but we would set
11 up an automated data mining process that would record any
12 Twitter post mentioning Arizona or redistricting, and be
13 able to provide that as summary information for the
14 Commission as often as wanted.

15 And we would be committed to seeking out other
16 non-traditional news media types and avenues for public
17 input.

18 This next map, this isn't a -- this is just a
19 sample district that I want to use to discuss part of the
20 process that we proposed.

21 I mentioned earlier that one of the strengths I
22 feel we bring to this is our ability to create, verify, and
23 analyze very large data sets.

24 That may seem like overkill in these days when a
25 laptop computer, pretty much anyone's home computer can run

1 redistricting software for an entire state.

2 However, there are some levels of analysis that
3 would have not been possible even just ten years ago.

4 If you look at pretty much any district, there's
5 going to be hundreds if not thousands of units of
6 geography, census blocks, precincts, municipalities,
7 tracts, et cetera, on the perimeter of the district.

8 And the process that a human map drawer goes
9 through generally is trial and error.

10 You know, you'll eyeball a unit of geography and
11 say, it's going to make it close to a square district when
12 I add them, add it to the population. Look for the blocks
13 that have the appropriate population to get the district to
14 its ideal size.

15 And as far as it's a trial and error and fairly
16 time consuming process.

17 Fortunately it's possible to have this returning
18 in parallel where we would have our servers analyzing this
19 plan snapshots as they're saved. So the human mapmaker
20 saves a plan snapshot, and these other computers running in
21 parallel are able to analyze it and go through adding and
22 subtracting different units of geography from the
23 periphery, and making suggestions to the operator if
24 there's a particular block that would bring the plan into
25 closer compliance with various different criteria.

1 Now, there have been many attempts to develop
2 fully-automated computer plan drawing software, which
3 generally have not worked well at all. I mean, as we've
4 discussed here before, subjective criteria, the subject how
5 to weight different criteria all have a huge impact on what
6 the final map is.

7 And there's just no substitute for human common
8 sense in making some of these decisions.

9 So we're not talking about putting control of
10 this in the hands of a computer. We are talking about
11 having the computers be able to make suggestions to a
12 human, that they can accept or decline, in ways that will
13 speed up and we hope improve the process.

14 This sort of analysis would not have been
15 possible, as I said, just ten years ago. The kind of
16 computing power you would have needed would take a
17 multi-million dollar supercomputer. But now clusters of
18 off-the-shelf consumer computers can achieve that same kind
19 of processing power.

20 That can be links of work stations and servers,
21 like those in Strategic Telemetry's data center in D.C.

22 They can be work stations linked over hundreds
23 of miles, such as in our offices in New York and Wisconsin.

24 They can be cloud servers. Amazon and Microsoft
25 and a number of other commercial servers now have --

1 provide cloud servers that can be added or subtracted from
2 the project as needed.

3 And, on the other end of the spectrum, on the
4 very small end, in graphics cards these days, there are
5 very often hundreds of different computer processors.

6 This picture is of a Nvidia Tesla graphics Mariko
7 processor. That's about the size of two cell phones, and
8 contains 240 computer processors in it.

9 Now, this sort of technology only can be applied
10 to particular types of jobs. They can be split up and run
11 in parallel.

12 Fortunately this type of redistricting analysis
13 is one such job. We're looking at the impact of thousands,
14 if not millions of different changes, so they can be looked
15 at in paralegal.

16 Now, I apologize if, you know, I got a little
17 geeky on you and into the technical part on here too much.
18 But, this is a process that has some very important
19 technical aspects, and I would be remiss if I didn't
20 address some of those.

21 I mentioned before our ability to maintain and
22 compile large data sets.

23 I do feel as technical as it is that's a very
24 important part of this process.

25 And just as with the why didn't we draw square

1 districts question, the sort of thing that sometimes seems
2 remarkably easy, someone coming into this new might say,
3 well, for compiling electoral database to analyze
4 competitiveness of districts, we'll go to the Secretary of
5 State's website and we'll download the election results,
6 we'll match up to the maps, and there we go.

7 Well, the match up to the map part is where it
8 gets tricky.

9 Yes, there are electronic election results stored
10 for the last ten years, and it's readily available, but
11 precinct lines tend to change.

12 There's great variation across Arizona as to how
13 often they change. There's great variation as to whether
14 the current precinct lines are available electronically in
15 GIS files or only on paper maps.

16 There is also not much consistency as to whether
17 or not historical maps are available.

18 In some areas they're available for every year
19 going back across the last decade. In others they're only
20 available in paper. In others they're not available at
21 all.

22 So that's part of the process that we would have
23 to undertake.

24 We would have to digitize those maps, take past
25 election results, disaggregate them, census blocks that

1 existed at the time of the election, reaggregate them to
2 the new geography in order be able to say in this election
3 here were votes cast for one candidate or another.

4 It even gets to the technicality level of
5 worrying about rounding error, something I've run into,
6 where people say, well, there's, you know, 12.3 votes, and
7 we're going to just lop off the .3.

8 And then, at the end, you're off by a few hundred
9 or a few thousand statewide, which really isn't a problem,
10 except when it masks underlying errors.

11 I have often seen people go through a process and
12 say, well, this is close enough, it must be rounding error.

13 We always make a point to allocate all the
14 fractional votes so that it's all accounted for, so that if
15 any votes aren't accounted for we have to go back and find
16 out where they're missed so that rounding error can't be
17 used to mask any kind of error entered into process.

18 A process with so many complicated steps is, you
19 know, is going to be error prone if we're not careful.

20 I'm also very aware of the fact that this sort of
21 information is not just for our own use or amusement. It's
22 likely to be looked at in court and at DOJ when they're
23 assessing these plans.

24 So we are going to be able to have to document
25 every step that was taken in creating these new district

1 databases, including things like there was no electronic
2 map available, we had to make a paper map. They drew a
3 precinct across, you know, two -- you know, an area that's
4 in one census block and they split it into two. This is
5 how we decided to allocate those votes.

6 That sort of decision would be something that we
7 have to meticulously document, knowing that it's going to
8 be a question raised by DOJ or potentially in a court
9 record at some point.

10 In summary, just going back to the strengths that
11 I feel we offer here, an experienced team, the ability to
12 begin work immediately.

13 We have downloaded census data, the TIGER 2010,
14 P.L. 94-171.

15 We're familiar with other sources, the ACS,
16 American Community Survey, non-census population estimates.

17 We are ready to go the minute you guys say go.

18 We have a large technical ability infrastructure
19 I was talking about.

20 An understanding of DOJ preclearance issues.

21 Documentation, a documented and transparent
22 process that we hope will avoid any perception of a
23 backroom agenda in this process.

24 And a commitment to a comprehensive public input
25 program.

1 I appreciate your time, and we welcome any
2 questions.

3 CHAIRPERSON MATHIS: Thank you very much.

4 Would any commissioners like to start with
5 questions?

6 VICE-CHAIR HERRERA: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE-CHAIR HERERRA: Yeah. You pronounce your
9 last name Strasma?

10 KENNETH STRASMA: Strasma, correct.

11 VICE-CHAIR HERRERA: Thank you for your
12 presentation.

13 I would like you to address the issue of -- I
14 think you were here when we took public comment -- the issue
15 of perceived bias. And if you could talk about that, if you
16 could put us at ease that there is no bias if we decide to
17 hire your firm.

18 KENNETH STRASMA: Absolutely.

19 And, as I indicated in our proposal, I make no
20 secret of my partisanship. I was a registered Democrat when
21 I lived in Maryland. There's no party registration in
22 Wisconsin, but I do consider myself a Democrat.

23 Most, but not all, people in my firm are
24 Democrats.

25 We have worked for Democratic campaigns in the

1 past. We have also worked for nonpartisan and non-political
2 organizations.

3 Mostly though I feel that the process that I have
4 outlined, where everything is 100 percent meticulously
5 documented and transparent, is what will avoid any
6 perception of partisan bias towards either party.

7 And, you know, frankly, any, any map is going to
8 raise questions of bias from both parties probably. It's a
9 complicated enough process that anyone can find something to
10 dislike in it.

11 So I do not, you know, try to do anything to hide
12 my personal political leanings, I don't feel they come into
13 play in this process, and I think that the procedures that
14 we've outlined will eliminate any perception of political
15 bias or other backroom motives behind the decisions we make
16 along the way.

17 VICE-CHAIR HERRERA: Thank you.

18 CHAIRPERSON MATHIS: Other questions?

19 VICE-CHAIR FREEMAN: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Freeman.

21 VICE-CHAIR FREEMAN: Just to sort of build on
22 Commissioner Herrera's question. It's an important issue
23 for us because how the public perceives us acting right now
24 is to establish trust in the public on the process we're
25 going through and your participation.

1 And so do you think the public would question
2 right now the independence of your firm?

3 You, in your proposal, you note that you worked
4 for the Obama campaign, John Kerry's presidential campaign,
5 the Democratic National Committee, Democratic Party of
6 Wisconsin, New Jersey Democratic State Senate Committee, the
7 Florida Democratic Party or data campaign, the Wisconsin
8 AFL-CIO, the Washington Democratic Party, the Kentucky
9 Democratic Party, the Democratic GAIN, which is a national
10 membership association for progressive political
11 professional organizations. And there are a number more.

12 And, in fact, your proposal mentions hundreds of
13 other jobs that your company has done work for, which
14 aren't -- perhaps some of them were included in that list
15 and perhaps others weren't.

16 But what would you tell the public right now as
17 to, to assuage any sort of concerns they may have about a
18 perception of bias by your company?

19 KENNETH STRASMA: That we do have a team that
20 includes Democrats, a Republican, and Independents, but most
21 importantly that we have a process that's designed to remove
22 doubt by allowing the public to see what's going on under
23 the hood every step of the way.

24 CHAIRPERSON MATHIS: Mr. Freeman.

25 VICE-CHAIR FREEMAN: Thanks.

1 You hit some high points there in your
2 presentation, reasons that we should retain your firm.

3 You mentioned your ability to get us preclearance
4 at DOJ. How many --

5 KENNETH STRASMA: I apologize if it sounded like I
6 indicated that I had to the ability to get you DOJ
7 preclearance.

8 VICE-CHAIR FREEMAN: Well, no, I should --

9 KENNETH STRASMA: I'm not pretending that's the
10 case.

11 VICE-CHAIR FREEMAN: Right.

12 How many preclearance efforts have you and your
13 firm been involved in?

14 KENNETH STRASMA: I do not recall. I would guess
15 at least dozens.

16 VICE-CHAIR FREEMAN: And have you ever had any
17 that failed preclearance?

18 KENNETH STRASMA: I'm sure we have. And I cannot
19 recall the specifics.

20 VICE-CHAIR FREEMAN: And you mentioned the
21 experience of your company as being a positive attribute
22 that we should look to.

23 Can you tell us about other statewide
24 redistricting efforts your company has been involved in?

25 KENNETH STRASMA: Well, my company was not founded

1 until 2003. So my redistricting experience is in jobs I had
2 before founding Strategic Telemetry.

3 So we have not undertaken -- as a company we have
4 not undertaken any statewide redistricting issues.

5 VICE-CHAIR FREEMAN: You mentioned your team.
6 Could you go ahead and walk through some of the people on
7 your bench and what their roles would have if your firm was
8 retained by the Commission?

9 KENNETH STRASMA: Sure.

10 I mentioned earlier Andrew Drechsler, who's here
11 today, would probably be the person that you would be seeing
12 the most, the day-to-day contact, and perhaps the person
13 most commonly here.

14 He, as I mentioned before, worked for Secretary
15 Babbitt in the scheduling and advance office, and at a
16 polling and research firm before joining Strategic
17 Telemetry.

18 He is one the persons who has done GIS work at
19 Strategic Telemetry, and also a lot of project management
20 and overall management of the office and firm.

21 Korinne Kubena, who I mentioned before, would be
22 in charge of our public input program, perhaps the person
23 you would be seeing the second most commonly here for the
24 public hearings.

25 She was the associate director of political

1 affairs in the Bush White House, and someone we worked with
2 in the Bloomberg campaign in 2009, where she was the deputy
3 field director there.

4 Willie Desmond would be our lead GIS analyst,
5 probably the person most commonly running the mapping
6 software.

7 He has -- he works out of New York, and he was our
8 liaison to the Obama campaign. As the gentleman noted this
9 morning, one of the clients we had in the past.

10 And one of the strengths I feel he brings to this
11 process is his proven ability there to work with a large
12 number of other staff in another affiliated organization,
13 which I would see as parallel to what's here, where we would
14 be working with the members and staff of the Commission.

15 I didn't mention before Brett Bradnewinke, who
16 would be one of our data analysts.

17 Kevin Rush is our IT person. On questions of
18 technical support we would triage those based on whether
19 they have to do with the redistricting software itself or
20 with computer hardware issues. Kevin would be our
21 go-to person for computer hardware issues.

22 That's the core team that would be involved in
23 this mapping.

24 VICE-CHAIR FREEMAN: Thank you.

25 CHAIRPERSON MATHIS: Other questions?

1 COMMISSIONER McNULTY: Mr. Strasma, I right now
2 have a -- view of Arizona in terms of geography. When I
3 close my eyes and see the state, I think of the mountains
4 and towns and streets. And pretty soon I think when I do
5 that I need to have a picture in my mind that's very
6 different, that shows me the census data and the
7 demographics and the voting patterns of the people that live
8 in this state.

9 It's a steep learning curve. But, how could you
10 help us get there?

11 KENNETH STRASMA: And, the first thing I would do
12 is turn that question around on you and say, how can we help
13 you get there?

14 Just from what you described, I think a kit of
15 maps, both on paper and computer, showing things like that,
16 population growth and loss by area, demographics by area.
17 There's a number of standard maps that I think would be
18 useful for wrapping your head around, as you said, looking
19 at Arizona in a different way.

20 And, frankly, those are things that I would be
21 doing myself.

22 I mentioned before. I do not claim to be an
23 expert on what constitutes a community of interest in
24 suburban Phoenix. I will be, you know, preparing materials
25 for getting up to speed myself, and would be happy to share

1 those with the Commission, and would look to you for any
2 suggestions about what you think would make your job easier.

3 I very much want to know what we can do to help
4 you, and not to have this be, as someone alluded to this
5 morning, a black box, where we go off and a draw map and
6 say, surprise, here it is.

7 We want it to be a collaborative process, and we
8 want to know what we can do to help you.

9 CHAIRPERSON MATHIS: Okay.

10 Any questions?

11 ANDREW DRECHSLER: If I could just add to that
12 question, I think one of the things that we've done over the
13 years is deal with a lot of data.

14 And one of my jobs is to work with different
15 people as clients and say, this is the data, and it's
16 important to get them up to speed to make sure that they
17 understand it.

18 And I think that would be a very serious
19 undertaking. It's an undertaking that we take very
20 seriously to make sure that each of you understand what the
21 process is and what the data is. Because there's so many
22 times where -- you know, and this is just a bigger problem
23 where there's so much data out in the world and companies
24 have data and they just don't know what it means and what it
25 does.

1 And I think one of the things that we've done
2 really well as a firm is to come and explain what the
3 data is and make sure that there's a comfort and
4 understanding.

5 And we just, like Ken has alluded to, we won't
6 just come in and dump the maps and say good luck with that.
7 We want to make sure that there's a understanding, that
8 there's a comfort level, not just an idea, but a comfort
9 level that you truly understand what the maps mean and how
10 we got there.

11 And that is part of the transparency that will
12 benefit everybody.

13 KENNETH STRASMA: Thank you.

14 CHAIRPERSON MATHIS: Any questions from other
15 commissioners?

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: Well, welcome to a fellow
19 Wisconsin guy. I see Middleton on your resume. And I go, I
20 know where Middleton is.

21 KENNETH STRASMA: You're a minority.

22 COMMISSIONER STERTZ: A suburb of Madison.

23 So, welcome to Arizona.

24 KENNETH STRASMA: Thank you.

25

1 COMMISSIONER STERTZ: In trying to get our arms
2 around the concept of perceived bias, I'm trying to get a
3 handle on how you guys would do a -- one, what your -- what
4 the story would be from your firm, if you were selected,
5 what the story would be as we go out to the public with why
6 the selection of your firm. Because the resume and the work
7 that you've done historically has been yeoman's work, but it
8 has purely been for the most part on the Democrat side.

9 And this being a very nonpartisan group, it's by
10 nature this group is a partisan commission, because we've
11 got two Democrats and two Republicans and an Independent,
12 but we are working together as one to become as much of a
13 unit of nonpartisanship as possible.

14 Knowing that your answer back was that we've got a
15 process that cures that, that's a little hard for the
16 general public to get their arms around.

17 How would you describe it in a better way than
18 just we've got a process that we've got this figured out
19 that we become nonpartisan?

20 KENNETH STRASMA: A valid point. And, what one --
21 again, I would want to work with you to see if there was
22 suggestions.

23 At the start of the question you say what would I
24 be saying to the public or to the press. And answering just
25 that narrow part of this, we, of course, don't talk to the

1 press unless directed to do so.

2 And it's not like we will be firing off a press
3 release saying, you know, we're doing this, that. That
4 would all be cleared with the Commission.

5 And I do realize that, you know, I barely
6 scratched the surface in a fairly long presentation with a
7 Power Point on how I feel having a documented transparent
8 process eliminates perception of bias.

9 So I know that that can't be translated into a
10 full quote for a newspaper article.

11 I -- you know, my wishful thought for what you
12 would go out and say, I was so impressed by the process that
13 they described that any reservations I had were minimized,
14 and I feel that once the people of Arizona see this in
15 process they will understand and this will be the most open
16 and transparent redistricting process ever seen.

17 COMMISSIONER STERTZ: Let's drill down a little
18 locally then. Let's talk a little bit about competitiveness
19 versus communities of interest.

20 In your understanding, do you believe that
21 competitiveness as it pertains to the redistricting process
22 is favored over communities of interest?

23 KENNETH STRASMA: Again, I would have to say, I
24 don't feel that it's my place to answer that question. That
25 is a policy question, where I would take guidance from the

1 Commission as defined by legal.

2 COMMISSIONER STERTZ: You actually did in your
3 opening statement. You did speak about the 2009 Arizona
4 Supreme Court decision as being something of fact. And I
5 want to go back to that.

6 Because what the decision actually stated was that
7 it reiterated that the Commission should favor creating more
8 competitive districts to the extent practical where to do so
9 would create no significant detriment to the other goals.
10 Which was a reiteration of Section 6 of the constitutional
11 language under Prop 106.

12 So it did not, it did not state that it was
13 equally weighted, as you described earlier.

14 So, again, I want to ask you the question. Do you
15 believe, do you believe that competitiveness is equally
16 weighted with communities of interest?

17 KENNETH STRASMA: I believe that it is a subject
18 of debate, and that is a legal and policy question, and that
19 I don't presume to try to answer those sorts of legal and
20 policy questions.

21 I have seen, you know, coverage contending that
22 case said that competitiveness must be coequal. I know
23 there's been spirited public testimony to that effect, and I
24 know that there are those that disagree.

25 Fortunately, there are -- you have legal counsel,

1 and there is the constitutionally-mandated commission that
2 will wrestle with those weighty decisions.

3 We will proceed as directed by you.

4 COMMISSIONER STERTZ: Perfect. Thank you.

5 Let's talk about a fact gathering. How would you
6 see -- one of the things that you had put up on your Power
7 Point was a process that is a result of fact gathering. How
8 do you -- what would your approach be in going out to the
9 public to gather fact?

10 KENNETH STRASMA: Well, one --

11 COMMISSIONER STERTZ: To gather input, let me put
12 it that way to rephrase.

13 KENNETH STRASMA: And I'm not familiar with budget
14 or procedures for paid outreach.

15 I do feel that Internet advertising, if there is
16 budget for that, could be very useful for soliciting input
17 from people who might not be seeking out the Commission's
18 website or public hearings on their own.

19 It is very simple and cost effective to target
20 Internet ads to people who've shown an interest in this sort
21 of issue, and then provide them with the tools to get
22 involved and provide public input.

23 And one of the things that we had mentioned in our
24 proposal as a potential add-on or reimbursable expense,
25 because we didn't know if the Commission desired this

1 separately, this whole question of online mapping software
2 available to the public.

3 I do think there's great value for the public
4 being able to sit down and draw a map on their own.

5 We included one, one such package separately.

6 My understanding is that the Commission already
7 uses Maptitude. And we have experience with all the major
8 mapping packages and would be happy to use whichever one the
9 Commission is using.

10 Maptitude has an online package as well. And we
11 spoke with them about what it would take to have a statewide
12 system for Arizona that the public could use.

13 That would be one of the things that Internet
14 advertising, other forms of advertising could drive people
15 towards. So that not only could you see potential draft
16 plans from the Commission and others, you can draw and
17 submit your own plans through that.

18 COMMISSIONER STERTZ: Now, the collection of those
19 other plans, are you familiar with AZredistricting.com?

20 KENNETH STRASMA: Yes.

21 COMMISSIONER STERTZ: What do you think about
22 their outreach to the general public?

23 KENNETH STRASMA: I'm impressed by it. We found
24 them fairly early on in the process researching this at
25 random.

1 We were, you know, searching terms like Arizona
2 redistricting. So they were not hard to find.

3 It seems to be a laudable project.

4 I don't know about the scalability, if that was to
5 be used as the avenue for public input. We played around
6 with it some and branched out a few times.

7 And I realize that they're a donor-funded
8 organization working on a shoestring, so it's
9 understandable.

10 I do feel that with a public information budget,
11 it would be possible to have greater outreach and greater
12 awareness of online redistricting solution or other avenues
13 for public input for people who can't come to public
14 meetings.

15 COMMISSIONER STERTZ: Thank you.

16 CHAIRPERSON MATHIS: Questions from other
17 commissioners?

18 COMMISSIONER McNULTY: Mr. Strasma -- oh, I'm
19 sorry, Mr. Freeman, you go ahead.

20 VICE-CHAIR FREEMAN: There's been talk about the
21 Commission's schedule and how we're going to meet our
22 ultimate goal of getting final approved maps completed in
23 time, so to speak.

24 One of the things our RFP asked you to do is to
25 present us with your proposed schedule, what you have

1 proposed.

2 Could you go ahead and talk about that a little
3 bit, when you perceive in realistic terms an end point for
4 this Commission, assuming all things are equal and
5 everything goes well, and whether you perceive that there
6 are steps along the process that could potentially bog us
7 down or where we might be able to make up some time.

8 KENNETH STRASMA: Okay.

9 If you would, Andrew.

10 You probably can't read this, but this document is
11 available in the proposal where we've outlined the different
12 steps, including some which can be run in parallel and
13 others which are dependent on previous steps.

14 We obviously don't know when the start date is, so
15 we have this out by weeks.

16 Starting on week one and two for getting, you
17 know, software loaded and set up, finalizing the contract,
18 kick off of meeting, finalizing the schedule, which would be
19 one of the first things discussed in week one.

20 This is something we put together largely on our
21 own without input from the Commission, as I keep coming back
22 to we would work at your direction. So if you tell us we
23 have twice as long as you think to do this, we would do
24 project management with that in mind.

25 If you say it has to be twice as fast, that can be

1 done as well knowing obviously that there are trade-offs.

2 The key here for how long things take is that we
3 have three-week windows of map drawing in various different
4 phases.

5 There is a -- the initial drafting of the plan
6 that would begin in week two and run through the end of
7 week four for drafting the grid plan.

8 Then we have a period of consultation with the
9 Commission to ensure that concerns are met.

10 Another three-week map drawing window in which we
11 would be tweaking the grid map in order to meet the criteria
12 involved.

13 Then the 30-day window for public comment starts.

14 That is one of the questions that we had. You
15 know, we've been following the schedule for public hearings,
16 and I know there are public hearings scheduled earlier than
17 is feasible for having any kind of draft map. I know
18 there's been, you know, some public input at this point
19 already without draft maps to comment on.

20 So this is understanding that having a map out for
21 30 days before public comment is not something that would be
22 doable for public hearing scheduled in the next couple
23 weeks.

24 Throughout this process, you know, we've spelled
25 out different times.

1 We have the public comment period, analyzing
2 those.

3 The RFP mentioned wanting a Power Point in order
4 to, as Andrew talked about, you know, to distill this
5 complicated process for the public hearings, so we do have
6 time.

7 They are, I believe, beginning week six for
8 drafting that and working with the Commission to make sure
9 that the Power Point presentation communicated what you
10 wanted it to do.

11 The round of public hearings, back to another
12 three-week window of map drawing and tweaking in response to
13 that.

14 And so on, down the map -- down the grid. I won't
15 read every part. It's available in our proposal.

16 Basically it ends at week 28 with submission to
17 the DOJ, which then starts the 60-day window ticking.

18 So if this was to start July 1st, that would be a
19 process ending in the end of January, and then February,
20 March for DOJ preclearance.

21 Of course, one never knows what's going to happen.
22 Do they say yes, go forth, and establish these lines, or do
23 they send us back again.

24 So, that is in the unknown, that week 28 plus
25 column there.

1 CHAIRPERSON MATHIS: Other questions, Ms. McNulty?

2 COMMISSIONER McNULTY: The constitutional
3 provision was impacted by the public because they wanted to
4 take this process out of the back room of the legislature
5 and have it done in the sunshine.

6 And I expect we will be doing a lot of this work
7 in a setting like this with the public here.

8 And you mentioned three-week map drawing processes
9 or three-week map drawing periods and then hearings.

10 I'd like you to talk to us about how you see the
11 day-to-day of those occurring, how you see this working on a
12 day-to-day basis.

13 KENNETH STRASMA: Well, I do think it's a good
14 idea to have public hearings where someone can actually sit
15 down with a map and move something. And that's great, and
16 advances in computer software allow for that, where 10 or
17 20 years it's a, you know, here's the overhead of
18 transparency for what the map is, and, you know, tell us if
19 you want something changed and we go back and do that.

20 So I do think it would be good if there were
21 opportunity for interactive sessions where people are able
22 to actually sit down and be drawing.

23 I don't know under the technicalities of open
24 meetings if that can be part of a meeting or if that would
25 be something hosted by the Commission.

1 There's a meeting beforehand gives the opportunity
2 to draw and discuss what you have drawn.

3 For these three-week map drawing periods though,
4 that would -- I'm not, I'm not anticipating that that's
5 something where, you know, myself or Willie Desmond sitting
6 in the middle there with a laptop and you're watching every
7 step along the way.

8 It's a very time-consuming process.

9 And so although it will be documented every hour,
10 even looking at hourly snapshots may well be more than you
11 want to look at at some point.

12 So there will be a lot of map drawing done in our
13 Washington and New York offices.

14 We'll, like I said, the snapshots and the change
15 log for the works in progress will be available to you at
16 any moment.

17 But we don't anticipate having the entire process
18 being something that's done as a team, because, you know, it
19 would be simply too time consuming.

20 CHAIRPERSON MATHIS: So I have a question.

21 So this seems to be, it really is, a niche area,
22 this whole redistricting area.

23 And I am just wondering what drove you to enter
24 this field of work, what motivated you.

25 KENNETH STRASMA: Well, yes, it is a niche area,

1 but it's related to a lot of other sort of things. You
2 know, as has been mentioned, I have a lot of campaign work
3 experience, and we define organizing areas for campaigns.

4 We do commercial work.

5 And we define, you know, broadcast television
6 markets, radio markets, cable TV markets that all involve
7 geographic data.

8 I do believe that there is a type of spatial
9 thinking that some people enjoy and some others don't.

10 I assume I -- you know, whatever gene that is is
11 one that I have that has drawn me towards that.

12 I enjoy chess. I enjoy other games that are
13 spatial in nature.

14 And, you know, the first time I tried my hand at
15 GIS mapping in 1989, it was something that I found I not
16 only was I good at but I enjoyed, which, getting back to
17 Commissioner McNulty's question about the time line, if
18 you're going to be spending three weeks stuck in front of a
19 computer screen at a time, it needs to be something you
20 enjoy.

21 CHAIRPERSON MATHIS: Thank you.

22 Other questions?

23 Mr. Herrera.

24 VICE-CHAIR HERRERA: Thank you.

25 We asked this question of the other two, so I want

1 to be consistent and ask you this as well.

2 You know, is your company subsidized by any other
3 person or organization?

4 KENNETH STRASMA: We are not. We are a
5 C Corporation. We do not have a PAC. So the company does
6 not make political contributions. We do not get subsidies
7 from anyone.

8 As has been documented in our proposal and by
9 others, we do a lot of work for partisan organizations, but
10 no subsidies.

11 It's only paid work through a C Corporation.

12 VICE-CHAIR HERRERA: Thank you.

13 CHAIRPERSON MATHIS: Other questions?

14 COMMISSIONER McNULTY: We will have a lot of
15 what-ifs that we will be asking you, and the public will
16 probably have what-ifs also.

17 I'm particularly concerned about our what-ifs.

18 How in this process do you see us having that kind
19 of interaction with you on a regular basis?

20 KENNETH STRASMA: In the chart that Andrew
21 suggested here, we have suggested twice weekly conference
22 calls. It can be more often if you like. And an in-person
23 kickoff meeting here.

24 Like I said, Andrew will be the day-to-day point
25 of contact.

1 We're available via phone or e-mail at any time if
2 you have -- if a what-if occurs to you at 11:00 o'clock on
3 the Saturday night, feel free to e-mail me, feel free for
4 call me if it's urgent.

5 And remembering when looking at this project
6 management grid, the first time I proceed Microsoft Project
7 Manager and started trying to plan something out and it told
8 me I had an error in my project. And I went through to see
9 what the problem was.

10 And it said I had scheduled work to be done on
11 Saturday and Sunday, and so that was the error.

12 I believe we have changed that default setting.
13 We are available at all times.

14 And these what-if questions, it's something that I
15 would welcome and foresee happening on an ongoing basis, you
16 know, daily, if that's what you want.

17 Definitely not a we do a three-week map drawing
18 session, come back, and then you ask your questions, and
19 wait three weeks, and come back. You know, throw those
20 questions at us as they come up.

21 And we definitely want to explore what-if
22 scenarios.

23 We're not going to be presenting one final map.
24 There are going to be a lot of audience case scenarios that
25 we are more than happy to explore and document.

1 ANDREW DRECHSLER: And kind of want to add on to
2 that.

3 We talked about the regular reports. We are going
4 to have a lot of data that in theory we can throw at you and
5 say, see, it's all transparent.

6 But, I think behind all that data is a
7 comprehensive report that really is able to summarize what
8 we're doing, when we're doing it, and how we're doing it.

9 And that will be something that during this
10 regular process that we're going to be working with you in
11 distributing that.

12 So it's not we're off doing maps and you don't
13 hear from us for three weeks. It's going to be regular
14 updates.

15 Now, there's going to be some very tedious data in
16 there that you probably would not want to -- that you could
17 go through, but you're not going to go through every single
18 snapshot, but that data is going to be available, but in
19 our, in our -- I think our big picture reports, if you get
20 to a section where you say I want to see more detail on
21 this, you're going to have that ability to go in and scroll
22 in and see what the thought process was during that time.

23 So it's going to be a collaborative -- we see this
24 effort as a collaborative effort going back and forth, you
25 asking lots of questions, lots of what-ifs, what about this,

1 what about that, throughout the process.

2 So that's something that we actually welcome and
3 want out of the Commission and the commission staff.

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: We were talking about the
7 lots of data that you're collecting. The data that you're
8 collecting, where's this data being collected from? Is this
9 general data that you're getting from census bureaus,
10 municipalities, counties?

11 KENNETH STRASMA: A broad variety.

12 For legal purposes, the data that was delivered to
13 the leaders of the legislature by the census is the full
14 standard data that we will be working with.

15 And I assume it's in possession of someone within
16 the Commission, and that's what we would start with.

17 That exact same data is available to anyone on the
18 Internet. And just as part of our due diligence we have
19 already downloaded that. We will compare that to the gold
20 standard data that was delivered to the leaders of the
21 legislature, just to make sure that the file was not
22 corrupted in transmission or anything like that.

23 That is the main data that is used to determine
24 population equality, the P.L. 94-171 census data as
25 delivered to the legislature.

1 We'll have the check of the publicly available
2 downloaded data. Same for the TIGER geography, the new
3 census blocks, delivered officially from the census and also
4 downloaded and verified through the publicly available data.

5 And then it gets into two other areas.

6 One is data that we would be meticulously
7 co-collecting as directed by the Commission. Most
8 prominently, election data used in analyzing competitiveness
9 of districts.

10 And that's a process that I described where we
11 would get from the Secretary of State election results, get
12 from counties and municipalities their precinct lines,
13 digitize those lines, disaggregate the box, reaggregate to
14 use in geography.

15 A complicated process, but one that has to be done
16 in order to answer questions about voting rights issues and
17 about competitiveness questions.

18 A third type of data, I guess you could sort of
19 call everything else.

20 I mentioned neighborhood associations, service
21 areas. I believe that the last -- someone mentioned a
22 community of interest at one of the recent public hearings,
23 and one of the reasons being because they shop at the same
24 shopping mall.

25 And that intrigued me, because service areas of

1 shopping malls and of other institutions, commute times, is
2 there information about what forms a community that's out
3 there, largely on the Internet.

4 And so that's something that we would be
5 collecting, are there maps of neighborhood association,
6 GIS files, just pictures of maps that they would digitize
7 ourselves.

8 We would collect as much of that information as
9 possible.

10 I'm a big believer in more data is better.

11 And we will probably get suggestions from members
12 of the Commission, from members of the public as this
13 process goes on. Here's something that you should look at.
14 And we'll see, well, is there a data source for that, and
15 see if we can hunt that down.

16 There are other pieces of census data, the
17 American Communities Survey, which although is not granular
18 enough to be used for population and equality questions, it
19 does add another richer data source to supplement
20 P.L. 94-171.

21 And just -- I'm not sure if this will come into
22 play or not, but we do have population projections produced
23 by commercial firms, ESRI, projecting population changes and
24 growth areas.

25 Those are all pieces of data that would be used to

1 supplement for census data.

2 THE REPORTER: Madam Chair, I need to reboot.

3 CHAIRPERSON MATHIS: Okay. We'll take a brief
4 recess for Marty. It's 3:28 p.m.

5 (Brief recess taken.)

6 CHAIRPERSON MATHIS: We'll come back out of
7 recess. It's 3:30 p.m.

8 KENNETH STRASMA: If I may, I just wanted to ask
9 Commissioner Stertz if I adequately answered his question on
10 data sources. I wasn't sure if he had a specific thought --
11 source in mind.

12 COMMISSIONER STERTZ: It had -- I do have a
13 follow-up to that.

14 The collection of data on communities of interest
15 at public testimony, I saw that you said that you've got a
16 manual form that you fill out that you then input into your
17 system.

18 But one of the things I want to talk about is
19 compactness as it pertains -- you're familiar with
20 Polsby-Popper test.

21 KENNETH STRASMA: I am.

22 COMMISSIONER STERTZ: Okay.

23 As it deals with district compactness, if you
24 know that -- as you looked at the state of Arizona, it's an
25 interesting state, because we've got the majority of our

1 population is in the center of the state. Most of it is
2 right where you're sitting right now. We're surrounded by a
3 large quantity of rural population. Those needed to be
4 divide equally into equal districts, both congressionally
5 and legislatively.

6 How would you look at that, as it refers to
7 Polsby-Popper, as being a method of utilization for
8 geographic compactness or -- and also for relatively
9 geographic dispersion of a district, because of the
10 diversity and how our population is dispersed around the
11 state?

12 KENNETH STRASMA: And I should start my answer by
13 saying I am agnostic as to measures of compactness. And I
14 do not believe that there's any one that can answer the
15 question of what is the most compact district.

16 And the common sense has to play a role in this.

17 Most GIS mapping programs at this point have
18 preloaded a large number of measures of compactness, and
19 others certainly can be calculated.

20 And I think the circumstances dictate what ones
21 make the most sense to use for different types of districts.

22 There are some that do, you know, a good job in
23 inland largely rural areas, some but fall apart when trying
24 to find the compactness of a coastal area that by its nature
25 is going to have a zigzag zaggy border.

1 The only whole question of population dispersion
2 is an interesting one.

3 One of the more intriguing schools of compactness
4 measures to me is measuring the difference between every two
5 voters in a potential district.

6 And if you minimize that distance, then regardless
7 of the overall shape of the district in terms of how it
8 impacts the voters, you have minimized the overall size of
9 the district for them.

10 Which is by have a way of saying, you know, I
11 don't feel there's one particular measure that works.

12 We would provide metrics for multiple different
13 compactness measures for any particular plan changes, and
14 trial and error and experimentation is really the best
15 answer I can give you as to how to deal with the suburban
16 and rural grids around the Phoenix area where we have
17 population concentration surrounded by a much more diffuse
18 population.

19 COMMISSIONER STERTZ: It's not like Wisconsin
20 where there's a city every 15 miles.

21 If you looked at the map you were putting up
22 earlier, it looked like something that might have been
23 gerrymandered by nature of its design and you add in those
24 other pieces.

25 You can look at the state of Arizona as well as

1 and look at the reservation as it pertains.

2 Who do you have on your team that deals
3 specifically with the Native American impact and influence
4 in the state of Arizona?

5 KENNETH STRASMA: William Desmond is, as I
6 mentioned, our GIS analyst. He did some electoral analysis
7 projects with various tribes in the last cycle.

8 He is definitely the person most up to speed on
9 those issues.

10 I should also add that the issues involving
11 whether different tribes wanted to be separate or together
12 in terms of preserving their communities of interest is,
13 again, a policy decision that, you know, I feel best defined
14 by the people impacted and decided by the Commission, not
15 ourselves.

16 COMMISSIONER STERTZ: Thank you.

17 CHAIRPERSON MATHIS: Questions from other
18 commissioners?

19 COMMISSIONER McNULTY: Could you tell us what
20 other projects your team is working on and whether the team
21 you've put together is going to have time to focus on us
22 pretty much exclusively for the next few months.

23 KENNETH STRASMA: Absolutely. This would be the
24 primary focus of the team that I have outlined, and not
25 100 percent of Andrew's time but the overwhelming share of

1 his time as a day-to-day project manager.

2 And further I should tell you we do not have any
3 political clients or campaign clients in Arizona at this
4 point and would not for the duration of this project.

5 This would be the primary focus of the people on
6 our team.

7 I should also add that we -- you know, although we
8 are a small firm, we expand and contract as needed basis on
9 workload and we do have a large pool of people who work with
10 us on different projects, and so we would definitely be able
11 to add capacity if needed. If other projects ever
12 threatened to limit the amount of time that our team was
13 able to devote to this, we would make sure that did not
14 happen by adding other staff to those other projects.

15 VICE-CHAIR FREEMAN: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Freeman.

17 VICE-CHAIR FREEMAN: You mentioned that you have
18 no current clients in Arizona at this moment.

19 Have you or your company had clients in the past
20 in Arizona?

21 KENNETH STRASMA: The closest to that would be the
22 John Kerry presidential campaign where we were advising John
23 Kerry's campaign in 2004 in Arizona.

24 But, refresh my memory if I'm missing anyone. I
25 don't believe we've worked directly with any Arizona

1 campaigns.

2 CHAIRPERSON MATHIS: So as the lone Independent on
3 this Commission, I'm interested in hearing about your
4 experience working with Independents.

5 Or for, I should say, both.

6 KENNETH STRASMA: Yes. It's -- in many cases it's
7 when we're working in nonpartisan elections where people are
8 not running on a party label.

9 I find it -- and perhaps I'm getting off topic or
10 not answering the core of your question. I find it
11 challenging from an electoral point of view and very
12 rewarding and interesting because in some ways the hardening
13 partisanship of the American electorate in the last
14 ten years or so makes campaigns fairly routine and broke.
15 At that point when you're running a partisan campaign,
16 people are appealing to the same base on either side.

17 Independent candidates I think often have both the
18 need and the ability to appeal to a broader spectrum in the
19 center of the electorate.

20 In our experience with Mike Bloomberg running as
21 an Independent, he also had -- and New York has a unique
22 situation, the Independence Party as opposed to being
23 registered Independents.

24 And we got to see a lot of interesting voter
25 attitudes about the question of Independents, not only as an

1 absence of political partisanship but as a type of
2 partisanship itself.

3 You might describe it as the militant centrists.

4 CHAIRPERSON MATHIS: Thank you.

5 I never thought of myself as militant, but it's
6 good to know.

7 Other questions from other commissioners?

8 COMMISSIONER McNULTY: We need to be fair and
9 balanced and impartial. And we would expect your dealings
10 with all of us, as cranky and as peculiar as we can get at
11 times, to be fair and balanced and impartial. And I would
12 just like you to comment on that.

13 KENNETH STRASMA: I believe that should
14 absolutely be the case.

15 I would seek guidance from you as to what the
16 rules for contact are.

17 I know that there may be open meeting questions
18 that come into play if I was to be talking with a group of
19 the Commission. I don't know quite exactly what that is.

20 I would seek guidance from you.

21 The easiest thing from my point of you is if we
22 are able to have unlimited communication with any of the
23 Commission members.

24 My preference would be for there to be an
25 understanding that that happens and also an understanding

1 that while those communications are confidential in regards
2 to the public, unless directed otherwise, but they're not to
3 the other commission members, so that the commissioners all
4 know what everyone is asking of us and what we're telling
5 them.

6 Again, I'm -- this is an example of my stating my
7 advice and my preference. I would look to you for guidance
8 on exactly what that procedure should be.

9 I don't want to have to keep secrets from the
10 Commission, but I know how to if asked to.

11 CHAIRPERSON MATHIS: Other questions?

12 COMMISSIONER STERTZ: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Stertz.

14 COMMISSIONER STERTZ: In your dozens of other
15 redistrictings that you've done around the country, that you
16 participated in, obviously the questions of partisanship
17 have come up.

18 I'm assuming they have.

19 KENNETH STRASMA: They have.

20 COMMISSIONER STERTZ: And you were able to get
21 those set aside, I want to get back to the question I asked
22 for, instead me couching it how you would react, how would
23 you advise us to react to those questions?

24 KENNETH STRASMA: My advice would be to say that
25 Strasma's firm has a balanced team and has outlined a

1 process that we feel will be 100 percent transparent and
2 well documented and will bring the public confidence in the
3 process.

4 COMMISSIONER STERTZ: Yet you are going to be
5 drawing the maps in Washington and New York.

6 KENNETH STRASMA: Correct.

7 But documented along the way and making that
8 available to members of the Commission at any point along
9 the process.

10 It's analogous to saying you could be standing in
11 our office if you wanted to. This is a way of making that
12 slightly more efficient.

13 There will be, you know, nothing that -- you know,
14 we're not going to have anyone -- first of all, we wouldn't
15 do it and second we wouldn't have the ability to have anyone
16 try out something and then say that we don't like that,
17 we're going to roll it back, because everything along our
18 map drawing process is going to be saved and documented.

19 COMMISSIONER STERTZ: Okay. Thanks.

20 CHAIRPERSON MATHIS: If awarded this, you
21 mentioned something about opening an Arizona office.

22 Did I hear that accurately?

23 THE WITNESS: Yes. And we would look to you for
24 guidance on that as well. If there is office space
25 available with the Commission that we could use, that would

1 obviously be our preference. If not, we would find modest
2 office spaces so we have a place to work here.

3 We want to have a significant presence here, not
4 full time, but often covering public hearings and meeting
5 with the Commission.

6 I mentioned having scanners that we would want to
7 use for transmitting hand-drawn maps and other comments. We
8 would need a place to house that.

9 So, while exactly how that office works remains to
10 be decided with you. We are committed to having a presence
11 here.

12 CHAIRPERSON MATHIS: Thank you.

13 Other questions?

14 Mr. Herrera.

15 VICE CHAIR HERRERA: Not another question. Just
16 that the IRC doesn't have room.

17 KENNETH STRASMA: I'm glad to hear that.

18 CHAIRPERSON MATHIS: It was built in 1893, the
19 house. It might be warm up there.

20 KENNETH STRASMA: I have often found that,
21 slightly off topic, that in terms of comfort and air
22 conditioning, I can get better responses by saying the
23 commuters need cool air more than people do.

24 CHAIRPERSON MATHIS: Right.

25 Well, any other questions?

1 COMMISSIONER McNULTY: I'll just make the comment
2 that I appreciated your submittal. It was extremely
3 carefully done and detailed.

4 The step-by-step answers to every one of our
5 questions was very much appreciated. Obviously a lot of
6 time went into it.

7 KENNETH STRASMA: Thank you for the opportunity,
8 and thank you for the obvious amount of time you've spent
9 studying it, and for your questions.

10 CHAIRPERSON MATHIS: Thank you for being here.

11 VICE CHAIR HERRERA: Madam Chair, I actually do
12 have a question.

13 CHAIRPERSON MATHIS: Oh, sorry, we have another
14 question.

15 VICE CHAIR HERRERA: I agree with
16 Commissioner McNulty. I thought the proposal was extremely
17 detailed, followed instructions.

18 I like the training -- the detailed training that
19 you'll provide staff, pretty detailed, and also the -- how
20 you capture public input.

21 I really think public input is the important most
22 important thing. I appreciate the thoughtfulness and detail
23 that you put into this, not only this presentation but also
24 the proposal.

25 CHAIRPERSON MATHIS: Thank you very much.

1 KENNETH STRASMA: Okay. Thank you for your time.

2 CHAIRPERSON MATHIS: The time is 3:44.

3 We'll go into recess for just five minutes. It's
4 3:45 p.m.

5 (Brief recess taken.)

6 CHAIRPERSON MATHIS: Okay. We'll go back out of
7 recess now.

8 The time is 3:51.

9 And our next firm is Terra Systems Southwest.

10 And just to let you all know, whoever is doing the
11 main presenting, if you could stand at the microphone there.

12 And if you want to make your presentation first,
13 the way we've kind of been following is about a 20 minute or
14 so presentation, and then the rest of the time is question
15 and answer. And the commissioners will just ask questions
16 in a round-robin format, no particular order.

17 HOWARD WARD: Great.

18 Madam Chair and members of the Commission, my name
19 is Howard Ward, and I'm president of Terra Systems
20 Southwest.

21 With me today are key members of the Terra Systems
22 team.

23 On my right here is Cheryl Thurman, project
24 manager and principal in Terra Systems Southwest.

25 Running the computer today is Priyanka Miller, GIS

1 analyst and consultant.

2 And behind her, Peter and Carol Zimmerman, our
3 public outreach consultants and principals in Zimmerman
4 Public Affairs.

5 We thank you for selecting us to come here and
6 present our ideas on redistricting in Arizona. It's an
7 honor to appear in front of you and the public today to
8 discuss our proposal.

9 By way of background, I started my career in Pima
10 County, and I've been a GIS professional, a mapping
11 professional since 1988.

12 I was a key staff person in the implementation of
13 GIS and the creation of a multi-million dollar GIS database
14 in Pima County in the early 1990s.

15 I left my job as GIS manager in Pima County in
16 late 1998 and formed Terra Systems.

17 So, a little about Terra Systems. Over the past
18 13 years we've completed hundreds of projects. These range
19 from simple data updates to complex GIS data -- complex GIS
20 design analysis and application development.

21 Many of these projects are similar in scope,
22 deadlines, and required skill sets as to -- similar to the
23 redistricting project that we are proposing.

24 For example, we are GIS consultants mapping
25 broadband availability and speed across the entire state of

1 Arizona right now. As part of the broadband program, we
2 evaluate, process, map, and verify millions of customer and
3 facility service records each year.

4 This processing is usually concentrated in the
5 final month before federal deadlines, and we have always
6 delivered on time.

7 We also run a lot of remote telemeetings using
8 Go To Meeting software.

9 Our clients and broadband providers are all over
10 the state, and we show them our maps and analyses using this
11 remote technology and get their input. It's turned out to
12 be a very effective means of doing so.

13 We are also assisting the Maricopa Association of
14 Governments update a number of their GIS databases. The
15 ones that they use to model land use change, excuse me, and
16 traffic patterns in order to plan for future transportation
17 infrastructure.

18 This project started out with a lot of unknowns.
19 It was a fairly -- somewhat ill-defined, and we worked
20 successfully with MAG over the past few months to define and
21 implement a comprehensive work plan, and we're implementing
22 that right now.

23 And, again, we run weekly telemeetings with the
24 MAG staff, and review what we've done, take their
25 recommendations, make adjustments, and produce new outputs.

1 And with that brief introduction, I will turn over
2 the presentation to Cheryl, our project manager.

3 CHERYL THURMAN: Thank you.

4 Good afternoon. Can everybody hear me all right?
5 Thank you.

6 Thank you, Howard.

7 Madam Chair, members of the Commission, my name is
8 Cheryl Thurman, and I am one of the principals of Terra
9 Systems, as Howard mentioned, and also vice president.

10 I am a native Arizonan. I was born in Tucson
11 many, many years ago.

12 I also am a resident of Maricopa County now. I do
13 live in southeast Chandler, and I head up our satellite
14 office here in Chandler.

15 I have 15 years of GIS experience. I started my
16 career in GIS at the University of Arizona, and continued
17 through my position as a hydrologist at Pima Association
18 of Governments until at what time I came out and formed
19 Terra Systems and have been doing that now for the past
20 12 years.

21 Our team members have been -- an important point
22 we want to make is that we have been operating successfully
23 here in Arizona for decades. Our team is focused on the
24 application of GIS technology and to create a solution for
25 the acquisition and the input of public comment as well.

1 This is our organizational chart for Terra
2 Systems, and I'll give you a brief overview on how we feel
3 that this will all fit together.

4 Howard will provide the high level guidance and
5 technical assistance as needed throughout the project.

6 I will perform the day-to-day project management
7 operations and will coordinate the team activities, and also
8 do some project technical work as well, and also publication
9 quality cartography and assisting with the public outreach
10 as needed.

11 Priyanka will be our team member doing the bulk of
12 the GIS analysis, including the administration, operation
13 of, and training related to our ESRI powered redistricting
14 online software solution.

15 She will be heavily involved with the technical
16 portion of the public outreach and the presentation of our
17 mapping project.

18 Carol and Peter Zimmerman will support the AIRC in
19 the development and implementation of public outreach,
20 including broad solicitation, careful organization which we
21 feel is very important, and accurate tracking and reporting
22 of public input, and its influence on the resulting
23 redistricting maps.

24 Curtis White, who is unable to be with us today,
25 he's on vacation, but he will provide support for database

1 design and any complex GIS analyses and quality assurance of
2 our GIS products.

3 Finally, ZPA has a number of support staff to
4 ensure the professional and timely delivery of materials
5 related to the public outreach and the documentation of such
6 input.

7 We have been an ESRI business partner since 1999.

8 Our solution is powered by ESRI Professional
9 Services, which allows us to have direct access to the
10 redistricting online software development team. And we will
11 be able to leverage their expertise on this project.

12 We are proposing a very innovative web-based
13 approach to map creation and public review using the ESRI
14 redistricting online software.

15 We are proposing a comprehensive and unique
16 approach to gathering, documenting, and incorporating public
17 input into this process.

18 We are committed to delivering quality projects --
19 products on time and within the tight time frame under which
20 the Commission is operating.

21 We will back this commitment up through early and
22 frequent communication with the Commission and staff,
23 careful project organization and management, and the
24 professional application of appropriate technologies to
25 facilitate more timely development and review of these

1 mapping products.

2 We have proposed a work flow and a schedule that
3 meets the both the federal and state requirements for fair
4 representation.

5 Our work flow will be organized by map series,
6 first creating the equal population map, and then moving
7 forward through Hispanic and Native American and other
8 minority considerations, compactness and contiguity,
9 communities of interest and adjustment, as well as
10 competitiveness -- competitiveness evaluations.

11 Questions related to population growth, given that
12 we were the second largest growth in population behind
13 Nevada when comparing the 2000 census to the 2010 census,
14 and also we did see an increase in our Hispanic population
15 in the state.

16 We need to carefully analyze this information
17 coming out of the census data and leverage our expertise in
18 making the census data sing.

19 The information is there.

20 The key is extracting that information out of the
21 census data and communicating that to the public.

22 This is an absolute necessity in addressing the
23 important issues and helping the AIRC find accurate and
24 defensible answers to address those issues.

25 The work flow is driven by a structured

1 methodology for each mapping phase.

2 This will include data research, organization, and
3 evaluation, and will include the public and community input
4 phase as well, data analysis, and synthesis of that data,
5 map adjustments based upon the comments and Commission
6 review, public review, and finally the final map production.

7 Each map phase is integrated with our public
8 outreach, our documentation and infrastructure, which will
9 include web maps, social media, and traditional approaches
10 to soliciting and gathering public input.

11 I will now turn it over to Priyanka, and she is
12 going to discuss our web mapping software solution.

13 PRIYANKA MILLER: Thank you, Cheryl.

14 Madam Chair and members of the Commission, my name
15 is Priyanka Miller, and I am a long-term, long-time Arizona
16 resident along with being a GIS consultant. I'm joining the
17 Terra Systems team to be -- as a GIS analyst to be able to
18 accomplish this critical task for our state.

19 As a GIS consultant, I work very closely with
20 local municipalities and organizations all over the state.

21 I especially work with ESRI software product for
22 the last ten years. So along with being technical with the
23 software, I've also given numerous presentations on GIS data
24 and application in a formal public setting.

25 I'm going to briefly go overview of what the

1 software does, of what is the technology behind the
2 software, and then I'll wrap it up with examples of some of
3 the states and the counties that I've been using the
4 software.

5 GIS software, as Cheryl stated, is web-based that
6 is able to collaborate communities and users to be able to
7 create and plan and comment on redistricting plans prior to
8 them becoming final.

9 It's an extremely powerful tool because it's based
10 on cloud-based computing, and I am going to go over that in
11 a little bit detail in the next slide.

12 Further, this functionality -- it offers
13 functionality via mobile devices. These functionals are
14 compatible -- these maps are compatible with iPhones and
15 Microsoft Windows application and devices, which will be
16 very handy to be able to give that power or that information
17 to the public.

18 And also you are able to create using the ESRI
19 data mapping technology different other data, since you're
20 able to create map district scenarios prior to finalizing
21 those.

22 This is overall a powerful solution.

23 This is not an add-on. It is not an extension to
24 an existing software. It provides simple solution to this
25 process.

1 The diagram on the screen is a conceptually --
2 tries to break down what cloud computing really is, but in
3 simple words cloud computing -- with cloud computing the
4 users can access information on their laptops, their cell
5 phones, their computers, via the server. There is no
6 installation and downloading of software on separate
7 machines.

8 Further, there is no -- all of the processing and
9 the storage is on the cloud.

10 Further, it is able to support multiple users at
11 the same time, which is highly scalable and flexible.

12 The web base is very intuitive, easy to use, which
13 kind of really reduces training. Minimal training required
14 along with the cost.

15 All of the infrastructure, the application, as
16 well as the redistricting data, sits on a centralized --
17 it's centrally managed. It's a centralized server.

18 And this further gives usage and provides the tool
19 of cost effective way to give this to out to the public,
20 which only further increases them for the redistricting
21 process.

22 So what do you get with ESRI redistricting.

23 The total solution incorporates software,
24 precontent access data, along with the ability to add custom
25 data and access to a plethora of resources, which is all

1 managed by the ESRI services.

2 Some of the key features such as reporting, plan
3 creating, and editing you can actually assign sense of
4 geographies to districts. You can monitor the demographical
5 impact that the assignment has to a given district.

6 Further, if you recall, it also has -- it includes
7 this checks. For example, compactness and contiguity. You
8 can run those checks for the districts within the
9 application.

10 Plan management lets you create users and also
11 assign provisions and access to different users. Schematic
12 mapping and one of the most important powerful tool that is
13 has is red lining. Users are able to -- the public is able
14 to log in, comment, red line on maps and plans, send in
15 their comments, and these comments are further tied into a
16 plan ID, which is -- forms the basis of our formal
17 documentation and our comment selection approach.

18 That Carol is going to talk about later.

19 So what I just mentioned, this application gives
20 you the ability to create groups. You can add users to
21 groups. Say, for example, there's special community or
22 advocacy groups. You can have a group specifically for
23 them.

24 They're able to collaborate amongst themselves,
25 share ideas on a proposed district plan, and then present it

1 to the Commission for their review.

2 It has excellent import export capability. You
3 can export district plans, reports, do a text file to a PDF.
4 You can attach these documents onto the plan.

5 And also it is compatible with the DOJ, with the
6 Department of Justice, and the Office of Management and
7 Budget Formats.

8 Now, here, this is some of the examples that we
9 have of some of the states, cities, and communities have
10 that been utilizing ESRI software solution. And as a part
11 of our research, we actually made contact with them and got
12 very positive feedback about their experience with their
13 redistricting process using the ESRI software.

14 Well, this wraps up my part. I'm going to give it
15 back to Cheryl. Thank you.

16 CHERYL THURMAN: Great. Thank you, Priyanka.

17 We have decades, decades of GIS experience
18 managing projects such as this and operating under tight,
19 tight deadlines with very, very high expectations.

20 We did not get our reputation in this state by not
21 following through for our clients.

22 We run the full sweep of the ESRI professional
23 grade GIS tools, and we have the most current of computer
24 hardware always available to us and our staff.

25 This project requires the application of advanced

1 GIS analysis and related skills.

2 No doubt about it.

3 GIS software is that platform.

4 It is the most -- it is the most used GIS software
5 in the state.

6 Nearly all jurisdictions from small towns to
7 counties, to the state level, State Land Department, ADOT,
8 are all ESRI-based platforms.

9 The draft redistricting scenarios will be
10 communicated to you, the Commission, and to the public using
11 professionally established cartographic techniques and
12 standards.

13 It's something that I'm very passionate about.

14 I think that communicating a picture to people is
15 half the battle.

16 Using advanced symbology and that a graph charts
17 the statistic and visually aesthetic supplemental graphic
18 will create interest and increase readability of all the
19 mapping products.

20 You would be surprised how often the general
21 public gets in front of a map and really has a hard time
22 understanding what that map is trying to communicate. And
23 there is a skill and a talent in creating a map that is
24 truly readable to the public.

25 We have spent 20 years maintaining good working

1 relationships with GIS professionals here from all over the
2 state, in every local jurisdiction, all the way up to the
3 state level.

4 We have these connections. They are not only our
5 professional associates, but many oftentimes our friends.

6 This extensive GIS network here in the state
7 facilitates not only direct data acquisition from each of
8 these jurisdictions that we will need, but also establishes
9 a strong integrated working environment which is helpful in
10 a variety of different levels.

11 You cannot overestimate the value of being able to
12 call on these local experts when data is needed quickly, and
13 given the time constraints that we're under that's a
14 concern.

15 Or when an analysis approach might need peer
16 review or buy in from a local jurisdiction at a local
17 government level.

18 I'd like to pass it over now to Carol Zimmerman
19 who will be talking about our public outreach portion of our
20 submittal.

21 And then I'll be coming back to conclude.

22 CAROL ZIMMERMAN: I have a feeling I'm not
23 speaking directly into the microphone.

24 Thank you.

25 Madam Chair, members of the Commission, I'm Carol

1 Zimmerman, and I am a partner in Zimmerman Public Affairs.

2 And first before I start I'd like to thank you for
3 volunteering to do this work.

4 I know you're going to be under a lot of pressure
5 and have a lot of opinions coming your way, and I want to
6 thank you right now for doing this work.

7 Zimmerman Public Affairs has been working with
8 issues around the state since the early '80s.

9 Both Peter and I have been involved in numerous
10 campaigns that involved high profile, short fuse, often
11 contentious political issue campaigns. We've been involved
12 with national, mostly statewide, and in many counties and
13 small towns in Arizona.

14 And without going into a lot of our client base,
15 we invite you to visit our website, those of you in the
16 audience, to see some of the history.

17 Thank you.

18 We are Arizona focused and have statewide
19 experience, but we also are problem solvers, and this is
20 really important.

21 By necessity we have to meet election deadlines.

22 And we have to do it in a problem-solving fast
23 way, still creatively, and with an idea of winning.

24 That is, an election you have to give 50 plus 1,
25 and you have to do it on election day.

1 And we're award winning, with recognition for our
2 television, radio, print and other kinds of techniques.

3 But our strength is really in our grass root
4 outreach, our data collection, our survey research, our ways
5 in which we bring people of a coalition together to support
6 an effort.

7 We're also members of the International
8 Association of Public Participation, IAPP. And we adhere to
9 their code of ethics and their best practices.

10 And you will see a little later that we draw from
11 their as experience set of tools for some of our work.

12 So what it is we bring to work with you and your
13 staff.

14 It's a public outreach commitment. It's one to
15 promote public participation, to put a fair and transparent
16 process -- and by fair I mean a program that provides a
17 balance of participation that is geographically inclusive,
18 allows for traditional outreach methods, as well as
19 extensive use of new technologies.

20 There are many people for whom things like Twitter
21 is still a foreign concept.

22 But all of these must be done fully compliant with
23 open meeting laws.

24 And we know those laws.

25 So what's in our tool box.

1 Well, we have a lot of things we want to bring to
2 the table, and I won't go through all of them, and we'll
3 leave you a copy of this for later on.

4 First, we want to expand your website a little
5 bit, to put some things on it, like links that we talked
6 about for online mapping.

7 Background on redistricting. FAQ, what people
8 might expect.

9 Most importantly will be a handbook in both
10 Spanish and English on how can I participate.

11 This will be not only an online tool, but we will
12 have this at every event and for groups to disseminate. How
13 can people participate in the process, and why is it
14 important.

15 Making this a process for the public accessible,
16 comfortable, understandable is our goal.

17 Working with you in advance work and clear
18 information is how that will happen.

19 Advance work in all of these situations, it's in
20 the little detail is how it happens.

21 In addition, some of the other things that we have
22 in our tool box include use of social technology. And I'll
23 talk about that in just a minute.

24 To the degree that you would like -- that your
25 public information officer would like any help with,

1 advisory and press releases, placement and news stories,
2 we're skilled in that area.

3 Stand-alone informational displays in public
4 repositories around the state where people can look at
5 whatever the current map and maps are with some take aways,
6 and mail in comment cards, hopefully paid, so we can get the
7 kind of feedback on a regular basis, not only from all of
8 the web opportunities, but in hard paper as well.

9 I'm going to talk a little bit about the survey in
10 just a minute.

11 Workshops, fact sheets at each stage of the game.

12 What are some of the fact sheets and information
13 that go with some of the maps.

14 Next.

15 So, our approach is balancing community outreach.

16 And we've had a lot of experience with this. And
17 what we're suggesting, and this is, of course, how best you
18 all would like to work, is that we would conduct -- you
19 would conduct, we would assist you, with 15 meetings in each
20 of the Arizona counties.

21 These could be done, depending on the budget and
22 technology and different scenarios, simultaneously, two or
23 three at a time, where different commissioners are in
24 different places, but the public can come to a place or as
25 well access online.

1 In addition, we're thinking about holding
2 stakeholder workshops. And these are really training for
3 them on how to do the online mapping. Bring a laptop and
4 hook in, we'll show you how to do it.

5 But for some of us who are also clearly
6 old-fashioned with the whole map, take out a pen, put your
7 comments and sticky notes on it. We'll go through that
8 exercise, document that, and bring that back to you as well.

9 When we get to the final process, we're talking
10 about holding four final meetings, again, with some remote
11 sites to go with that, so people can look at all the maps
12 that are being proposed.

13 We talked about using social media and how can
14 that be done.

15 Well, we propose that the Commission has a
16 Facebook.

17 We will link badges to it to say the latest map is
18 up online, and you want to take a look at it, you want to go
19 on, or here's what's sort of new in the process.

20 We'll capture the comments coming off of Facebook.

21 And Twitter, again, we will -- if you all have a
22 Twitter account, or we will capture those comments.

23 We don't propose that we're going to engage in
24 dialogue with anyone back and forth.

25 What we propose to do is capture that and allow

1 people to comment in their various forms.

2 YouTube. YouTube will be very valuable for
3 posting instructional videos, posting, for instance, one of
4 the stakeholder meetings where at the training session,
5 perhaps we even do a webinar instead, so that they can
6 see -- people can see how to go on and use the other tools.

7 And media monitoring, we want to keep track of
8 what's going on out there so we all have a heads-up, both
9 the blog and the stories around the state.

10 Survey. I mentioned the survey before. We want
11 to do a survey that's will happen at every meeting and
12 online. And it's a process survey, a process evaluation
13 survey.

14 Not so much about which map and what you feel
15 should be the lines, but, in fact, how was the outline
16 processed, how did they learn about something. Did they
17 feel that they were able to get their point across? Did
18 they feel that this was something valuable to participate
19 in?

20 Not just a static piece of information. We will
21 use it together to fine tune and adjust future meetings as
22 we go along about what sort of worked and what didn't work.

23 The temperature was too hot.

24 And then we also will help you on doing the
25 advertising of the final maps. Again, public displays or

1 any news stories with journalists in terms of their
2 promoting public comment on those stories.

3 The last slide lists the various, and this is
4 perhaps the most important area to us, is the collection,
5 the tabulation, the preservation of the public comments.

6 And when you look at all these ways in which we're
7 going to collect them, one of them that's the most critical
8 aspect of the project to us, and wherever it can be linked
9 to maps we will do that.

10 Everyone may not be happy at the end of this
11 project, and I am sort of going to guess that everybody will
12 not be perfectly happy at the outcome.

13 What's really important is that you as
14 commissioners need to be absolutely confident that you heard
15 the concerns and that you produced the best maps possible.

16 And that's what we're here to help you with.
17 Thank you.

18 CHERYL THURMAN: So why the Terra Systems team?

19 We are experienced.

20 We are highly qualified.

21 And we will strive to be the best extension of you
22 that we can be.

23 We did not get our reputation here in the state of
24 Arizona and across the country by not doing quality work.

25 We have done work from the Tampa Bay communities

1 out east to Bozeman, Montana, which we won a national Hammer
2 Award, a vice presidential Hammer Award in 2000 for
3 innovative use of technology in government.

4 We do work for Hawaii. We have done quite a bit
5 of work out there.

6 We -- so we are, are recognized across the nation
7 as a quality GIS firm that puts out innovative work and does
8 our best to give our clients exactly what they need in every
9 situation.

10 We have proposed an innovative approach. It is a
11 little bit different.

12 A lot of online components. A lot of using the
13 news technology out there.

14 I think pulling in that social media component is
15 important, but I think also pulling in those apps and the
16 social -- or the apps and the mobile devices is also very
17 crucial.

18 I know my husband can't go anywhere without his
19 iPod.

20 People really have ingrained that in life, and it
21 needs to be incorporated into this redistricting process.

22 But most importantly, we are Arizonans. We are
23 locally-owned small businesses, supporting our community
24 each and every day in a variety of different manners.

25 We are your neighbors. We are your associates.

1 I may be your child's volunteer at school for art
2 masterpiece.

3 We know the issues facing the state of Arizona and
4 our communities. We knows those up close and personal.

5 We know every corner of this state, from the
6 northeast corner up in the Navajo County out to the dunes of
7 Yuma to the Chiricahuas out in the southeast.

8 We are aware of the issues facing our communities
9 of interest, and we want to work to bring those issues to
10 the forefront for those who have concerns.

11 Further, we are GIS experts, as I mentioned.

12 The Commission, you, bring a high level of
13 expertise in redistricting.

14 And you are well versed in the needs of Arizona
15 and the legal perspectives related to redistricting.

16 We will assist you in reaching your mandated goal
17 in a way that is highly defensible, and also not only
18 incorporating the concerns of you, the Commission members,
19 but also most importantly incorporating public input on this
20 redistricting process.

21 Hard work at a fair price with honesty and
22 integrity. That is what we offer very simply.

23 And that is exactly what we will deliver.

24 So I want to thank the Commission in this
25 afternoon's opportunity, and I would like to turn it back to

1 my partner Howard Ward who will direct the questioning
2 portion. Thank you.

3 CHAIRPERSON MATHIS: Thank you.

4 HOWARD WARD: So we're at your call for questions.

5 CHAIRPERSON MATHIS: Great. Thanks.

6 So would any commissioners like to start?

7 COMMISSIONER McNULTY: I'll start.

8 CHAIRPERSON MATHIS: All right. Ms. McNulty.

9 COMMISSIONER McNULTY: When I think of the state
10 right now, I think of it in terms of geography, mountains
11 and rivers and states and streets, but I need very quickly
12 to replace that picture in my mind with a picture of census
13 data and voter behavior.

14 And my question is: How can you help us do that?

15 HOWARD WARD: Well, you can go online right now
16 with the redistricting application and get a picture of the
17 census blocks. And the online application we're talking
18 about has already got all the base P.L. 171 data attached to
19 it, so you can start making dramatic maps and try to
20 understand the census block, the census block side of that
21 right now.

22 I'm sorry, what was the second part of your
23 question?

24 COMMISSIONER McNULTY: Voter behavior.

25 HOWARD WARD: Yeah, we've looked into that, and we

1 have a website from the Secretary of State's Office that we
2 can download and have it up within a day or two for you
3 displayed by precincts, that kind of thing. So it should be
4 pretty quick to turn around a map.

5 You have to understand, as GIS professionals we
6 have to wait for you.

7 In other words, there's a million things that we
8 can do with the software, but only maybe two or three of
9 those things we would find any interest in, so we might as
10 well ask you first. Right?

11 And when you tell us I'm interested in seeing
12 percentage of people in -- you know, ethnicity by census
13 block or something, we'll generate a map for you. We can
14 turn it around pretty quickly, but you are the drivers of
15 that process.

16 CHAIRPERSON MATHIS: Other questions?

17 VICE-CHAIR FREEMAN: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Freeman.

19 VICE-CHAIR FREEMAN: Thank you for your proposal.

20 It was detailed, and it had some innovative ideas
21 I thought in there.

22 One issue that is going to be coming up
23 recurrently is the issue of bias or the perception of bias
24 by the public.

25 Could you talk to a little bit about that.

1 Is there anything in your company or in
2 Ms. Zimmerman's company that anyone of any political stride
3 can point to to draw into question the independence of your
4 companies?

5 CHERYL THURMAN: I'll go ahead and take that. I
6 think I can speak to that.

7 Howard and I, we have a really interesting
8 company. And occasionally over lunch things can get really
9 interesting.

10 He's a Democrat. I'm a Republican.

11 But it's not something that comes into the play of
12 our business on a daily basis though.

13 I think that what we need to focus on here is
14 letting the data sing, as I mentioned earlier, and focusing
15 on that.

16 We are not a company that chases redistricting
17 process -- or lobbies for redistricting projects across the
18 this county.

19 It's not what we do necessarily.

20 So we -- I really do see us truly as an unbiased
21 platform from which to -- for the data to really drive this
22 process.

23 And I think, I think that that is a solid point,
24 that it is the data driving the process, it is the public
25 input driving this process.

1 It is not our political affiliations within Terra
2 Systems or the Zimmerman PA for that matter of fact. We
3 don't, we don't believe in having there be a bias in
4 something like this.

5 It really is up to the data and the public input,
6 and our personal affiliations or company affiliations aside.

7 Terra Systems does not make large scale
8 contributions.

9 We work, you know, we work for developers and we
10 work for nonprofits.

11 We -- you know, our client list runs the gamut.

12 We do a lot of work for jurisdictions all across
13 the country, but we also do work for some nonprofit groups,
14 but we also do some development work as well as spacial
15 growth modeling and helping developers decide, you know,
16 where they want to place their next development.

17 So, so we kind of, you know, reach the full gamut
18 from the, you know, more left to the right side.

19 I think that the Zimmermans as well.

20 Would you like to speak to that?

21 CAROL ZIMMERMAN: I'm not going to stand up there
22 and tell you we're not political.

23 We are.

24 We are -- run a lot of campaigns and have done a
25 lot of issue campaigns.

1 One of our favorite lines is there's life after
2 election day.

3 You never know who you're going to be aligned with
4 the next time.

5 But most of our work is not with candidates. It's
6 about issues. Transportation, water, a number of kinds of
7 issues.

8 And that's what gives us a lot of information
9 about voters and types of voters, and what are those funny
10 red things called precincts that only a few people in the
11 world live by.

12 So, yes, we are political, but our -- can we do
13 this outreaching in an unbiased way? Absolutely.

14 Do we have the expertise to help guide in some of
15 those political land mines? Yes.

16 So, in terms party affiliation, that's really --
17 we really don't get involved with very much, any of the
18 parties. In fact, sometimes much too the dismay of either
19 one of them doing one side or the other.

20 I think we can approach this with a lot of
21 information from all sides and a lot of -- and be informed
22 by our background as being political.

23 VICE-CHAIR FREEMAN: Thank you.

24 CHAIRPERSON MATHIS: Questions from other
25 commissioners?

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: If you would, please,
4 provide the Commission with your number of successful
5 Department of Justice preclearance applications as they
6 would pertain to state redistricting applications.

7 HOWARD WARD: Zero.

8 COMMISSIONER STERTZ: Thank you for your clarity.
9 Do you find that that's a large hole in your
10 application?

11 HOWARD WARD: No. I think this is about process.
12 I think that it's -- we're working for you. You
13 have accumulated wisdom and expertise from your viewpoint.
14 You are providing us directions.

15 We're very facile with operating the technology,
16 which I think is going to be important.

17 We've got a great public outreach firm on board
18 that's going to help us with that process.

19 And if that process runs its course, you will get
20 a defensible, robust redistricting process that the DOJ
21 should pass hopefully in the first 60-day period.

22 So, I don't -- everyone's got to start someplace.
23 Even the guys that have 30 or 40 projects on their resume
24 started someplace. I think we're starting from a really
25 good place.

1 And we're killer with technology.

2 We know how to do it, and we have a proven track
3 record of that, and I think we can take that combined with
4 you, with our public outreach, and I think that we can do a
5 really, really nice job for you.

6 We do have Curtis White is on board, and he's
7 doing Santa Cruz County Board of Supervisor Justice of
8 Peace, and there's some DOJ stuff there, but I can't speak
9 exactly to answer your question about his experience, but we
10 can find that out for you.

11 COMMISSIONER STERTZ: Is Curtis an employee of
12 yours?

13 HOWARD WARD: Curtis runs Global Systems Modeling,
14 and we've had a long-time -- a long-term relationship with
15 him and we've done a number of projects, but he is his own
16 company and he is a subcontractor.

17 And that's really our business model.

18 You should know that we are a small company that
19 does a lot of subcontracting. We find the best talent out
20 there, and when we need it we use it, and then we don't have
21 to have the overhead waiting for the next project to come in
22 the door.

23 COMMISSIONER STERTZ: Thank you.

24 A couple more follow-up questions regarding that.

25 First of all, I thought your written proposal as

1 well as your presentation today hit on so much of what the
2 overall view of conversations that we've had from the
3 Commission have been, which are transparency, public
4 outreach, nonpartisanship, and technology.

5 Right from the beginning we have been focusing on
6 technology and getting information out so that all corners
7 of the state can get information from us.

8 So I was very pleased that someone is hearing what
9 we've been talking about.

10 But there's still a hole in your proposal.

11 I want to talk a little bit about competitiveness
12 and your understanding of that this is a partisan process
13 and that there are six components to the mandate that we're
14 given constitutionally to follow.

15 And I want to see where your opinions fall
16 personally.

17 So, do you believe -- or please provide me your
18 opinion as to any situation that you would favor the drawing
19 of a competitive legislative or congressional district that
20 would cause a communities of interest to be disrupted.

21 HOWARD WARD: All I can tell you is that from
22 working with this technology for 20 years is that I've got
23 enough on my hands just manipulating the data and, you know,
24 trying to get a product out for the client. The last thing
25 on my mind is going to be whether this is a Democratic or

1 Republican thing. I'm going to be looking and we're going
2 to be looking to you for guidance on what to do.

3 We're going to run a transparent public policy.
4 It's going to be documented so we're going to -- you're
5 going to know all the input that came to us.

6 We're going to summarize and present that to you.

7 And when a map comes out and you say why did that
8 district line move seven census blocks over, we'll be able
9 to tell you why that was.

10 So the transparency should also help. You don't
11 have to make my word for it. But by good documentation, we
12 should be able to surface what we've done and then that
13 should really -- if I have any intention to try to do that,
14 it should help alleviate that.

15 CAROL ZIMMERMAN: Can I add to that?

16 HOWARD WARD: Sure.

17 CAROL ZIMMERMAN: We are well aware of the various
18 criteria starting at the federal level of what in terms of
19 equal population and the Voter Rights Act and then the state
20 criteria.

21 And unless I'm wrong, all of those things that
22 need to happen must happen before you get to
23 competitiveness. In fact, they come in order of priority
24 that are set before you.

25 And so it's not that we can't be looking at one

1 without the other, and certainly one does influence the
2 other. But quite frankly competitiveness cannot be, as my
3 understanding, and hopefully as we work this out, at the
4 expense of some of those things a little bit higher up, like
5 communities of interest.

6 But when all of those other things are being met,
7 competitiveness is very important.

8 And so looking at that history, and we do know
9 some of that voting history very well over the last
10 ten years, then we can begin to look at that model.

11 Does that answer your question a little bit more?

12 COMMISSIONER STERTZ: It does.

13 But, Madam Chair, a little follow-up?

14 CHAIRPERSON MATHIS: Sure, Mr. Stertz.

15 COMMISSIONER STERTZ: We've got, as you can see,
16 we've got two brilliant counselors that are representing us.

17 Describe to us how you would be working with the
18 two legal minds here in --

19 CAROL ZIMMERMAN: Most respectfully.

20 COMMISSIONER STERTZ: Great first answer.

21 But the second answer is that in the preparation
22 of the, in the preparation of the submittal for the
23 Department of Justice review, since this is -- this piece of
24 your team, it's a hole in your application, because you
25 don't have any current active experience in statewide

1 redistricting, or applications for preclearance, how do you
2 see that, how do you see crossing over --

3 CAROL ZIMMERMAN: And I would,
4 Commissioner Stertz, I would disagree that's a hole. In
5 fact, I think it's an advantage. We don't come here saying
6 this is how we did it before, this is how it's going to be
7 done, it's boilerplate, you do it this way. Not at all.

8 It's a new commission from ten years ago.

9 I'm well aware of what the Commission did last
10 time and the lengthy amount of time spent in court.

11 However, it is your commission, as Howard said,
12 and that's going to be important.

13 We're here to assist you to make sure it's very
14 defensible, that you're feeling comfortable at every moment
15 that you have made the right decisions.

16 And you have, and you're with legal counsel are
17 able to -- so we will assist them with all the
18 documentation, the archival of that carefully, making sure
19 they have everything.

20 But when it comes down to it, it is really not our
21 experience with DOJ but really what is this new commission
22 and this new day of 2011 going to do.

23 And I think that's very important.

24 You are -- we are who we are today in this state,
25 and it's different than we were ten years ago or different

1 than another state, and it can't be a boilerplate thing.

2 It's got to be an evolution -- evolving process
3 that comes out of a culmination of public outreach, the
4 data, that's very important. And I can only do things so
5 many ways until it doesn't meet the test.

6 And then we have our gut and common sense of what
7 needs to be done.

8 So I am happy to work with lawyers. I won't even
9 do a lawyer joke.

10 But, in fact, what they're going to ask us for the
11 things that they need, the documentation that they need.

12 And we will be very respectful and give it to
13 them.

14 COMMISSIONER STERTZ: Thank you.

15 CHERYL THURMAN: And if you would allow me to
16 follow up a little bit on that too.

17 The ESRI redistricting software solution does
18 apply and have within that software various tests that can
19 be applied to the compactness, the contiguity, the community
20 of interest evaluations, and it does have in the package
21 competitiveness evaluations. And so there are algorithms
22 that are built into the redistricting software to test that
23 very point.

24 And so those are very -- it's very -- it's
25 documented. It's very open to the public.

1 They can, they can look at this data themselves.
2 They can look at the results of these tests that are running
3 through the software, and make evaluations and comments
4 based upon that, as can you.

5 So there are predefined tests on the software for
6 each of these areas, in both the federal and state
7 requirements, if that helps.

8 COMMISSIONER STERTZ: Thank you.

9 VICE CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

11 VICE CHAIR HERRERA: I don't have a question.
12 What I do have is a comment about the six criteria. I
13 disagree with you that the five before the competitiveness
14 is more important.

15 It wouldn't be you determined. It would be the
16 Commission to determine.

17 So I want to make sure that that's clear that I
18 think they're all equally important, but it would be the
19 Commission deciding this, for the record.

20 HOWARD WARD: I would say we're completely in
21 agreement with that. We're really looking to the Commission
22 to direct us in our work.

23 VICE CHAIR HERRERA: Thank you.

24 CHAIRPERSON MATHIS: Other questions?

25 Mr. Freeman.

1 VICE-CHAIR FREEMAN: Madam Chair.

2 You mentioned the algorithm in the ESRI software
3 that's used to evaluate competitiveness.

4 Is that algorithm available to the public? What's
5 your understanding of the algorithm that's used?

6 PRIYANKA MILLER: I can take care of that
7 question.

8 The way the software works, like I said is assign
9 user -- say it again?

10 The way the software works is assign user
11 permission. You can have a power user that has access by
12 default. When a citizen would log in, they're given the
13 citizen role where they're only -- their review, and one
14 person integrity test, but not the whole plethora of them,
15 because they're a whole bunch of them.

16 But it depends really, you know, on the user
17 access and how they'll be able to --

18 (Whereupon, two audience members' conversation
19 becomes too loud for the reporter to hear the speaker.)

20 THE REPORTER: Hey, give me a break.

21 CHAIRPERSON MATHIS: Sorry?

22 THE REPORTER: Could you repeat that please, just
23 the last part.

24 PRIYANKA MILLER: It really depends on how the
25 users are assigned their roles. With the software you can

1 have -- you can assign roles such as power user,
2 administrator, and also a citizen. By default anybody
3 who logs into the website with the user name and password
4 will be allowed the citizen role. They can manipulate
5 reports.

6 They have limited function in the sense that they
7 can't change the proposed districting plan.

8 They can save it as their own and come back and
9 share that if they want to, but they can't really change the
10 published plan which is out there.

11 They can make versions of that and submit that for
12 your review.

13 I hope that answers your question.

14 VICE-CHAIR FREEMAN: Thank you.

15 HOWARD WARD: I'd also add that what I've seen of
16 the software using the demo to try to understand what it is,
17 the algorithms are not secret. They'll tell you -- document
18 how -- what's going on behind the various testing things
19 that apply, so there should be no black box component to
20 that.

21 CHAIRPERSON MATHIS: I have a question.

22 So I'm just curious to know what motivates you and
23 how you got interested in this kind of work.

24 I guess for any of you.

25 Ms. Thurman.

1 HOWARD WARD: Well, I've always been fascinated by
2 geographic information systems so my interest in the project
3 isn't really necessarily political. It's I love stretching
4 my capabilities and understanding what we can and can't do
5 at the GIS, and that drove me out of the county back in
6 1998. I started filling out personnel evaluation forms
7 eight hours a day, five days a week, and I was losing my
8 touch with the hands-on. So that's what drives me is I love
9 a challenge in trying to make the GIS answer your questions.

10 I love it.

11 That's what drives me.

12 Does anyone else want to answer?

13 CHERYL THURMAN: Yeah, I guess we are kind of
14 passionate about what we do.

15 We love maps. We love data. We love what we do.

16 When I was working at Pima Association of
17 Governments, Howard was the GIS manager over at Pima County,
18 and we all used to get together -- this was back in the day
19 when GIS was a young technology. And it was very exciting
20 to see the growth of that technology evolve over the years.

21 And as a scientist, as a fact manager, as a
22 hydrologist and an earth scientist, I mean, I love the
23 analytical side of things.

24 I also love to do the cartography. I've had many,
25 many, many countless published maps. And it's something

1 that I'm very passionate about doing is communicating to
2 people through mapping.

3 I think that there's so much more that can be
4 understood about any given situation if you can map it and
5 explain it to people in a visual manner.

6 It's extremely powerful.

7 And it doesn't matter whether you're looking at
8 redistricting or a transportation analysis or a growth plan
9 for Bozeman, Montana, or, you know, looking at the
10 hydrologic features of Sonoita Creek in Tucson and what's
11 affecting the perennial reaches of that stream.

12 Mapping is an incredibly powerfully visual
13 component, and the analysis behind it can help decision
14 makers make better decisions.

15 That's what we are powerful about, is getting the
16 information out there and then helping people make better
17 decisions through better information.

18 CHAIRPERSON MATHIS: Thank you.

19 Questions from -- Mr. Herrera.

20 VICE CHAIR HERRERA: Yeah, I want, if you can
21 clarify for me, is there seems to be a lot of focus on the
22 GIS component, GIS, but not on redistricting.

23 Are they -- I'm seeing a lack of redistricting
24 experience in your firm, or am I incorrect?

25 HOWARD WARD: No, the experience that we have with

1 redistricting is through Curtis White, who, again, has done
2 the county level redistricting.

3 We are quite experienced though in taking
4 direction from the Commission and applying GIS very
5 efficiently to answer your questions about how to
6 redistrict.

7 We don't see ourselves as redistricting experts
8 per se.

9 We -- you tell us what your concerns are, what
10 you'd like to see, and we'll make it happen on the GIS.

11 So you're right. There is a GIS technology
12 emphasis there.

13 That's what we're really good at.

14 But the other thing we're good at is finding other
15 areas of expertise, and the Zimmermans are a good example of
16 that. We needed that sort of out in the world political
17 sort of savvy, and also, you know, creative ideas about how
18 to get public input.

19 Again, we view ourselves as being the levers that
20 you guys pull and direct in order to get a robust and
21 defensible redistricting map, one that will survive DOJ
22 scrutiny and will keep as many people happy as possible.

23 So, yeah, I don't necessarily disagree with you,
24 but I don't think it's a weakness.

25 You're calling it a hole in our proposal.

1 Again, as Carol has mentioned, I think almost it's
2 a strength that we don't really come into it with
3 preconceived notions. We'll form a collaboration with you
4 and we'll get this figured out.

5 VICE CHAIR HERRERA: Thank you.

6 CHERYL THURMAN: If I could follow on that as
7 well.

8 I agree with Howard. I don't think it necessarily
9 is a hole.

10 I think that the public in general is a little
11 tired of this being a political ploy in the same players
12 controlling everything and it not being a transparent
13 situation.

14 My firm has honesty and integrity.

15 We may not have done 20 states, or, you know, in
16 the past 20 years.

17 But what we do have, Mr. Herrera, is honesty and
18 integrity and transparency.

19 And we are not trying to drive this process.

20 This is not about the firm who gets this contract
21 deciding where these lines go.

22 This needs to be data driven and driven by the
23 public and by the AIRC.

24 It really doesn't have too much to do with us
25 per se.

1 We do have an understanding of the redistricting
2 process quite well, and Mr., if Mr. Curtis was -- or
3 Mr. White was here, he could go into a little bit more
4 detail on what he has done down in Santa Cruz County.

5 But I will tell you this. I have worked for the
6 Secretary of State's Office, last summer. And on very short
7 notice they needed redistrict -- or they needed voter
8 district maps to support their online mapping project that
9 was done for November, 2010.

10 Half that data supporting the firm in Florida that
11 did that mapping project was Terra Systems data behind that.

12 I pulled together the voting districts for
13 three remote counties within a few day period for them,
14 provided support for that contractor in Florida, and got
15 them what they needed in a very short time frame for the
16 Secretary of State's Office.

17 That software company was very impressed and very
18 happy that we were able to do that.

19 And ultimately that mapping project that was up on
20 the State's website was better off because of our attention
21 to detail and our creation of the data that drove those
22 voter districts, and many of the three specific counties
23 here in Arizona.

24 So we do have experience dealing with voting
25 districts.

1 We have a vast amount of experience dealing with
2 census data.

3 Census data is a bear sometimes to get a hold of
4 technologically speaking, and it can be obtuse.

5 And if people are not aware on what they -- what
6 you can do, the power of that data, and the information that
7 is in that data, is huge.

8 Now, with the new format of the 2010 census, now
9 that we no longer have the long form coming out from 2000,
10 there's a lot of differences in the electronic data of the
11 census 2010.

12 There are differences there.

13 Getting your hands around census data and really
14 understanding it and being able to manipulate it to answer
15 questions that are driven, there is an intricacy and a level
16 of expertise there that develops over time.

17 We know the data from the state of Arizona up
18 close and personal.

19 Howard has to work with that for the Arizona
20 broadband project all the time. We do it for CAAG, Central
21 Arizona Association of Governments, and we do it for MAG all
22 the time.

23 So we know the census data, we know how to
24 manipulate that data to answer questions, and the ins and
25 outs of that data to make it sing, as I said earlier. And I

1 think that that is very powerful.

2 But I want no means for the public or the
3 Commission to think that we're coming in here thinking that
4 we are necessarily your redistricting experts.

5 We want the public to drive this, and we want you
6 to drive this.

7 We want to be an extension of the AIRC.

8 We don't want to come in with any preconceived
9 notions.

10 And I don't think that the public wants that
11 either.

12 I think that they want this to be an open and
13 transparent process, with somebody coming in who doesn't
14 have a bias and who doesn't have a preconceived notion on
15 what these districts need to look like or should look like
16 one way or another.

17 VICE CHAIR HERRERA: Thank you for clarifying.

18 CHAIRPERSON MATHIS: Thank you.

19 Questions from other commissioners?

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: Let's talk about schedule.

23 You mentioned to Commissioner McNulty that you are
24 live already in one aspect. So that we can come down from
25 the 30,000 foot river and mountains view into facts and

1 data.

2 But let's talk about the deliverables.

3 You propose a 28-week schedule in your, in your
4 response. And 28 weeks puts us into the month of January
5 based on a some time early July start.

6 HOWARD WARD: January 14th. Assuming July 5th
7 start, the conclusion would be January 14th.

8 COMMISSIONER STERTZ: Is there -- is that -- is
9 there a way, in your opinion, to shave any time off of that
10 schedule?

11 HOWARD WARD: Yes. We've already had that
12 discussion.

13 We presented sort of the ideal way to run the
14 project from a technological point of view, but there's ways
15 that we can double up, but, again, it's going to take
16 conversations with you to understand what you're comfortable
17 with.

18 But we think there's -- for instance, there may be
19 ways to work on the equal population map and the Hispanic,
20 Native American, minority kind of map simultaneously, so we
21 think we can parallel up.

22 The other thing too that was built into our
23 schedule was we were assuming all those meetings, those
24 15 meetings and the 15 workshops, were going to be, were
25 going to be offsite. We're going to traveling, a lot of

1 time spent on the road, that kind of thing. But we would
2 like to suggest that maybe we can collapse that a little bit
3 by using our Go To Meeting technology.

4 But, again, it would take discussions with you to
5 determine whether you're comfortable with that. And, you
6 know, there are some details that have to be worked out, but
7 we can probably -- Carol and I were talking about it. We
8 think we can collapse it by at least a month, perhaps
9 five weeks.

10 We're thinking more it could be a mid December
11 deadline.

12 And that's just with a first pass kind of looking
13 at it.

14 A lot of it's going to depend on what you're
15 comfortable with and what you want to do.

16 COMMISSIONER STERTZ: Thank you.

17 As a follow-up to that from the public outreach
18 from the Zimmermans' point of view, you've got -- you had
19 laid out, I believe, 4 workshops and 15 public sessions.

20 Are any of those that can happen concurrently
21 rather than -- do you have enough staff or support people?

22 CAROL ZIMMERMAN: Yes, we do.

23 And it's really, again, as Howard was saying, it's
24 your desire.

25 One of the things that we might do, you know,

1 here's just kind of vision that -- the initial -- we would
2 think it's important that you hold something in every
3 county.

4 I just think that's very important.

5 But they can be simultaneous.

6 So several commissioners could be in one location
7 and others could be in another.

8 And you could see the maps from yet a third
9 location.

10 But people can literally give you testimony.

11 You can see what's happening in both or two or
12 three locations.

13 And we have the staff to make sure that that
14 advance work and the kind of help you need in those sessions
15 can do.

16 So, again, it's your desire to do that.

17 And I think that will certainly help with the time
18 frame.

19 The workshops, the stakeholder workshops, just
20 to go back for a minute, we're thinking about 15 meetings
21 where we gather data and then 4 final meetings on the final
22 draft.

23 So that -- and those would happen relatively close
24 together in that 30-day period.

25 The other 15 workshops are certainly -- are not

1 ones that are necessarily need to be Commission led. They
2 are, in fact, workshops for hands on.

3 Commissioners are certainly more than welcome to
4 be there, but not in the formal sense.

5 But more us allow -- providing whatever training
6 or assistant people would like on how to use the online
7 mapping or how for those people quite frankly who are just
8 not comfortable or maybe don't have access to those kinds of
9 tools to be able to learn and come in and draw on a map and
10 then present that information to you.

11 So I think we can collapse those. Some of those
12 can happen at the same time.

13 So I think really, again, it's a schedule.

14 We want to make sure that we don't shortcut the
15 public outreach part, but at the same time we understand the
16 window.

17 People need to submit petitions on May 21st, so
18 backing that up gets to be -- I think we talked about it. I
19 think it's much -- we really should be issuing them in the
20 middle of December.

21 COMMISSIONER STERTZ: Thank you.

22 Madam Chair, I've got one follow-up and my last
23 question for Howard.

24 The -- and I just lost it.

25 I guess that's fine. That will be my last

1 question. I just lost it right there, so thank you.

2 CHERYL THURMAN: If you wouldn't mind me following
3 up on one more point.

4 I think a powerful part of our solution is
5 allowing the public to use the online redistricting software
6 submitting their comments and red lines online.

7 I think that that will allow the public review
8 process to move forward more quickly.

9 I think a lot of people are comfortable with that.

10 As Carol was saying, there are going to be those
11 people who want to do the drawing on the map, the staking
12 out kind of thing. And that's okay too.

13 But I think using this online and using technology
14 to our advantage right now in our compressed time frame is
15 one of our strongest suits.

16 And I think that the Commission really needs to
17 utilize that technology to gather every bit of community
18 input that we can grab during this time period in a
19 reasonable time frame and using this technology to help us
20 compress that time frame as much as possible.

21 CHAIRPERSON MATHIS: Thank you.

22 Any questions from other commissioners?

23 Ms. McNulty.

24 COMMISSIONER McNULTY: I don't have a question,
25 but I'd just like to thank you for your proposal. You

1 obviously put a lot of time and effort into it. It was very
2 thorough and detailed, and we appreciate the effort.

3 HOWARD WARD: Thank you.

4 CHAIRPERSON MATHIS: And I would also like to
5 thank you for your patience. I think I forgot to do that at
6 the beginning. I'm sorry we got off track. And thank you
7 for waiting and presenting.

8 HOWARD WARD: Sure.

9 CHAIRPERSON MATHIS: Okay.

10 With that, let's see where we are.

11 It's 4:53.

12 We had another public comment session.

13 Are we okay with -- Marty, are you okay?

14 Great. We'll go ahead, and so we're on
15 agenda item six now.

16 This is our second public comment today.

17 The first request for speak form -- request to
18 speak form I have is Andrew Sanchez, council member, Town of
19 Guadalupe.

20 He's representing the Town of Guadalupe, and the
21 subject is town involvement to advocate for self regarding
22 map.

23 HOWARD WARD: Madam Chair, would you like the
24 consultants to remain or leave, or is there a preference
25 from the Commission on what we do?

1 CHAIRPERSON MATHIS: I believe they're welcome to
2 stay.

3 It's okay.

4 You're welcome to stay.

5 Thanks for asking.

6 ANDREW SANCHEZ: Good evening. I didn't know it
7 was going to be this long.

8 I was here at 8:00 o'clock this morning. I see
9 you guys got your work cut out for you.

10 Well, today I was asked from the mayor, the mayor
11 asked me to come to these meetings.

12 And she just wanted to let me know that -- the
13 Commission know that the Town would like to actively
14 participate in the drawing of the line as it pertains to the
15 community or at least our 6,000 residents.

16 We are in unique position when it pertains to
17 culture, ethnicity.

18 We have a very large Native American population.
19 And I think, as far as we know, we've been a part of Ed
20 Pastor's district.

21 Again, we'll follow the events as it goes by, and
22 we're going to establish a committee in our community to try
23 to see if we can get more community members involved.

24 We do understand that there's community members
25 that no longer live in the town. They live, like, in Tempe

1 and Phoenix. So we're going to try to pull them into it.

2 Hopefully we can pull more people than just our
3 town, including the neighboring communities, and hopefully
4 get them more involved with this process.

5 But that's all I'd like to say, and hopefully more
6 community members when need will be here to this Commission.

7 Thank you for your time.

8 CHAIRPERSON MATHIS: Thank you.

9 Our next request to speak is Ken Clark, co-chair
10 of Arizona Competitive Districts Coalition, and the subject
11 is competition.

12 KEN CLARK: Thank you, Madam Chair, members.
13 Thank you for the brief opportunity.

14 Arizona Competitive Districts Coalition is a
15 nonpartisan group that has two goals basically: To work in
16 favor of a greater number of competitive districts both at
17 the legislative and congressional level and to, and to
18 create a platform for greater public participation.

19 I'm sure many of you have seen the free online
20 mapping tool that we've created called Redistrict Arizona.

21 That is the public participation part of that.

22 I wanted to share with you that we have -- we're
23 on there now more than 320 profiles of people who have gone
24 on and created a profile do some kind of mapping. And close
25 to 900 maps.

1 What that means is that somebody has started on a
2 map, maybe they haven't finished working on it or they're --
3 they've got it on there.

4 Now, we would suggest that ten years ago, as I
5 recall, there were fewer than ten entities in this state
6 that had access to the kind of mapping tools that you could
7 use to really interface with the Commission.

8 If you were part of the public and you wanted to
9 argue in favor of communities of interest or competition or
10 anything, you were relegated to paper and pencil, and you
11 really didn't have that level of sophistication.

12 And we've delivered that.

13 We also have a public contest to see who can do
14 the best job of meeting all six of the redistricting
15 criteria.

16 The purpose of that contest, which we hope to come
17 and present to you the results of that, the purpose of that
18 contest is twofold.

19 One is to generate ideas, and two is to
20 demonstrate to the public that they can participate in a
21 more sophisticated level than they could ten years ago.

22 Our intent is not to do your job.

23 It is those two items.

24 Now it's the end of the day. I would hope for an
25 opportunity at a later meeting to come and present more

1 formally to you our role, our mission, put the software up
2 on the screen so you can see it, and show you what we're all
3 about, if that's at all possible, and talk to you about what
4 service we may be able to just provide to the public going
5 forward through this process.

6 The map's already there -- I mean, the program's
7 already there.

8 It's already something that obviously a lot of
9 people are using, and we think many more will use as they
10 want to express their interest to the Commission.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is Michael Liburdi. He's an
13 attorney with Fair Trust.

14 And the subject is mapping RFP.

15 MICHAEL LIBURDI: Good afternoon. I see we made
16 it.

17 Again, my name is Michael Liburdi. I'm an
18 attorney. I represent the Fair Trust.

19 And I sat through most of the hearing. Listened
20 to what folks had to say.

21 And I have to say it's unclear whether certain
22 consultants aligned with certain political campaigns and
23 aligned with certain political issues can be independent and
24 impartial throughout this process.

25 We think that hiring such consultants cannot

1 engender public confidence in this process and the integrity
2 in the redistricting commission.

3 A question does arise about two consultants who
4 have been before you today and about their partisan nature.

5 This has been brought up, but I'd like to
6 reiterate and make sure the record shows this, that
7 according to its website, Strategic Telemetry, Ken Strasma,
8 was the national target director for the 2008 Obama
9 campaign, he's worked with John Kerry's campaigns, and he's
10 led many Democratic campaigns.

11 Strategic Telemetry is also currently involved in
12 the current Wisconsin recall efforts against the governor
13 there and several members of the state legislature.

14 We have downloaded political contributions from
15 the FEC's website for Mr. Strasma that approach \$15,000
16 exclusively to Democratic causes and candidates.

17 And when I get a moment, I'd like to present these
18 to Mr. Bladine to be included on the record.

19 One of these documents is a printout from
20 Strategic Telemetry's website where they have a list of
21 press releases.

22 Every single one is associated with a Democratic
23 campaign and work that they've done and what they perceive
24 to be successes for Democrats.

25 And I'll just read one of them to you from the

1 journal Sentinel February 28, 2011.

2 A Democratic look at the validity -- at the
3 viability of recalling Walker and GOP lawmakers.

4 It was done by Wisconsin's Ken Strasma who did
5 microtargeting for the 2008 Obama campaign and concludes
6 that among people who dislike what Walker is doing, quote,
7 very large numbers are willing to take some action about it,
8 quote, said Strasma, in an interview.

9 Also included in this material is a, is a printout
10 of information that Mr. Strasma had prepared for Democratic
11 activists in that campaign, which reads very much like a
12 political party piece.

13 So, Madam Chair, if I may indulge and approach the
14 executive director.

15 CHAIRPERSON MATHIS: Sure.

16 MICHAEL LIBURDI: Second, Madam Chair, members of
17 the Commission, with respect to Mr. Strasma, it's very
18 troubling that he would tell this Commission that he would
19 be performing almost exclusively all of the work in
20 Washington, D.C., and New York City.

21 From our perspective it would be very difficult to
22 determine how that could be done in a manner that takes into
23 account what the citizens of Arizona have to say about
24 redistricting, and also, Commissioner McNulty said this
25 morning, about transparency in the process, having things

1 done in Arizona.

2 Mr. Strasma had said that redistricting is a
3 complicated and contentious process.

4 I don't see how it -- I mean, by any objective
5 measure there's -- it would be very difficult for him to
6 engender independence in this process.

7 Second would be Mr. Sissons who testified this
8 morning.

9 Mr. Sissons has a record of supporting Democratic
10 candidates, not to mention that he represented the Minority
11 Coalition in the last go around, which prolonged this
12 process by several years.

13 And, Madam Chair, if I may approach Mr. Bladine
14 with -- and I apologize, I have one copy, but this is a
15 printout of Mr. Sissons's and his wife's campaign finance
16 contributions for the state of Arizona and for the Federal
17 Election Commission over the last ten years, which exceeds
18 thousands of dollars.

19 So, just to conclude a bit, by any objective
20 stretch of the imagination, we feel it would be very
21 difficult for this Commission to engage a partisan group or
22 group aligned with one particular party, particular
23 candidates, for this process.

24 That should be a non-starter, and it should
25 disqualify those individuals in those firms from

1 consideration.

2 Thank you.

3 CHAIRPERSON MATHIS: Thank you.

4 Our last speaker is Steve Muratore, publisher of
5 Arizona Eagletarian on the timing of vote on map consultant.

6 STEVE MURATORE: Thank you, Madam Chair.

7 Short, not just me, but my comment this time.

8 Before I talk about the timing of the vote you
9 have to take, I wanted to say I have a question about
10 Mr. Liburdi and who exactly is Fair Trust.

11 So, he's disclosing some important information for
12 you to consider, but we need to know who he's representing
13 and exactly that will put that in context.

14 Now, as far as the vote that you have to take, I
15 would suggest that maybe today is a little premature.

16 I understand that the recording is going to be put
17 online overnight, as soon as that's available.

18 And if you give the public a couple of days to
19 observe and digest, and then come back and have your
20 executive session, you might have a little bit more input,
21 and that will also give you time for you guys to chew over
22 and digest what you've heard.

23 So, that's my two cents.

24 CHAIRPERSON MATHIS: Thank you.

25 All right.

1 So, that takes us to the end of public comment.

2 Was there anyone else who wanted to speak?

3 (No oral response.)

4 CHAIRPERSON MATHIS: Hearing none.

5 Next item on the agenda is seven, discussion and
6 consideration of confidential documents associated with the
7 evaluation of responses to the mapping consultant RFP and a
8 review of ranking of submitted proposals after consideration
9 of interviews.

10 The Commission may take action to select a firm
11 and direct future action by the State Procurement Office.

12 And we may vote to go into executive session,
13 which would not be open to the public for the purpose of
14 obtaining legal advice or reviewing confidential documents.

15 And if we do that, staff from the State
16 Procurement Office would be present.

17 COMMISSIONER McNULTY: Madam Chair, I move that we
18 go into executive session to talk with State Procurement
19 about the confidential documents.

20 CHAIRPERSON MATHIS: And to obtain legal advice?

21 COMMISSIONER McNULTY: And to obtain legal advice.

22 CHAIRPERSON MATHIS: I'm not sure we need it, but
23 we would have to say so.

24 Okay. Is there a second?

25 VICE CHAIR HERRERA: I second that.

1 CHAIRPERSON MATHIS: Okay. Any discussion?

2 (No oral response.)

3 CHAIRPERSON MATHIS: All in favor?

4 ("Aye.")

5 CHAIRPERSON MATHIS: Any opposed?

6 (No oral response.)

7 CHAIRPERSON MATHIS: Okay. It is now 5:08 p.m.

8 I'm sorry, public, unless there's a room here.

9 Oh, we go. We do have a -- yay. For once they
10 don't have to. . .

11 5:08 off.

12 (Whereupon, the public session ends.)

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16 (Whereupon, the public session resumes.)

17 CHAIRPERSON MATHIS: The time is 5:44 p.m., and
18 we'll go back into public session now.

19 We had some good discussion during executive
20 session, and we're all very appreciative of the firms and
21 presenters today.

22 They did a great job coming in and, first of all,
23 filling out those proposals and then presenting the
24 information to us.

25 We really appreciate it.

1 We have a lot to think about.

2 We need to fill out our evaluation tool score
3 sheet, which comes to us from the State Procurement Office.

4 And so in order to do that thoughtfully and well
5 and not after eight hours of proceedings, we decided that we
6 will fill those out. We have orders to return them to the
7 State Procurement Office by Tuesday morning at 7:00 a.m.,
8 and then State Procurement will take our information,
9 aggregate it, do their work, their number crunching as they
10 call it, and then they'll be ready to discuss what the
11 results were.

12 So we'll have a meeting -- we decided on next week
13 sometime.

14 And we're thinking -- Mr. Bladine, is going to be
15 Wednesday?

16 RAY BLADINE: Our belief would be Wednesday,
17 probably 2:00 o'clock in Tucson, actually south Tucson, but
18 we'll confirm that as soon as we can.

19 If we could do it earlier, we will.

20 CHAIRPERSON MATHIS: Okay.

21 RAY BLADINE: But I don't know that you can.

22 CHAIRPERSON MATHIS: Okay. So that's the plan, so
23 venue to be determined, but most likely 2:00 p.m. Wednesday.

24 And you'll have that agenda posted, with that
25 48 hour notice, as we always do.

1 So.

2 Did commissioners have any comments or final
3 thoughts on anything they wanted to say?

4 (No oral response.)

5 CHAIRPERSON MATHIS: Hearing none, the next item
6 on the agenda is adjournment.

7 It's 5:46 p.m., and I declare the meeting
8 adjourned.

9 (Whereupon, the public session ends.)

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