

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Friday, September 2, 2011
1:32 p.m.

Location

**Fiesta Resort - Galleria Ballroom
2100 South Priest Drive
Tempe, Arizona 85282**

Attending

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

Ray Bladine, Executive Director
Kristina Gomez, Deputy Executive Director
Buck Forst, Information Technology Specialist

Mary O'Grady, Legal Counsel
Joe Kanefield, Legal Counsel

Reported By:
Marty Herder, CCR
Certified Court Reporter #50162

Phoenix, Arizona
September 2, 2011
1:32 p.m.

P R O C E E D I N G S

(Whereupon, the public session commences.)

CHAIRPERSON MATHIS: Good afternoon. This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Friday, September 2nd. The time is 1:32 p.m.

Let's all start with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: We'll go ahead and start with roll call.

Vice Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

VICE-CHAIR HERRERA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

COMMISSIONER STERTZ: Here.

CHAIRPERSON MATHIS: We have a quorum.

1 I'll go ahead and introduce the other folks around
2 the room.

3 We have our legal counsel today, Joe Kanefield and
4 Mary O'Grady.

5 Our mapping consultant Willie Desmond.

6 Stu Robinson, our public information officer.

7 Buck Forst is our chief technology officer.

8 Our executive director, Ray Bladine, is in the
9 room, as is deputy executive director Kristina Gomez.

10 We have a court reporter today, Marty Herder,
11 recording everything.

12 So when it comes time for public comment, please
13 be sure to come up to the microphone and speak directly into
14 it, and be sure to spell your name for the record so we have
15 an accurate accounting.

16 That takes us to item two, which is map
17 presentations.

18 And we have one today, Pinal County Governmental
19 Alliance map presentation.

20 And then if there are any public proposals, we'll
21 hear from those too.

22 BOB LYNCH: Good afternoon, Madam Chair and
23 members of the Commission. I'm Bob Lynch.

24 I'm an attorney here in Phoenix, and I represent
25 the Pinal County Governmental Alliance.

1 You have in front of you a packet that we have
2 prepared that has a series of maps and statistics.

3 I think we will start in with the congressional
4 map, which your map consultant has managed to put up on the
5 screen.

6 When we started constructing this, and this is
7 unfortunately my fourth redistricting, we started from the
8 proposition that controlling activity would be the
9 Voting Rights Act and Federal Justice Department approval
10 under Section 5 of the Voting Rights Act of your decision.

11 And our charge from our client, which is a
12 nonprofit association of the local governments in Pinal
13 County, was to try to keep Pinal County whole.

14 So the first thing I did was tell them we couldn't
15 do it. That there were three parts, or all of three Indian
16 communities in the county, that would be divided if we did
17 that, and that wasn't going to work.

18 So we would do our best.

19 And what you see in front of you is the best we
20 could come up with.

21 What this map does is it starts with Section 2
22 requirements of the Voting Rights Act, majority-minority
23 districts, Districts 4 and 7, as currently denominated.

24 And we started with the current statistics and
25 knew from 2001 that CD 4 had 51.8 percent Hispanic voting

1 age population.

2 This map raises that to 57 percent.

3 We did that because we know that in our
4 configuration of District 4 there are 478,000 approximately
5 total voting age population, but only 228,000 are registered
6 to vote. And therefore we were taking into account the
7 actual voting age impact of Hispanics, not the population.

8 And we feel that the Justice Department is likely
9 to trend in that direction also.

10 We did the same for District 7. In 2001, it was
11 44.47 percent Hispanic voting age population.

12 This map configures District 7 to be 54 percent
13 Hispanic voting age population.

14 There are somewhat over 505,000 voting age
15 population in District 7, as we've drawn it, but only
16 275,000 are registered to vote.

17 So, again, erring on the side of caution that we
18 were creating or maintaining Hispanic strength, we came up
19 with these two districts as you see them.

20 I want to point out to you -- if I can make this
21 thing work.

22 Technology is not my strong suit.

23 That this line we did not disturb the line between
24 District 8 and District 7 that runs through Tucson.

25 We left that alone.

1 By doing that, in order to keep the Hispanic
2 population or voting population up in seven, we were forced
3 to take this little piece of the Cochise County and to take
4 a piece of Pinal County out here, Saddlebrooke area. That
5 left the bulk of District 8 exactly as it is today.

6 And it needed to slightly reduce population.

7 So by starting with seven and four, because we
8 felt you had to start there, we ended up with a position
9 where you keep eight virtually the same as it is. And we
10 allow as much of Pinal County as possible, minus the
11 Tohono O'Odham here and the Gila River and Ak-Chin here,
12 which are currently in District 7, to make -- to remain in
13 District 7.

14 That allows us then to create an eastern Arizona,
15 if you will, rural congressional district, and to have a
16 western Arizona rural congressional district.

17 Our population figures are pretty close. I know
18 that your map people will try to get down to the exact
19 absolute number, or within one or two.

20 Three or four of our districts, as reflected in
21 our statistics, are off a little, 15, 17, one of them 29
22 people out of -- but close. And your map can adjust -- and
23 your map expert can obviously adjust lines to smooth out
24 those little differences.

25 District 8, for instance, we are two people off.

1 In District 7 we are right on.

2 In District 1, as we have drawn it, we are
3 17 people short.

4 Again, minor detail.

5 In terms of compactness and continuity, we think
6 we've done a pretty decent job.

7 If you're going to have rural representation in
8 Arizona, excuse me, with these -- with the population shifts
9 that have occurred in the last ten years, we could not
10 figure out a way to keep a rural district the size of the
11 state of Illinois.

12 It just didn't work.

13 So two rural districts seem to be the best way to
14 go.

15 You'll note that we have kept the Hopis separate
16 from the Navajos, as is currently the case.

17 I know that that's a matter for discussion, and
18 there may be some opinions given to you during this process
19 that are different than that.

20 But this is -- we started with what we thought
21 would be the end result. And, to the best of my knowledge,
22 the Hopis have not yet definitively told you what they
23 wanted.

24 But I presume that they will sometime during this
25 process.

1 If they were to decide that they would prefer to
2 be with Navajo Nation, there are minor adjustments that we
3 have studied already and to be made up here to accommodate
4 that and keep the general configuration.

5 We also want to point out that we have split
6 Yuma County in ways we've seen others split it as well.

7 We've seen one Hispanic map -- Hispanic Coalition
8 map of seven and four that does pretty much the same thing.

9 I think one of your experimental maps about how
10 many border districts you have more or less followed that
11 same configuration.

12 It runs along the -- south of the freeway, and
13 along the gunnery range, over to 14 south, and then we take
14 it up to Arizona Avenue, the freeway.

15 It preserves a very significant Hispanic
16 population in this area for District 7, which was -- we felt
17 was necessary in order to keep the Hispanic voting
18 population in a safe area for this district.

19 On communities of interest, as I said, we have
20 two rural districts. We do not split any Indian
21 reservations. We have effectively a river district,
22 Colorado River district, on the west, that includes
23 Flagstaff, which has these very close ties as you know to
24 Grand Canyon and the Colorado River.

25 A lot of the agricultural area in Yuma ends up in

1 this river district, and that that agriculture is dependent
2 on the Colorado River.

3 On boundaries, eight counties are not split on our
4 map.

5 Two are slightly tweaked, Cochise and Pinal.

6 The main districts, except for Maricopa, are split
7 between only two congressional districts.

8 Our intent also, and we hope we have succeeded, is
9 not to split cities and towns, except obviously for Tucson,
10 Phoenix metropolitan area, and Yuma.

11 But other than that, we hope that we've been
12 successful in not splitting any municipal boundaries.

13 On competitiveness, we used a plus four or
14 minus four test that gave us five districts leaning
15 Republican, three districts leaning Democrat, and one
16 district swing as within the four percent.

17 So I submit that this is a credible effort at
18 moving from your grid map to solution. And I tell you that,
19 you know, that we hope once you have given us access to your
20 mapping software, which I think is coming on Wednesday, that
21 we will try to check our map against your software as well
22 and see if we made any mistakes.

23 We're also able then to adjust if there are some
24 opinions that the Commission wants to deal with, such as
25 the -- what the Hopis want for themselves or some others.

1 And if we get that information, we will try to adjust our
2 map and bring you a revised version of it for your
3 consideration.

4 I've already offered, but I will offer publicly
5 our staff to consult with you or respond to questions or
6 anything you need. We'd be happy to try to help.

7 Now, if we could move briefly to the legislative
8 map.

9 First a caveat.

10 We drew two districts, 23 and 25, as they impact
11 Pinal County.

12 Using the software we had, it sort of did this
13 other thing.

14 But we haven't really checked it to see if it
15 works. It's what the software did to us.

16 So with that caveat, you have in your paperwork
17 what we produced in terms of these two legislative district
18 proposals and the statistics that go with it.

19 This -- you can see the county lines left
20 Tohono O'Odham in -- together. Obviously we need to do
21 that.

22 This splits the county in a north-south direction.

23 I have seen other maps that suggest that same kind
24 configuration.

25 I will tell you we tried to come up with something

1 that it drew a line horizontally, and we couldn't make it
2 work. It just didn't work.

3 It didn't work on a population basis. It didn't
4 work with regard to the Indian reservations, where we had
5 taken a little piece of Pinal County, the San Carlos
6 reservation, and Pinal County, because we didn't want to
7 split them, the Indian reservation. And we have included
8 Ak-Chin and Gila River in 25.

9 And you can see, we've also gone down into Marana
10 and Pima County in order to meet the population
11 requirements and give you an opportunity to consider
12 two districts for Pinal County based on the fact that their
13 population is too large for one and not large enough for two
14 all by itself.

15 So other than that, I'd be happy to answer any
16 questions if I can. Or obviously at some later time if your
17 staff has questions, or it would be better to ask my legal
18 assistant that did all the heavy lifting on this.

19 I would just say one thing with regard to the
20 congressional map. It has been a very long tradition that
21 Congressional District 1 by number in Arizona include the
22 city of Prescott, the first capital.

23 I know you started this numbering system for a
24 reason based on where you started from as you were making
25 the grid maps.

1 But before you're done, I would suggest that you
2 might want to remember those, for the sake of history, if
3 nothing else, or in case you ever wanted to go back to
4 Prescott.

5 So that's our stuff, and I'd be happy to answer
6 questions now or later.

7 CHAIRPERSON MATHIS: Thank you very much for
8 presenting this today to us.

9 Did you state what the Pinal County Governmental
10 Alliance is, what it's comprised of?

11 BOB LYNCH: It's the county, the cities and towns,
12 the irrigation district, the electrical districts, and
13 pretty much every political subdivision in the county.

14 I don't have a list with me. I can obviously send
15 you a list of who's a member. I would be happy to do that.

16 CHAIRPERSON MATHIS: That would be great. I was
17 just curious to know who all was in the alliance.

18 Are there other questions for Mr. Lynch today?

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: I thank you for the
22 presentation. I just have a quick question.

23 I went to Bullhead City during the hearings, and
24 the majority of the people were pretty adamant that they
25 want to see a river district that takes up part of Yuma, but

1 they were clear that they didn't want to be part of
2 Flagstaff.

3 And I think your, your map includes Flagstaff in
4 District 1.

5 Or am I reading it wrong?

6 BOB LYNCH: Madam Chair, no, you're reading it
7 correctly. It does include Flagstaff in District 1.

8 We felt -- well, again, we started with four and
9 seven to get the necessary Hispanic population and Hispanic
10 voting age population that we thought would pass muster with
11 the Justice Department.

12 Once you've done that, and dealt with eight the
13 way we did, which we thought was correct also, you then deal
14 with things like Indian reservations and where they are, and
15 you can't split them.

16 And all of these factors come into play.

17 Flagstaff sits in north central northern Arizona
18 as a population center sort of isolated all by itself. So
19 when we were trying to configure this, we just -- the
20 software put Flagstaff in the district.

21 Now, I suppose you could do something more in
22 Maricopa County -- you'd have to steal from Maricopa County
23 somewhere or you would have to break a county boundary in
24 Gila County to do something.

25 I really don't know what the folks in

1 Bullhead City have against Flagstaff.

2 VICE-CHAIR HERRERA: Well, people in Flagstaff
3 felt the same way.

4 In our what-if scenario, we have a -- I don't know
5 if you've seen our river district version two. I encourage
6 you to take a look at it. Because it does include Flagstaff
7 as part of what you have as nine, we have as five, and has
8 the Hopi and the Navajo tribes together.

9 BOB LYNCH: I don't envy you cutting up northern
10 Arizona.

11 I'm aware that the Navajos have a proposal,
12 Coconino County has a proposal, Flagstaff has a proposal.
13 And from what I've seen, none of them are compatible.

14 So, I don't know what to tell you, except that we
15 did the best we could to try to create two rural districts,
16 and to meet the other requirements of the Voting Rights Act
17 as a starting point in order to then meet to the extent we
18 could the rest of the guidelines of the constitution.

19 VICE-CHAIR HERRERA: Thank you.

20 COMMISSIONER McNULTY: Madam Chair.

21 CHAIRPERSON MATHIS: Ms. McNulty.

22 COMMISSIONER McNULTY: I have three questions,
23 three questions -- four questions.

24 The first one I think is just because I can't see
25 this well enough.

1 On your hard copy, what is the green? What are
2 the green areas in the north?

3 BOB LYNCH: I think they are areas without
4 population compared to national forest.

5 COMMISSIONER McNULTY: Okay. All right.

6 BOB LYNCH: But I will ask Jill when she gets
7 back.

8 COMMISSIONER McNULTY: Do we have or will we
9 receive a Maptitude or block equivalency map for this?

10 WILLIE DESMOND: We have that.

11 COMMISSIONER McNULTY: Okay. Then Willie will be
12 able to tell us what the green areas are once he takes a
13 look at it.

14 Sure. I mean, there's no urgency. I was just
15 curious.

16 Two other questions. What is your analysis of
17 competitiveness in the two legislative districts?

18 And the other question is, we heard a lot of about
19 prisons in the Phoenix-Tucson corridor. And I wonder how,
20 how that factors into your districts, your proposed
21 districts.

22 BOB LYNCH: I can answer the first question.

23 I can't answer the second question. Jill can.

24 And I won't even tell you where she is, but I told
25 her that she had the day off a long time ago, and I have no

1 reason to risk my life to tell her no.

2 COMMISSIONER McNULTY: There's no urgency. I
3 think we didn't even realize it was a holiday weekend.

4 BOB LYNCH: I noticed on your schedule.

5 Now, if you will look at the handout, you will see
6 that we have tested competitiveness on those two districts,
7 and one of them is slightly Republican, and the other is
8 pretty much a third, a third, and a third.

9 So we consider them both within the definition of
10 competitiveness.

11 COMMISSIONER McNULTY: So that's your voter
12 registration table here.

13 BOB LYNCH: Yes.

14 COMMISSIONER McNULTY: Okay. All right. Thank
15 you.

16 CHAIRPERSON MATHIS: Any other questions or
17 comments for Mr. Lynch?

18 (No oral response.)

19 CHAIRPERSON MATHIS: Thank you --

20 JIM MARCH: Will we take public comment on this
21 now?

22 CHAIRPERSON MATHIS: Yeah, we can do that.

23 Thank you very much for taking your time and
24 coming to us on a holiday weekend. We appreciate it and
25 look forward to hearing more from you.

1 BOB LYNCH: Thank you.

2 CHAIRPERSON MATHIS: Thank you.

3 We'll go ahead and take public comment if anyone
4 has any on this presentation that we just had from
5 Mr. Lynch.

6 This is Jim March.

7 JIM MARCH: Hi. Jim March. Last name spelled the
8 same as the month. Representing Pima County Libertarian
9 Party.

10 I'd like to point out that the gentleman -- the
11 people who built this map appear to have tried to do a
12 credible job. I think they put a lot of effort into it.

13 And I have to say that I think the Commission has,
14 without meaning to, done those people and done that work
15 product a disservice. Because you -- someone has been
16 talking about prisons.

17 I'm going to say right now that the Pinal County
18 maps are going to be most affected by the prison issue more
19 than anybody else.

20 They probably have the most densely populated area
21 of prisons, especially in an area that's otherwise
22 relatively low population. It's not Tucson. It's not
23 Phoenix.

24 So if you're not careful, you know, even by
25 accident, you can get a serious mistake made with the prison

1 issue in Pinal County.

2 What I'd like to propose.

3 Well, first of all, I'd like to tell the
4 Commission that the Pinal County Board of Supervisors came
5 up with a solution for the prison issue in their county.
6 They set up their County Board of Supervisors districts
7 discounting the prison populations.

8 That's the choice they made.

9 So if you followed that same logic, then, yeah, we
10 should be discounting the prison populations. And if you
11 make that decision, then they have to adjust their maps,
12 because it's going to skew population centers.

13 The other way you could solve the problem, if you
14 think you can't legally do that, your alternative is to
15 publish a list of all the districting numbers and list which
16 prisons you're going to put in which district number.

17 Don't worry about where they are in the map.

18 If you have to do weird tendrils and blobs to grab
19 prisons to balance them out, that's fine.

20 But if everybody knows that District 1 is going to
21 have this prison, this prison, this prison, state, federal,
22 county, it doesn't matter, but if you know the population is
23 going to be balanced that way, then everybody can do their
24 maps, these people, for example, can do their work, knowing
25 what to expect as far as the prison population outcome.

1 And that's true of everybody, whether they're,
2 quote unquote, left wing like Richard Elias' group,
3 Mary Wilcox, et cetera. Or if it's somebody connected with
4 Russell Pearce.

5 Whoever does their map then knows what the ground
6 rules are, we balance out the prisons between all the
7 districts, and, cool, now we'll get on with work.

8 But as it stands with these guys not knowing what
9 the outcome, the final outcome of the prison issue is going
10 to be, they're drawing maps without calculating that, and
11 they're going to have to recalculate their work once you
12 decide whether or not you're going to fix this issue or how
13 you're going to fix this issue.

14 So the first thing I'm asking you to do is to fix
15 it. It's constitutionally required in order to get one
16 person one vote. And second, choose as quickly as you can
17 how you are going to fix it and publish that. And the
18 moment you do, then people can get to work knowing what the
19 ground rules are.

20 And that's all I have to say. Thank you very
21 much.

22 CHAIRPERSON MATHIS: Thank you.

23 Other comments?

24 Mr. Lynch, did you want to speak to that topic?

25 BOB LYNCH: I just want to clarify. I don't know

1 the answer to Ms. McNulty's question about the prison
2 population.

3 I do know that Jill was working with your staff on
4 the issue. How we handled it is beyond my level of
5 expertise.

6 And obviously when she gets back on Tuesday we can
7 let you know, but I do believe that she did make some
8 adjustments on both maps related to prison populations.

9 It's not that we did one thing or another. It's
10 that I don't know.

11 And we will clarify.

12 CHAIRPERSON MATHIS: Sounds good. Thank you.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Commissioner Herrera.

15 VICE-CHAIR HERRERA: The issue of prison
16 populations has been coming up quite a bit, so and I don't
17 see that as a future agenda item.

18 I think -- I agree with Mr. March that we do need
19 to decide what we're going to do with this population, how
20 we're going to work that out and go forth and make it all
21 make sense. If we come up with a solution, then when people
22 are doing maps, we'll keep those into account, prison
23 population. The sooner we do, the better.

24 CHAIRPERSON MATHIS: Agreed.

25 Any other comments on that topic?

1 VICE-CHAIR FREEMAN: Madam Chair.

2 As long as we're going to talk about future agenda
3 items, then I would agree with Commissioner Herrera. I also
4 think we should have counsel look into the issue and report
5 to us on the prisons as well.

6 VICE-CHAIR HERRERA: One last item, if I may.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE-CHAIR HERRERA: There have been states that
9 have figured out or come up with their own solution how to
10 deal with the prison population.

11 So giving us some idea about what other states
12 have done, like New York, that would be give us options or
13 ideas what other states have done.

14 CHAIRPERSON MATHIS: Thank you.

15 Any other public comment on the Pinal County
16 presentation?

17 UNIDENTIFIED MAN: The last speaker did not speak
18 clearly into the mic, and it did not come over the Internet
19 well.

20 CHAIRPERSON MATHIS: Okay.

21 UNIDENTIFIED MAN: So I'm getting that report, and
22 I'd like remind everyone to speak clearly into the
23 microphone.

24 CHAIRPERSON MATHIS: Okay. Thank you, Mr. Roe.

25 I would like to remind everyone, if you didn't

1 hear Mr. Roe, to speak directly into the microphone as you
2 come up to talk to us so that we get an accurate accounting
3 and also for the web streaming that we're doing.

4 COMMISSIONER McNULTY: Madam Chair.

5 CHAIRPERSON MATHIS: Ms. McNulty.

6 COMMISSIONER McNULTY: I would add that in the
7 presentation that we put together, counsel, regarding the
8 prisons, I think we need to know where the prisons are in
9 Arizona, what the prison populations are.

10 Thank you.

11 CHAIRPERSON MATHIS: Thank you.

12 Okay. Any other comments?

13 I don't think there's anyone else from the public
14 who wanted to say anything.

15 So thank you again, Mr. Lynch. We appreciate your
16 presentation.

17 Next item on the agenda is review, discussion and
18 direction to mapping consultant regarding ideas for possible
19 adjustments to congressional grid map based on
20 constitutional criteria.

21 So in our past meetings we've given some homework
22 to our mapping consultant to do some what-if scenarios for
23 us. I think they did that homework. And we'll go ahead and
24 talk about the results of that right now on the
25 congressional.

1 WILLIE DESMOND: Yes, we did do two more
2 what-if maps to reflect questions you guys had at the last
3 meeting.

4 Would you prefer that we started with the
5 three border districts or the revisions to the river
6 district?

7 CHAIRPERSON MATHIS: Either one. I'm flexible.

8 WILLIE DESMOND: Okay. Well, let's start with the
9 three border districts.

10 CHAIRPERSON MATHIS: Okay.

11 WILLIE DESMOND: So basically here is the
12 three border district map.

13 The shaded area is the Indian reservation.

14 I believe you all have handouts that list the data
15 that underlies this map.

16 Are there specific areas that we would like to
17 look at? I guess I could just start with what -- with our
18 direction going into this.

19 Commissioner Stertz asked that we keep Yuma whole,
20 so I started based off of that. So the first line that I
21 moved was to make sure that Yuma stayed whole.

22 I did have to expand that a little bit just
23 because of the Goldwater range has large census tracts, so
24 in order to kind of clean that up I took -- I moved that
25 whole line over a little bit.

1 When you lose the Hispanic population that's down
2 in Yuma County, you do have to go farther up into Maricopa
3 in order to get the two majority-minority districts.

4 So you see that this District 2 that goes down to
5 the border does have to go pretty far up into Phoenix in
6 order to satisfy the Voting Rights Act.

7 Let me clean things up a little bit here.

8 I'm going to remove the shading of districts so
9 you can see some of the other things.

10 So you can see that this District 2 that reaches
11 down to the border and has parts of Tucson and Santa Cruz
12 County reaches over and grabs Guadalupe and goes up into
13 central Phoenix a little bit.

14 Is there a specific area that you would like me to
15 go to, or are there any changes that you would like to
16 discuss right away, something that we can make do right now
17 on the fly to see how it affects things?

18 I can also move the map around to show you more
19 detail in certain areas.

20 CHAIRPERSON MATHIS: Any commissioners have any
21 direction to give Willie on this?

22 COMMISSIONER McNULTY: Just put up each map
23 statewide.

24 WILLIE DESMOND: Okay.

25 So the HVAP 40 district is --

1 COMMISSIONER McNULTY: Just put it on the map,
2 Willie. Add that layer.

3 WILLIE DESMOND: Sure.

4 I'm sorry about that.

5 Statewide you can see that District 2 is the --
6 District 2 and, if I zoom in again, District 7 are the
7 two districts that are above 50 percent Hispanic.

8 District 3 is the next highest. And that is at --
9 I should also mention, for anybody watching -- Buck, are
10 these available on the website right now?

11 BUCK FORST: Fifteen minutes.

12 WILLIE DESMOND: In 15 minutes these will all be
13 available on the website for anybody watching on the live
14 stream.

15 Sorry about that.

16 And the percentages specifically are District 2,
17 it's 56.58 percent Hispanic, and District 7 is 52.59 percent
18 Hispanic.

19 COMMISSIONER McNULTY: That doesn't show us the
20 Hispanic population statewide however.

21 WILLIE DESMOND: Oh, you just want to know the
22 statewide number.

23 COMMISSIONER McNULTY: I just want to see the
24 statewide concentrations of Hispanic populations statewide.

25 WILLIE DESMOND: Okay. I can do that. Probably

1 census tract would be good.

2 Do you want to see the shading?

3 There you go.

4 Is that what you're looking for?

5 COMMISSIONER McNULTY: Yes.

6 WILLIE DESMOND: Okay.

7 So areas that are in the brightest red are above
8 70 percent voting age Hispanic.

9 COMMISSIONER McNULTY: What is the population of
10 the San Luis area, the area on the lower left?

11 WILLIE DESMOND: San Luis has 25,505 people.

12 There are 16,000 of them are White, voting
13 control.

14 Is that specifically what you're asking?

15 COMMISSIONER McNULTY: That's a start. I'll take
16 a look at it once we get the selections.

17 Thanks.

18 WILLIE DESMOND: Okay. Sure.

19 Are there any other things to look at right away?

20 VICE-CHAIR FREEMAN: Can you go back and zoom in
21 on the Phoenix metro area?

22 WILLIE DESMOND: Yes.

23 Okay. So you can see because so much of
24 Maricopa's population is now going down to the border, we
25 did have to make this District 7 reach out to Mesa to grab

1 that Hispanic population.

2 You can change these lines in a couple ways, but
3 there aren't that many other clusters of Hispanic
4 population. So as far as moving, moving areas, I would be
5 more than willing to entertain any, any suggestion if
6 there's any areas that you want to make sure are kept
7 together. We can do that right now, or I can zoom in
8 further, if you would be interested.

9 COMMISSIONER McNULTY: Will you show us the
10 boundaries of Tempe? Does that line come through the middle
11 of Tempe?

12 WILLIE DESMOND: Sure. Let me zoom in on that a
13 little bit.

14 Unfortunately the census place line is very jaded
15 because it reflects municipal boundaries, so I'll do my best
16 to show you.

17 So it does cut Tempe into a couple pieces.

18 This area right up in here is Tempe.

19 So part of District 7 goes across Tempe. That is
20 to grab some Hispanic population in Mesa.

21 It would be possible probably to keep Tempe whole
22 if we went up to south Scottsdale and back around.

23 We just have to adjust it.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: Willie, will you turn back
2 on the density layer, please?

3 WILLIE DESMOND: Sure. This is HVAP by census
4 tract.

5 CHAIRPERSON MATHIS: So just out of curiosity, you
6 mentioned a couple other places you could grab Hispanic
7 population instead of going to Mesa.

8 What would those be?

9 WILLIE DESMOND: I think potentially you could
10 take some other parts of Glendale. You know, for this,
11 these draft maps, I tried to keep whole tracts where
12 possible.

13 It's possible if we started moving individual
14 block groups or individual blocks, it would be able to, you
15 know, tweak it here or there to grab some more population.

16 I'm not sure of the size of El Mirage, but there
17 is some Hispanic population up there.

18 But there's not -- the other pop -- the other
19 option is always to try to remove some of the non-Hispanic
20 population.

21 Fortunately where we do have non-Hispanic
22 population is needed as a bridge between.

23 So one option would be like in this area, to make
24 this, you know, a much narrower arm that comes out, to
25 remove some of the White population.

1 I could -- we could do that right now, if you
2 would be interested in seeing how that looks, how it affects
3 that.

4 So, if we -- I'll zoom in a little bit.

5 Now, if we take some of this population from
6 District 7 and move it into District 9.

7 I apologize, the screen is a little smaller than
8 it is projected, so it's a little hard to see.

9 For instance, that change, if we were to accept
10 it, I'll just accept it for the sake of showing you how this
11 works, now have the Hispanic population of District 7 just
12 went from 52.59 percent up to 53.08 percent.

13 It didn't lose population, so in order to get it
14 back to the 710,000 and keep it at that level, we have to
15 grab Hispanic areas that are at least 53.09 percent.

16 It is impossible that we can raise it when we grab
17 other areas, but that's the type of tweak we have to do in
18 order to meet the Voting Rights Act requirements in some of
19 these areas.

20 I'd be more than happy to go through any, you
21 know, hypothetical changes you guys would like to see right
22 now, if that would be helpful.

23 I do think it would be good in some of these
24 sessions to kind of get in the habit of doing a little bit
25 of drawing so we can really understand some of the issues

1 that we face or some of the considerations that are made
2 when, you know, placing some of these boundaries.

3 So if there is anything that you guys would like
4 to do now, that would be great.

5 Or if this is something that you guys want to
6 explore further today, I'll be more than happy to revisit
7 this map.

8 Tomorrow we'll have plenty of time I think, we can
9 do anything during the session that you want.

10 CHAIRPERSON MATHIS: I have a question.

11 I'm curious about these three border districts and
12 keeping Santa Cruz whole.

13 Is there a way to do that?

14 WILLIE DESMOND: Let me look.

15 CHAIRPERSON MATHIS: I realize we would have to
16 adjust one in some way.

17 WILLIE DESMOND: The reason it isn't whole right
18 now is because of the non-Hispanic population that is on the
19 eastern edge.

20 I pretty much clipped out non-Hispanic population
21 anywhere I could in order to get it up to the threshold that
22 was needed.

23 Everything is possible.

24 One problem is that since so much of Pima County
25 is very, very uninhabited, the census tracts are very large,

1 even the blocks are very large, so it's hard to -- you know,
2 you can't just say -- when you click one area, it takes a,
3 it takes a whole bunch.

4 You don't have to go through a whole lot of
5 population, but it affects how things stay contiguous.

6 VICE-CHAIR HERRERA: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE-CHAIR HERRERA: Willie, can you focus back on
9 the Yuma area, the Yuma, San Luis area?

10 WILLIE DESMOND: Sure.

11 VICE-CHAIR HERRERA: Obviously there's plenty of
12 Hispanic population there. How does the Voting Rights Act
13 affect the fact that they are now putting a district that
14 is -- that went from a Hispanic, you know, a protected area,
15 to being a district that is -- that will not be a
16 majority-minority district?

17 WILLIE DESMOND: I would defer to legal counsel on
18 that.

19 It's my understanding that as long as there are
20 the two districts that meet the threshold, it doesn't have
21 to be the same areas.

22 I'll let legal counsel handle that.

23 MARY O'GRADY: Commissioners, yeah, Willie's -- as
24 a general manner, you look and see whether you still have
25 two viable minority districts.

1 Some of the other concerns, some of the other
2 things the DOJ looks at when they're looking at preclearance
3 is whether the Commission looked at the comments they
4 received from the minority community and took those into
5 account in drawing those maps. And all these will be
6 relevant in terms of what we're getting from the minority
7 community regarding the placement of Pima County, because
8 this would, based on the numbers, appear to take a highly
9 Hispanic area out of a district where they had an
10 opportunity to elect into a district now where they would
11 not. Although it still may maintain two viable -- or two
12 districts that may be viable from one district. So I think
13 that other map, that aspect of what the community's input is
14 and what the Commission has responded to it would be
15 relevant.

16 VICE-CHAIR HERRERA: Thank you.

17 WILLIE DESMOND: For anyone who couldn't see the
18 live stream, I just spilled on myself.

19 CHAIRPERSON MATHIS: Any other questions or
20 comments on the three border districts?

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: Willie, will you go ahead
24 and pull all the way back to the state one, please.

25 WILLIE DESMOND: Sure. I think legal counsel.

1 MARY O'GRADY: Commissioners, one other thing, in
2 addition to looking at the numbers in terms of figuring out
3 what's viable, once you start mixing and matching different
4 pockets of minority population, you still need to look at
5 whether you have indeed maintained a viable legal minority
6 district, you know, as a result of that, even if you have
7 numbers that are your surface look like they're viable
8 minority districts.

9 COMMISSIONER STERTZ: Well, Madam Chair, that was
10 going to be one of my expansion questions. Because we have
11 several other pockets of densely populated Hispanic areas
12 that are not -- currently not contained in either of the two
13 majority-minority districts that you're showing.

14 I appreciate the exercise that you've gone
15 through, because there's a couple of things that have been
16 very intriguing about this process.

17 While I know there are a couple of other
18 iterations that you could do to capture, that you could
19 probably then create in such a way as to not -- maybe
20 capture some on the west side, and then seven possibly not
21 capture needing to go as far into or -- but there's a couple
22 things that have happened.

23 One, that am I correct in understanding that none
24 of the Native American areas are disrupted?

25 WILLIE DESMOND: I believe so. I'll turn that

1 layer back on.

2 You know, you guys have made that a goal going
3 forward, so I've done my best not to split any.

4 I don't think I split any in this map.

5 There might be -- you know, I was looking at it a
6 little bit more closely yesterday. And as I said I didn't
7 want to change anything.

8 I'm not sure. There's some small areas up here.
9 It would be easy to amend those I think.

10 But other than that, I don't believe there are any
11 split areas.

12 COMMISSIONER STERTZ: And of this -- on
13 this particular map, if I'm correct, that we've got
14 10 uninterrupted of the 15 counties?

15 WILLIE DESMOND: I'm not sure the exact count, but
16 that's entirely possible, yes.

17 It helps when we didn't split Yuma, which is
18 oftentimes split.

19 I could give you that exact count later, but I'm
20 not sure if it's ten.

21 COMMISSIONER STERTZ: I'm just doing the map here
22 as I'm counting away. The -- as far as the HVAP analysis,
23 we are at such a preliminary level here, and this might be a
24 question for counsel, what is your recommendation as we're
25 going through this general programming analysis of these

1 what-if scenarios as we're starting to grasp on to what we
2 have a desire to do?

3 I think that what Strategic is hearing from the
4 Commission, and I'm not trying to speak for all the
5 Commissioners, but I'm beginning to hear that there's a goal
6 of a river district, there's a goal of continuity of keeping
7 counties intact, there's a goal of keeping native tribal
8 lands intact.

9 We're starting to drill down on some of the larger
10 broader brush points.

11 When will it be appropriate for us to start
12 drilling down past that level?

13 And when will all those data points start to be
14 accumulated?

15 WILLIE DESMOND: I think as far as it pertains to
16 the Voting Rights Act, the racial polar voting analysis is
17 going on right now.

18 I'm not sure what the end day of that is.

19 Do you want to speak to that as far as the process
20 we're going through?

21 MARY O'GRADY: Well, sure.

22 I understand Strategic's working on the voting
23 rights voting analysis that will help all that. So that's
24 all happening now.

25 But to some extent you need to analyze, things

1 need to be a little static in terms of what districts you're
2 analyzing, although we can certainly present generically,
3 you know, where there are pockets of polarized voting and
4 that sort of thing.

5 But it's clear -- and we can start giving you more
6 detailed opinions rather than just raising issues at any
7 point if you'd like that as well.

8 Clearly this map, the separation of San Luis is
9 going to be an issue.

10 That's what is going to be an issue.

11 I would recommend also, you know, start to compare
12 different maps and alternatives you have. Congressional map
13 that was submitted by the Hispanic Coalition, I think it's
14 good to look at that. Because we do have some minority
15 input from the congressional districts, and see how that
16 fact compares to some of these districts.

17 Also look at the other issue if you want to sort
18 of start to think about, in terms of seven here, that have,
19 you know, the other -- I think what they were attempting to
20 create as a majority-minority district does look like it has
21 some compactness issues in terms of the way it stretches
22 across Maricopa County as compared to some of the other
23 bridges of the Maricopa minority district.

24 And so I think that is something to consider since
25 that is one of the criteria we need to be aware of.

1 So I think there's -- I don't know if that's
2 helpful in terms of concrete issues that you should think
3 about when you're starting to look at these districts and
4 things and think about how you want to proceed, if that's
5 helpful.

6 COMMISSIONER STERTZ: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Stertz.

8 COMMISSIONER STERTZ: Ms. O'Grady, is the question
9 regarding San Luis, is that because it is currently in a
10 majority-minority district? Or is that -- I'm trying to
11 understand the specificity of that community versus other
12 communities that have high dense populations in other areas
13 that currently are not in majority-minority districts as it
14 currently stands today.

15 MARY O'GRADY: Mr. Stertz, taking an area out
16 where they have an opportunity to elect leading them to an
17 opportunity where they don't, that would be, that would be
18 one of the issues.

19 It might be helpful if I look at this map, look at
20 the Hispanic Coalition map, look at the current map, and see
21 what -- how those compare in terms of the district
22 boundaries.

23 It's going to be issue.

24 COMMISSIONER STERTZ: Madam Chair.

25 Ms. O'Grady, the question goes to areas in other

1 parts of the state where there are high density populations
2 that are currently not in -- as we are currently sitting
3 they are not in majority-minority districts.

4 Is the issue -- is the hot button that you're
5 saying because they're being -- that that population is
6 being extracted from a current majority-minority district or
7 would it be that we are or should we also be paying
8 attention to the other density centers in other parts of the
9 state that currently are not included in majority-minority
10 districts?

11 MARY O'GRADY: It doesn't hurt to pay attention to
12 those as we're, you know, adjusting grid and developing
13 majority-minority districts.

14 I asked Willie to look at, if it's helpful, is the
15 current, if we can, the current districts with the current
16 demographics.

17 So you can see if there are concentrations of
18 majority -- of minority population outside of those areas,
19 in a compact way.

20 Maybe that's not going to be that helpful.

21 But I was supplied that as an issue.

22 And that is when we're creating the new districts,
23 I think it's helpful again to look at the input that we
24 receive from the minority communities and pay attention to
25 that as we are creating minority districts.

1 And if I'm causing more problems with the
2 reconfiguration, we can move on to another point.

3 COMMISSIONER STERTZ: This is the -- Madam Chair,
4 this is this sort of dialogue that we need to start to have.
5 If we don't begin this sort of dialogue now, we're going to
6 be spending a lot of time in a bunch of what-if scenarios
7 that may or may not ever result in a map to move forward
8 with.

9 CHAIRPERSON MATHIS: I agree completely.
10 We were talking about this.

11 Where, you know, we've been asking our mapping
12 consultant to create what-if scenarios that are great
13 stand-alone what-ifs, but how do we begin to amalgamate
14 these into one map?

15 And also taking into account the maps that the
16 public is giving us, and like having, you know, layers of
17 their -- what they're presenting, you know, onto what we're
18 doing, I think that would be really instructive, if
19 possible.

20 WILLIE DESMOND: Are there any of the submitted
21 maps that you guys would like to see?

22 And also just speaking towards going towards a
23 final map, if I do understand, every what-if at this point
24 we are drawing two majority-minority districts and all have
25 Indian reservations whole.

1 So, if we can keep adding criteria such as those
2 that everyone can agree on in principle and that they should
3 be part of the what-ifs, the more we do that, the better.

4 Are there specific maps that any of the
5 commissioners would like to see overlaid with this?

6 VICE-CHAIR FREEMAN: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Freeman.

8 VICE-CHAIR FREEMAN: I have another what-if.

9 I'd like to go back to the what-if that respected
10 the county boundaries, and then apply our new criteria,
11 which are keeping the reservations whole, and I'd also like
12 to go and have overlay the Minority Coalition's map of
13 majority-minority districts onto that, merge them in fact.
14 That's going to destroy some portion cutting across county
15 lines, I'm sure.

16 So I'd like to, with that as a starting point,
17 start with county lines, apply the criteria we're now
18 applying to everyone if that's upheld.

19 WILLIE DESMOND: It would make sense then if we're
20 going to be merging with the majority coalition for the
21 starting point, should we use the majority coalition, and
22 then basically we can try to expand to whole counties? Or
23 would you -- the best way to merge --

24 VICE-CHAIR FREEMAN: I'm going to have to leave
25 that to your judgment.

1 WILLIE DESMOND: Okay.

2 VICE-CHAIR FREEMAN: Maybe there's more than one
3 way to do it.

4 WILLIE DESMOND: Okay. I will take a look at
5 that.

6 Just to clarify, I just want to make sure I have
7 the -- you know, whole county boundaries, with whole
8 reservation areas, majority-minority, and looking at the
9 majority coalition's submitted map.

10 COMMISSIONER McNULTY: Are you going to do that
11 right now?

12 WILLIE DESMOND: We could go into that right now.

13 COMMISSIONER McNULTY: I have another one I want
14 to look at, so I'll tell you what that is, and you can
15 decide if you want to -- I think we should just go ahead and
16 do yours and look at it and then do the next.

17 The next I would like to look at is the Greater
18 Arizona Success map with the Minority Coalition now also.
19 We can do that one later.

20 WILLIE DESMOND: Okay. Well, let's look at the
21 whole. . .

22 COMMISSIONER McNULTY: It might also be instructed
23 to compare that -- well, that's okay.

24 WILLIE DESMOND: Here's the what-if of whole
25 counties.

1 I do apologize. I'm not as familiar with this
2 one, because it's one of the ones I'm not familiar with.

3 Excuse me if I bump around a little bit.

4 I'm sorry.

5 You know, I apologize, I don't think I have -- we
6 received the Minority Coalition's map in electronic form.

7 Maybe this would be a good time to look at what we
8 have.

9 Let me just make sure.

10 Sorry about that.

11 Right now, in the submitted maps, we have
12 Greater Arizona Success congressional map, Hispanic
13 Coalition for Good Government's congressional map, City of
14 Flagstaff's congressional and City of Flagstaff's
15 legislative map, Navajo Human Rights Commission map, and
16 Pinal County Government Alliance's congressional and
17 legislative maps.

18 I believe that Arizona Minority Coalition is a
19 different organization, and right now all we have from them
20 is pictures of the maps.

21 So I think the request has gone out to get those,
22 and we just haven't received them yet.

23 I apologize.

24 COMMISSIONER McNULTY: Can you put up a Hispanic
25 Coalition For Good Government instead?

1 WILLIE DESMOND: Yes.

2 So, the Hispanic Coalition For Good Government
3 only submitted two districts.

4 They are the one that takes into account Yuma and
5 Santa Cruz and goes up, and then one that is central
6 Phoenix, I guess, Maricopa County.

7 And I should also mention as we're looking at some
8 of these, the map -- the four what-ifs that we have for
9 today, and these submitted maps also, I have had it on
10 the -- we've run compactness measures on the what-ifs, and I
11 believe we have available as fields to look at the average
12 statewide percent Democrat and Republican of the last
13 two cycles.

14 So the ten races that were statewide in 2008,
15 2010. The average percent.

16 So that is one competitiveness measure that I
17 think you asked us to have available to look at also.

18 So that is available also.

19 COMMISSIONER STERTZ: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Stertz.

21 COMMISSIONER STERTZ: When will you be integrating
22 the 2004, 2006 data?

23 WILLIE DESMOND: We're waiting for, for legal
24 direction for us to start looking at that.

25 I believe it's a contract add-on for us. So we

1 haven't -- I mean, we've done some prep work getting --
2 doing that information, but we weren't going to say we need
3 to do this unless directed by you guys, because I think it's
4 an additional cost to the Commission.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: Yeah, I think the 2008, 2010
8 elections make sense. I mean, they are the most recent
9 ones.

10 I -- unless it's necessary, I don't see the -- I
11 don't see the need to get 2004, 2006 into this.

12 Those are the two most recent elections, 2008,
13 2010. I think it makes sense that all that needs to go into
14 it.

15 So I would not be in favor of including 2004, 2006
16 and adding more cost to this whole process.

17 CHAIRPERSON MATHIS: Ms. O'Grady.

18 MARY O'GRADY: Madam Chair, we have been talking
19 about the issue and also including Bruce Adelson in those
20 discussions.

21 And our recommendation was to include them.

22 They may not need -- I don't think it needs to
23 slow up the analysis, because we can do a lot of the initial
24 analysis with 2008, 2010. Our concern was that DOJ may ask
25 for that data eventually and not have -- and that if they

1 did, then we'd have to very quickly, it would delay things
2 downstream.

3 And also we would like to have that data available
4 just in case we want to look at it for analysis.

5 But our longer term concern was that they may ask
6 for that, and we would like to have the ability to provide
7 it to them.

8 But we don't think -- we don't think it should
9 hold things up. They're ready to go with 2008, 2010.

10 We've talked to the executive director about the
11 issue in terms of the contract add-on, and I forget the
12 exact number involved, but, but our recommendation was to go
13 ahead and do that.

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: Is there a way we can find
17 out if, by contacting the Department of Justice, if that
18 will be needed, the 2004, 2006?

19 Do we have contacts there that would be able to
20 give us some idea?

21 MARY O'GRADY: Madam Chair, Commissioner Herrera,
22 we think it's very likely they may want that. Last time
23 they asked for additional information on those elections.

24 We can follow up with them --

25 VICE-CHAIR HERRERA: Sure.

1 Madam Chair, but last time they had some issues
2 with the map. I mean, there's probably reasons why they
3 asked for that information.

4 It wasn't because they -- that traditionally if
5 they would asked for additional information, they probably
6 wouldn't have if they would have submitted a map that, that
7 precleared.

8 Is that making sense?

9 RAY BLADINE: Madam Chair, I understand the
10 question. And early on I had some initial meetings with the
11 previous executive director and also talked to NDC when they
12 came in town. They all thought it was worthwhile, and so
13 does Strategic, to have an expert go over and review, even
14 though Strategic would do the work, to have an expert to be
15 able to validate it, and that that would ease the submission
16 to the Justice Department.

17 MARY O'GRADY: We're talking about the '06, '04.

18 RAY BLADINE: '06, '04 data? Okay. I'm sorry.
19 Then I don't know the answer to that.

20 CHAIRPERSON MATHIS: Any other comments on that
21 topic?

22 VICE-CHAIR FREEMAN: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Freeman.

24 VICE-CHAIR FREEMAN: For purposes of first cut
25 look at the competitiveness, since we have that data, 2008,

1 2010, that's fine if we're using it for a first cut.

2 But I think ultimately if we're going to look at
3 voting patterns for assessing the competitiveness of the
4 district, and we may or may not need to do that, I think we
5 need the broadest space of data possible.

6 I understand why Mr. Herrera wants 2008 and 2010,
7 because those were -- particularly 2010 was a watershed year
8 for Republicans, a lot of people voted for Republicans, so
9 that's going to skew the data going forward.

10 VICE-CHAIR HERRERA: So is 2008 --

11 VICE-CHAIR FREEMAN: Excuse me.

12 So if creating a competitive district using that
13 measure only would be mean -- to skew the district toward
14 Democratic in future elections.

15 So going forward right now, fine, for these first
16 cuts, but I do think -- I think we're ultimately going to
17 need all this data for -- to make our burden of proof of the
18 Voting Rights Act. That's going to be required to compile
19 all this data. And since we have to do that, we should also
20 make that data available for assessing competitiveness if we
21 look at past election results in making that assessment.

22 VICE-CHAIR HERRERA: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Herrera.

24 VICE-CHAIR HERRERA: I want to remind the people
25 that 2008 was a good election for the Democrats, the

1 Independents, as it was for the Republicans.

2 So I think that's a good mixture.

3 I mean, I don't think I said 2010 only. I think
4 Commissioner Freeman was mistaken.

5 And the reason I say 2008, 2010, because I think
6 it's a good balance where the Democrats did very well, and
7 the Republicans did well in 2010, and again the most recent
8 data -- and a lot has changed since 2004, 2006, so I don't
9 know how relevant to compare it to 2008, 2010 that
10 information is from '04, '06.

11 So, again, I remind Mr. Freeman that the Democrats
12 did very well in '08.

13 I think it's a good mixture and a good measure of
14 competitiveness by getting those two elections.

15 CHAIRPERSON MATHIS: Any other comments?

16 VICE-CHAIR FREEMAN: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Freeman.

18 VICE-CHAIR FREEMAN: The Republicans did pretty
19 well in Arizona in 2008 as well.

20 VICE-CHAIR HERRERA: That's not my fault.

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: My understanding is that the
24 2004, 2006 data is available.

25 Is that correct?

1 WILLIE DESMOND: Sort of.

2 We have precinct results are available for 2004,
3 2006.

4 But precinct lines have shifted. There's many
5 places where the old precinct lines don't necessarily match
6 up with the current blocks lines, which are our most basic
7 unit of building these maps.

8 So there's going to be a significant amount of
9 work dealing with places where precincts have changed in the
10 last -- since, since 2004 and 2006.

11 That was, you know, one of the reasons behind the
12 VTDs is that the census asks all the municipalities not to
13 change their precincts for the next two years for purposes
14 of redistricting.

15 There is data out there, but it will be a
16 significant process to have it available to use for this
17 analysis, if that makes sense.

18 MARY O'GRADY: Madam Chair, since this isn't
19 specifically on the agenda today, my recommendation would be
20 that next week we include it on an agenda item, and we can
21 have the budget information, and the Commission can make its
22 decision.

23 CHAIRPERSON MATHIS: Okay. Sounds good.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: In all due respect,
2 Ms. O'Grady, the discussion about '04, '06 is relevant to
3 the maps and the data.

4 As a trained architect, I look at the only way I
5 could begin a design project is to actually have all the
6 programming data available at the very beginning.

7 And to know that that's going to be part of the
8 programming analysis to not have one -- not know that it
9 was, it was an omission from the original proposal, based on
10 the knowledge that our recommendations from our legal
11 consultant several weeks ago, it was brought up that
12 Mr. Adelson had recommended at that time and said that DOJ
13 was going to require it.

14 I didn't believe that there were any exclusions in
15 the original proposal. So to know that that's an added
16 service is not an agenda item for discussion.

17 But that was a surprise.

18 More importantly that is incumbent upon us to get
19 all the data points that we have and all the data analysis
20 in front of us as quickly as possible.

21 I do not disagree with Commissioner Freeman. We
22 can't stop the process now.

23 But we need to get all of the data, all the
24 programmatic stuff, all the programmatic points in front of
25 us immediately for us to be able to continue down this road.

1 Because we don't know whether or not what the adjustments
2 are going to be when we start getting into the micro level.

3 I think in a very short amount of time we're going
4 to take this from macro to micro, and we're not going to
5 have the data available for us to make those cognitive
6 decisions.

7 CHAIRPERSON MATHIS: Thank you.

8 Other comments?

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE-CHAIR HERRERA: I think this is also
12 something the commissioners need to decide, if we do take
13 the 2004, 2006 data into consideration, how much of an
14 impact is it going to have? Is it an equal amount to the
15 most recent stuff?

16 So I guess we need to decide what type of impact
17 it will have on what we're trying to do.

18 I really, as I said before, I really think that
19 2008, 2010, the most recent stuff, I think it's a good
20 comparison. And so if we're going to include '04, '06, then
21 we as a Commission need to vote or decide as a group what
22 that type of impact that should have.

23 CHAIRPERSON MATHIS: Will do. We'll make this an
24 agenda item for our next meeting. Our next meeting is
25 tomorrow, which we obviously can't change that agenda, but

1 our next meeting, so we'll cover that then.

2 Any other comments on this?

3 Anything on this overlay that Mr. Desmond put up?

4 WILLIE DESMOND: I'd be more than happy to, you
5 know, change anything, change the layers, do any other
6 additional information that you want to see about these two
7 maps.

8 COMMISSIONER McNULTY: Madam Chair.

9 CHAIRPERSON MATHIS: Ms. McNulty.

10 COMMISSIONER McNULTY: Mr. Desmond, just as a
11 comment, we need to learn about these maps before we start
12 changing them.

13 So I think it would be extremely helpful, as a
14 first matter, as these maps are going up, for us to be
15 seeing different layers of geography, of voting rights
16 areas, communities, town lines, things like that.

17 I think we're not going to be in a position to
18 start giving you meaningful direction and moving lines until
19 we understand what the lines truly are and what the data
20 layers are underneath the lines.

21 So having said that, I guess my first question
22 would be, and this is really Mr. Freeman's, he's driving
23 this bus because he asked for this, so I don't want to
24 interrupt him, I'm curious right off to know what this
25 little area is right here between the green and the --

1 WILLIE DESMOND: I believe that is Gila River
2 Indian reservation is this shape right here.

3 COMMISSIONER McNULTY: So this is South Mountain
4 here?

5 WILLIE DESMOND: This is right here.

6 COMMISSIONER McNULTY: Okay.

7 WILLIE DESMOND: Then this is Ahwatukee, I
8 believe, right here.

9 COMMISSIONER McNULTY: Okay.

10 So as this is drawn right now, this is dividing
11 Ahwatukee in half.

12 WILLIE DESMOND: I believe what probably happened
13 is the original grid had a line similar to this. But it's
14 also entirely possible that the non-Hispanic population from
15 Ahwatukee was moved to a different district in order to
16 raise this district to a Voting Rights Act threshold, a
17 majority-minority threshold.

18 But this underlying map was intended to keep full
19 counties, so I'm not exactly sure what happened here.

20 I'm not sure if it does have two majority-minority
21 districts or not.

22 Like I said earlier, this was not one of the ones
23 I drew.

24 Going forward, I'll be, I think, drawing pretty
25 much all of the what-if maps, because I'll be the one at

1 these meetings to help you guys walk through them.

2 Sometimes Ken will be here, but I should always be
3 here.

4 So in the future I'll try to have a better
5 understanding of exactly why certain things are just the way
6 they are.

7 CHAIRPERSON MATHIS: Mr. Freeman.

8 VICE-CHAIR FREEMAN: So in constructing, merging
9 the two maps, you could overlay a Maptitude, the Minority
10 Coalition's maps for the two majority-minority districts and
11 effectively accept those, and then your underlying map,
12 which is the respect county lines map, now you're going to
13 have districts that are either overpopulated or
14 underpopulated, and then you tinker from that point forward.

15 I guess the next step would be overlay the tribal
16 boundaries, and go through that iteration, and again make
17 adjustments going forward.

18 WILLIE DESMOND: For instance, if you look at this
19 district, Guadalupe is off and separated.

20 There the line goes out to grab that population.
21 That's like, a change you can make.

22 Now we respect to these ones, we couldn't accept
23 these ones. These aren't the Minority Coalition or Hispanic
24 Coalition.

25 It's the Hispanic Coalition is the green lines.

1 So you know, we could even take those districts,
2 accept them, and then readjust everything else to get back
3 to, you know, just right around that 710,000.

4 Again, we're not doing the exact zero percent
5 population deviation yet, because it's an awful lot of work
6 to get down to the one person, and it doesn't really change
7 things all that much.

8 But as we've been going, everything has been under
9 a thousandth difference, so a tenth or two-tenths of a
10 percentage or so.

11 VICE-CHAIR FREEMAN: You've shown us kind of what
12 that merging process looks like.

13 Can you go ahead and is that something that you
14 can make available?

15 I don't know if you can't do it today, but we can
16 have it available tomorrow perhaps?

17 WILLIE DESMOND: I can do a little bit of that
18 right now.

19 This is the pending changes window.

20 You can see by moving that line, we're moving
21 5,523 people from District 6 into District 7.

22 I accept that change. It recalculates the data
23 change. No pending changes. And our line matches theirs.

24 So that is moving in 14,000 people.

25 I'm going to -- just to make it a little easier.

1 That's not making it any better.

2 Let me know if any of these colors are easier to
3 see.

4 So that's a case also -- when we're selecting
5 these, right now I'm at the tract level, so a series of
6 block groups. And just over the line that means the line is
7 splitting a geography smaller than a tract.

8 We'll go over those afterwards.

9 Block group of them.

10 It's a lot of checking and double checking.

11 So now this part of the western edge mentions, by
12 and large there are some small segments to clean up, a river
13 or some non-populated area.

14 So right here you see, you just removed people
15 from our District 7. Now we're going to add some more up
16 here.

17 I'll do this as a little bit of a train so you can
18 see.

19 If I change our target group to seven now.

20 COMMISSIONER McNULTY: Willie.

21 WILLIE DESMOND: Yes.

22 COMMISSIONER McNULTY: Go back, how did you change
23 the target?

24 WILLIE DESMOND: It's right here.

25 COMMISSIONER McNULTY: Okay.

1 WILLIE DESMOND: In the redistricting toolbar.

2 VICE-CHAIR FREEMAN: And there's no way you can
3 just select all.

4 WILLIE DESMOND: Not totally.

5 VICE-CHAIR FREEMAN: I'm sorry, I don't want to
6 lose the audience here.

7 WILLIE DESMOND: Again, this isn't -- I think you
8 guys kind of understand this process. I'd be happy to go
9 ahead and do this during a break or maybe tonight sometime
10 for tomorrow --

11 VICE-CHAIR HERRERA: Madam Chair.

12 VICE-CHAIR FREEMAN: It does seem like it's --
13 it's going to be a lot of work to make all these changes.
14 That's just we're only looking for the Phoenix
15 area map.

16 WILLIE DESMOND: Correct. Correct.

17 Maybe it will help right now if I go back to the
18 full state, you can see the other big difference between our
19 map and their map is that they cut off -- so they're going
20 to split Yuma obviously.

21 VICE-CHAIR HERRERA: Madam Chair, how about we do
22 this as a what-if scenario as we've done other ones and then
23 focus on the other one, the other what-if, which is the
24 river district, and talk about that one.

25 WILLIE DESMOND: Sure. I'm -- if there's any

1 other things you want me to wrap up here --

2 VICE-CHAIR FREEMAN: No, I agree it is a what-if,
3 and it's helpful watching you make some of the changes, and
4 then maybe we can look at the finished product down the
5 line.

6 WILLIE DESMOND: Definitely. I'll try very hard
7 to have that ready for tomorrow morning.

8 No guarantees though.

9 CHAIRPERSON MATHIS: Do we want to look at that
10 other congressional grid map what-if scenario and then maybe
11 take a short recess?

12 WILLIE DESMOND: Sure.

13 CHAIRPERSON MATHIS: Okay. So the other one was
14 the river district version two.

15 WILLIE DESMOND: So this is --

16 VICE-CHAIR HERRERA: Willie, if you don't mind,
17 Madam Chair, before he talks about the district, I think a
18 couple of things why I recommended the whole thing, and I'll
19 be brief.

20 CHAIRPERSON MATHIS: Sure.

21 VICE-CHAIR HERRERA: I took a lot of the public
22 comment into account when I recommended, and I think
23 Ms. McNulty did as well.

24 For example, when we went to Prescott -- excuse
25 me, Bullhead City, people in the Bullhead City area were

1 talking about the river district and not wanting Flagstaff
2 or Coconino as part of the river district, because they felt
3 they had no -- nothing in common. So they wanted to take
4 Flagstaff out of there.

5 They also wanted to take most of Yuma, which is
6 the part that they felt that they had most in common with,
7 which is the northern part.

8 So that's why I recommended for the District 4 to
9 look like the way it does.

10 And for District 5, when we went to -- when we
11 were in Flagstaff, people were talking about not being
12 included with Prescott, that they had more in common with
13 the other areas, you know, the Apache tribes, the Hopi
14 Tribe, and including the Pai, the Pai tribes, which is that
15 arm sticking out, which would be better represented in
16 Congressional District 5 than it would be in 4. Again,
17 taking the public comments into account.

18 And for the two border districts, the Hispanic
19 organizations that approached us and also public comment in
20 Yuma, it did really reflect that type of district.

21 So I just want to mention some of the -- one of
22 the reasons why this map looks the way it did is because we
23 took a lot of public comment into account and also the
24 Hispanic organizations that presented to the Commission.

25 CHAIRPERSON MATHIS: Thank you.

1 WILLIE DESMOND: Okay. So this is a second
2 version of the river district map that we talked about at
3 the previous meeting.

4 Changes that Commissioner Herrera mentioned, we
5 tried to take all of the tribes in northern Arizona, combine
6 them with the Navajo and Hopi.

7 We moved to not split any other reservation areas.
8 There were some other split areas.

9 One objective relating to the population that I
10 was not able to unfortunately finish was the Ak-Chin
11 reservation area.

12 I could not find a way to easily move that into
13 District 5 without completely changing the whole map, so at
14 that point it would have done a lot of other things
15 different.

16 And then there was some other direction in
17 Maricopa County, checking my notes, moved Ahwatukee, south
18 Scottsdale, and one other area out of what was District 7,
19 and moved District 7 into Glendale, I believe, up to
20 Northern Boulevard.

21 Moved Ahwatukee, Tempe, and south Scottsdale into
22 District 6, out of District 7.

23 VICE-CHAIR HERRERA: Did that include,
24 Mr. Desmond, the Arcadia area as well?

25 WILLIE DESMOND: The Arcadia area in Phoenix?

1 VICE-CHAIR HERRERA: It's in Phoenix.

2 WILLIE DESMOND: I don't believe I moved that
3 area.

4 The one thing is I've been using census geography.
5 So there is a census place field, which is kind of like the
6 municipality, senses things like your Ahwatukee and Arcadia
7 are kind of neighborhoods. I don't have an actual line for
8 them.

9 Ahwatukee is pretty obvious with South Mountain
10 there. It's pretty easy. I can make that distinction there
11 and move that.

12 I can look into Arcadia.

13 I know you had asked that I keep Guadalupe in
14 District 7.

15 VICE-CHAIR HERRERA: Correct.

16 WILLIE DESMOND: I moved District 7 north into
17 Glendale up to Northern Road.

18 Are there any specific things that you would like
19 me to look at by the way with this one or move on to version
20 two?

21 VICE-CHAIR HERRERA: Willie, if you don't mind
22 talking about the two border districts, how I guess -- was
23 it easier for you to respect the Voting Rights Act and not
24 start reaching out as you did with the three border
25 districts?

1 Can you explain a little bit of that?

2 WILLIE DESMOND: I would say starting with the
3 grid map, which was the starting off point for all these
4 maps, looking at the initial Hispanic populations of all the
5 grid map districts, the one that includes Yuma is, I think,
6 the second highest, so it's a natural candidate to be one of
7 the Voting Rights Act areas.

8 It's not easier or anything. It's just a
9 different process of adjusting it.

10 So, it seems a little bit more -- logically
11 speaking, you take the second highest one and try to get
12 that one up to the 52 percent threshold or somewhere around
13 that neighborhood, but it's just a different process.

14 You know, you had asked me when we were looking at
15 this river district to start at that area of Yuma, going
16 over into that district.

17 So I wouldn't want to say it -- it's just a
18 different process, following your direction.

19 VICE-CHAIR HERRERA: Sure.

20 WILLIE DESMOND: And I can show you, again, what
21 that, what that dividing line looks like.

22 If I turn on the census tract layer, you can kind
23 of see, there's a large census tract here.

24 I've kept that over and went up into Yuma to get
25 some of the Hispanic population.

1 But, you know, we can do another version where
2 some of these borders are changed, if you wanted to follow
3 the interstate or any other sort of roads that are
4 thoroughfares or kind of thought of as dividing lines.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE CHAIR HERRERA: The map that was presented
8 by the, I hope I'm saying it correctly, the Arizona Hispanic
9 Coalition for Better Government, was very similar to what we
10 proposed at this district -- river district map. So I'd
11 like to see a what-if scenario. I think that's what
12 Ms. McNulty recommended is overlaying that to see what the
13 differences would be.

14 WILLIE DESMOND: We have the Hispanic Coalition
15 for Good Government. I have that if you like.

16 I'll change the color here.

17 You have to tell me if any of these -- this isn't
18 clear on the screen at all. I apologize.

19 So I did not consult the map in drawing this, but
20 it does seem to be fairly similar.

21 So this pink line, again, I can make that a
22 little -- I guess it shows up fairly well, is the line I
23 have, cutting Yuma over. And the darker black line is what
24 we had come up with.

25 CHAIRPERSON MATHIS: So what do we have for your

1 homework list for tonight on these, is that three?

2 WILLIE DESMOND: So far I believe, correct me if I
3 I'm wrong, I just have Commissioner Freeman for the county
4 boundaries map to take into account the Hispanic Coalition's
5 proposed districts.

6 And then reconfigure our no split counties, or
7 minimized split counties.

8 And the tribal areas also, yes.

9 Oh, as a practical matter, speaking of the tribal
10 areas, is there any consensus on whether or not the northern
11 Arizona tribes, it's okay to split them, as long as their
12 individual reservations are not split, or is it priority to
13 try to keep all of those together?

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: Public comment did take into
17 account would be keeping them together in the northern area.

18 It wouldn't make much sense to, as you had in the
19 border districts for the Paiute tribes to be in the river
20 district or in the one, like, congressional district that is
21 Yavapai, I think most Yuma County.

22 I don't think they would feel well represented in
23 that district.

24 So my suggestion would be that we keep them all
25 together, the northern tribes in the same district, which

1 would be the Coconino County, Hopi, Apache tribes.

2 CHAIRPERSON MATHIS: Any other thoughts on that,
3 from other commissioners?

4 COMMISSIONER McNULTY: Madam Chair, I would agree
5 with that. I think the Voting Rights Act is paramount.

6 I think we're trying not to dilute voting
7 strength. I think we're trying to preserve voting strength.
8 I think that's an important goal for the Native American
9 population.

10 WILLIE DESMOND: The reason I ask that
11 specifically is because for the county boundaries, we're
12 probably going to have to, unless we keep Coconino and
13 Mohave in the same district, we are going to split the Supai
14 and Havasupai reservation.

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

17 COMMISSIONER STERTZ: I'm trying to get a
18 direction of what I think I just heard.

19 We're going to try to create one district that has
20 all the Native American tribes in one contiguous district?

21 VICE-CHAIR HERRERA: No, that's not what he said.

22 WILLIE DESMOND: I think it's just the northern,
23 the Supai and the Havasupai, the Navajo, Apache, and Hopi
24 reservation.

25 VICE-CHAIR HERRERA: Which is the --

1 Madam Chair -- the current version river District 2 kind of
2 does that. I think does that pretty well.

3 WILLIE DESMOND: It does split part of the county
4 to accomplish that.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: We are starting to -- what
8 I'm trying to ascertain is where are we -- of the six
9 constitutional requirements that we are drilling down to
10 right now, we are jumping into communities of interest as
11 being -- as creating some driving criteria; correct?

12 Sounds like that we're, that we're --

13 CHAIRPERSON MATHIS: I think --

14 COMMISSIONER STERTZ: -- jumping into some broader
15 brush pieces here.

16 CHAIRPERSON MATHIS: I guess you could interpret
17 it that way.

18 But you could also look at it as trying to address
19 the federally mandated ones and trying to have a strong
20 majority-minority district area.

21 COMMISSIONER STERTZ: Correct.

22 So the two majority-minority districts that we are
23 talking about in this river district revision two is our two
24 and six; correct?

25 WILLIE DESMOND: Two and seven.

1 COMMISSIONER STERTZ: Two and seven.

2 WILLIE DESMOND: And I can go back into seven
3 here.

4 So this is -- if you look at what we had, this
5 revision is the dark black, and the pinkish line is what we
6 received from the Hispanic Coalition.

7 So in this case you can see we do match them on
8 the, you know, the southeastern corner.

9 We both have Guadalupe.

10 We go a little bit farther east here, and we have
11 a couple ugly areas here, you know, that we probably could
12 clean up as we continue this process, but just for the
13 what-ifs, not exactly finished.

14 CHAIRPERSON MATHIS: So this would almost create a
15 third, I would guess, possibly.

16 What is the percentage in five right now?

17 WILLIE DESMOND: The -- which percent?

18 CHAIRPERSON MATHIS: The tribal minority
19 population in Congressional District 5, on the river
20 district version two.

21 WILLIE DESMOND: District 5 currently has
22 18.98 percent in voting age population.

23 CHAIRPERSON MATHIS: Sorry. I could have answered
24 that myself.

25 VICE-CHAIR HERRERA: Madam Chair.

1 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

2 VICE-CHAIR HERRERA: For the river district
3 version two, Mr. Desmond, I'd like to make a couple -- just
4 one minor change.

5 If you can -- with the river district, which is
6 four, if you can get out of Maricopa County, and going to
7 the rural Pinal County, again, I think that looking at or
8 remembering some of the comments, the comments that people
9 were making, that I think they didn't want to have any part
10 of Maricopa County, but I think rural Pinal County would
11 make more sense in this rural western district.

12 WILLIE DESMOND: Okay. Is that something that
13 you'd like to try to work through a little bit right now?

14 VICE-CHAIR HERRERA: If it doesn't take too much
15 time. I want to make sure that we can move through --

16 WILLIE DESMOND: I think that might be a
17 worthwhile exercise to look at that.

18 Off the top of my head, I think that might be
19 slightly difficult to do, because -- so, it's easy enough to
20 see the orange line is Pinal County here.

21 The river district is this area.

22 VICE-CHAIR HERRERA: Yeah.

23 WILLIE DESMOND: So we put -- we could come over.
24 And if we took some of the --

25 VICE-CHAIR HERRERA: If you can get out of

1 Maricopa County completely for District 4.

2 WILLIE DESMOND: The problem is that to do that we
3 would have to go into Pima to get around Maricopa County.

4 So it's possible that we could take some of --
5 this is large.

6 This is the Goldwater range.

7 We could use that as a bridge, I guess, but it's
8 going to be difficult to bypass Maricopa County.

9 If you'd like though, we could look -- right here
10 is where it does kind of get into -- this is Goodyear here,
11 and it doesn't touch Buckeye really, but we could remove
12 some of these western areas.

13 Let's do that right now.

14 So we'll add that to District 3.

15 So I just told it to only take District 4.

16 If you look at the pending changes, you'll see how
17 many people that is referring to when we do that.

18 So if we did that change, that will move
19 63,000 people from the river district and get them down to
20 District 3.

21 And I know this isn't exactly what you're looking
22 for, but this might help a little bit.

23 So now I move down.

24 I'm going to add some back to four.

25 Let me know if this is too tedious.

1 I believe this is Casa Grande down here. Do we
2 want to -- if we add that area, right now we're at 27,000.

3 We need to find some more population.

4 VICE-CHAIR HERRERA: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE-CHAIR HERRERA: Would you like to take a
7 break while Mr. Desmond is doing this?

8 CHAIRPERSON MATHIS: Yeah, we can do that. I was
9 hoping to maybe wrap up the congressional and take a break,
10 but if there's a lot more changes --

11 VICE-CHAIR HERRERA: What we can do is, I mean,
12 what-if scenario version three, I guess.

13 WILLIE DESMOND: Okay.

14 But just to clarify, we have the two what-ifs are
15 minor adjustments, so hopefully I'll have those for
16 tomorrow's meeting or maybe schedule some time to polish
17 them off tomorrow.

18 Can I clarify one thing?

19 CHAIRPERSON MATHIS: Yeah.

20 WILLIE DESMOND: Going back to the Supai and
21 Havasupai, would they like to see them --

22 VICE-CHAIR FREEMAN: Yes.

23 WILLIE DESMOND: It's okay to split the county
24 there?

25 VICE-CHAIR FREEMAN: No, for Supai.

1 WILLIE DESMOND: I'll show you right here.

2 So, is it okay if I split that piece of
3 Mohave County, or do you want them over there with Navajo?

4 VICE-CHAIR FREEMAN: With Navajo.

5 WILLIE DESMOND: Okay.

6 Any other suggestion?

7 COMMISSIONER McNULTY: Yes. I'd like -- I want to
8 look at the Greater Arizona Success map with the Hispanic
9 for Good Government Coalition -- Hispanic Coalition for Good
10 Government map on the same -- together.

11 And the other thing that I wanted to look at was a
12 comparison of the Hispanic Coalition For Good Government map
13 with the two congressional minority-majority districts that
14 you had drawn from the grid.

15 WILLIE DESMOND: Which version? There's been
16 several to meet the other what-ifs, I guess.

17 There's this one from the river district option.

18 There's the initial, the two minority-majority
19 district options.

20 There's the two that come from the three border
21 districts.

22 COMMISSIONER McNULTY: I guess I would use this
23 one.

24 WILLIE DESMOND: So just two.

25 COMMISSIONER McNULTY: I don't think we've changed

1 them too much from the. . .

2 WILLIE DESMOND: So that would be the Greater
3 Minority Success changed to which one?

4 COMMISSIONER McNULTY: I want to take the Greater
5 Arizona Success map and compare it with the Hispanic
6 Coalition For Good Government map.

7 That's number one.

8 WILLIE DESMOND: Okay.

9 COMMISSIONER McNULTY: Number two, I want to be
10 able to compare the Hispanic Coalition for Good Government
11 map to our two minority-majority district maps.

12 And if you want to use this iteration, that would
13 be fine.

14 And what I'm really just trying to do is
15 understand in my own mind the concentrations, the
16 communities, where they are, what the communities are that
17 make up this minority population, and what the nuance
18 differences are between what the Hispanic Coalition for Good
19 Government gave to us and what you drew, you know, not
20 knowing Arizona at all, just to see how close they are, how
21 different they are, what the areas of difference are.

22 WILLIE DESMOND: I think we have those pieces
23 ready. If you would like, we could look at some of that
24 today, or just plan on looking at that tomorrow as we join
25 the meeting.

1 I don't know how we are on time, how much time
2 this is really delegated.

3 CHAIRPERSON MATHIS: Yeah, we can see how it goes.

4 We've done -- we've had this discussion for an
5 hour now, which is what we have allotted on the agenda. Now
6 we have another hour for legislative. But if we want to
7 later after the break discuss, you guys want to talk more
8 about congressional.

9 Is there another homework item? So that we have
10 three requests I heard.

11 Was there anything from Mr. Stertz that you want
12 to see on the congressional?

13 COMMISSIONER STERTZ: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Stertz.

15 COMMISSIONER STERTZ: We are -- my -- I have a
16 couple. One that's sort of a broader brush question, that
17 we are, we are -- it appears as though we are -- and,
18 please, Commissioners McNulty and Herrera, correct me if I'm
19 wrong, but we're trying to drill down and using three
20 submittals as our primary design criteria in this analysis.

21 We've received a tremendous amount of not only map
22 delivery to us, but I'm looking at a box of public comment
23 that's been provided along with thousands of comments that
24 have been made.

25 It appears as though we are giving a priority to

1 three submitted -- two or three submitted. That's one
2 comment that I have.

3 Second, I will give -- if our goal is to begin to
4 drill down the criteria and start to explore all six aspects
5 of our constitutional requirements at this time, we're going
6 to -- again, it's going to be a challenge to do without
7 having really reconciled all of the data that's been
8 provided to us to be able to ascertain, first, because in
9 one meeting there will be a group that will say that we want
10 to be held in connection with San Luis in a particular
11 majority-minority district, and in another meeting we've got
12 Yuma testimony in writing and in maps saying we don't want
13 to have the city split.

14 We'll have one group that is -- in other words,
15 we've got inflicting issues here that I think we're going to
16 need to work through.

17 So if we want to start drilling down some of those
18 at this time, I'm not sure how you want to prioritize it,
19 Madam Chair, whether or not this is the appropriate time.

20 Because right now it seems like we're getting down
21 to micro level and moving blocks and streets, and I can't, I
22 can't get my arms around it.

23 I sort of equate it when I'm working on designing
24 a building. I'm not picking out the chairs for the building
25 when I don't even know what the building is going to be used

1 for.

2 So there's a lot of data point and a lot of
3 programmatic issues that we don't have, at least that we're
4 not distilling down to their places yet.

5 So those are my thoughts as we're leaving.

6 I've got lots -- if we're going to go down the
7 path of doing micro, then I'll take the best information
8 that I've had in my analysis and try to work together and
9 give you comments on the -- several of these maps that I
10 could see making a variety of different iterations and
11 changes.

12 So there's probably a dozen what-if scenarios that
13 I would work off of, river district, revision two, three,
14 and three border district map that would probably have a
15 dozen different scenarios that could be built out of that.

16 So I think what I'm asking for is some direction
17 about what the next series of processes that you see,
18 Madam Chair, that we should be going for.

19 CHAIRPERSON MATHIS: I would say that we're still
20 very much at the macro level, and still looking at these
21 what-ifs.

22 And, yeah, there have been some ideas for tweaking
23 certain things to see what that does to the maps. But to me
24 still broadly we're very much at the macro level, and just
25 starting to dip our toes into the micro level.

1 And that's why I had asked Mr. Strasma to do some
2 of those calculations, or Mr. Desmond, on competitiveness
3 and compactness, just because we did have that presentation
4 last time.

5 I thought it would be interesting to see what
6 those three different tests for each of those criteria did,
7 and how they fare, what it means on some of these maps, so
8 we can start to begin to grasp all of this, because there is
9 going to be so much here that we have to balance.

10 And no question, the public input that we received
11 is a huge part of this too.

12 We need to be starting to bring that into the mix,
13 so I'd say we're still at the macro level.

14 How we proceed, I'm going to -- I would rely on my
15 fellow commissioners, all of you, to discuss how you think
16 the best and most efficient way to move forward in terms of
17 amalgamating some of these what-ifs and then also comply
18 with the many criteria that we have to balance.

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: They said in the beginning
22 when we -- when I was giving Mr. Desmond recommendation on
23 the river district, that we took a lot into account. I
24 mean, I was there at Bullhead City. They were pretty clear
25 that they wanted a river district.

1 So I -- so we're not only taking the maps that
2 people gave to us, we're all taking public comment into
3 account.

4 And there was no mixed messages at all in
5 Bullhead City. They wanted a river district, that they had
6 something in common with including Yuma.

7 I am from Yuma. And the San Luis suburb, southern
8 part of Yuma, Gadsden would not make sense to put in with
9 the river district. It wouldn't make sense to be combined.

10 Plus we need to respect the Voting Rights Act.

11 So, again, the southern parts, you know, again,
12 that borders with Yuma, and the two districts, again, it's
13 public comments that we took into account, public testimony,
14 people attending meetings.

15 Although I wasn't there in person in Flagstaff, I
16 was there via Skype. And, again, they said the same thing.

17 That map, the river district that we created,
18 reflects the public comment.

19 So I want to make sure that that's understood.

20 We're not taking two maps into account. We're
21 taking public comments and the maps that were presented to
22 us by those two organizations or three into account to put
23 together this river district.

24 CHAIRPERSON MATHIS: Thank you.

25 And our staff did put together, as Mr. Stertz

1 referred to, these binders of public input that we all need
2 to look at and kind of refresh our memories as to what was
3 said in those public hearings and begin to see, you know,
4 did most of the folks say X or did they say Y, and kind of
5 begin to bring that in.

6 It's going to be up to, I think, all of us to
7 review that information.

8 COMMISSIONER STERTZ: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Stertz.

10 COMMISSIONER STERTZ: Because both Mr. Herrera,
11 Ms. McNulty, and myself were all in our Yuma, we all heard
12 that there was river district testimony, and there was do
13 not connect Yuma with Tucson testimony, and there was do not
14 break up Yuma County testimony, and there was not break
15 Yuma, the city of Yuma in half testimony.

16 So those are contradictory.

17 And those are the things that we need to talk
18 through.

19 So at the same time you might have heard that
20 Bullhead City doesn't want to connect to the border.

21 I wasn't in person in Bullhead City, but I watched
22 online every single event meeting that I did not attend.

23 So, and I think the rest of the commissioners did
24 as well.

25 So whether we attended in person or we attended

1 via observation, we've captured a tremendous amount of
2 information.

3 So I'm glad, Madam Chair, I'm glad we're looking
4 at and we're going to continue to look at this at the macro
5 while we continue to distill through the information that
6 we've assembled.

7 CHAIRPERSON MATHIS: Thank you.

8 With that, any other comments on congressional?

9 Do you need any other direction, Mr. Desmond?

10 WILLIE DESMOND: I just want to point out for here
11 and anyone watching on the live stream, there are the data
12 tables available on the website.

13 They should be up now.

14 They have information that breaks out each one of
15 these what-ifs scenarios district by the different racial
16 groups, and they also have the three compactness measures.
17 It's a little interesting. You know, the two what-ifs we
18 just looked at seem to have wildly different districts, and
19 the total perimeter is only about 50 miles apart from the
20 two of them, so relatively close.

21 And they also have those competitiveness measures
22 that we talked about.

23 So that's, that's available to anyone on the live
24 stream.

25 CHAIRPERSON MATHIS: Yeah, I appreciate you guys

1 getting that calculated for us.

2 Thank you.

3 All right. Well, with that, we'll go into recess
4 and take 15 minutes. It's 3:28 p.m.

5 (Brief recess taken.)

6 CHAIRPERSON MATHIS: It's 3:51. We'll enter back
7 into public session.

8 Next item on the agenda is number four, which is
9 review, discussion and direction of mapping consultant
10 regarding ideas for possible adjustments to legislative grid
11 map based on constitutional criteria.

12 And I believe Mr. Desmond gave us two legislative
13 grid map what-if scenarios that we directed them to provide
14 to us.

15 WILLIE DESMOND: Yes. And these are very similar
16 to the last ones we looked at where they take into account
17 the nine benchmark districts that Mr. Adelson mentioned us
18 needing. The only real change here is that they're adjusted
19 to not split any Native American reservations.

20 And since there isn't a ton of changes to these,
21 maybe we could -- if you guys wanted to work through any
22 sort of additional what-ifs that you wanted to see from a
23 legislative -- I don't know that I'd have them tomorrow, but
24 certainly for next week.

25 I'll start with this version one -- or I shouldn't

1 have said version one.

2 This is actually option one, version two.

3 CHAIRPERSON MATHIS: So, were county lines also
4 going to try to be kept whole?

5 WILLIE DESMOND: Not especially.

6 CHAIRPERSON MATHIS: Okay.

7 WILLIE DESMOND: So when possible, that was --
8 that we defaulted to drawing lines, you know, with whole
9 counties, but that wasn't a particular consideration.

10 Is there any districts that you want to look at
11 right away? I believe you have the data tables underneath,
12 so you can see, you know, which ones are the
13 majority-minority or else we can highlight them and take a
14 look.

15 COMMISSIONER McNULTY: I'd like to look at each
16 one and just look at what they -- where they are or what
17 they're comprised of, to the extent they're coalition
18 districts, where the coalition populations are.

19 We may need Ms. O'Grady or Mr. Kanefield to give
20 us a hand with that, but I'd like to walk through them.

21 WILLIE DESMOND: Sure.

22 I guess, just to start with, District No. 7 is the
23 Native American district.

24 It's 59.73 percent.

25 It does not take into account the Supai and

1 Havasupai, but it does take into account -- Havasupai,
2 excuse me.

3 It does take into account Fort Apache and
4 San Carlos tribes, tribal areas.

5 I believe the 59.73 is slightly higher than it is
6 currently constituted.

7 I think the polarized voting analysis will be very
8 important for this particular district because they're
9 losing so much population to know where the benchmark needs
10 to be set at.

11 But this is, this is very close to what it is
12 currently.

13 I guess moving on, District No. 2 --

14 COMMISSIONER McNULTY: Just before we do move on.

15 WILLIE DESMOND: Uh-hmm.

16 COMMISSIONER McNULTY: The population, the entire
17 population of that district is 213,000, is that right, 981?

18 WILLIE DESMOND: Correct.

19 COMMISSIONER McNULTY: And of that, the voting age
20 Native American population is what?

21 WILLIE DESMOND: 87,574.

22 COMMISSIONER McNULTY: Okay.

23 So if we, if we were to do what we were looking at
24 on the other map, probably doesn't result in a great
25 increase in population, but if we were to include the

1 Pai tribes in that district, that would increase the
2 Native American population a little bit; is that right?

3 WILLIE DESMOND: Yeah. Let me -- I can tell you
4 the specific numbers.

5 So Hualapai, sorry.

6 There's 1264 Native Americans.

7 COMMISSIONER McNULTY: 1264.

8 WILLIE DESMOND: 1264.

9 That's not voting age. That's just total
10 population.

11 And Havasupai, it's 436 out of a total population
12 of 465.

13 COMMISSIONER McNULTY: Would you put the -- what
14 do we call cities and towns in our new jargon here?

15 WILLIE DESMOND: Census places.

16 COMMISSIONER McNULTY: Census places. Please put
17 the census places up.

18 WILLIE DESMOND: I have to zoom in a little bit
19 for those labels to show up.

20 Does that help?

21 Is there a different area you want me to go to?

22 This is the northwestern corner of the state.

23 COMMISSIONER McNULTY: Let's go east, so we can
24 see the. . .

25 I am a little curious about -- do you know where

1 the San Francisco Peaks are?

2 I think we had a public comment that the
3 Native Americans were concerned about sacred places and
4 lands that they owned. So I'm just curious to know where.

5 It doesn't look like that's in the district. That
6 would be right north of Flagstaff there.

7 WILLIE DESMOND: Where exactly?

8 COMMISSIONER McNULTY: It would be right north of
9 Flagstaff, I think, in that little -- which is south of
10 Cameron, probably.

11 We don't have to do that right now, but I just
12 want to see that.

13 WILLIE DESMOND: Sorry, Marty.

14 That's something that I can try to look at in the
15 future.

16 We might be able to find a shade file or something
17 that would identify that area as a geographic feature.

18 COMMISSIONER McNULTY: All right. I don't think
19 it will be hard to find.

20 WILLIE DESMOND: And if you choose to include it,
21 we can.

22 COMMISSIONER McNULTY: Let's keep going east so we
23 can see that and then south.

24 WILLIE DESMOND: Where would you like to go?

25 COMMISSIONER McNULTY: I just wanted to see the

1 whole district, as much of the district as I could see with
2 the census place layer turned on.

3 WILLIE DESMOND: Okay. I'll have to change that.

4 I'm sorry.

5 Are there other areas that we should look at right
6 away, or do you want to just continue looking at the
7 majority-minority district?

8 COMMISSIONER McNULTY: That should do it.

9 WILLIE DESMOND: Okay.

10 So I believe the -- just working numerically, the
11 next district would be District 2, which is. . .

12 I believe this doesn't take much of Tucson, but I
13 can look at that.

14 Is there any other geography or do you want to see
15 some of streets or something?

16 I can also -- let me just change this so it will
17 be easier to see where some of these census places are.

18 District 2 does cut Santa Cruz just like some of
19 the other ones we looked at to include some of the Hispanic
20 population, again, over 50 percent, to exclude some of the
21 non-Hispanic population.

22 COMMISSIONER McNULTY: Would you please just zoom
23 out so we can kind of see this whole part of the state with
24 the concentrations of minority -- of Hispanic population?

25 WILLIE DESMOND: Sure. I'll turn off Indian

1 reservation.

2 This is, I believe, I'll just confirm this is
3 shade by Native American population.

4 Yeah, it's HVAP.

5 You know, I was thinking at the break one thing
6 that might be helpful is if we looked at the, I guess,
7 density of HVAP, so that it would be darker if there's more
8 HVAP in a concentrated area.

9 If you bear with me for a second, I think I can
10 show you that.

11 This will skew for rural areas. This is a
12 combination of population density and percentage, and
13 population density of voting age Hispanic individuals.

14 So, you know, it might be more helpful when we're
15 looking at some of the cities, I can also go back to, go
16 back to just shading it by, by Hispanic percentage of each
17 tract.

18 Why don't I go back.

19 That might be better. Sorry, I apologize.

20 Kind of interested in this corner initially;
21 right?

22 Does that answer what you're looking at? Or if I
23 zoom in a little bit onto Tucson, you can see that this
24 doesn't get all of its Hispanic -- it gets the bulk of its
25 Hispanic population from Santa Cruz.

1 Hispanic population in Tucson goes to District 3,
2 which is the next one, which is 50.49 percent population.

3 Do you want us to keep moving around a little bit
4 for the rest of District 3 then?

5 Which is a little different.

6 So that grabs, you know, the Hispanics from Tucson
7 and takes a little bit of the, I believe, the western border
8 of Casa Grande.

9 And then some rural areas.

10 And, again, this area is not really populated.
11 Not many people live in that area.

12 COMMISSIONER McNULTY: Why don't you go back to
13 the, to the east.

14 There's a little triangle.

15 Here it says -- between Drexel Heights and
16 Littletown in the center of the map.

17 WILLIE DESMOND: Buck, do you have the laser
18 pointer also?

19 BUCK FORST: They're on the table.

20 WILLIE DESMOND: Okay. Do you want me to zoom in
21 on that?

22 COMMISSIONER McNULTY: I'd like to know what that
23 is.

24 WILLIE DESMOND: It's part of Tucson.

25 The greater -- it is Tucson.

1 COMMISSIONER McNULTY: Is that the air force base
2 to the right of it, DM?

3 WILLIE DESMOND: I'm not sure. I'm sorry.

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: Would it be possible for you
7 to turn on the street layers in the Tucson area?

8 WILLIE DESMOND: Yes.

9 COMMISSIONER STERTZ: And if you would go to the
10 east, which is to -- try to determine, in going south of
11 Tucson, or south of I-10.

12 And is it now possible to turn on the, your --

13 WILLIE DESMOND: Yes. Just one second.

14 COMMISSIONER STERTZ: And the purpose of this
15 exercise is that there is a prison on South Wilmot, and just
16 south of I-10. And I wanted to see if there was a
17 significant density showing.

18 WILLIE DESMOND: Let's look at it at the block
19 group level. We might be able to see exactly what that is.

20 Wonder if that would be this area right here.

21 COMMISSIONER STERTZ: No.

22 WILLIE DESMOND: No?

23 It was just south of I-10 where exactly?

24 COMMISSIONER STERTZ: Nearest street Ansville.

25 WILLIE DESMOND: This is Littleton Road. Is that

1 what you're looking for?

2 COMMISSIONER STERTZ: It's actually called -- it's
3 going to be here. See where Craycroft, right there.

4 WILLIE DESMOND: Yeah.

5 COMMISSIONER STERTZ: Go to your east, please, and
6 go south.

7 See Wilmot, further east.

8 There's Wilmot.

9 W-I-L-M-O-T.

10 Go south.

11 CHAIRPERSON MATHIS: And there are two prisons;
12 isn't that correct?

13 COMMISSIONER STERTZ: There are two.

14 WILLIE DESMOND: Isn't it possible that this is
15 one of them?

16 COMMISSIONER STERTZ: Yes. Could you see what the
17 population of that block is?

18 WILLIE DESMOND: That block is 573 people.

19 573, 340 are White, 50 are Black, 40 are American
20 Indian.

21 All 573 of them are of voting age population.

22 So there's no children that live in this block.

23 COMMISSIONER STERTZ: That's sort of giving the
24 indication that it's a probably a grownup prison population
25 there.

1 The exercise is that it would probably be prudent
2 for us to isolate in Eloy, Florence, all the major minor
3 prisons throughout the state, and find out what the actual
4 impact is, find out what the population spread is on those
5 blocks. It's going to be very small just like that is, and
6 you're going to be able to determine where those are.

7 WILLIE DESMOND: Absolutely.

8 And I know we have been continually tracking down
9 that information, making, I think, dozens and dozens of
10 calls trying to find out exactly the population, where they
11 specifically are.

12 That's one that we'll probably present at a later
13 date.

14 I believe there's some -- it's on the agenda for
15 next week.

16 That might be something that we can look at. I
17 can't say for certainty, because I haven't been collecting
18 that information. So I'm not positive where it stands right
19 now. But that's something that we're working towards, you
20 know, working to be able to take into account, and have as,
21 as part of the voting rights analysis when we go to present
22 the maps.

23 COMMISSIONER STERTZ: Thank you.

24 COMMISSIONER McNULTY: Just one more thing I'd
25 like to look at while we're looking at this display.

1 We're going to have to zoom out.

2 I would like to know what the Hispanic population
3 of Bisbee and Douglas is, a couple of. . .

4 WILLIE DESMOND: Where is that, I'm sorry?

5 COMMISSIONER McNULTY: Oh, sorry. Zoom out. You
6 have to go southeast into Cochise County.

7 Okay. Go east.

8 See those red areas?

9 WILLIE DESMOND: Bisbee is technically in this
10 area, on the census place.

11 COMMISSIONER McNULTY: What I'm interested in is
12 the red, not so much interested in the municipality.

13 WILLIE DESMOND: Yeah. I can tell you
14 specifically Bisbee is. . .

15 COMMISSIONER McNULTY: I guess that's not an easy
16 thing to determine, is it, because you have to add up all
17 the census tracts.

18 WILLIE DESMOND: Add up all the --

19 COMMISSIONER McNULTY: Okay. Would you, off line
20 would you do that, and the same for Bisbee -- I mean, for
21 Douglas.

22 As you go a little further east you'll see some
23 high density Hispanic population. That's not for tomorrow
24 even.

25 WILLIE DESMOND: Just for a point of

1 clarification, I'll look for areas that are --

2 COMMISSIONER McNULTY: Forty or 50 percent.

3 WILLIE DESMOND: Forty or 50 percent above. Okay.

4 COMMISSIONER McNULTY: Forty or 50 percent or more
5 Hispanic.

6 WILLIE DESMOND: Okay.

7 COMMISSIONER STERTZ: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Stertz.

9 COMMISSIONER STERTZ: Commissioner McNulty, as a
10 point of clarification, based on the way that he is
11 currently having his percentage spreads, are you looking at
12 the 38 and a half plus or the 56.9 percent plus?

13 See in the bottom right-hand corner?

14 COMMISSIONER McNULTY: I'm just looking at those
15 two areas.

16 COMMISSIONER STERTZ: You see the chart where he
17 has got his percentages?

18 WILLIE DESMOND: I can change that too --

19 COMMISSIONER STERTZ: Okay. I'm just trying to
20 determine -- so there's a consistent analysis, because
21 Commissioner McNulty is going to be asking the same question
22 that I am, which is give me the highlights wherever you see
23 these density zones.

24 WILLIE DESMOND: Okay. Yeah, I will -- I'll look
25 for that.

1 COMMISSIONER STERTZ: Thank you.

2 WILLIE DESMOND: No problem.

3 COMMISSIONER McNULTY: It was behind Scott's head,
4 so I didn't know what area you were referring to.

5 CHAIRPERSON MATHIS: Anything else anyone wants to
6 look at on this map?

7 COMMISSIONER STERTZ: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Stertz.

9 COMMISSIONER STERTZ: As a point of clarification
10 that the creation of this map, could you give us what the
11 criteria was that brought this map to fruition?

12 WILLIE DESMOND: Yes. So the -- started with the
13 grid map from Mr. Adelson's presentation.

14 The first what-if map for legislative was just to
15 create the nine districts that he spoke of for
16 majority-minority and coalition and plurality.

17 Mr. Freeman asked that we do two versions of that
18 to kind of illustrate that there's a lot of different ways
19 of drawing those nine districts.

20 And then those were presented last week.

21 And then as a further edit to that, they were
22 again changed to not split any Native American populations.

23 So the only criteria that have been taken into
24 account, the only places where the grid map has been
25 adjusted, is either to create the majority-minority

1 districts or to not split Native American populations.

2 COMMISSIONER STERTZ: Thank you.

3 WILLIE DESMOND: Then just as a general rule when
4 drawing these maps, I try to keep full counties, and then
5 undivided census tracts of major areas that seem like
6 obvious borders of a first cut.

7 When I have to start splitting small areas of
8 geography, I do.

9 COMMISSIONER STERTZ: So am I correct that the
10 design criteria that you were given is identical to both
11 what you've taken those -- taken those and taken two
12 separate approaches?

13 WILLIE DESMOND: Correct.

14 COMMISSIONER STERTZ: Thank you.

15 CHAIRPERSON MATHIS: Other comments? Questions?

16 COMMISSIONER McNULTY: Madam Chair.

17 CHAIRPERSON MATHIS: Commissioner McNulty.

18 COMMISSIONER McNULTY: Just a general question.

19 The table that's attached to the map.

20 WILLIE DESMOND: Yes.

21 COMMISSIONER McNULTY: These are the percentages
22 as you've drawn them.

23 How do they compare to the benchmarks?

24 Did you try to get within a certain percentage of
25 the nine benchmarks?

1 WILLIE DESMOND: For the purposes of these, the
2 nine benchmarks are a little nebulous, I guess.

3 I would ask legal counsel to respond to that.

4 We're at 49.8 percent.

5 So for the purposes of these, I tried to create
6 six districts that were above 50 percent Hispanic voting age
7 population, one district that was at the same level of
8 voting age Native American population, one district that was
9 coalition, so that is that the White population was less
10 than 50 percent and then the other, other minority groups
11 added together to have a majority of the districts, and one
12 district that was a plurality Hispanic.

13 So no group is above 50 percent, and Hispanic is
14 the highest group.

15 That's slightly different than the coalition, but
16 similar.

17 That was the only criteria that I used.

18 I didn't necessarily try to meet all of the same
19 levels.

20 I think if you look at this first one, there is a
21 district that is 65.98 percent voting age Hispanic.

22 I believe in the districts as they're currently
23 comprised the highest is 68 percent.

24 You know, if we were to go with this map, you
25 might have to raise that one up a little bit depending on

1 how the polarized voting analysis comes.

2 But I just tried to get above the 50 percent.

3 And I make two that were kind of a little higher
4 to reflect the two that are higher now.

5 But I'll let legal counsel speak if they want to.

6 MARY O'GRADY: Commissioners, I'm still looking at
7 the numbers and trying to compare.

8 Part of the reason is it's difficult to some
9 extent, because we have a history in Arizona of electing
10 minority candidates from districts that aren't
11 majority-minority. And so, we need to look at all of them,
12 not just the majority-minority.

13 So I'm still looking at the numbers and matching
14 up with our old numbers and with the new geography and that
15 sort of thing.

16 CHAIRPERSON MATHIS: Other comments or questions?

17 COMMISSIONER STERTZ: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

19 COMMISSIONER STERTZ: Point of clarification from
20 map person and attorneys, the 2010 census percentages as
21 they pertain to the current 30 districts, it was my
22 understanding from Mr. Adelson that those were not relevant.

23 MARY O'GRADY: Relevant to the --

24 COMMISSIONER STERTZ: Meaning that, for example,
25 the current percentage of District 13 is 68.27 percent

1 Hispanic of voting age population.

2 That that would not be considered retrogression if
3 we had a new district that was -- for example, as described
4 on the what-if scenario option one, the highest HVAP is
5 65.98.

6 MARY O'GRADY: To make sure I understand, you
7 don't have to maintain the same percentage marks, if
8 that's --

9 COMMISSIONER STERTZ: That was --

10 MARY O'GRADY: We need to -- what matters is that
11 we start with effective minority districts and we retain
12 minority districts.

13 But the analysis is based on current census data
14 in making those determinations and the electoral history
15 over the past decade.

16 COMMISSIONER STERTZ: I was going back to trying
17 to get clarification on a question that was previously
18 asked. Thank you.

19 CHAIRPERSON MATHIS: Other questions, comments?

20 VICE-CHAIR FREEMAN: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Freeman.

22 VICE-CHAIR FREEMAN: So just for clarification,
23 you did not take political boundaries into effect in
24 constructing these two maps.

25 WILLIE DESMOND: Aside from county, no.

1 VICE-CHAIR FREEMAN: So can we do another
2 iteration of these two maps where political boundaries and
3 their city, town, or county lines would become a significant
4 factor in your drawing of the lines?

5 I know you're not going to be able to keep
6 everything whole and there's going to be some splits here
7 and there, but if we could see how those maps look, that
8 would be interesting to me.

9 WILLIE DESMOND: Absolutely. That's definitely
10 doable.

11 Buck, is it possible there's another clip? This
12 keeps falling off.

13 COMMISSIONER STERTZ: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Stertz.

15 COMMISSIONER STERTZ: If I heard that correctly,
16 Commissioner Freeman is asking the same thing I was asking,
17 that let's not break up cities, unless we have to break up
18 cities by virtue of their size.

19 CHAIRPERSON MATHIS: Right.

20 COMMISSIONER STERTZ: Thank you.

21 WILLIE DESMOND: Are there other areas you wanted
22 to look at, or. . .

23 COMMISSIONER McNULTY: Where are the minority --
24 majority-minority districts? Just, we've got how many in
25 Tucson? How many in Pima County? Assume one in Yuma.

1 We've got a few in Phoenix. Just run that down, if you
2 would.

3 I shouldn't call them districts because they're a
4 long way from being districts, but things on the map.

5 WILLIE DESMOND: I believe Districts 1 in the
6 southeastern corner. Districts 2 and Districts 3 are all
7 majority-minority.

8 And when we go into Maricopa, Districts 19 and 20
9 are both majority-minority, and also Districts 27 and 28.

10 So there's three along the southern border.

11 Four in Maricopa.

12 And, I'm sorry, I should have said District 20 is
13 actually a plurality. So that the Hispanics make up the
14 largest group, but they're not 50 percent.

15 And also District 29 is a coalition district.

16 And then, again, District No. 7 is the
17 Native American.

18 I can zoom in more towards Maricopa.

19 Is there other areas or specific parts -- or if I
20 turn off the census tract, you can see some of the -- sort
21 of see some of the towns.

22 Let me change the color to make that a little more
23 apparent what is what.

24 Does that make it a little. . .

25 And maybe a good way of kind of showing you,

1 showing you this would be -- I'll just make some pending
2 changes.

3 So if I click right here.

4 Sorry. I'm just trying to show you where some of
5 the different areas.

6 It's a little -- still a little tough to see.
7 Glendale, Tolleson, Maricopa County, Guadalupe.

8 Are there specific ones you wanted to look at
9 right away or ones that I should move?

10 COMMISSIONER McNULTY: Let's look at 27.

11 Does that include South Mountain? Is that the
12 south boundary there? Being one of the few things in
13 Phoenix I've always adored.

14 WILLIE DESMOND: Hold on one second.

15 COMMISSIONER McNULTY: It looks like Guadalupe is
16 kind of hanging out there. What's with that?

17 WILLIE DESMOND: I don't think it does.

18 I believe this is South Mountain.

19 So this is South Mountain.

20 So that is in District 18.

21 COMMISSIONER STERTZ: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: So the next go-around,
24 excluding I think the three largest cities, which are
25 Phoenix, Tucson, and Mesa, do you think it's conceivable

1 from Chandler, Glendale, Scottsdale, Gilbert, Peoria, Tempe,
2 Surprise, which are the next batch, do you think it's going
3 to be possible to focus on trying to keep those intact?

4 WILLIE DESMOND: It's possible to focus on that.
5 We probably could draw districts that would keep
6 those all intact.

7 I'm not sure how that would affect some of the
8 majority-minority districts.

9 That will be my -- the next set, the next version
10 of these two maps, I think is going to be to try to keep all
11 municipal areas together, kind of.

12 COMMISSIONER STERTZ: Okay. Even though,
13 Madam Chair, we're off topic, we've already covered
14 congressional districts, it would be a recommendation that
15 you -- likewise there are certain municipalities in the last
16 go-around that were split, we got small towns split into
17 three different congressional districts.

18 I would like to keep our municipalities intact for
19 representation sake.

20 WILLIE DESMOND: Absolutely.

21 I will default to trying to do that a little bit
22 more. I will make more of a conscious effort as we move
23 forward to make sure that when I or someone else from our
24 firm is drawing these maps that we pay attention to that.

25 COMMISSIONER STERTZ: Thank you.

1 WILLIE DESMOND: And keep that as a reservation.

2 COMMISSIONER McNULTY: I'd like just to add while
3 we're talking about the political boundaries, I think it's
4 fine to look at those things, but I think we've got a bunch
5 of criteria here that we're going to need to take into
6 account, including communities, compactness, so forth.

7 And I'm not on board with making it a priority to
8 try to force municipal boundaries within these districts
9 when that makes it more difficult for us to achieve other
10 goals.

11 COMMISSIONER STERTZ: Madam --

12 COMMISSIONER McNULTY: I don't have any problem
13 with looking at it in the what-if stage.

14 I just want to make clear that from my perspective
15 we've got a lot of things to look at and that's just one of
16 them.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: She clarified.

19 WILLIE DESMOND: Are there other areas or specific
20 things you would like me to pay attention to in this next
21 round of these maps, I guess? Or would you be helpful to
22 look at the option two, and maybe at the end we can look at
23 option one and two over the top of each other so we can see
24 where there is deviation kind of.

25 COMMISSIONER McNULTY: I think that would be

1 helpful.

2 I'm still using this as a process to understand
3 where the populations are, where -- what the state is made
4 up of.

5 And then I would hope that we would be able to
6 work with these on a more intensive basis once we all
7 understand what we're working with.

8 So I think that would be a useful thing to look at
9 the other option and look at how they compare to one
10 another.

11 VICE-CHAIR FREEMAN: Madam Chair.

12 CHAIRPERSON MATHIS: Have we received any
13 legislative grid map proposals -- not grid map, map
14 proposals from any sector?

15 WILLIE DESMOND: Yes, we have. The one from Pinal
16 County that was presented today.

17 CHAIRPERSON MATHIS: Okay.

18 WILLIE DESMOND: And there's one other one.

19 COMMISSIONER McNULTY: Didn't we get one from
20 Flagstaff?

21 WILLIE DESMOND: Yes, we did. That's the other
22 one.

23 COMMISSIONER McNULTY: All right. Do we have
24 that? Can we load that onto our computers?

25 WILLIE DESMOND: Sure. Do you want to look at it

1 right now?

2 Oh, I'm sorry.

3 COMMISSIONER McNULTY: We can look at the other
4 option two while we have that in our heads maybe.

5 WILLIE DESMOND: Okay. I'll go to option two. I
6 just --

7 COMMISSIONER McNULTY: I'm sensing here.

8 WILLIE DESMOND: I'll go to option two then.

9 This is option two.

10 I'll go ahead and add those two plans just so we
11 can turn on if we want to at any point.

12 Again, are there places that you want me to go
13 look at right away?

14 Or should we just kind of. . .

15 I'll zoom into Maricopa right away.

16 So in this, in this map, native -- or the
17 Native American population, District 7, is 59.3 percent, so
18 a little lower than the other version.

19 But I think still slightly above where it's
20 currently constituted.

21 So that green area is Native American reservation
22 land.

23 Is there any place I should look at right away?
24 Or do you want to start along the southern border again?

25 Or would you like to see the other map overlaid on

1 top of this one, so that you can see where there are some
2 deviations?

3 CHAIRPERSON MATHIS: Yeah, I think that would be
4 helpful, the version one, version two.

5 WILLIE DESMOND: Okay.

6 You can see a lot of the areas are the same
7 because we didn't start with the grid map.

8 So a lot of the changes come at the -- for some of
9 the areas where we wanted to get to the nine
10 majority-minority, so that manifested itself in Maricopa.

11 Is there a specific place you wanted to look at?

12 COMMISSIONER McNULTY: Areas of difference. Just
13 zoom in on some of those to see how you handled the
14 majority-minority issue.

15 WILLIE DESMOND: Let me again shade census tracts.

16 So in, also. . .

17 VICE-CHAIR HERRERA: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE-CHAIR HERRERA: I'm going to step out for a
20 moment.

21 Please proceed without me.

22 I can hear outside.

23 CHAIRPERSON MATHIS: Okay.

24 (Whereupon, Vice Chair Herrera left the
25 proceeding.)

1 WILLIE DESMOND: Sorry, just trying to get the
2 labels for both. Make it a little easier.

3 So 28, I guess, that's a majority-minority in
4 both.

5 In option two, it is 50.07. So just barely over
6 the 50 percent threshold.

7 I believe that's because it was one of the last
8 ones that I tried to get to the threshold.

9 The other version is 51.83. So a little bit
10 higher threshold.

11 You can see it does just vary, in some certain
12 areas, that account for that change.

13 There's places where they might look very similar,
14 and that's just probably because the map made it so.

15 The changes all together don't seem major.

16 I think that's just because -- it's not that I did
17 that consciously. I think there's just certain areas that
18 based off of the grid lend themselves to be
19 majority-minority districts in certain ways.

20 How do I end this? Let me see.

21 COMMISSIONER McNULTY: I think we're going to
22 limit you to a 64 color crayon box.

23 WILLIE DESMOND: You think they all look good, but
24 this might make it a little bit easier.

25 Too many options.

1 This doesn't look good on my screen, but it looks
2 all right on the projector.

3 So this district -- let's look at District 19 is
4 the highest in both.

5 And that's largely because there's a large
6 population of Hispanic voting age population in the downtown
7 Phoenix area.

8 COMMISSIONER McNULTY: And we need to do that in
9 order to meet a benchmark; is that right?

10 That might be a question for Ms. O'Grady and
11 Mr. Kanefield, the 65 -- 63, 65, do you know what I mean?
12 We've got one, one legislative district that we're
13 contemplating that has a very high HVAP.

14 I guess we can look back at our benchmarks. I'm
15 just wondering if we are doing that because we need -- want
16 to satisfy one that is that high.

17 (Whereupon, Vice Chair Herrera returns to the
18 proceeding.)

19 MARY O'GRADY: I think that gets back to the
20 question of --

21 COMMISSIONER McNULTY: Okay.

22 MARY O'GRADY: -- what does it take to be
23 effective.

24 COMMISSIONER McNULTY: To, to --

25 MARY O'GRADY: We may disagree in terms of where

1 that number falls --

2 COMMISSIONER McNULTY: Okay. So that's something
3 we need to look at carefully once we get that into this.

4 MARY O'GRADY: Note that when it was precleared a
5 decade ago, none of those were over 60 percent.

6 COMMISSIONER McNULTY: Okay. All right.

7 So the issue is we need to be sure that there can
8 be -- they can elect their representative of choice, but we
9 don't want to be packing a whole bunch of extra voters into
10 the district and diluting their effectiveness in other
11 places. Okay.

12 It does seem to me just as a general comment as
13 we're looking at this, it's extremely helpful, but without
14 input from the minority community, I think it's going to be
15 essential to have that input from the minority community
16 about the communities within these communities, because this
17 is a lot more than just percentages, population that we're
18 dealing with here.

19 WILLIE DESMOND: I believe what does kind of
20 constitute that now is the 68.27. So it's a little higher
21 than it is even here.

22 But it is also far overpopulated, so it needs to
23 be cut down anyway.

24 So, again, if I zoom up there's some other changes
25 between the two.

1 It would be helpful to look down in Tucson.

2 COMMISSIONER McNULTY: Do you know what Littletown
3 is?

4 COMMISSIONER STERTZ: Uh-hmm.

5 COMMISSIONER McNULTY: I knew you would.

6 WILLIE DESMOND: Is there another area that I
7 should go to, or is there further direction for future
8 changes?

9 I think for both, again, I'll try to respect some
10 of these census areas a little bit more, pay particular
11 attention not to split municipalities when possible for the
12 next round.

13 COMMISSIONER McNULTY: I'm not ready to work on
14 changes from my perspective yet. I need to understand this
15 a little better.

16 Can we look at Maricopa?

17 Is that like around 4,000 percent or something?
18 I'm curious to know.

19 COMMISSIONER STERTZ: It's to the southwest.

20 There you go.

21 WILLIE DESMOND: Well, in this -- in both versions
22 Maricopa is split by just a little bit right here.

23 Is there specific things you wanted to look at?

24 COMMISSIONER McNULTY: Would you just population
25 density, just general, not even -- not minority, just

1 population density in that kind of area.

2 WILLIE DESMOND: Sure. This area right here?

3 COMMISSIONER McNULTY: Yeah. Maybe zoom out just
4 a little bit.

5 WILLIE DESMOND: Was that --

6 COMMISSIONER McNULTY: Just trying to get a sense
7 of these high growth areas and what's going on here, where
8 they are.

9 WILLIE DESMOND: I'm trying to think of the best
10 layer that can display that.

11 Do you mind if I just play around here for a
12 second?

13 COMMISSIONER McNULTY: I don't.

14 Whatever helps.

15 WILLIE DESMOND: So right now this is indicated by
16 census area and population density of just the total
17 population.

18 So the whitest shade is 4,000 people per square
19 mile.

20 The next level is 4 to 8,000 people.

21 8,000 to 12,000, and then 12,000 and above.

22 Might want to, just for the rural areas, you might
23 want to -- might want to -- this isn't -- it's not even the
24 best. Sorry.

25 We can find something better than that.

1 COMMISSIONER McNULTY: That was good, I thought.

2 WILLIE DESMOND: Let's try again.

3 I'm going to change this from.

4 This is the same thing, shaded by census tract.

5 COMMISSIONER McNULTY: Helps to have the place
6 names. Maybe we need the census places.

7 WILLIE DESMOND: There you go.

8 Can you read those, or should I make them a little
9 darker?

10 COMMISSIONER McNULTY: That's good.

11 WILLIE DESMOND: Here's Maricopa again.

12 I'm trying to show you the level of the state.

13 The bottom line, it doesn't really help to look at
14 most of them.

15 One thing I don't have right now -- let me check.

16 I can work at tomorrow is the population growth
17 theme, to see where Arizona have changed.

18 COMMISSIONER McNULTY: Okay. That would be
19 helpful.

20 And I also wonder if you could -- you know the
21 snapshot we were looking at a few minutes ago when you
22 showed Maricopa and Chandler and sort of greater Phoenix, we
23 could see all of that.

24 It would be nice to have just a -- that printed,
25 you know, the population density, with -- colored like that,

1 printed like this.

2 WILLIE DESMOND: Sure.

3 COMMISSIONER McNULTY: For the main population
4 areas of the state perhaps.

5 WILLIE DESMOND: Okay. That's something I can do.

6 COMMISSIONER McNULTY: Pinal, Tucson area maybe.
7 Maybe Flag.

8 WILLIE DESMOND: Okay.

9 Other things you want to look at right away with
10 these two, or would you be -- we do have the City of
11 Flagstaff's proposed legislative districts and the
12 Pinal County government proposed districts. Both of them
13 are incomplete. They only have a couple of districts. But
14 we can look at those two if you're interested.

15 Or else I can zoom in on certain areas, again, and
16 you want to look at some of the other changes and stuff.

17 CHAIRPERSON MATHIS: We've spent about an hour now
18 on the legislative, so it's up to the commissioners if you
19 want to look at those two proposals overlaid or move on.

20 Okay. We'll maybe do that tomorrow if there's
21 time.

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: Are all those maps available
25 on the website at this time?

1 WILLIE DESMOND: Yes.

2 COMMISSIONER STERTZ: Town, county. Okay.

3 WILLIE DESMOND: I believe -- I shouldn't say all
4 these grid maps are also available, and we've been -- I
5 think one very user friendly way of looking at them is the
6 KMZ files that, that are being hosted on the AIRC websites.
7 If you click on those, it opens it up on your web browser in
8 Google maps. You can -- it's like using Google maps. It's
9 layered in there so you can zoom into your neighborhood or
10 any area you care about and see exactly where those are.

11 So people that might not have obviously Maptitude
12 loaded up at home or anything else can use that as a way of
13 seeing where those boundaries are drawn.

14 I encourage people to play around with it. It's
15 really pretty neat. You can look at it on the map or
16 satellite, whatever you're comfortable with.

17 CHAIRPERSON MATHIS: Great. Thank you.

18 Anything else for Mr. Desmond?

19 Okay. We'll be seeing you tomorrow. Thanks for
20 your help.

21 Next item on the agenda is number five, discussion
22 and possible action on retaining a voting analysis expert to
23 review, analyze, and recommend action on voting rights
24 issues, including polarized voting and conduct analysis
25 regarding competitiveness.

1 So we talked a little bit about this.

2 And I know our legal counsel did some research
3 since our last meeting, and Joe or Mary would like to tell
4 us what they found.

5 MARY O'GRADY: Thank you, Madam Chair,
6 commissioners. We have been doing some legwork along with
7 Bruce Adelson and our mapping consultants on the various
8 social science experts who might be able to assist.

9 And, again, Strategic is doing the analysis and
10 they will continue to do the analysis on racially polarized
11 voting, et cetera. So they are, they are -- what this is,
12 is someone who would have -- would sort of check the work,
13 sort of independent verification to make sure that
14 methodology is accurate and sort of bless the whole analysis
15 that's being done.

16 Last time, for example, it also included experts
17 as part of the process.

18 They had Lisa Handley, who did polarized voting,
19 and they had Michael McDonald, a professor who did
20 competitiveness.

21 And our hope was to, rather than have separate
22 folks, find one person who could do both types of
23 statistical analyses and verification.

24 And as Bruce Adelson mentioned, this would be very
25 helpful in terms of our DOJ process having that independent

1 verification, and I think it will be helpful to the
2 Commission.

3 So based on our research, we would recommend -- go
4 and recommend that we look at entering a contract with
5 Gary King, who is a professor from Harvard.

6 He is the director of the Institute for
7 Quantitative Social Science, and he has expertise in the
8 statistical analysis that is both part of voting rights
9 analysis and also has done work with competitiveness. So
10 the idea is that he would -- although the focus would be the
11 voting rights analysis, that he could also assist to the
12 extent necessary on some of the state constitutional
13 criteria.

14 And, again, this is sort of a check the work,
15 check the methodology, that would be -- although Strategic
16 will be doing most of the work.

17 Joe, do you have something?

18 JOSEPH KANEFIELD: Madam Chair, members of the
19 Commission, the other thing to think about is if there ever
20 is a challenge, we would need expert testimony. We would
21 need expert analysis.

22 And so this would be an individual that may be
23 able to help us in that regard.

24 Right now obviously Strategic Telemetry, they're
25 part of the team.

1 And there's issues that arose last round with
2 designating the consultant as expert. So it's one more
3 layer of analysis and review that could help down the road
4 to have an additional expert look at the map to do the
5 analysis.

6 COMMISSIONER McNULTY: Mr. Kanefield, as I read
7 what Lisa Handley did for the last Commission, it seems
8 that one of the functions of this expert is to kind to
9 put the data that Strategic Telemetry would be developing
10 into a narrative, in a form that the Department of Justice
11 likes.

12 Is that another purpose of having this expert, to
13 take the data and put it in a social science context and
14 present it in a narrative with our preclearance application?

15 JOSEPH KANEFIELD: Madam Chair,
16 Commissioner McNulty, that's certainly a probability. It
17 will just depend on what direction the Commission wants
18 to go, how much information we want to put into the
19 submission.

20 VICE-CHAIR FREEMAN: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Freeman.

22 VICE-CHAIR FREEMAN: Counsel, I guess first a
23 question and then a request.

24 First, could you describe prior experience
25 Mr. King has had in this area?

1 And perhaps, I guess this is a separate question,
2 but the DOJ, how do you see his experience generally and
3 qualifications?

4 MARY O'GRADY: A little bit on his background.
5 Again, he has a website, GKing.Harvard.EDU, that gives his
6 biographical information and his other research that he's
7 done.

8 He's most known in this area -- for example, he
9 developed one of the methodologies that's been used in
10 analyzing racially polarized voting, and that's what he's
11 most known for.

12 He also developed the JudgeIt program that was
13 used by the last Commission for competitiveness.

14 And so he's a very respected sort of analyst both
15 on -- on all of these issues. And has written extensively.

16 CHAIRPERSON MATHIS: Does that mean that we'd be
17 locked into the JudgeIt test?

18 MARY O'GRADY: Madam Chair, absolutely not. I'm
19 just giving that example of things that he's been involved
20 with in terms of his background and experience.

21 CHAIRPERSON MATHIS: Thank you.

22 Mr. Freeman.

23 VICE-CHAIR FREEMAN: Does Mr. Adelson have
24 experience working with him before or his work product?

25 MARY O'GRADY: He has not worked with him

1 previously. No, he has not.

2 COMMISSIONER STERTZ: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

4 COMMISSIONER STERTZ: Counsel, has Mr. King --
5 Professor King provided expert testimony on the specific
6 tasks that we are considering him producing for us?

7 MARY O'GRADY: Commissioner Stertz, let me double
8 check that.

9 I checked when we were researching folks. I
10 looked at their expert testimony. And he has served as an
11 expert witness, but let me go back and pull his specific
12 information on that point.

13 At this point my priority -- I thought the
14 priority was someone in the Commission phase and at the
15 preclearance phase and then they would be capable of
16 testifying later, but I'll check back on his -- what
17 testimony we have.

18 COMMISSIONER STERTZ: Thank you.

19 Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Stertz.

21 COMMISSIONER STERTZ: Counsel, again, I know that
22 you have looked extensively locally, regionally. And we
23 come up with -- it appears as though we're at the highest
24 time frame when all the experts right now are working and
25 are really busy, because every decade this comes around, and

1 there's 50 states going through this, so there are only so
2 many experts that are available.

3 I'm not going to question why we're trying to find
4 this individual now and why we're having to go to Boston to
5 procure this individual.

6 But, have we exhausted all of our resources to the
7 best that we have for the time frame that we're looking for
8 right now?

9 MARY O'GRADY: Commissioners, we can keep looking,
10 but we felt like we had really an excellent person who is
11 available, and really I don't believe we'll find anyone -- I
12 don't think we'll find anyone better for what we need than
13 Professor King, but we're happy to keep checking and giving
14 you more names.

15 COMMISSIONER STERTZ: Madam Chair, counsel, I
16 looked at Professor King's credentials online last night,
17 and he is a -- other than the fact that he's from the
18 University of Wisconsin, went to school. Wisconsin is a
19 good thing. University of, I disagree with. University of
20 Minnesota Golden Gopher.

21 The cost of his services is extremely high.

22 Could we discuss that, please?

23 MARY O'GRADY: In terms of cost, we don't have
24 any -- obviously we haven't finished the contract and
25 figured we would work with Mr. Bladine to see if we could

1 get something that within a budget -- within the
2 Commission's budget with him.

3 He also has grad students and postdoc students who
4 he works with in addition to, and so he has a higher hourly
5 rate and then others have a lower rate. But all that hasn't
6 been negotiated yet in terms of a final package, and so
7 that's what -- we would need to see if we could get
8 something within the Commission's budget.

9 And if we couldn't, we'd be back to the Commission
10 with another recommendation.

11 COMMISSIONER STERTZ: Madam Chair, Mr. Bladine is
12 probably going to be able to provide this answer.

13 What is the budget?

14 RAY BLADINE: Madam Chair, Commissioner Stertz, we
15 don't have a specific allocation, but we do have an
16 allocated reserve. And we would allocate out of that in an
17 amount that would be appropriate.

18 I don't know what that amount is until we get a
19 better sense of how many hours.

20 Kristina did look up last time. They ended up
21 having two experts. And I think one was 24,000, at least as
22 of the June billing, and the other was about 10.

23 I don't have a total for that here, but we'll
24 certainly get it before we go further.

25 Does that answer your question?

1 COMMISSIONER STERTZ: You've defined the brackets
2 I asked for.

3 RAY BLADINE: What cost or what happened last
4 time.

5 COMMISSIONER STERTZ: We anticipate this is going
6 to be an additional cost. It was an additional cost for the
7 previous Commission for this specific service.

8 RAY BLADINE: Yes, sir.

9 COMMISSIONER STERTZ: All right. Thank you.

10 CHAIRPERSON MATHIS: Commissioners, I mean, I
11 read -- I'm sure you all read what Mr. Kanefield and
12 Ms. O'Grady sent around on this topic.

13 And they did do a lot of research.

14 And I am comfortable with their recommendations,
15 especially since she used the word supremely qualified.

16 So, you know, we don't have to say, I guess, today
17 that we're going to actually sign on the dotted line of the
18 contract, but to give them direction to be able to at least
19 talk to -- is it Dr. King or Professor King, on this
20 contract and see what's -- you know, have him give us some
21 estimates on the number of hours he thinks it's going to
22 take, how he can parse it out to the grad students and keep
23 cost down, I think it's worth exploring that with him.

24 And just based on what Mr. Adelson has told us, it
25 really seems like we should get this person on board as soon

1 as possible to even begin analyzing the submissions that
2 some of the public have already provided to us.

3 They can start to do some of that right now.

4 MARY O'GRADY: Commissioner, Madam Chair, again
5 Strategic is, you know, capable of doing all that analysis
6 and is doing that analysis. And this just provides that
7 double check.

8 CHAIRPERSON MATHIS: Right. An independent
9 validation of their work.

10 So other thoughts from other commissioners?

11 VICE-CHAIR FREEMAN: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Freeman.

13 VICE-CHAIR FREEMAN: I would agree, and I don't
14 know if we -- it needs to be an action item or just a
15 directive, that counsel -- that we direct them to go ahead
16 and further negotiate and bring a proposal back to the
17 Commission that we can look at and approve, I guess not
18 tomorrow, but at our meeting next week.

19 CHAIRPERSON MATHIS: Other thoughts from other
20 commissioners?

21 COMMISSIONER McNULTY: I agree with that.

22 I think we understood from the outset that this
23 was going to be something that we needed before we went to
24 preclearance.

25 I know Ms. O'Grady talked about it early on.

1 Mr. Kanefield did also.

2 I think it was the feeling that we could do this
3 later because Strategic is doing the work.

4 You know, it's later. It's time to do it. And I
5 think Mr. Adelson reinforced that.

6 My only request would be that we continue to work
7 hand in hand with Bruce Adelson to the extent that he has
8 contact at the Justice Department and can give us feedback
9 about, you know, any information that he has about how
10 Dr. King has been or will be received. As long as he's on
11 board with it also, I'm comfortable proceeding.

12 You're telling us this person is the best and he's
13 kind of the person that -- he would make a good presentation
14 to the Justice Department.

15 I'm good with that.

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: Is that scope as just
19 described by Commissioner McNulty what we would be hiring
20 him for, to make a presentation to the Justice Department?

21 MARY O'GRADY: Madam Chair, commissioners, I --
22 not necessarily.

23 No.

24 I mean, all that's kind of part of it, but I
25 really see him as an analytical backstop and letting the

1 Department of Justice know that he has played that role, and
2 what kind of written submission we get from him is up to --
3 we would work our way through with actual documentation that
4 he's asked to produce.

5 COMMISSIONER McNULTY: Let me be clear about that.
6 I didn't mean that he would be doing the presentation to
7 Justice. I meant that having his analysis in the packet
8 that we provide to Justice, presenting it, presenting his
9 analysis in the packet would be favorable.

10 COMMISSIONER STERTZ: Thank you.

11 CHAIRPERSON MATHIS: Any other comments?

12 VICE-CHAIR HERRERA: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Herrera.

14 VICE-CHAIR HERRERA: I think we need to proceed,
15 if we need to vote on it or direct the counsel to start, I
16 guess, negotiating a type of contract, and bring it back to
17 the Commission for approval.

18 CHAIRPERSON MATHIS: Do we need to vote?

19 I think we can just direct you; right? And then
20 later if we like the contract.

21 MARY O'GRADY: Without objection, directing us to
22 proceed I think is fine.

23 CHAIRPERSON MATHIS: Okay. So without objection
24 we'll direct the legal counsel to proceed and explore
25 contract negotiations with Professor King, and they'll come

1 back to us and give us a contract and let us know what the
2 costs are and also include whether or not he's done expert
3 testimony type work before.

4 Okay.

5 Our next item -- thank you very much for doing
6 that research, counsel. We appreciate it.

7 The next item is discussion of future meetings and
8 future agenda items.

9 So we know we're meeting tomorrow at 1:30 p.m. in
10 this room.

11 And I think that Mr. Bladine supplied -- thank
12 you -- a list of schedules.

13 Yes.

14 We just thought it might be simpler if we started
15 putting this on an Excel spreadsheet and trying to populate
16 it that way.

17 So we haven't all responded yet, including myself.
18 And we'll get that to Mr. Bladine, and they can kind of look
19 at the weeks ahead.

20 But there's also a Word document in front of your
21 printout that shows what we had talked about previously,
22 which was the 7th, 8th, 9th, 10th that we were looking at,
23 the 14th, 15th, and then the 22nd, 23rd.

24 And given that we are also busy with other
25 commitments, there may be times when we just have to meet as

1 a quorum.

2 Obviously, I'd love for all five of us to be at
3 every meeting. But if it just isn't possible, sometimes
4 that may be what we have to do if we need to move forward.

5 So I'd open that thought up to others.

6 And, in fact, that does create one of the
7 restrictions on here was I'm -- I am available on the 16th
8 actually. I don't know if anyone else is.

9 That's a Friday.

10 But I'm not available on the 17th, that Saturday.
11 But I wouldn't be opposed you all meeting without me and
12 having one of the vice chairs run the meeting.

13 So I just open that up as another possibility.

14 COMMISSIONER McNULTY: Madam Chair, I think we
15 have our schedule for the next couple weeks.

16 Is that right?

17 Are we trying to expand some of those dates?

18 CHAIRPERSON MATHIS: Well, yeah, we could on the
19 7th, 8th, 9th, 10th, there are some issues because on the
20 10th, for instance, Mr. Herrera couldn't meet until 10:30
21 that morning.

22 So the time that you see 12:30 to 3:00 wouldn't
23 allow his participation.

24 I think Mr. Freeman had a situation where he'd
25 need to Skype if we met on the 7th.

1 Is that right?

2 VICE-CHAIR FREEMAN: Yes. I told Mr. Bladine that
3 actually I could start a little earlier than that. Right
4 now I would say I could start at 3:00.

5 But I'm going to try to see if I can push back to
6 2:00, which would give us an afternoon, but I would have to
7 participate by Skype or by phone.

8 But that's my problem.

9 The 8th, I face a similar difficulty in the
10 morning.

11 I am absolutely out.

12 But I would free up again in the afternoon by 2:00
13 or 3:00, assuming I can get to somewhere with Internet
14 access.

15 Friday it says I'm out. It says not available
16 late afternoon.

17 But I might be able to -- assuming I -- I have to
18 fly back to Phoenix Thursday night.

19 So I may have that entire day open.

20 Other conflicts that day.

21 Saturday the 10th, I cleared that whole day, so
22 that was a personal matter and I cleared it. So I'm
23 available all day on that day.

24 CHAIRPERSON MATHIS: Okay. And I will also add
25 I'm available, if anyone is available, the 12th. That's a

1 Monday day. Wide open.

2 So if we wanted to cut any of whatever we -- and I
3 think it all depends on mapping consultants too and legal
4 counsel being available, but I'm just saying, you know, if
5 we wanted -- we don't obviously need to be all four of those
6 dates plus the 12th, but if we wanted to do some matching
7 there we could.

8 COMMISSIONER McNULTY: I'm available on the 12th.
9 So we could meet all day on the 12th and then not meet on a
10 Saturday or not meet on. . .

11 RAY BLADINE: Madam Chair, one thought might be
12 the 12th in Casa Grande to make it easier for everyone and
13 the 7th, even if Mr. Freeman can participate by Skype
14 earlier, still would be a very short day.

15 You might want to think about dropping the 7th and
16 adding the 12th.

17 Because you'd get a lot more time together on the
18 12th, assuming that that would work with the mapping
19 consultant.

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: Looks like Friday the 9th is
23 also challenging.

24 CHAIRPERSON MATHIS: Yeah, it is.

25 If we met --

1 COMMISSIONER STERTZ: Do an all day Saturday and
2 all day Monday.

3 CHAIRPERSON MATHIS: But then we're losing
4 Mr. Herrera, at least for part of Saturday.

5 Do we want to?

6 VICE-CHAIR HERRERA: Madam Chair, there's some
7 dates where, you know, we've been -- actually lately where
8 we've been meeting at 1:30, 2:00 o'clock start time.

9 And I think Ms. McNulty, Commissioner McNulty,
10 mentioned we ought to find a couple dates where we can meet
11 all day, and that probably would eliminate some of these
12 dates where we're meeting for two hours, three hours, which
13 having those occasionally is okay, but having them it seems
14 like it's becoming a norm.

15 CHAIRPERSON MATHIS: Yeah, and I guess I would ask
16 our mapping people too. It just seems like practically
17 sitting in the room all day isn't very helpful though
18 either, because if we give them direction to do some
19 mapping, then they need time to go away and do it.

20 So it seems like these half days do make sense in
21 this phase, but I don't know.

22 If you have other thoughts how we could better
23 spend our time.

24 WILLIE DESMOND: It works both ways with some of
25 this, you know, take home stuff. I guess the half days, I

1 have plenty to do for tomorrow.

2 But it certainly wouldn't take me until next
3 Wednesday to get everything done if this was the break.

4 If we wanted to start as a Commission doing more
5 actual moving of the lines, some longer dates might lend
6 itself well to that type of work.

7 CHAIRPERSON MATHIS: Okay.

8 WILLIE DESMOND: So --

9 CHAIRPERSON MATHIS: Then maybe a blend.

10 WILLIE DESMOND: Yeah.

11 CHAIRPERSON MATHIS: Okay.

12 Well, what do people think about next week?

13 It sounds like on the 7th and 8th Mr. Freeman
14 would be participating via Skype.

15 And they would be afternoon meetings.

16 The 9th is a pretty small window of time that
17 people are available.

18 And the 10th, we have Mr. Herrera missing part of
19 that day.

20 The 12th we'd be available all day.

21 So. . .

22 COMMISSIONER McNULTY: Mr. Bladine, this schedule
23 that we have in front of us doesn't have all of the dates on
24 it.

25 RAY BLADINE: That's correct. This just has the

1 dates that we had scheduled.

2 And I think we electronically sent you a calendar
3 also that we put it off, but we tried to simplify it by just
4 giving you a spreadsheet that had the already scheduled
5 meetings.

6 And I think maybe in the future, if this works
7 better, we'll do a spreadsheet instead of a calendar.

8 COMMISSIONER McNULTY: I think we need all the
9 dates on it.

10 RAY BLADINE: Correct. That's correct.

11 COMMISSIONER McNULTY: I'd like to just point out
12 that I'm not going to the RS Foundation on September 7th and
13 8th. I think that's Mr. Stertz.

14 COMMISSIONER STERTZ: Yes. You are not running my
15 foundation.

16 COMMISSIONER McNULTY: He hasn't invited me. Make
17 that change.

18 I'm available every day between now and Christmas.

19 RAY BLADINE: I do recall you offering that.

20 COMMISSIONER McNULTY: Okay.

21 So next week, what are we -- Monday next week
22 doesn't work, it's Monday the week after; is that right?

23 RAY BLADINE: Correct.

24 CHAIRPERSON MATHIS: Right, the 12th.

25 We should look at the rest of that week too, the

1 14th, 15th, because the 15th I think is the tribal meeting.

2 Is that right, Mr. Bladine?

3 RAY BLADINE: Correct.

4 CHAIRPERSON MATHIS: So we're going to meet with
5 them, and we could have a meeting -- our own meeting after
6 that.

7 I'm not sure how long. We haven't heard.

8 RAY BLADINE: I did have a brief conversation, and
9 we perhaps could start at noon, and then at the Heard
10 Museum, I'll try to verify that, have a meeting with tribal
11 leaders at 1:00, and then once that's over also have a
12 continuation of our meeting probably up until 5:00 at the
13 Heard.

14 I haven't completely verified that, but I have
15 talked to their consultant, and that looks like that might
16 work.

17 VICE-CHAIR HERRERA: Madam Chair, why don't we
18 meet with the -- whoever's meeting with the tribe later, why
19 don't they meet with them after the meeting, so we schedule
20 a meeting at 12:00 o'clock, meet with them, meet with the
21 tribal leader at 5:00 o'clock.

22 RAY BLADINE: Madam Chair, this, the time of
23 1:00 o'clock works for them because they have another
24 meeting. They're all in town for two meetings.

25 1:00 o'clock is when they are available in between

1 their other meetings. So it would be difficult to change
2 them at this point.

3 VICE-CHAIR HERRERA: That day as I mentioned,
4 Monday, Wednesday, and Friday, I think that's a Friday.

5 CHAIRPERSON MATHIS: Thursday.

6 VICE-CHAIR HERRERA: Thursday. Never mind.

7 CHAIRPERSON MATHIS: And then the 16th is open.
8 Does that work? That's a Friday.

9 VICE-CHAIR HERRERA: Sure. The 16th is open.

10 CHAIRPERSON MATHIS: And then you guys can meet
11 the 17th.

12 COMMISSIONER McNULTY: 16th is enough.

13 CHAIRPERSON MATHIS: Okay. So --

14 COMMISSIONER McNULTY: There's no way we can work
15 something else in next week. Monday doesn't work. Tuesday
16 doesn't work.

17 Wednesday, it would have to be after 4:00.

18 Is that right?

19 CHAIRPERSON MATHIS: Mr. Freeman said maybe 3:00.

20 COMMISSIONER McNULTY: That was the day.

21 VICE-CHAIR HERRERA: Madam Chair, next week I'm
22 open all day Monday, Tuesday, Wednesday, Thursday, and
23 Friday. Again, keeping in mind the 5:00 o'clock hour.

24 I can meet as early as you want to meet.

25 CHAIRPERSON MATHIS: Okay.

1 Well, does it make sense to go Wednesday -- or we
2 could go Thursday, Saturday, Monday.

3 COMMISSIONER McNULTY: Looks like Scott's tied up
4 all day Thursday.

5 VICE-CHAIR FREEMAN: No, that's not.

6 I have a deposition beginning at 9:00, and I would
7 anticipate it would conclude by 1:00. So I would be
8 available that afternoon.

9 CHAIRPERSON MATHIS: Or we could go Wednesday,
10 Thursday, Saturday, Monday.

11 VICE-CHAIR HERRERA: One Saturday, two Saturdays
12 in a row? I don't want to meet two Saturdays in a row.

13 CHAIRPERSON MATHIS: So then you would need the
14 16th.

15 VICE-CHAIR HERRERA: I would love to meet the
16 16th, as opposed to the 17th.

17 CHAIRPERSON MATHIS: Oh, I meant the 17th. Sorry.
18 It's a Saturday.

19 VICE-CHAIR FREEMAN: I'd love to meet the 10th,
20 rather than Labor Day weekend.

21 COMMISSIONER McNULTY: Too late.

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: We need to do the best we
25 can to fix these because I'm building my schedules around

1 the dates that we went through last time.

2 If we're going to adjust them, I need to rebuild a
3 schedule again.

4 All of us are busy, but if we're trying to build
5 around dates and times and --

6 CHAIRPERSON MATHIS: I would like to lock these in
7 so. . .

8 COMMISSIONER McNULTY: Can we do September 12th?
9 Can we lock that in? I think that's. . .

10 VICE-CHAIR HERRERA: I'm available.

11 VICE-CHAIR FREEMAN: Yes.

12 VICE-CHAIR HERRERA: I'm available.

13 CHAIRPERSON MATHIS: Monday.

14 All day everybody is available.

15 And so Ray said that might be Casa Grande, but --

16 COMMISSIONER STERTZ: Or Tucson.

17 RAY BLADINE: Where would you like me to schedule
18 it?

19 VICE-CHAIR HERRERA: Again, Monday, Wednesday, and
20 Fridays, I have the commitment that starts at 6:00, so drive
21 time.

22 VICE-CHAIR FREEMAN: Sounds like Phoenix.

23 VICE-CHAIR HERRERA: Sounds like Phoenix.

24 COMMISSIONER McNULTY: Casa Grande.

25 COMMISSIONER STERTZ: Madam Chair, stand up for

1 Tucson.

2 VICE-CHAIR HERRERA: I think if at all possible,
3 if we could do the Monday, Wednesday, Friday meetings in
4 Phoenix, and any other days we can do them anywhere else.

5 CHAIRPERSON MATHIS: Thank you for your
6 flexibility.

7 COMMISSIONER STERTZ: And he can't meet on
8 Tuesdays and Thursdays.

9 VICE-CHAIR HERRERA: Oh, I didn't say that.

10 CHAIRPERSON MATHIS: Okay. So, let's look at the
11 time.

12 So, I like the Casa Grande frankly, if possible,
13 because it is part way for all of us.

14 But let's decide on the 7th, 8th, 9th, 10th, 12th
15 thing.

16 So if we're definitely meeting the 12th, that's a
17 Monday, we don't need to meet all four of those other days.
18 So any suggestions on what would make the most sense?

19 COMMISSIONER McNULTY: I think it makes the most
20 sense to do Wednesday or Thursday, depending on what
21 works -- what you think is going to work best.

22 VICE-CHAIR FREEMAN: Yeah, one or the other. And
23 let's do Wednesday.

24 COMMISSIONER McNULTY: Can we do it in
25 Casa Grande, or does it work for you because now it adds an

1 hour?

2 VICE-CHAIR FREEMAN: Doesn't matter.

3 COMMISSIONER McNULTY: Or you're going to Skype,
4 oh, yeah. All right.

5 CHAIRPERSON MATHIS: Okay. Well, and then we --
6 and let's not meet that Friday since it's a short window.
7 There's three hours available. The least amount.

8 RAY BLADINE: Which day are you talking about?

9 CHAIRPERSON MATHIS: The 9th. We don't have very
10 much band width.

11 COMMISSIONER McNULTY: I'm sorry, if we did
12 Thursday, it would be easier for Jose because then if we met
13 in Casa Grande, he wouldn't have his -- your issue; right?

14 VICE-CHAIR FREEMAN: Again, on Thursday I would be
15 Skype.

16 Wednesday and Thursday I would be participating
17 remotely, so wherever you want to hold meetings.

18 COMMISSIONER McNULTY: If it works either way for
19 you, then if we did it Thursday we could do it in
20 Casa Grande and it wouldn't mess up -- be a little easier
21 for the three of us and it wouldn't mess up Jose's schedule.

22 VICE-CHAIR HERRERA: That's very kind of you.

23 CHAIRPERSON MATHIS: Is that okay? Thursday?

24 VICE-CHAIR FREEMAN: That's fine.

25 CHAIRPERSON MATHIS: So after tomorrow, our next

1 meeting will be Thursday, September 8th, in Casa Grande.

2 VICE-CHAIR HERRERA: All day.

3 CHAIRPERSON MATHIS: Well, it looks like we're
4 starting at 2:00.

5 There must be a reason for that.

6 VICE-CHAIR FREEMAN: Because I'm in deposition all
7 that morning.

8 CHAIRPERSON MATHIS: Oh, okay. Sorry.

9 VICE-CHAIR HERRERA: Madam Chair, if I may, if we
10 start at 2:00, which is fine, you know, we want to
11 accommodate Mr. Freeman, but we also want to do it as
12 late -- I want to stay there as late as possible as opposed
13 to leaving at 5:00. Or we've done that a couple times when
14 we go to Casa Grande and the meeting ends at 3:45,
15 5:00 o'clock.

16 So start time 2:00 o'clock and then ends whenever
17 it ends.

18 Is that --

19 VICE-CHAIR FREEMAN: I have a 10:00 p.m. flight.

20 VICE-CHAIR HERRERA: I am sorry.

21 VICE-CHAIR FREEMAN: That's fine. I am in
22 anticipation of that, so I'm available, as long as you guys
23 don't want to go past 9:00 p.m., I'll be there on the phone
24 with you.

25 CHAIRPERSON MATHIS: Okay.

1 COMMISSIONER STERTZ: And we did have to leave
2 early, Madam Chair, from Casa Grande only because we had no
3 power, so just as a reminder.

4 VICE-CHAIR HERRERA: I would have stayed there.
5 No power.

6 COMMISSIONER STERTZ: We lost power that night.

7 CHAIRPERSON MATHIS: Okay. So we'll meet
8 Thursday, September 8th, starting at 2:00 p.m., Casa Grande.

9 VICE-CHAIR HERRERA: So we're not meeting the 7th.

10 CHAIRPERSON MATHIS: Correct. Or the 9th.

11 Now the question is do we meet on the 10th on
12 Saturday.

13 Sounds like Mr. Stertz and Mr. Freeman are both
14 available those days.

15 VICE-CHAIR FREEMAN: Correct.

16 CHAIRPERSON MATHIS: And you're available. We
17 already heard that.

18 And then -- and if we started it early, you would
19 be available for the first three hours, right, if we started
20 it --

21 VICE-CHAIR HERRERA: Madam Chair, depending on how
22 early, I would have to be traveling to Coolidge for the
23 football game, so probably have to leave at 10:00.

24 So if you start at 6:00, squeeze in four hours
25 easily.

1 CHAIRPERSON MATHIS: 6:00 a.m.?

2 VICE-CHAIR HERRERA: I'm an early riser.

3 CHAIRPERSON MATHIS: The 8th from 2:00 p.m. on, in
4 Casa Grande.

5 The 10th we just meet -- we're not doing the 9th.

6 VICE-CHAIR HERRERA: Madam Chair, I know we were
7 proposing meeting on the 9th, if we can meet for those
8 three or four hours on the 9th, and then not meet on the
9 10th -- I know we were scheduled for 7:00. I need --

10 CHAIRPERSON MATHIS: Well, we can go late on
11 Friday.

12 If you all are willing to do -- if you'd rather do
13 Friday than Saturday, and go late, later than -- since we're
14 not starting until 4:00 p.m.

15 VICE-CHAIR FREEMAN: Madam Chair, I have no
16 restriction on that.

17 CHAIRPERSON MATHIS: Okay.

18 Do people like that better?

19 COMMISSIONER STERTZ: Are we clearing the 10th and
20 moving back to the 9th?

21 CHAIRPERSON MATHIS: Right. We're talking about
22 it. Are we going to --

23 COMMISSIONER STERTZ: I'm hitting delete.

24 CHAIRPERSON MATHIS: If we start on Friday, if
25 it's in Tucson, I could go -- I could start at 3:00 p.m.

1 But that probably doesn't give you a lot.

2 If that'll work.

3 VICE-CHAIR HERRERA: Madam Chair, could you start
4 it earlier and take a break for whatever meeting you need to
5 take a break for and then meet again, so, you know, having
6 an 8:00 o'clock start time?

7 CHAIRPERSON MATHIS: I have a 9:00 to 10:00 and
8 then I have a 12:30 to 2:30 that day.

9 So what do you guys think? Do you want to start
10 Friday at 4:00 in Casa Grande and go till however late and
11 then not do Saturday?

12 VICE-CHAIR FREEMAN: Or 3:00 o'clock in Tucson,
13 capture another hour.

14 CHAIRPERSON MATHIS: Do you all want to --

15 COMMISSIONER McNULTY: Either one is okay with me.
16 Either one is okay with me.

17 CHAIRPERSON MATHIS: Okay.

18 VICE-CHAIR HERRERA: That's fine.

19 COMMISSIONER STERTZ: Three days on Friday and
20 nothing on Saturday.

21 CHAIRPERSON MATHIS: Yeah, so we -- okay. So it's
22 sounding like Friday evening. And if we start in Tucson, we
23 could start at 3:00 and go until whenever.

24 RAY BLADINE: So that's 3:00 in Tucson on the 9th.
25 8th in Casa Grande, starting at still 2:00.

1 The 9th starting at 3:00 in Tucson.

2 Is that right?

3 Then the 10th right now you're thinking about
4 canceling.

5 CHAIRPERSON MATHIS: Right.

6 So no meeting that Saturday, but we would meet
7 Monday the 12th.

8 RAY BLADINE: Monday the 12th. What time? Sorry,
9 I didn't get a starting point.

10 CHAIRPERSON MATHIS: We're all open, so we can
11 start early that day, maybe Casa Grande.

12 RAY BLADINE: 9:00 o'clock?

13 COMMISSIONER STERTZ: Perfect.

14 VICE-CHAIR HERRERA: That would be Casa Grande.

15 CHAIRPERSON MATHIS: Uh-hmm.

16 VICE-CHAIR HERRERA: Can we go Phoenix?

17 CHAIRPERSON MATHIS: What?

18 VICE-CHAIR HERRERA: Are we going to Phoenix at
19 all?

20 COMMISSIONER McNULTY: I'm sure we will.

21 VICE-CHAIR HERRERA: No, I mean the 12th.

22 CHAIRPERSON MATHIS: At a later time. Yeah, we'll
23 be there at the Heard Museum on the 15th.

24 And we may end up doing the 14th, you know, or the
25 16th.

1 So if everyone could keep the 16th also as a
2 possibility, that Friday, because that's not on our -- it's
3 not on the word processing sheet.

4 So hold that on your calendars.

5 And then we're holding the 22nd and 23rd.

6 That's it.

7 Any other thoughts on the schedule?

8 VICE-CHAIR HERRERA: Madam Chair, just quickly.

9 On Thursdays when we end at 7:00, is there any
10 reason we can't continue the meeting past 7:00 o'clock to
11 avoid -- again, I'd like to see if we could end the
12 Wednesday, Friday meetings with the exception of the one on
13 the 9th, I'd like to -- I made a commitment to these kids
14 and want to make sure I honor that.

15 So if we can finish later if we need to on
16 Thursday, and then on the Friday when we meet at
17 1:00 o'clock, if it is still on the 23rd, that we end at
18 5:00, if we can get some more time in on Thursday.

19 Unless somebody had a commitment where they needed
20 to be out of the meeting by 7:00.

21 CHAIRPERSON MATHIS: So this is on Friday the 23rd
22 you're talking about.

23 VICE-CHAIR HERRERA: That is correct. I mean,
24 going forward with the exception obviously I already
25 committed, I'll commit to the 9th to go as late as possible.

1 But then going forward on Monday, Wednesday,
2 Friday, wanting to get out of there by 5:00 o'clock to make
3 my 6:00 o'clock commitment.

4 CHAIRPERSON MATHIS: Okay. We'll try to do that.
5 There may be times though where we just can't do
6 it, but to the extent possible.

7 I'm not sure why we're starting at 1:00 that day.
8 There must be earlier commitments, that the others might
9 have commitments that that day, so I think as we get
10 closer --

11 RAY BLADINE: Which day was that?

12 CHAIRPERSON MATHIS: The 23rd, Friday.

13 RAY BLADINE: I don't know. Right now I don't
14 have anything that says --

15 CHAIRPERSON MATHIS: Oh, we did have that as an
16 alternative start.

17 RAY BLADINE: Right. And I think the reason we
18 did that is we were planning at that time half meetings,
19 giving the mapping consultant one day, then a half day, and
20 then coming back.

21 So I don't think there's any reason we couldn't
22 start earlier --

23 CHAIRPERSON MATHIS: Okay.

24 RAY BLADINE: -- if Willie thought he could on the
25 23rd.

1 CHAIRPERSON MATHIS: Great. So maybe, yeah, maybe
2 the 22nd or 23rd we could start earlier.

3 RAY BLADINE: I think on 22nd we do have a
4 conflict until about a 1:00 p.m. time.

5 CHAIRPERSON MATHIS: Okay.

6 RAY BLADINE: But on the 23rd I think we could
7 start whatever time you'd like.

8 CHAIRPERSON MATHIS: Okay. So maybe we'll move
9 that one up earlier.

10 VICE-CHAIR HERRERA: Madam Chair, the 14th and the
11 15th, we're just holding them?

12 CHAIRPERSON MATHIS: And the 16th.

13 RAY BLADINE: 15th you have a commitment with the
14 tribal council.

15 CHAIRPERSON MATHIS: 1:00 p.m.

16 VICE-CHAIR HERRERA: But we don't all have to be
17 there; correct?

18 Because I don't think I agreed to that meeting, to
19 attending, unless my schedule allows.

20 So I'm asking, we don't all need to be there.
21 Whoever could make it should make it.

22 RAY BLADINE: I guess it would be more like a
23 hearing. If you are going to be doing business, you just
24 need to have a quorum.

25 So we can do it with, if you wish, we can do it

1 with less than all the commissioners.

2 CHAIRPERSON MATHIS: Okay. So that day we'll meet
3 with tribal leaders at 1:00 and then possibly have a meeting
4 after that with ourselves.

5 RAY BLADINE: Correct.

6 CHAIRPERSON MATHIS: And then we're holding the
7 14th and 16th too.

8 Okay.

9 That was painful.

10 RAY BLADINE: Can I just go through one more and
11 make sure I have it all right?

12 CHAIRPERSON MATHIS: Yeah.

13 RAY BLADINE: On the 8th, we will meet in
14 Casa Grande, starting at 2:00 p.m.

15 And then on the 9th we will start at 3:00, instead
16 of 4:00. And that will be where?

17 CHAIRPERSON MATHIS: Tucson.

18 RAY BLADINE: Then we're canceling the 10th, and
19 we're going to do the 12th in Casa Grande at 9:00.

20 CHAIRPERSON MATHIS: Right.

21 RAY BLADINE: Then we're going to do the 14th in
22 Casa Grande starting at 9:00.

23 And then on the 15th we'll be in Phoenix starting
24 at 1:00, or a little before, and meeting the tribal leaders
25 at 1:00.

1 The 16th we're holding open. And that also would
2 be Phoenix.

3 VICE-CHAIR HERRERA: Yes.

4 CHAIRPERSON MATHIS: You wouldn't want to out rule
5 him -- overrule him. So --

6 RAY BLADINE: And then --

7 CHAIRPERSON MATHIS: -- 16th, yeah, let's just
8 plan on start date.

9 RAY BLADINE: Phoenix.

10 CHAIRPERSON MATHIS: An early start time.

11 RAY BLADINE: 16th, 9:00 a.m. start time on the
12 16th.

13 On the 22nd we're holding open, and that could be
14 a 1:00 o'clock.

15 And where are we going to meet at on the 22nd?

16 COMMISSIONER McNULTY: Casa Grande.

17 RAY BLADINE: Casa Grande.

18 COMMISSIONER McNULTY: That would be my
19 suggestion.

20 CHAIRPERSON MATHIS: I agree.

21 RAY BLADINE: And then the 23rd, we can start
22 early again at 9:00 o'clock, if we needed to on the 23rd.
23 And I don't have a tentative location.

24 VICE-CHAIR HERRERA: Phoenix.

25 RAY BLADINE: Is that correct, the 23rd?

1 CHAIRPERSON MATHIS: Yes.

2 RAY BLADINE: Is that Casa Grande, Tucson, or
3 Phoenix? Or Flagstaff?

4 CHAIRPERSON MATHIS: Yeah, if that's the
5 alternative start of the second round, there is that
6 Flagstaff possibility, but. . .

7 COMMISSIONER STERTZ: We're already scheduled for
8 Monday the 26th.

9 RAY BLADINE: I will put the 23rd as a tentative
10 meeting starting at 9:00 in Casa Grande.

11 CHAIRPERSON MATHIS: Okay.

12 Sounds good.

13 RAY BLADINE: Thank you.

14 CHAIRPERSON MATHIS: Thanks, everyone.

15 And future agenda items. I think there's a sheet
16 in your folders from our staff.

17 RAY BLADINE: And I did add -- I don't have that
18 folder with me, I did have two items today that you had
19 brought up.

20 One would be to continue and for an approval on
21 the voting analysis expert. And we'll either take a look at
22 that on the 10th or when we're ready to bring that back to
23 you.

24 I added also presentation and discussion on the
25 appropriate methodology to consider prison population. I

1 added that.

2 And I'll work with the attorneys to talk about a
3 date.

4 And then I also had present cost for additional
5 census data, as we were talking about earlier today, as
6 another item that would be on the tentative agenda that we
7 are scheduled for.

8 CHAIRPERSON MATHIS: Other urgent items that
9 anyone wants to raise now?

10 It's not your last opportunity of course.

11 VICE-CHAIR HERRERA: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Herrera.

13 VICE-CHAIR HERRERA: The agenda item adding agenda
14 items for future agenda items will be in tomorrow's agenda
15 as well.

16 CHAIRPERSON MATHIS: Yes, correct.

17 Okay. Everyone comfortable with where things
18 stand?

19 Okay.

20 Our next item on the agenda is -- we'll skip over
21 the attorney general inquiry for now in case we want to go
22 into executive session.

23 There's the executive director's report.

24 Mr. Bladine, since you're up.

25 RAY BLADINE: I think I will ask Kristina to

1 actually present most of the report, and that's to let you
2 know what she has gathered for you so that you will have
3 midnight reading to put you to sleep or maps to entertain
4 you. So I'm going to ask her to go ahead and present that.

5 KRISTINA GOMEZ: Commissioners, right behind you
6 there are several boxes. One box is for each one of you,
7 including legal counsel. That is all of the written public
8 input that we've received so far.

9 There's over 1500 written documents.

10 And then it also includes a smaller binder, which
11 is not really that small, but there's roughly 138 submitted
12 maps.

13 So that's all for your evening reading.

14 CHAIRPERSON MATHIS: Thank you. Thanks for
15 assembling all that for us.

16 RAY BLADINE: We have one more thing.

17 Anna Garcia was nice enough to put together
18 something for all the commissioners, and she wants me to
19 present it, but I won't, so I'm going to make her hand it to
20 you.

21 Anna?

22 CHAIRPERSON MATHIS: Oh, wow.

23 RAY BLADINE: She was able to get from Judy, our
24 videographer, that shows the still shots of all of you with
25 Justice O'Connor, and she was nice enough to print them up

1 for you.

2 CHAIRPERSON MATHIS: Wow. What a treat. Thank
3 you.

4 RAY BLADINE: That's the nicest executive director
5 report I'll ever have.

6 CHAIRPERSON MATHIS: It's wonderful. Thanks.
7 Thank you, Anna.

8 KRISTINA GOMEZ: And also I'd like to add that
9 Shane Shields, Lisa Schmelling, and Christy Olsen worked
10 really hard in putting together all of these binders and
11 coding as well.

12 CHAIRPERSON MATHIS: Thanks to our public outreach
13 coordinators for all that, and I apologize for not
14 recognizing them earlier.

15 A couple of them were here today at our meeting,
16 so, Christy and Lisa, I apologize, but thank you.

17 Any other items from the executive director
18 report?

19 RAY BLADINE: That's all I had at this point.

20 CHAIRPERSON MATHIS: Any questions for
21 Mr. Bladine?

22 (No oral response.)

23 CHAIRPERSON MATHIS: Okay.

24 RAY BLADINE: Thank you.

25 CHAIRPERSON MATHIS: Thank you.

1 The next item, let's do public comment.

2 THE REPORTER: Madam Chair, few minutes?

3 CHAIRPERSON MATHIS: Oh, break? Sure. Okay.

4 VICE-CHAIR HERRERA: Madam, before we break, if
5 there is nothing new for the legal counsel to talk with
6 the -- about the attorney general, do we have to meet, as we
7 did last time, there was nothing new, so. . .

8 CHAIRPERSON MATHIS: No, I don't think so, but is
9 there anything new?

10 MARY O'GRADY: No.

11 VICE-CHAIR HERRERA: Just one quick question, if I
12 may, is that okay, the issue of who's met with the AG's
13 office, can you let us know, because seems like I'm not -- I
14 know that one commissioner met, so is that still the same?
15 Just one commissioner?

16 CHAIRPERSON MATHIS: Okay. So we'll -- so this is
17 agenda item seven.

18 Legal counsel can give us that brief update, I
19 guess.

20 JOSEPH KANEFIELD: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Kanefield.

22 JOSEPH KANEFIELD: Madam Chair, if you want us to
23 discuss the attorney general investigation, it would be our
24 recommendation that we do so in executive session.

25 VICE-CHAIR HERRERA: Even just asking how many

1 commissioners have met with the AG's office, that would have
2 to be?

3 JOSEPH KANEFIELD: I'm happy to answer that
4 question in the middle of the public session if that's the
5 direction of the Commission.

6 CHAIRPERSON MATHIS: Do other commissioners have
7 thoughts --

8 VICE-CHAIR HERRERA: I don't see how that's
9 attorney-client privilege.

10 JOSEPH KANEFIELD: Madam Chair,
11 Commissioner Herrera, it's not -- we've obviously been
12 having to speak publicly about this matter. We've been
13 giving you advice in executive session. But I'm happy to
14 answer that question. I just want to make sure that's the
15 direction of the Commission.

16 VICE-CHAIR HERRERA: I'm not asking for advice,
17 just a simple question.

18 CHAIRPERSON MATHIS: Do other commissioners have
19 thoughts on this?

20 COMMISSIONER McNULTY: Could that be handled off
21 line?

22 Does that need to be discussed in a public
23 meeting?

24 Mr. Herrera has a question. As long as we don't
25 have quorum to discuss that with legal counsel, it would

1 seem like something he could discuss directly with. . .

2 VICE-CHAIR HERRERA: Yeah, I don't see an issue
3 for us having to go into executive session.

4 I mean, we try to avoid it when we can. This
5 isn't executive session.

6 JOSEPH KANEFIELD: Madam Chair,
7 Commissioner Herrera, why don't I suggest, unless the
8 Commission as a whole wants more information, why don't you
9 just talk to me.

10 VICE-CHAIR HERRERA: We can handle that simple
11 question off line.

12 CHAIRPERSON MATHIS: Okay. Thank you.
13 So nothing else on agenda item seven then.
14 So we want to take a quick break.

15 THE REPORTER: Two minutes.

16 CHAIRPERSON MATHIS: Two minutes I'm being told.
17 Quick recess. The time is 5:45 p.m.

18 (Brief recess taken.)

19 CHAIRPERSON MATHIS: We'll go ahead and enter back
20 into public session now.

21 The time is 5:49 p.m.

22 And the next item on the agenda is call for public
23 comment.

24 And I've got a number of request to speak forms.

25 And we'll start with Wes Harris, representing

1 self, from Phoenix, Maricopa.

2 VICE-CHAIR HERRERA: Madam Chair, before we start,
3 can we limit the time to four minutes?

4 CHAIRPERSON MATHIS: Yeah, we can limit time to
5 four minutes.

6 Do we have a timer?

7 Okay. Great.

8 So if you could spell your name for the court
9 reporter.

10 WES HARRIS: My name is Wes Harris, H-A-R-R-I-S.
11 I live in central north Phoenix.

12 I hope this session was productive to you, because
13 I can't imagine -- you're a lot better than I am. I
14 couldn't sit through this as a commissioner.

15 I serve on a commission for water for the city of
16 Phoenix.

17 I would go nuts if I had to deal with what you
18 guys have been doing today.

19 Looking at the guidelines, redistricting 101,
20 which this is my fifth meeting by the way, there are
21 six criteria.

22 One you must comply with the U.S. Constitution
23 voting rights.

24 Two, equal population.

25 These being the most important.

1 C is compact and contiguous.

2 D is respect communities of interest.

3 E is use visible geographic features, cities,
4 towns, counties borders, and undivided census tracts.

5 And F, create competitive districts where there is
6 no significant detriment to the other goals.

7 What I've heard is more about the voters rights
8 and competitive districts than any of the others.

9 And somehow I think that's wrong.

10 Under the voters rights, as I understand it, and
11 that's not very clear because you haven't issued anything on
12 it, we're required to not have any diminution of existing
13 districts.

14 And we're not obliged to create new ones.

15 And I see gerrymandering going on here trying to
16 create new districts with greater minority interests.

17 My question is where have we come with our
18 political correctness? We've moved us back to the '50s.
19 You people, most of you are not old enough to have lived
20 through segregation.

21 I am.

22 Now we're perpetuating our differences with voter
23 separations.

24 I ask the Latino population if they truly want to
25 be separated like the Indians have been and are.

1 I don't think so. I think we want to be more
2 homogeneous than that.

3 Now, this little tête-à-tête that was going on
4 with the lawyer and Mr. Herrera, why are we so concerned
5 about transparency? We're not very transparent with our
6 dealings with the attorney general.

7 This is sitting very, very badly with the
8 citizens.

9 You're going to be judged on how you act here.

10 And I just don't understand how you can take our
11 tax dollars and fight our tax dollars by hiring an attorney
12 with our money and fighting our elected official who we pay
13 with our tax dollars. This makes no sense to me.

14 And there was a couple of things that came up
15 during this morning -- the early part of the session about
16 prisons.

17 And what brought to mind -- to my mind was the
18 issue of universities.

19 We don't deal with the population of the
20 university in a correct way, in my opinion.

21 We have foreigners in our universities that are
22 counted, I presume.

23 We also have out of staters who are counted.

24 It would seem to me that the suggestion that
25 Mr. Camp made is that the universities should be perhaps

1 taken out of where they are physically located and allocated
2 to the other districts.

3 Because there's an improper effect on, say, Tempe.

4 The university makes up the entire population, but
5 that's a transient population. They're going to be there
6 for two to five years. And I suggest that you do something
7 about that.

8 My time is up. I have a lot more things to say,
9 but I'll yield.

10 CHAIRPERSON MATHIS: Thank you.

11 Our next speaker is Jayne Friedman, representing
12 self, from Maricopa.

13 JAYNE FRIEDMAN: Excuse me, I'm a little stiff
14 from listening to this incredible meeting.

15 Very illustrative though, I might add.

16 I'm aware that at the last IRC meeting a letter
17 was read by Commissioner Herrera, written by legislators,
18 sent to the governor, and entered into the record.

19 The letter is a wonderful example -- I read it by
20 the way -- a wonderful example of political speak and just
21 plain gobbledegook.

22 But those who sign the letter have an unshakable
23 faith in their accusations. And many of us other people
24 just see the letter as political belly bumping.

25 The letter accurately, however, claims that the

1 voters endorsed Proposition 106 in order to achieve a fair
2 and independent process represented by this IRC.

3 And once you galvanize the public trust, one of
4 the first things you did is, as if no one would perhaps
5 notice or care, is you hired a company who is more expensive
6 than any of the other bidders, not from Arizona, and we can
7 see he's struggling all over the place, not a mapping
8 company, and whose stated purpose in life is to elect
9 progressive candidates.

10 And you want us self-interested meanies to buy
11 your fair and independent moniker. I don't think so.

12 No more so than if you hired a company whose
13 stated purpose was to only elect Republicans and had a track
14 record like Strategic Telemetry for doing so.

15 This is not the first time in history, you know,
16 that a law or an amendment has been passed only for the
17 people to realize that a great injustice had been
18 perpetrated onto the well-meaning voters.

19 The letter outlines alleged attempts at
20 intimidation by people with inherent self-interest.

21 You know, I can't even dignify that with a
22 coherent and/or rational response.

23 It defies logic as feeling-type allegations do.

24 Andy Biggs, Senate majority leader, as of
25 August 22nd, 2011, stated in his letter to the governor that

1 this Commission had thus far ignored three, three statutory
2 requests for information.

3 Chairman Mathis and Commissioner Herrera then go
4 on and announce their intention of not cooperation with
5 Attorney General Tom Horne's investigation into this
6 Commission's practices.

7 And this is open and transparent?

8 Was a copy of the Senate Majority Leader Biggs'
9 letter set out on the table next to the demagogging letter
10 of feeling legislature -- legislator to the governor?

11 If Mathis and Herrera are open and transparent, as
12 they claim, then why would they proceed to hire not one, but
13 two attorneys on the taxpayers' dime to defend themselves in
14 this investigation?

15 You all know about duck behavior. If it walks
16 like a duck and quacks like a duck, it's not a fair and
17 independent duck.

18 It's a cover duck.

19 Either learn the meaning and spirit of
20 Proposition 106 or quack yourself out of here.

21 Because we're not intimidating.

22 We're holding you accountable.

23 CHAIRPERSON MATHIS: Thank you.

24 Our next speaker is Anne Heins, representing self,
25 from Maricopa.

1 ANN HEINS: Ann, A-N-N, Heins, H-E-I-N-S.

2 Tempe.

3 Let me see, I'm brand-new to the political
4 process, just getting involved since 2008.

5 And so I'm not familiar with maps at all, so I
6 apologize for any unsophisticated questions.

7 Prop 6(sic) I did study, says that the voting
8 history data should be excluded until the very end, only as
9 a means of test compliance.

10 So I don't understand why Wednesday's meeting was
11 conducted primarily about the past voting records.

12 So I'm confused about that.

13 And to me the hearing should be -- it seems to be
14 a point of education. So I would like to be educated or the
15 audience educated.

16 I also understand that the mathematical models as
17 I've been reviewing the information are not those -- all the
18 models available.

19 Why has Strategic been more concerned with
20 averages than comparison of past voting history?

21 And then talking about past voting history, again
22 I have to reiterate what I said on Wednesday, if you can
23 afford to spend \$3 million, you have not two but now three
24 legal people, one lawyer just to defend the three Democrats
25 who refused to answer the questions, why can you not -- why

1 would you even consider today, which is new to me, that you
2 wouldn't include the 2004 and 2006 census information? The
3 counsel stated that we need -- she stated today that we need
4 electoral history for the past decade.

5 So you have the money to hire and defend three
6 people that refuse to take the oath. I don't understand
7 this.

8 I apologize.

9 Also the format used by Strategic, the PPTX, is
10 not a normal for the industry, and it can't be used on Macs,
11 IBM, all the different equipment. I don't understand, but I
12 am being told that people cannot use the system. Is this
13 because Strategic is new to mapping, or do we have a
14 transparency problem with this?

15 Lastly, the Supreme Court in 2009 ruled that the
16 Voting Rights -- Voting Rights Act does not require
17 governments to draw district lines if it has less than
18 50 percent.

19 So we spent all day Wednesday on this and all day
20 today on this, so I'm totally confused, and maybe you can of
21 could educate the normal population on this.

22 Also the slides, when I reviewed them again,
23 seemed to concentrate on just five districts, and they
24 seemed very gerrymandered.

25 And of course today is different. You're doing

1 more census tracking stuff.

2 I would like to quote and submit to, to the
3 counsel the article from the Arizona Republic regarding
4 Horne's -- it says Horne's Voting Rights Act challenge
5 important.

6 In essence, the Voting Rights Act requires racial
7 gerrymandering. The Voting Rights Act serves -- this is the
8 Republic, believe it or not, or for me believe it or not, to
9 require highly race conscious politics based upon insidious
10 assumption that only a member of a particular racial
11 minority can properly represent that minority, hence this
12 requires that minorities be stuffed into political districts
13 in which they constitute a majority to assure that they
14 elect one of their own.

15 And I am with Wes.

16 I marched in the '60s against segregation, and I
17 don't see the difference between racial gerrymandering and
18 segregation.

19 So I'm totally confused and would love to have
20 someone talk about it.

21 And, again, the article goes on to say many
22 Arizonans would like to see more competitive legislative
23 districts. It's tough to achieve when Latino voters have to
24 be stuffed into majority-minority districts.

25 And it then goes on to say, which I submit to you,

1 that the state of Arizona has a decent chance of winning the
2 lawsuit.

3 In fact, I've looked at four different law firms'
4 judgments, and they said it is unconstitutional, and it will
5 be.

6 So I do not understand why we're going through
7 this.

8 Why we have to hire a professor in this situation.

9 And then I would like to congratulate Strategic
10 Telemetry that Mr. Ken Strasma was voted by the Political
11 Insider poll as one of the top progressive Democrat
12 political operatives, strategists, and campaign consultant
13 and lobbyist.

14 No wording about mapping.

15 So I congratulate you on your position of being
16 one of the very top progressive Democrat operatives, is the
17 word. Oh, movers and shakers they call it.

18 Lastly, because we talked about Facebook, I went
19 back to a system called Klout, which we use in the real
20 estate industry to analyze people's websites. I would like
21 you to know that the IRC has an F minus. I would like you
22 to know that Strategic Telemetry has an F minus.

23 I went on a couple sites that we use, and they
24 didn't even know the name.

25 And your -- let me see. Strategic has 36 fans.

1 They have no presence on YouTube. Nothing in
2 LinkedIn.

3 And your competitor has 1800 fans, thousands of
4 videos, Twitter accounts, et cetera.

5 So I just submit that because I got a little bit
6 of a pushback from my comments about your brand-new Facebook
7 account, particularly since McNulty -- excuse me,
8 Commissioner McNulty, sorry, and Chair Mathis said that was
9 the reason for voting for Strategic Telemetry.

10 And I thank you for your time and for your hard
11 work.

12 CHAIRPERSON MATHIS: Thank you.

13 Next speaker is Mohur Sidhwa.

14 UNIDENTIFIED WOMAN: She left.

15 CHAIRPERSON MATHIS: Okay.

16 Karen Garrett from Scottsdale.

17 KAREN GARRETT: Karen, K-A-R-E-N, Garrett,
18 G-A-R-R-E-T-T.

19 I appreciate your time and efforts in this arduous
20 seems to be battle that you have ahead of you.

21 I wanted to the talk about the last meeting I came
22 to.

23 I didn't speak at that one, but I did make a
24 couple comments at the one before that, to say that I love
25 CD 5, and that was before the map came out, and now I'm in

1 the very north end of CD 5, and totally taken out of the
2 valley of which I lived here for 30 years, and it's very
3 painful for me to see the great volunteers that I worked for
4 somewhat of a coordinator of volunteers for a congressional
5 campaign.

6 And we'll be saying goodbye to close and dear
7 people that are from Ahwatukee. And now I'm at the very
8 bottom of the district that goes up to the top of the state
9 and to the east of the state.

10 Sorry for my emotions. It's very difficult.

11 I know some people have to change, but for me
12 that's a huge change.

13 Last meeting, I was worried about the hours you
14 spent on the contract amendment.

15 I don't know much about this, but I felt like with
16 the letter that was given that was referred to already, and
17 Mr. Herrera's comments, that you should try not to at all
18 possible to make the people that already feel bad enough
19 about this process feel worse.

20 And it didn't make me feel better.

21 You reiterate your comments again and again and
22 gave the same speech a second time. It took a lot of time,
23 and it was very emotionally disheartening to another
24 population of people that you may not represent, but you
25 should be careful to not be offensive in your position.

1 And one of my questions today, I hear a lot about
2 this prison situation. Today for redistricting purposes
3 every state uses the population data that the U.S. Census
4 Bureau provides.

5 Whether they realize it or not, that means they're
6 accepting the census standards for deciding where people are
7 counted.

8 And the census counts people at their usual
9 residence.

10 It doesn't matter if their legal address is
11 elsewhere. What matters is where they most often live and
12 sleep.

13 For inmates, of course that's in prison.

14 That is the law.

15 That is why we use census records, and that is
16 what we have to go by at this point.

17 Whether we want it to change in the future, that's
18 fine, but now we can't talk about what we wish it could be
19 or what would be fair.

20 We need to go with what we have.

21 An argument can be made that the rules for
22 prisoners shouldn't be any different from those for everyone
23 else. After all there are other groups of people such as
24 college students or nursing home residents who often live
25 somewhere other than their permanent legal address.

1 Adjustments aren't made for those populations.

2 The Census Bureau discovered a challenge when it
3 studied the issue in 2006, figuring out where to count
4 prisons instead of a prison.

5 States lack consistent records for prisoners,
6 permanent home of record.

7 The Bureau said this would mean that each prisoner
8 would have to be contacted individually to make the change.
9 Even then, there would be no guarantee that the prisoner
10 would provide accurate or usable information.

11 The Bureau said that process would cost
12 \$250 million, far more than it would cost just to simply
13 count the prisoners.

14 They didn't do anything about it.

15 Not surprisingly, the congress did not make the
16 change.

17 So, we have what we have. And we need to use that
18 and go forward with what we have.

19 And I appreciate your time and effort.

20 Thank you.

21 CHAIRPERSON MATHIS: Thank you.

22 Our next speaker is Nancy Newman from LD 26.

23 NANCY NEWMAN: Nancy Newman, N-E-W-M-A-N. I live
24 in Oro Valley, Arizona. That's north of Tucson. LD 26.

25 I came to speak about the area that I live in.

1 But instead I have to say, and remind you, that
2 Arizona is in a recession. Our country is in a recession.
3 Arizona has really been hit hard.

4 The average home price in Phoenix right now is
5 \$100,000.

6 Can you imagine that?

7 Times are tough out there, especially for small
8 businesses.

9 And here you guys are thinking about going over to
10 Harvard, the brand name, to hire some professor because
11 maybe he did a study.

12 Harvard doesn't have that great of a pristine
13 name.

14 Maybe on the east coast with everybody else in
15 Washington, D.C., but it just doesn't ride necessarily out
16 here.

17 I understand why you chose him, but that's, oh,
18 that's years ago.

19 That doesn't really rate today.

20 And also what -- the state of Arizona has to come
21 through and pay what is left over that the budget doesn't
22 give you people.

23 Why can't you set an amount that you will pay him
24 and see if he'll accept it? Why do you have to leave an
25 open-ended contract with anybody?

1 We're in a recession.

2 We, the people, are having to pay for this.

3 You're here for us, but you guys, you forgot.

4 We don't have any money in this state. Our state
5 is bankrupt.

6 The schools aren't getting the money.

7 We had to cut our health care, but, by George,
8 let's go to Harvard where we pick some questionable
9 professor from a university that lost its name and give him
10 an open-ended budget.

11 Are you kidding me?

12 I'm sick. I'm sick in my stomach that you should
13 still be thinking like this when we're in a recession.

14 Let me remind you. And Arizona has been hit hard,
15 and the state did the very best they could to balance the
16 budget, and they don't have any money left.

17 And therefore the counties are, are, are cutting
18 services. They're cutting hours. They're cutting
19 everything.

20 Because, let me repeat, there is no money in the
21 state of Arizona.

22 Please understand that.

23 And if you run over budget, I just want you to
24 remember that you will be taking away from our school
25 systems and you'll be taking away from the poor from AHCCCS

1 in this state.

2 We don't have any money to spare.

3 And please, please, please, think about the money
4 that you're spending to sit here and fiddle around and
5 fiddle around with maps of people that I actually hope go to
6 the polls and vote.

7 I, I, I see the process is good, but I think you
8 forgot that there's no money left in this country.

9 It's gone.

10 We're all just barely making it.

11 Please don't make it any worse for us.

12 Please think about where the money comes from.

13 Honest Injun.

14 It doesn't grow on trees.

15 Thank you.

16 CHAIRPERSON MATHIS: Thank you.

17 Our next speaker is Lynne St. Angelo, representing
18 self.

19 LYNNE ST. ANGELO: Lynne St. Angelo, S.T. period,
20 A-N-G-E-L-O, L-Y-N-N-E.

21 I -- this may be wrong, but I thought that
22 Maptitude was going to be up online for the public to be
23 able to try to make maps. And maybe it is and I just don't
24 know where it is, but I think that would be nice to know for
25 someone who's looking at the site to know what to do.

1 I don't know where it is to be able to make maps
2 from.

3 The other question I had was the overlays that
4 you're looking at right now pretty much have all been
5 submitted by legislators and not just ordinary people.

6 But I know there are a lot of maps evidently that
7 have been submitted.

8 So my question is what about the ordinary people
9 who submitted maps? Do they have to put it in a format that
10 can go up?

11 And if so, what is that format?

12 I think there are people who do maps that would
13 like to know that and be able to submit it and also have it
14 looked at as an overlay.

15 The other thing that I notice is that you have a
16 book that has all the numbers from the public hearings that
17 were compiled by Strategic Telemetry, but there's a lot of
18 other public hearing type information that didn't come to
19 the hearings. It came from the blue forms. It came from
20 letters, e-mails, different things like that.

21 But all my -- as you're looking through that, that
22 needs to be included and all added together, so that the
23 only area I know about is where I live, Oro Valley,
24 Saddlebrooke area that wants to stay together, that if there
25 were 100 people who said that they wanted that and there

1 were five people that said they didn't want that, that you
2 could actually look at it and see as you're reviewing the
3 information.

4 So I think it needs to come together, all of it
5 together, not just the hearings, because people who talked
6 about Oro Valley and Saddlebrooke were at four different
7 hearings in Tucson, different locations, different times,
8 and then there's been other things submitted I think as
9 well.

10 So unless you put all that information together in
11 one form of data, you can't possibly get an idea of how many
12 members of the public are asking for one thing or another
13 thing.

14 And so that is my only comment. I think that as
15 you're reviewing the data to determine how to take care of
16 the public input, that you have the input in a format that
17 you can actually look at it and say, oh, this is what the
18 majority of people wanted.

19 Thank you so much.

20 CHAIRPERSON MATHIS: Thank you.

21 Jim March. I think he's not here.

22 And Steve Muratore. The last one.

23 UNIDENTIFIED MAN: He left.

24 STEVE MURATORE: Yeah, I haven't left.

25 Madam Chair, commissioners, thank you.

1 I just wanted to make a couple of very brief
2 points.

3 Number one is Ms. Friedman cited Andy Biggs
4 August 23rd op-ed, which the only place I've seen that
5 posted is Sonoran Alliance.

6 But it should -- Ms. Friedman should be reminded
7 that prior to -- three or four days prior to the publication
8 of Mr. Bigg's op-ed, the Commission honored the request that
9 he claimed in that op-ed had not been responded to
10 three times.

11 So that's an important point.

12 Also I wanted to mention for Ms. Heins' benefit
13 that the PPTX file format, I understand, is Power Point.
14 And that if you don't have Microsoft Office on your
15 computer, you can get Open Office. It's an excellent
16 software available for free. Just Google Open Office, and
17 you can look at Power Point files.

18 That's all I have.

19 ANN HEINS: I would just like to respond since he
20 talked to me directly that I'm not a computer person, but it
21 doesn't work on Craig, Dex, Mac, Linux, Kabuki, and IBM.

22 I'm sorry.

23 And then secondly I did call Senator Bigg's
24 office.

25 Okay. I'm sorry.

1 I did call Senator Bigg's office and said, what
2 are you doing, when you're asking for information three
3 times, you have the audacity to ask them for the information
4 and you're not even using the information.

5 They said they have already told Mr. Herrera that
6 he has been out of the office for two weeks on vacation.

7 CHAIRPERSON MATHIS: Thank you.

8 I think that's it, unless there's anybody I missed
9 that wanted to speak.

10 (No oral response.)

11 CHAIRPERSON MATHIS: That brings us to the end of
12 the agenda, and so the time is now 6:17 p.m., and the
13 meeting is adjourned.

14 Thank you.

15 (Whereupon, the meeting adjourned at 6:17 p.m.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA) ss.
3

4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing 175
7 pages constitute a true and accurate transcript of all
8 proceedings had upon the taking of said meeting, all done to
9 the best of my skill and ability.

10 DATED at Chandler, Arizona, this 15th day of
11 September, 2011.

12

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C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

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