

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Thursday, September 22, 2011
9:10 a.m.

Location

**Wild Horse Pass Hotel & Casino
(Ocotillo Conference Room)
5040 Wild Horse Pass Boulevard
Chandler, Arizona 85226**

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

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

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

Phoenix, Arizona
September 15, 2011
9:10 a.m.

P R O C E E D I N G S

(Whereupon, the public session commences.)

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

Today is Thursday, September 22nd. And the time is 9:10 in the morning.

Let's start with the pledge of allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Well, it's great to be here at the Wild Horse Pass Hotel & Casino on the Gila Indian -- Gila River Indian Community, where the Texas ranger is in bloom I noticed. Beautiful this morning.

Let's do roll call, and then I'll introduce some of the other guests.

Vice Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

(No oral response.)

CHAIRPERSON MATHIS: Commissioner McNulty.

1 COMMISSIONER McNULTY: Here.

2 CHAIRPERSON MATHIS: Commissioner Stertz.

3 COMMISSIONER STERTZ: Here.

4 CHAIRPERSON MATHIS: We have a quorum.

5 And the other guests at the table are mapping
6 consultants. We have Ken Strasma and Willie Desmond down on
7 the end.

8 Our legal counsel, Mary O'Grady and Joe Kanefield.

9 Our trusty court reporter, Marty Herder.

10 And then Buck Forst is our chief technology
11 officer.

12 Our executive director is here, Ray Bladine, along
13 with Kristina Gomez who is our deputy executive director.

14 And Anna Garcia is also here.

15 I think that covers all our staff we have right
16 now.

17 And there might be a little feedback.

18 And I think with that, we can go into the next
19 item on the agenda, which is item number two, map
20 presentations.

21 This is a recurring item on our agenda these days
22 so that folks from the community can actually have
23 substantive time to present maps to us or ideas.

24 And, so I have a few request to speak forms for
25 this portion.

1 Our first speakers are Tommie Martin, Richard
2 Lunt, and Larry Stephenson. They're supervisors from Gila
3 and Greenlee Counties and Eastern Counties executive. So if
4 they could come up to the podium.

5 And I would remind anyone who is speaking to us to
6 be sure to speak directly into the microphone, adjust it up
7 and down so that you're speaking directly in, so that we all
8 hear you very clearly, and to spell your name, your last
9 name, for the record so that our court reporter gets an
10 accurate accounting.

11 RICHARD LUNT: Good morning and thank you.
12 Richard Lunt, L-U-N-T.

13 First of all, I, I appreciate what you folks do,
14 the daunting task. It's one of those tasks you don't make
15 anybody happy, but you'll find that we're very agreeable as
16 long as you agree with us.

17 So, first of all, we do represent the rural
18 counties.

19 And we feel that the rural counties need
20 representation.

21 We've been in situations where if you try to,
22 let's say, take a big piece of the rural counties and then
23 put it into the urban for representation, all that's ever
24 represented is the urban areas.

25 And so what we're proposing, and we have the maps

1 and data to back this, is to make two real rural districts,
2 one on the east side and one on the west side. And then
3 taking the urban areas in the Phoenix area, making up
4 districts, and then taking one in Tucson and then one from
5 Tucson to Phoenix making up another.

6 And we thought we had a thumb drive and we would
7 be able to prevent all this to you, but we will get that
8 information to you.

9 Second of all, the reason why we feel that the
10 rural areas, they represent one fifth of the population.
11 And so we believe we deserve two truly rural districts.

12 Because we look at things different. When you --
13 when the urban people look at water, they look at a
14 commodity.

15 We look at it as a resource.

16 When they look at land, the urbanites, let's call
17 them, look at land as a place to play.

18 We look at it as a resource, a way of life,
19 something that must be managed and protected.

20 And we just conflict in lots of things.

21 I know during the Rodeo-Chediski fire the
22 difference between urban people and rural people is rural
23 people take care of themselves.

24 Yes, they'll accept their help. But when the
25 Red Cross came to help in the Rodeo-Chediski fire, the rural

1 people had already set up places to feed their people. And
2 that just doesn't happen in urban.

3 We've also through consultants have made sure that
4 a lot of the same laws that you have, competitiveness, you
5 know, minority representation, are met.

6 We've done that. We've done a lot of the homework
7 for you.

8 And I say it's a little embarrassing that that's
9 not here, but we'll make sure you get it.

10 You know, as far as competitiveness -- oh, we do.
11 Okay. Thank you.

12 We do have it now.

13 As you can see, we have a district, a rural
14 district on the west side and we have a rural district on
15 the east side.

16 And then as I explained in the urban populations,
17 we've made up the other seven districts.

18 And we -- our consultants have made sure that all
19 those districts meet the criteria that each of you must look
20 at.

21 And, like I say, you have a daunting task, and I
22 realize that.

23 My thoughts.

24 I thought, you know, maybe, maybe somebody
25 upstairs was saying, hey.

1 Anyway, isn't technology wonderful?

2 Okay.

3 But, you know what, life happens, and we just
4 smile about it, don't we?

5 I mean, I think that's the way we need to look at
6 it.

7 Anyway, we, we believe that, like I say, we make
8 up a fifth of the population.

9 We've been there before without rural districts.
10 We don't feel we'll have a voice.

11 And I think that's one of your main objectives, is
12 make sure that people are heard.

13 And with that, I'll turn time over to
14 Supervisor Tommie Martin from Gila County.

15 LARRY STEPHENSON: Good morning. My name is Larry
16 Stephenson, S-T-E-P-H-E-N-S-O-N, is the way my dad spelled
17 the last name.

18 I think I'm one of those consultants that Mr. Lunt
19 was talking about.

20 I'm executive director of the Eastern Arizona
21 Counties Organization, a group of rural counties.

22 And the supervisors I report to gave me a
23 challenge. They said, we want one rural district, real
24 rural district, kind of what they have now.

25 So I accepted the challenge and tried to build

1 one, the one that's labeled CD No. 9 on this map.

2 And then we looked, could we get another.

3 And we found out by looking at the western part
4 of the state and wrapping around toward Tucson, yes, you
5 could.

6 And that left the challenge of the other seven
7 districts.

8 As you know, Arizona is a very urbanized state,
9 very concentrated urbanized state.

10 Most of the population is concentrated in the
11 two metro areas of Phoenix and Tucson and in between.

12 So we took the remaining population and -- I'm not
13 sure these are exact boundaries.

14 They're not meant to be exact boundaries, but
15 rather conceptual boundaries that show that you can have
16 seven districts in, in the metro areas.

17 Not that these are where the boundaries should be,
18 but rather it's possible to have districts that meet the
19 population requirements and other requirements, you know,
20 contiguousness and that sort of thing.

21 So we tried to be respectful, but, again, these
22 are inexact and we took no, no pride in these, no pride of
23 authorship. It's just a starting point.

24 I'm sure there's lots of ways the urban part of
25 the puzzle can be divided up.

1 But the important point is that there can be
2 two rural districts.

3 We've shown that.

4 The populations work.

5 We do have to go into part of the rural areas,
6 Pinal, Pima, and Maricopa Counties, to make the rural
7 districts work, but they're big counties with a lot of rural
8 areas too on the outskirts.

9 As I said, populations are fairly concentrated,
10 which makes my job easier.

11 With that, I'll stop and just say, I urge you to
12 look at this map and give it serious consideration. A lot
13 of thought went into this.

14 And I would like to thank the mapping consultants.
15 We used your mapping process to produce this map. It was a
16 little bit of a cumbersome task, but we plowed through it,
17 and it worked.

18 Thank you.

19 CHAIRPERSON MATHIS: Thank you.

20 TOMMIE MARTIN: And I'm Tommie Martin,
21 M-A-R-T-I-N.

22 I'll start -- I'll tell you it's been reported
23 here that my partner Richard calls himself a low-tech
24 redneck.

25 And those things baffle him.

1 The rest of this, we have the -- I'm sorry we
2 didn't bring the thumb drive. We'll get it to you.

3 We balanced the populations within two and a half
4 percent in each of those districts.

5 We respected the minority. We respected the
6 overall mix.

7 When we were looking at the two rural districts,
8 working at 22 percent of the population of the state. And
9 we feel like 22 percent of the population of the state
10 deserves two representatives in Washington and -- that are,
11 that are solely looking at rural issues.

12 All of us in the rural areas, when we go talk to
13 our congressman, invariably if we have anybody that has
14 rural -- that has urban connection to their district, will
15 say, so forth and so on. And they will look at us and say,
16 we agree, but we -- you don't elect us.

17 I'm elected out of Tucson. Or I'm elected out of
18 east Mesa. Or I'm elected out of Glendale.

19 And to us it feels like it's reverse
20 representation, actually, where the urban voice outweighs
21 that rural voice.

22 And that was a challenge.

23 I had somebody yesterday has been working on this
24 say, you know, it looks like a doughnut.

25 And I said, to me it looks like a life raft that

1 was thrown to the rural counties.

2 Because we could stand to have two congressmen
3 both who look at border issues, both who look at forest
4 issue, both who look at fire issues, both who look at our
5 water issues, and not have their perspectives diluted or
6 distracted by the urban issues.

7 And I think also the urban core absolutely
8 deserves to have seven votes who are devoted to the urban
9 issues and not be distracted by us on the outlying areas.

10 I also had someone say, well, isn't that an
11 awfully big area for a congressman.

12 Well, that's how big of an area the senators cover
13 basically. I mean, it's not any bigger than we're asking
14 our senators.

15 But we will get you, we will get you the data.

16 And we're also looking in those two areas. I
17 think each one of them are 22 to 25 percent Hispanic. The
18 side on the right is about 100,000 Native Americans, the one
19 on the left is about 30,000, but that's where the
20 reservations fall.

21 And that also is important to us.

22 And those folks have as rural issues as we do and
23 feel like it would be helpful to them too to have
24 concentrated rural representation.

25 Thank you, guys, so much. I'll get you the thumb

1 drive.

2 And did you have any questions for us? Is this
3 the question answer?

4 CHAIRPERSON MATHIS: We can't in this situation.

5 Are there any questions from commissioners on this
6 presentation?

7 COMMISSIONER STERTZ: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Stertz.

9 COMMISSIONER STERTZ: I wanted to first compliment
10 you on the hard work of trying to do something that we're
11 finding to be very challenging to sort through.

12 The question regarding the minority-majority
13 districts, which of the districts that you had selected,
14 knowing that you don't have the data in front of you by
15 number -- and are there any materials that you can leave us
16 today?

17 TOMMIE MARTIN: Do you know?

18 LARRY STEPHENSON: No, not yet.

19 TOMMIE MARTIN: I can get those materials.

20 COMMISSIONER STERTZ: But the minority-majority
21 districts that you have are two and they're urban districts;
22 is that --

23 THE WITNESS:

24 TOMMIE MARTIN: And they're urban districts.

25 Although, those two rurals, both also have a

1 fourth of a -- 25 percent of the population is Hispanic, and
2 then plus the Native American on top of that, so they're
3 well represented as well in both of those rural districts.

4 COMMISSIONER STERTZ: Madam Chair.

5 To follow up on that line of thinking, did you --
6 have you had conversation with the tribal leadership
7 regarding more specifically the eastern district?

8 That looks very similar to a district that we were
9 delivered on Thursday.

10 TOMMIE MARTIN: We have been visiting, not on this
11 map in particular, because we just got the map out, but the
12 concepts, we've been talking to the Apache in particular, a
13 little bit with Navajo.

14 But we have not done our homework that way.

15 We have talked to them through the -- for a while
16 we looked at the LD conversation.

17 And in that LD conversation began developing this
18 idea for the CD.

19 COMMISSIONER STERTZ: And, Madam Chair.

20 As to follow up on your thought process of
21 representation, when you speak about representation of a
22 congressman that would actually be representing your
23 district, how do you see that as a conflict of an urban
24 center being connected to a rural mass? That's what your --
25 that's your breaking against here.

1 That this is -- that you've created a large -- two
2 large rural masses to be represented by someone that would
3 understand the rural population, border population, forestry
4 population; is that correct?

5 TOMMIE MARTIN: That's correct. We are -- as
6 Richard was saying, folks in town look at land as a place to
7 play. We look at a place to work. They do look at water as
8 a commodity. We look at it as a resource.

9 We look at -- we're very much more self-reliant.
10 The issues are stark, if you'll actually pulling them apart
11 and looking at them.

12 And the way we approach those issues are
13 different. The customs and cultures are different.

14 That's a lot of area, and the folks are few and
15 far between for the most part.

16 And they move there for definite reasons. Or they
17 move into the core.

18 But, that's exactly right.

19 COMMISSIONER STERTZ: So you would see a, you
20 would see a representative that would be really able to
21 focus on not only border issues but also forestry industry
22 issues --

23 TOMMIE MARTIN: Fire issues.

24 COMMISSIONER STERTZ: -- fire issues --

25 TOMMIE MARTIN: Water issues in the country,

1 absolutely.

2 The agriculture, the mining, the things that
3 happen outside that core, that affect that core, but also
4 affect us.

5 COMMISSIONER STERTZ: Have you been tracking some
6 of the maps that have been produced as the what-if scenarios
7 that come forward?

8 TOMMIE MARTIN: Yes.

9 COMMISSIONER STERTZ: Is that one of the reasons
10 why you're coming forward today is to give it a different
11 perspective --

12 TOMMIE MARTIN: A whole different perspective.
13 We don't see this idea cropping up in any of the
14 maps.

15 We see variations of rural, urban combinations.
16 But we don't see this.

17 COMMISSIONER STERTZ: And from a -- or a follow-up
18 to the last question I'll ask of today, the assimilation of
19 all of the communities of interest that you have are very
20 dynamic, they're very different, because you are
21 encompassing three ports of entry coming off the southern
22 border that you would be complex in your mind to think that
23 someone living in Nogales has something -- that has a
24 relationship with someone living in Window Rock.

25 What would be -- what would your answer be to

1 that?

2 TOMMIE MARTIN: I would say that we who are in the
3 small counties know how much we are alike.

4 We know our differences, but we have far more
5 alike than we have differences.

6 That border issue is as important to somebody in
7 Window Rock as it is to somebody in Nogales, and the issues
8 that it represents.

9 As well as the management of that resource.

10 It's not necessarily something the urbanite looks
11 at, but we are on that all the time.

12 How it's managed, how well it's managed, how we
13 manage the people.

14 I'll tell you that we're far more alike than we
15 are different.

16 COMMISSIONER STERTZ: Most interesting in hearing
17 the testimony on Thursday from the tribal leaders about how
18 their tribal lands, you know, for example, there's tribal
19 lands that go into multiple states across multiple
20 countries, or into two different countries, and how
21 interesting that was.

22 And that I can see that ranch land as the lines
23 were designated to create Arizona on the borders and the
24 counties have relevance, but there's ranch lands that cross
25 over county borders and actually over, over, over state

1 borders.

2 So, thank you very much for putting this together.

3 TOMMIE MARTIN: Well, thank you. We'll get you
4 that information.

5 CHAIRPERSON MATHIS: Any other questions from
6 other commissioners?

7 (No oral response.)

8 CHAIRPERSON MATHIS: Okay. Thank you very much
9 for your time and presenting to us. We appreciate it.

10 Our next speaker is Andres Cano from Hispanic
11 Coalition For Good Government.

12 ANDRES CANO: Good morning, commissioners. My
13 name is Andres Cano. First name is spelled A-N-D-R-E-S,
14 last name is C-A-N-O.

15 I was born and raised in Tucson, Arizona. So I'm
16 all about southern Arizona. I grew up in the Sunnyside
17 Unified School District.

18 And I'm here this morning to voice my support of
19 the Hispanic Coalition For Good Government and the map that
20 they have proposed to you guys, which mirrors map 7A.

21 I think this is a very, very good proposal that
22 complies with Sections 2 and 5 of the Voting Rights Act.
23 That's something that's important to me, not only as a
24 member of the minority community, but also just in terms of
25 supporting what I think is a legal proposal that we have to

1 pay attention to.

2 And we know you are as well.

3 We need strong competitive districts here in
4 Arizona, and you must maybe sure that they establish the
5 minimum Hispanic voting age population numbers. 7A does
6 that as well as the proposal that the Hispanic Coalition For
7 Good Government proposed to you guys.

8 On a more personal note, I am a young guy. I
9 graduated in 2009.

10 Went to a high school in downtown Tucson. And
11 because of that, I think I was always exposed to urban
12 issues, and so these urban districts I think are important.

13 I remember always going to the University of
14 Arizona, taking trips actually with my school because I went
15 to a high school that promoted actively growing out into the
16 community and learning about regional issues. So that
17 corridor from Tucson to Nogales, that I-19 corridor, I can't
18 tell you how many times my high school actually did that and
19 went from those two regions to another. And it just worries
20 me that some of the proposals here are not really
21 encompassing the Santa Cruz region.

22 So I just stand today in support of 7A and in
23 support of complying with some of the legal requirements
24 that we have, and especially just paying attention to the
25 Sections 2 and 5 of the Voting Rights Act.

1 Thank you.

2 CHAIRPERSON MATHIS: Thank you.

3 Our next speaker is Magdalena Barajas,
4 representing Hispanic Coalition For Good Government.

5 MAGDALENA BARAJAS: Good morning, commissioners.
6 My name is Magdalena Barajas, M-A-G-D-A-L-E-N-A, and my last
7 name is B, as in boy, A-R-A-J-A-S.

8 I came in and presented to you at a meeting in
9 Casa Grande. I just wanted to come back and reiterate my
10 support for the Hispanic Coalition For Good Government maps
11 which like Mr. Cano stated comply with Sections 2 and 5 of
12 the Voting Rights Act.

13 The map that you have closest to the Hispanic
14 Coalition has been supporting is map 7A, and so the
15 Coalition supporting moving in that direction.

16 If you have not yet received a letter from MALDA I
17 assume you will be on behalf -- in fact, there are some
18 maps, and I believe we shared that with you in the past.

19 I really believe that keeping a south Yuma County,
20 Santa Cruz County, and Pima County in the same district is
21 critical to our families who live there.

22 I'll add that the issues of conservation, border
23 safety, and water safety are just as important to the people
24 who live in the urban areas as those who would in the rural
25 areas. I think they are very critical, especially you can

1 see that with some of our representatives who really stand
2 for some conservation issues and border safety, border
3 safety issues.

4 I'll add that for me I'm a school board member at
5 Sunnyside School District. And on the eastern end of the
6 maps that the Hispanic Coalition submitted, it left out a
7 little chunk of the Sunnyside school district that's in
8 southeastern Pima County.

9 It's an area called Littletown. I have two
10 schools that are outside of the HCGG maps, which I would
11 love to see included in the same district, so as a school
12 board member I'm not dealing with two congress people.

13 I just wanted to add that.

14 And really, again, restate the connection between
15 the University of Arizona and the south and west sides of
16 Tucson.

17 The university has wide reach into these areas in
18 encouraging students to attend the university, but they're
19 really something that's really close to my heart, the issue
20 of public health.

21 They go out to our community and educate us on
22 diabetes, which is really critical to the Hispanic
23 communities in the current CD 7 and also the Native American
24 communities that are there.

25 So, again, just to reiterate, I'm here to support

1 legal districts in southern Arizona that comply with
2 Sections 2 and 5 of the Voting Rights Act.

3 Thank you.

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: Would Ms. Barajas take a
7 question?

8 MAGDALENA BARAJAS: Sure.

9 COMMISSIONER STERTZ: Thank you. In regards to
10 the 7A map in regards to the two districts, are you
11 specifically looking at Districts 1 and -- or 2 and 7 as
12 being the districts that you are in agreement with?

13 MAGDALENA BARAJAS: Yes.

14 So I'm looking at the districts in southern
15 Arizona that look at -- that keep Yuma County, Santa Cruz
16 County, and Pima County together. And then on the west side
17 of Phoenix.

18 So in the HCGG maps, they were Districts 4 and 7.

19 COMMISSIONER STERTZ: And as a follow-up to that,
20 and the same question I asked in the rural map folks that
21 just came up, what would you say is a linking of the people
22 of southern side of Yuma, the logic about splitting Yuma,
23 and how the communities of interest of south Yuma would
24 connect to the people that are living in the east side of
25 Tucson?

1 MAGDALENA BARAJAS: Sure. One of the main things
2 for us has been our religious and cultural issues. The
3 diocese of Tucson reaches out into the Yuma area. We have a
4 lot of families who go from the Yuma area into Tucson for
5 employment, for education, and so we know that our families
6 travel back and forth from those two areas and participate
7 civically -- are civically engaged in those areas as well.

8 One, because they've been going to the University
9 of Arizona, but they have -- there's that religious tie in
10 that.

11 And people who, you know, get married or have
12 their kids go back and be baptized in the Yuma area.

13 South, Avenue A, B, around there, south of that,
14 we have a large Hispanic population that really does
15 migrate, comes back and forth.

16 And also there's a transportation corridor.
17 There's a natural corridor in from Santa Cruz County, I-19
18 to the I-10, and then you have I-8 that goes out to the
19 west. And so they're very well connected.

20 COMMISSIONER STERTZ: And as a follow-up to that,
21 the splitting of the city of Yuma.

22 MAGDALENA BARAJAS: I think when it comes to that,
23 it is difficult to when you -- to support sometimes
24 splitting a jurisdiction. But in this case, you have really
25 different viewpoints on a lot of the federal issues.

1 And I think that makes that southern part of Yuma
2 a key community of interest that must be maintained intact.

3 And the people there have to really have an
4 assurance that they'll be electing -- be able to elect a
5 candidate of their choice, not just have the ability to do
6 so.

7 And I think that by splitting south Yuma and
8 keeping it in CD 7, we would do that.

9 COMMISSIONER STERTZ: I don't think when you're
10 talking about the U of A that you were implying that if the
11 U of A was not connected to the south side of Tucson that
12 they would no longer be giving advice and counsel on
13 diabetes.

14 I don't think you were inferring that, were you?

15 MAGDALENA BARAJAS: No, no, I just want to stress
16 that the University of Arizona, it's on the eastern northern
17 part of that proposed CD 7, in the Hispanic Coalition For
18 Good Government map, and the university area is very key to
19 the south and west sides of Tucson, very key,
20 specifically -- I'm speaking for my district. They provide
21 a lot of support.

22 And having our families go to the university and
23 have that strong tie, and programs, and through that
24 transportation corridor, if you've traveled up Campbell and
25 Kino Parkway, it's really key to our community because we

1 can show our students where they can go. We have a lot of
2 first generation families, and it's very important for them
3 to be able to see the institution, what a university looks
4 like.

5 We take our students there often for field trips
6 so that they can see -- you know, they're not going to get a
7 glimpse of what university life is all about on one field
8 trip, but we need to make them aware, and it's a very
9 important connection.

10 I don't doubt at all that the university wouldn't
11 support, you know, the rural health programs and others,
12 like with the communities prevention to work type of
13 programs. I don't doubt that they would continue to do
14 that.

15 But having, having that within our district is
16 really key to us, and a congress person that would represent
17 both areas.

18 In addition to that, the neighborhoods that
19 surround the university are very much kind of politically
20 and value aligned with the communities west -- south and
21 west of the university.

22 They -- I think they're a much better fit in CD 7
23 than they would be anywhere else.

24 COMMISSIONER STERTZ: I happen to live right next
25 to the University of Arizona, so, my last question will be

1 that in making the connection, if you were in leadership in
2 the city of Yuma, and in the county of Yuma, having an
3 understanding about why the county itself would need to be
4 split because there is a disagreement or -- of your, as you
5 described it, of federal issues, do you think that that's
6 not a healthy dialogue to be able to have for continuity and
7 discussion and to -- and for unification of thinking rather
8 than bifurcation between and trying to create two, two
9 opposing forces that maybe could be better aligned if they
10 were commonly represented?

11 MAGDALENA BARAJAS: I'll speak for myself and say
12 that in my opinion some of the discourse that's taken place
13 is very polarized. And it really, in my opinion, would keep
14 those folks from having an assurance of electing a candidate
15 of their choice.

16 So if I were in that position, I would understand
17 why the split is happening.

18 And it wouldn't preclude me from working with my
19 colleagues in Yuma, continuing to work toward some, you
20 know, compromises in policy.

21 COMMISSIONER STERTZ: In looking at the -- at
22 District 1, where do you think that the -- or District 4,
23 excuse me, which is the district that takes up the north
24 side of Yuma and wraps around to the east side of metro
25 Phoenix, where do you think that that representative is

1 going to be elected from?

2 MAGDALENA BARAJAS: Potentially the Phoenix area.

3 One of the other mandates that you have -- or not
4 mandates. One of the other directions that you're moving
5 toward are competitive districts.

6 And I think that having -- I think that needs --
7 the map 7A and the HCGG map don't, don't take away from
8 competitiveness.

9 And I think that if you have a candidate that's
10 going to stand out, they can come -- they can really come
11 from anywhere. Just as in Pima County, or the proposed
12 CD 7, that candidate can come from anywhere.

13 COMMISSIONER STERTZ: So if that candidate came
14 from western or eastern Phoenix, how do you see the
15 representation being the people that are now north of the
16 northern split of Yuma and Yuma County?

17 MAGDALENA BARAJAS: I would say that they probably
18 would be politically aligned folks.

19 You have your primary problems, and I think that
20 they would have a lot in common, because they lean toward
21 the same values politically.

22 COMMISSIONER STERTZ: So you would say that even
23 though, even though somebody is going to have their -- the
24 majority of the population of their district is going to be
25 eastern Phoenix, eastern Maricopa County, and they're

1 financially going to be tied to that, that they would
2 actually be trying to represent someone on the north side of
3 Yuma.

4 MAGDALENA BARAJAS: Yes, I do.

5 COMMISSIONER STERTZ: Okay.

6 Thank you.

7 CHAIRPERSON MATHIS: Other questions?

8 COMMISSIONER McNULTY: I only have one.

9 If you have not done so, would you give us
10 something that just shows us the parts of the Sunnyside
11 School District that have been omitted?

12 MAGDALENA BARAJAS: Sure. I'll do that. Thank
13 you.

14 VICE-CHAIR FREEMAN: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Freeman.

16 VICE-CHAIR FREEMAN: Ms. Barajas.

17 I want to thank you again for preparing and
18 submitting these maps to us.

19 We have your maps on our website, and they
20 basically describe the two minority-majority districts that
21 the Hispanic Coalition would favor.

22 And your maps, because you've given us all the
23 data that allows us to do this, have been integrated into a
24 number of the what-if scenarios that the Commission is
25 looking at on the congressional side.

1 Has the Hispanic Coalition gone ahead, using all
2 six of the constitutional criteria that the Commission is
3 required to use, drawn maps that include the entire state,
4 the other seven congressional districts?

5 MAGDALENA BARAJAS: No, I have not seen those. I
6 have not seen those.

7 That's not to say other members of the coalition
8 have not.

9 I will ask that information.

10 VICE-CHAIR FREEMAN: Essentially you're focused on
11 showing what you would support in terms of the boundaries
12 for the two minority-majority congressional districts.

13 MAGDALENA BARAJAS: Yes. And map 7A that the
14 Commission has put forward, that's where we're leaning
15 toward.

16 VICE-CHAIR FREEMAN: Okay. And but, I mean, there
17 are other maps that integrate your maps as well.

18 MAGDALENA BARAJAS: Yes.

19 VICE-CHAIR FREEMAN: Okay. Thank you.

20 MAGDALENA BARAJAS: Thank you.

21 CHAIRPERSON MATHIS: Thank you.

22 Any other questions or comments?

23 (No oral response.)

24 CHAIRPERSON MATHIS: Okay.

25 MAGDALENA BARAJAS: Thank you very much for your

1 time.

2 CHAIRPERSON MATHIS: Thank you very much.

3 Our next speaker is Mayor Lane from the city of
4 Scottsdale.

5 JIM LANE: Good morning.

6 And first I'd like to say a big thank you to
7 Chairwoman Mathis and all of the commissioners for the work
8 you do.

9 I know it's a tough row to hoe and a lot of input
10 and a lot of considerations.

11 And the opportunity to be here before you.

12 First I'd like to just announce that Scottsdale is
13 the sixth largest city in the state. So let's put that on
14 the record, I suppose, and in a shameless plug I'd like to
15 also add that we are rated fourth most favorable city to
16 live in according to Business Week recently. Just to get
17 that on that side of it.

18 I'm here today really on a pleasant note, I
19 suppose, with a request and an invitation to have you -- to
20 have Scottsdale host you, host a hearing in Scottsdale.

21 And I hope that you would be able to take us up.

22 I delivered a letter to you this morning in that
23 regard.

24 We had a council meeting Tuesday night where, and
25 some rare occasion, we had a unanimous vote to offer that

1 invitation to you, so I hope that's possible.

2 Given the importance and some of the concerns that
3 we have about it, we think that it's certainly warranted and
4 we really appreciate the seriousness of that invitation.

5 You know, as mayor of Scottsdale, I am concerned
6 about some of the most recent map options that we've seen.

7 And given the fact that Scottsdale would be
8 divided into four legislative districts and three
9 congressional districts, I feel there's some inconsistency,
10 I suppose, with the goals set forth before the Commission in
11 the districting process, and I'm hoping that we can take
12 another look at that then.

13 Given the way it is right now, it's almost more
14 likely that a legislative process that there would not be a
15 representative from the City of Scottsdale in those
16 legislative districts.

17 So we're, we're concerned about that prospect.
18 And there are some other concerns.

19 But really outside of our concerns, we think the
20 citizens of Scottsdale deserve an opportunity really to have
21 a hearing in Scottsdale. It's a significant point to
22 communicate their thoughts and their concerns as well and
23 the process of the Commission's work.

24 So with that, I'm here just respectfully
25 requesting that you schedule and hopefully are able to have

1 a hearing in the city of Scottsdale sometime in the near
2 future, and I'd like to be able to arrange that and have you
3 in town.

4 Who knows, you might bring a crowd and spend a
5 little money.

6 But in any case, we really would be for -- on
7 behalf of the citizens of Scottsdale and our council, we
8 would very much appreciate it if you would consider it.

9 CHAIRPERSON MATHIS: Thank you, Mayor Lane.

10 JIM LANE: And we look forward to working with
11 you.

12 COMMISSIONER STERTZ: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Stertz.

14 JIM LANE: Sure.

15 COMMISSIONER STERTZ: Mr. Mayor, thank you for
16 coming here and thank you for the invitation. I'm sure that
17 the chair would and the executive director will highly
18 consider it.

19 I love Scottsdale. We have a house in Scottsdale.

20 How many congressional districts are you
21 represented by currently?

22 JIM LANE: Three.

23 COMMISSIONER STERTZ: Currently?

24 JIM LANE: Sorry. Two.

25 COMMISSIONER STERTZ: Currently two.

1 And how many legislative districts are you
2 currently represented by?

3 JIM LANE: Four.

4 COMMISSIONER STERTZ: How does that worked out
5 for you?

6 JIM LANE: Actually the way it's worked out is
7 there's minimal. I have to say that some of the
8 representation on some of the smaller sections, and the way
9 it's divided right now is probably marginal with a couple of
10 those legislative districts, so we -- the vast majority of
11 the city is represented by one district.

12 COMMISSIONER STERTZ: Congressional district.

13 JIM LANE: Yes.

14 COMMISSIONER STERTZ: And the majority of that
15 district is north of what street?

16 JIM LANE: Probably north -- congressional
17 district, I'm sorry.

18 COMMISSIONER STERTZ: McDowell?

19 JIM LANE: I'm not familiar with it.

20 COMMISSIONER STERTZ: Okay. I'm mostly curious
21 because as a community of interest Scottsdale is a --
22 because of it bordering onto the reservation, the Indian
23 land on one side, it's a very -- it's geographically a very
24 north south city.

25 It stretches miles and miles and miles north to

1 south.

2 Splitting that up into -- how do you see that --
3 do you see that as a variety of different communities that
4 just happen to be governed by the City of Scottsdale, or do
5 you see that as one contiguous community?

6 JIM LANE: Well, I'd like to think -- and
7 certainly we continue to work on maintaining the one
8 community of interest as far as Scottsdale is concerned. We
9 don't want to divide up the city in that sense either, for
10 our own municipal reasons.

11 But at the same time, I see it from a standpoint
12 of a breakdown of socioeconomic groups, there probably is
13 some differences, in geographic, in geographics and in
14 economic groups. There probably are -- there certainly are
15 some differences from north to south.

16 COMMISSIONER STERTZ: If you were going to align
17 yourselves on a east-west basis, where would you see the
18 alignments taking place?

19 Would you see Scottsdale being more of a community
20 of interest with Paradise Valley and the south -- maybe
21 south of McDowell would be more aligned with Tempe?

22 JIM LANE: Actually when we consider the fact
23 that, from a community of interest standpoint, if there is a
24 dividing line, it probably would be the furthest northern
25 section of Scottsdale, maybe, you know, more distant or more

1 different from the majority of Scottsdale.

2 COMMISSIONER STERTZ: For example, north of Bell
3 or north of the 101?

4 JIM LANE: I would say -- well, I would say
5 certainly north of Thompson Peak, or even further north than
6 that.

7 Those areas are -- get into maybe a bit different
8 community of interest, I suppose, if you want to put it in
9 that way.

10 COMMISSIONER STERTZ: Some of those areas become
11 fairly rural as they expand up too. There's one house per
12 three and a half acres and that sort of thing, whereas you
13 have more compactness of geography in the --

14 JIM LANE: The way the maps, the options that we
15 see right now, sort of take out chunks north and south all
16 the way on down.

17 I mean, it takes a significant part of the north.
18 It also takes a midsection. And extends it in both
19 directions. And then of course on the south it's also
20 distributed to either side.

21 COMMISSIONER STERTZ: You said in your testimony
22 that your concern was of the four legislative districts that
23 you currently are looking at, I'm assuming that you're
24 looking at that map 7A, that you're seeing that, that you
25 probably would not have someone that would actually reside

1 in the city of Scottsdale that would be representing those
2 chunks of Scottsdale.

3 Can you explain that a little further?

4 JIM LANE: Looking at the distribution, I'm even
5 presuming on the basis of populations as it's dissected now,
6 even though there may be a similar number of legislative
7 districts, if we were to use that component, even though
8 there's a similar number right now, the division of the
9 population is much more -- it's minimal into some of the
10 additional legislative districts.

11 We are still represented significantly by
12 District 8, and that district is the lion's share of the
13 city of Scottsdale, by far and away.

14 So just maintaining some consistency to that.

15 We're a population before 220,000 people. And
16 therefore we've got pretty close to what we're looking for
17 in a district by itself.

18 But I would say that right now we are more likely
19 to have representatives from our city than not.

20 COMMISSIONER STERTZ: As you currently exist.

21 JIM LANE: As we currently exist.

22 Given the circumstances as I see the maps as
23 they're drafted now, and maybe A, but in any case what I see
24 is a sort of dilution of taking out segments and putting
25 them with larger segments on one side or the other or north

1 or south.

2 COMMISSIONER STERTZ: Do you have any supposition
3 or concept of why that would be beneficial to another
4 community on one side or the other by taking that voting
5 block out of Scottsdale?

6 JIM LANE: I'm not, I'm not -- if you're talking
7 about what strategies or tactics or thoughts that they might
8 have in trying to accomplish that, no, I do not know.

9 COMMISSIONER STERTZ: Is there any benefit you see
10 to the city of Scottsdale by doing that?

11 JIM LANE: The only benefit that someone might say
12 is that you might have a greater number of legislative --
13 you'd have similar to what you have right now, of
14 representatives that you have a district -- that you have
15 representation.

16 But I'm afraid that you still would have a more
17 likelihood of people being -- of representatives being
18 concerned more about the populations that are larger in
19 another segment of the districts.

20 COMMISSIONER STERTZ: And as a last question,
21 would there ever be a thought that -- this came forward from
22 the town of Gilbert -- saying that if they connected
23 themselves to Queen Creek that they would be almost the
24 exact population of a legislative district.

25 You are just slightly larger than a legislative

1 district as we currently have to map.

2 Would you ever think that that would be a good
3 idea to just have one legislature from the state's point of
4 view representing the overall community of Scottsdale?

5 JIM LANE: One legislative district?

6 COMMISSIONER STERTZ: Yes, there would just one or
7 the majority of it would end up being in two, because you've
8 got too much population as a city, but the majority of the
9 city of Scottsdale being -- having one legislative district.

10 JIM LANE: I think it's almost as some of the
11 other testimony that's been heard here. Part of the concern
12 is the responsiveness of your legislator or your senator to
13 your issues, to your community issues.

14 And so it becomes more important, I suppose, to
15 have a single or a second district that might have some
16 consideration for Scottsdale than it would have greater
17 number and yet they weren't necessarily aligned or
18 responsive to the issues within our community.

19 COMMISSIONER STERTZ: Thank you, Madam Chair.

20 JIM LANE: Excused?

21 CHAIRPERSON MATHIS: Thank you, Mayor Lane.

22 Great. Our next speaker is Bryan Martyn, Pinal
23 County supervisor.

24 BRYAN MARTYN: Good morning. Bryan Martyn,
25 B-R-Y-A-N, M-A-R-T-Y-N.

1 And I will echo the sentiments of many of the
2 speakers before me, that we appreciate what you're doing,
3 and what you're going through. My apologies on behalf of
4 many of those citizens that wish this would go much more
5 smoother for you personally, but we're all behind you, and
6 we all want this to be accomplished quickly.

7 But, you know, the word on the street right now is
8 that 7A, Mr. Herrera's recent proposal, is gaining a lot of
9 traction, gaining a lot of ground.

10 And I need to voice a level of concern relative to
11 Pinal County to that end on a number of issues.

12 The breaking down of Pinal County -- and a little
13 background on Pinal County. There are 3,142 counties in
14 America.

15 We are the second fastest growing county in all of
16 America over the last ten years.

17 We will continue to grow at a rate that will
18 exceed the vast majority of America based on the
19 demographics and the hope and the belief that the economy
20 will turn.

21 Historically we don't see a lot of our
22 representatives.

23 Mr. Stertz is very acute to ask questions, hey,
24 who's -- how are you being represented?

25 We have four representatives.

1 I think living in Pinal County, in Arizona, the
2 majority of my life, we don't see a whole lot of our
3 congressional delegation unfortunately.

4 Because we represent really the non-voting part of
5 their district.

6 We're not going to get them elected or unelected
7 as it is.

8 Pinal County needs representation that is
9 accountable to Pinal County as the fastest growing county in
10 Arizona.

11 As the center of the sun corridor, we know that
12 the growth pattern of Arizona, you're all aware, is the
13 middle. That's where we're growing.

14 We're growing south of Phoenix and north of
15 Tucson.

16 Marana is exploding.

17 The city of Maricopa continues to grow.

18 San Tan Valley on the far east side. Little known
19 fact, San Tan Valley has 81,000 people in it,
20 unincorporated.

21 That's larger than Flagstaff.

22 That's larger than Prescott.

23 Mr. Stertz asks the question where representation
24 would come from on 7A map for Yuma.

25 You know where it would probably come from?

1 San Tan Valley.

2 There's a huge population there. I don't know
3 that that really meets the criteria of what we're looking
4 for, representation, which is what we're here for, to find
5 somebody who speaks the language, who speaks the issues of
6 an area, and allow them to take those issues to Washington,
7 and accurately represent the area. Minority or otherwise,
8 let's just talk issues.

9 To the -- to an alternative of 7A, the whole
10 counties. I believe that the whole counties, the map that
11 you currently have, in fact, the map that you're
12 distributing today, the whole counties meets much of their
13 criteria that Pinal County would hope to achieve, and many
14 of our rural counties throughout Arizona would hope to
15 achieve.

16 I will speak briefly to the Hispanic map
17 coalition -- Coalition map.

18 Mr. Freeman, you, you were clear. You caught that
19 right away. On the whole counties map, guess what, it keeps
20 Santa Cruz and Pima in there.

21 It's nearly the exact same districts.

22 It meets two and five, the criteria.

23 So the whole counties map that I'm asking that you
24 take a harder look at actually meets the Hispanic Coalition
25 map, as I understand it, and as presented today.

1 All I ask is that we take a good hard look at
2 this, before we go down the 7A road, that we take a look.
3 It doesn't work for your fastest growing county in the
4 state. It just doesn't work well for us.

5 The whole county map works well for more than just
6 Pinal County. It works for the vast majority.

7 Mr. -- Mayor Lane's issues with rural Phoenix
8 area, Scottsdale, those are outside my scope. Those are big
9 challenges for you, but I do speak rural. I do represent
10 rural.

11 And you have a map that works. And the 7A map
12 that seems to be gaining ground doesn't work.

13 I will make one more last note. There is talk on
14 the street as we look at 7A that District 8 is a Republican
15 plus 20.

16 That doesn't pass the smell test.

17 Even as a Republican, I'm very appreciative of the
18 fact that we have a solid Republican district.

19 But a plus 20, we can do better than that. I know
20 this group can do better than that. And our whole concern
21 is that, that we put forward a map that meets DOJ criteria
22 at every level and that our citizens are represented by
23 individuals who speak their issues. Regardless of party,
24 regardless of race, they speak their issues.

25 And that, I think, is your number one underlying

1 concern, get the right people representing the issues in
2 Washington.

3 And I wish you the best.

4 I'm happy to take any questions if you have any at
5 all.

6 CHAIRPERSON MATHIS: Thank you, supervisor.

7 I have a question actually. Have you seen the
8 Pinal County intergovernmental maps --

9 BRYAN MARTYN: I have, and I have -- and I
10 haven't -- and the reason I don't bring that up is because I
11 haven't seen it really gain a lot of momentum, and you kind
12 of go where the, you know, where the flow is here.

13 So, I see the whole county map.

14 I see you've looked at that closely.

15 And I've given you a recent alternative.

16 I'm not asking to reinvent the wheel, as my
17 colleagues from neighboring counties have presented.

18 I know there's some issues that will come up with
19 their map.

20 I so appreciate the fact that they want to start
21 over and say, here you go.

22 We are out of time, folks.

23 You have about a week and a half left, really, to
24 come down -- to come to Jesus on this and get it out there.

25 So I'm not trying to reinvent the wheel.

1 I'm just trying to give you some guidance and let
2 you know that one of the maps that seems to be gaining
3 ground really doesn't work on a number of levels for rural
4 America -- rural Arizona, excuse me, and I really appreciate
5 where you're at with the whole counties map.

6 CHAIRPERSON MATHIS: Thank you.

7 Questions from other commissioners?

8 COMMISSIONER STERTZ: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Stertz.

10 COMMISSIONER STERTZ: Supervisor Martyn, thank you
11 for coming out today.

12 When you talk about the issues of Pinal, Pinal is
13 a -- geographically is, is -- got centers of population, and
14 it's got a lot of rural land as well. You've also got large
15 growth tracts, and you've got a couple of major highways
16 where the confluence of 8 and 10 have got a tremendous
17 impact, where there's going to be growth spurt going not
18 only coming from the north to the south to Casa Grande, but
19 also going from the south from Tangerine Road going all the
20 way up to Casa Grande.

21 It's what was a bedroom community servicing the
22 south side is actually becoming an impactful one.

23 You also have a lot of impact with crime.

24 You have -- you're a transportation corridor for
25 not only drugs but also for human beings.

1 And I've had this conversation with your sheriff
2 about this.

3 As that pertains to the southern border and the
4 connectivity of the southern border, do you think having
5 any connection between Pinal through Pima with having a
6 congressional representative that would be able to have
7 that voice in Washington, that would be from the border
8 up through Pinal, do you think that there would be any
9 benefit?

10 BRYAN MARTYN: Mr. Stertz, I appreciate your
11 interaction with Sheriff Babeu, the number one sheriff in
12 America this last year. Kudos to Sheriff Paul.

13 Surely someone in Washington who speaks the border
14 and also speaks the issues going on in Pinal County would be
15 advantageous. Not to discourage the current congressman who
16 represents the area, that gentleman doesn't spend any time
17 in my county. I've never seen him.

18 So that's a problem. That's a problem.

19 So I would love to have somebody who represents
20 Pinal County who also speaks the border so we can address
21 the issues that affect not only Pinal County but the state
22 of Arizona.

23 And that is not meant to be a partisan issue at
24 all.

25 This is just the reality of we have a problem, and

1 it does affect Pinal County and it does affect Arizona. And
2 if I could get a guy or gal who's -- again, who speaks the
3 issues of Pinal County back in Washington, I would take that
4 in a minute.

5 COMMISSIONER STERTZ: The I-19 to 10 to 8
6 connection is a pretty strong one --

7 BRYAN MARTYN: It surely is.

8 COMMISSIONER STERTZ: -- as transportation --

9 BRYAN MARTYN: Tohono O'odham and all the way up.
10 I mean, not just on the roads. They're not following all
11 the roads too. We've got plenty of dirt roads that have
12 lots of traffic through our, through our mountains and
13 through our communities. And it is problematic. It is
14 problematic.

15 COMMISSIONER STERTZ: When you were talking about
16 the 7A map as a follow-up to Congressional District 8, you
17 had said that it's got a competitiveness of a plus 20.

18 Are you suggesting that that district has been
19 arbitrary packed?

20 BRYAN MARTYN: I believe -- I think the numbers
21 speak for themselves.

22 COMMISSIONER STERTZ: Okay.

23 BRYAN MARTYN: I don't know that that would pass
24 the smell test with the Department of Justice seeing as we
25 talked -- so many of my colleagues have touted competitive,

1 competitiveness, competitiveness. And this body, although I
2 know it's only one of the criteria, again, I think you can
3 do better than a plus 20.

4 I think there's ways to -- it just looks like your
5 packing districts to allow for more minority districts. And
6 I don't think that's what you really are trying to do or
7 want to do, but that's what it appears to be.

8 COMMISSIONER STERTZ: In Pinal County as the way
9 that 7A is currently comprised, you'll be represented, I
10 believe, by four congressmen, and I can't -- I couldn't
11 count how many legislators.

12 Did you count how many legislators?

13 BRYAN MARTYN: You know, the legislative issue, I
14 wouldn't say I'm expert at all on that.

15 I'm looking at our issues in Washington.

16 I would love to have the Pinal County Government
17 Alliance map, that was brought up earlier, has two
18 legislative districts representing the entirety of the
19 county. That is optimal for us, just as it would be for the
20 Scottsdale type community, people who pay attention to voter
21 issues, to have four or five or six legislative districts
22 scattered throughout Pinal County invariably counts against
23 us.

24 COMMISSIONER STERTZ: Supervisor Martyn, just as a
25 closing question, are you speaking on behalf of yourself or

1 the board?

2 BRYAN MARTYN: At this point I'm speaking on
3 behalf of myself.

4 My colleagues, Mr. Schneider and Mr. Rios, were
5 invited this morning but they had an obligation and they
6 will speak for themselves.

7 Mr. Rios has spoken on behalf of the Hispanic
8 Coalition maps in the past, and I don't know what his
9 position is relative to that map still.

10 But I do bring up the point that many of the
11 issues that the Hispanic Coalition map brings up that they
12 are striving towards are taken into account in the whole
13 counties map that I am purporting today.

14 COMMISSIONER STERTZ: Very good. Thank you very
15 much.

16 Madam Chair.

17 CHAIRPERSON MATHIS: Thank you.

18 Any other questions?

19 BRYAN MARTYN: Thank you for your time.

20 VICE-CHAIR FREEMAN: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Freeman. Sorry.

22 VICE-CHAIR FREEMAN: Supervisor Martyn, I just
23 wanted to point something out. I know you mentioned the
24 Pinal County Governmental Alliance map.

25 And the whole counties map doesn't look quite like

1 that, but I wanted you and everyone else to understand that
2 the sort of thought process that went into developing that
3 map was to simply start with the constitutional criterias
4 and chip away at the state with large geographic areas that
5 would probably encompass the rural areas first, which would
6 be a try to keep the counties whole and then keep the tribal
7 areas whole and then overlay the Hispanic Coalition's
8 recommendations on minority-majority districts.

9 And what you end up with is a map that although it
10 may not look exactly like the Pinal County Government
11 Alliance map, I wouldn't expect it to, but Pinal County is
12 only split to keep reservation lands whole.

13 And then there is one other split where we have to
14 get parts of Apache Junction and throw that into the urban
15 Phoenix area.

16 So really it's, in my view, no splits at all. I
17 guess technically it's split twice.

18 And I think you mentioned the issue of packing
19 voters of a particular -- Republican voters in a district.

20 This whole counties versions you end up -- Pinal
21 County ends up in a district that is pretty competitive.

22 I mean, so in terms of giving the voters in that
23 area of the state the advantages of a competitive district
24 as they've been described to this Commission -- are you
25 there?

1 BRYAN MARTYN: Amen.

2 VICE-CHAIR FREEMAN: Thank you.

3 BRYAN MARTYN: Thank you.

4 CHAIRPERSON MATHIS: Any other questions or
5 comments?

6 (No oral response.)

7 CHAIRPERSON MATHIS: Okay. Thank you,
8 Supervisor Martyn.

9 BRYAN MARTYN: Thank you very much.

10 CHAIRPERSON MATHIS: That concludes all the
11 request to speak forms I have for this mapping presentation
12 section of our meeting.

13 Did I miss anyone?

14 Okay.

15 Check the time. It's 10:07.

16 BETTY VILLEGAS: Ma'am.

17 CHAIRPERSON MATHIS: Oh, I'm sorry.

18 BETTY VILLEGAS: We were told up front to put it
19 under three, but we actually came to speak under some of
20 these same issues.

21 CHAIRPERSON MATHIS: Okay. So, did you want to
22 come up and tell us your name?

23 BETTY VILLEGAS: Betty Villegas.

24 CHAIRPERSON MATHIS: Betty Villegas, representing
25 self.

1 BETTY VILLEGAS: Thank you. I appreciate you
2 asking. We would have sat here for a while.

3 My name is Betty Villegas. Villegas is spelled
4 V-I-L-L-E-G-A-S.

5 And I representing myself in support of the map
6 7A. And in my opinion it also is the one that most complies
7 with the Voting Rights Act, so I just wanted to give you a
8 little bit of myself.

9 I am a native born Tucsonian. I've lived in
10 Tucson all my life.

11 And I've seen -- I'm old enough now to say that
12 I've seen many, many neighborhoods and changes in my
13 lifetime.

14 I grew up in the projects, or started my life in
15 the projects, I should say.

16 Moved to the west side, then to the south side,
17 and then back to the west side, and then southwest. So I've
18 been in that area for all my life.

19 And I have to say that the two young people that
20 spoke earlier, I'm -- they're a great product of our
21 community.

22 They're so articulate. And I wish I was as
23 articulate as them, but I'm not. So I apologize.

24 But I just want to say that I think it's
25 important, it's important to keep that continuity, that,

1 that, that the map provides, the flow of the Santa Cruz. I
2 mean, being there all my life, that's been, that's been my
3 area of town, you know.

4 I've also worked in the private sector. I was in
5 retail banking for 20 years, and talked to a lot of people
6 and worked in a lot of areas of Tucson.

7 But even in the corporate arena, I always ended up
8 back on my side of town. Because I represent the people on
9 my side of town.

10 I think that's really important, you know.

11 And no matter what, where we go, you know, we want
12 to, we want to be able to have that interest and provide
13 that support and help to the area in which we reside and the
14 area in which we best connect to.

15 And so I think it's important.

16 I think you all have a tremendous job to do, and I
17 know it's not easy, but I just want to be able to speak to
18 you today and let you know that I'm very supportive of that
19 map, and I hope that you told -- that you -- that you
20 totally are in agreement with, with us that speak in support
21 of it as well.

22 Thank you very much.

23 CHAIRPERSON MATHIS: Thank you.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: Ma'am.

2 BETTY VILLEGAS: Oh.

3 CHAIRPERSON MATHIS: A question, sorry.

4 BETTY VILLEGAS: Thank you.

5 COMMISSIONER STERTZ: It's important for me to
6 understand the aspects of the map, being a fellow Tucsonian,
7 and I understand the -- and I was really joyful to see the
8 young woman speak so coherently and to actually answer some
9 difficult questions I was asking her.

10 BETTY VILLEGAS: Yes, absolutely.

11 COMMISSIONER STERTZ: Is it the aspects of the two
12 districts that the Hispanic Coalition put forward which are
13 currently labeled as Districts 2 -- or I believe it's --

14 BETTY VILLEGAS: Four and seven, I believe.

15 COMMISSIONER STERTZ: Well, it would be. It's
16 more looking like four and seven -- it's currently three and
17 seven, I believe.

18 I'm getting them confused here.

19 Two and seven.

20 Are those the districts that you're saying that
21 you would like to -- that make sense to you --

22 BETTY VILLEGAS: Yes.

23 COMMISSIONER STERTZ: -- that the continuity of
24 going all the way down, encompassing all of Santa Cruz
25 County --

1 BETTY VILLEGAS: Right.

2 COMMISSIONER STERTZ: -- going over to Yuma,
3 picking up the west valley of Maricopa County, and then
4 connecting the west and the south side of Tucson?

5 BETTY VILLEGAS: Yes.

6 COMMISSIONER STERTZ: Other than, as the young
7 lady expressed, maybe picking up Sunnyside School District.

8 BETTY VILLEGAS: Yes.

9 COMMISSIONER STERTZ: So those are the aspects of
10 the map you are supporting.

11 BETTY VILLEGAS: Yes, and, and I didn't go into
12 that.

13 But as a young person growing up and traveling the
14 state, we, we, we did travel a lot to that part of Phoenix
15 as well.

16 We have family there. We have friends there. And
17 they're still there.

18 And I think as far as the Yuma, you know, as well,
19 it's amazing how many people in my lifetime I've met where
20 they now live in Tucson or Phoenix, but their parents are
21 still back in Yuma. And there, again, the same common
22 interests, you know, that, that are through that area as
23 well.

24 So, and I -- you know, and that's also important
25 when I heard the young lady speak about Sunnyside. I know

1 that area, and I would support that as well, to include that
2 Littleton area into, into the map as well, even though it's
3 not yet.

4 COMMISSIONER STERTZ: Thank you. I appreciate
5 that.

6 CHAIRPERSON MATHIS: Thank you.

7 Any other questions?

8 (No oral response.)

9 CHAIRPERSON MATHIS: Okay. Thank you very much.
10 Our next speaker is Richard Ysmael, representing
11 self, from Pima.

12 RICHARD YSMAEL: Good morning. My name is
13 Richard M. Ysmael. Currently a resident of Congressional
14 District 7 in Tucson.

15 I think where I've been --

16 CHAIRPERSON MATHIS: And can you spell your name,
17 I'm sorry, for the record.

18 RICHARD YSMAEL: Oh. Last name is Ysmael,
19 Y-S-M-A-E-L.

20 And as I mentioned, I've been a resident of
21 Congressional District 7 in Tucson for all my voting life, I
22 can say.

23 I was born in Tucson and grew up here in the
24 Valley. My dad and mom moved us from Tucson up to Phoenix,
25 because he couldn't find work in Tucson back in the early

1 '60s.

2 I ended up back in Tucson after I graduated from
3 high school, attended the U of A. There I met many friends
4 and associates that I still maintain today, a good portion
5 of which were from Santa Cruz County, Nogales. Many of my
6 close friends and associates, you know, I've -- those
7 friendships that I made at the university are still with me
8 today.

9 As well as in Yuma, worked with a number of
10 associates, as Betty had mentioned before me, that are from
11 Yuma but they now live and work in Tucson and Pima County.

12 And, you know, the connection with the university
13 is very important. I think that's kind of what helped me
14 get me where I am today.

15 And, as I mentioned a lot of the friendships that
16 I have were created 30 years ago and are still maintained.

17 Right now, my youngest son is engaged with a young
18 woman from Nogales. So we're starting to forge
19 relationships down in Santa Cruz County.

20 And I have many friends from, you know, university
21 that I still see there today as well.

22 So I also agree that the 7A map that is proposed
23 by the Hispanic Coalition is what I'm here to support. And
24 preserving the alignments of the current Congressional
25 District 7 I think is important. And I think the

1 Coalition's map help preserve the competitiveness on behalf
2 of that.

3 So I think that's, that's all I have.

4 CHAIRPERSON MATHIS: Thank you.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Any questions -- Mr. Stertz.

7 COMMISSIONER STERTZ: Absolutely.

8 Richard, thank you for coming up.

9 When you had said that it maintains the current
10 alignment of Congressional District 7, could you describe
11 what you're referring to?

12 RICHARD YSMAEL: The connection between Santa Cruz
13 Valley and Gila River Valley, Santa Cruz, Tucson, and the
14 west Phoenix valley.

15 COMMISSIONER STERTZ: So you like the idea of the
16 Santa Cruz Valley and the west side of Phoenix having
17 connectivity, that does make sense.

18 RICHARD YSMAEL: Yes, it does.

19 COMMISSIONER STERTZ: Thank you.

20 CHAIRPERSON MATHIS: Thank you.

21 Our next speaker is Evelia Martinez, representing
22 self, from Pima County.

23 EVELIA MARTINEZ: Good morning, commissioners. My
24 name is Evelia. That's E as in every, V as in victor, E as
25 in every, L-I-A. Last name is Martinez, M-A-R-T-I-N-E-Z.

1 And I gave you the spelling of both because most
2 people have a difficult time.

3 First of all, I'd like to thank you for the
4 opportunity to come before you, to address you, and give you
5 my concerns and my views.

6 I know you are faced with a very challenging task,
7 taunting task. And I commend you and thank you for the time
8 and energy that you have devoted to this process. Because I
9 know it is a grueling process and I do not envy you at all.

10 I am here in support of map 7A that has been
11 developed by the Hispanic Coalition.

12 I was born in Nogales. And I don't know how many
13 other people can say that. I was born in Nogales. I was
14 raised in Tucson. And I am a current Tucson resident.

15 I have family in Nogales.

16 I have business connections and network in
17 Nogales. I work with the people in Nogales on a regular
18 basis.

19 I also work with people in Yuma on a regular
20 basis.

21 And as we all know, we have a border -- we have
22 border, we have the border conference of mayors, we have the
23 border conference of representatives.

24 And why is that? Because there is a logic, there
25 is a logic in terms of the issues and problems that happen

1 along the border that are unique to the border.

2 I'm disappointed that Supervisor Martyn left after
3 he made his comments, because even though Pinal may be the
4 fastest growing area, to me fastest growing means that these
5 residents are short timers and that they lack knowledge and
6 historic perspective on the issues, but more importantly
7 they are victims of drive until you qualify.

8 And as someone who works in an arena where I work
9 with people from Nogales, Rio Rico, Pima County, out of
10 state of Arizona that are losing their homes to mortgage
11 foreclosure, it's difficult. You're dealing with a
12 transient population as opposed to a population that has
13 historic roots.

14 I have family in Nogales. I travel that corridor
15 on a regular basis.

16 The issues are there. Why are you going to
17 destroy the historic -- you're going to dishonor the
18 historic relevance and perspective of this community.

19 We all love Tucson.

20 I mean, we all love the state of Arizona.

21 We will be celebrating our centennial as a state
22 next year.

23 Honor the history that comes before us, please.

24 Thank you.

25 CHAIRPERSON MATHIS: Thank you.

1 Any questions?

2 COMMISSIONER STERTZ: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

4 COMMISSIONER STERTZ: I would like to explore your
5 destroying the history comment.

6 EVELIA MARTINEZ: You, Mr. Stertz, you say you
7 live near -- next to the University of Arizona. I'm
8 assuming you might live in the Sam Hughes district.

9 COMMISSIONER STERTZ: I do.

10 EVELIA MARTINEZ: Sam Hughes is a wonderful
11 community. I was a resident there for four years, and I
12 love that community. And if I could afford to live there, I
13 would, but I can't.

14 And, nonetheless, I still honor and respect the
15 fact that this neighborhood has history, and I would stand
16 opposed to destroying that history.

17 And as you well know, it is predominantly a White
18 neighborhood.

19 So why would I want to destroy something that
20 is -- I value as a resident of Tucson, even though I grew up
21 on the west side.

22 I grew up, I like to tell everybody, on east
23 Hollywood, because I lived east of Grande Avenue, but I grew
24 up in Hollywood.

25 So I can give you a lot of history about Tucson,

1 Arizona, about Nogales, about Rio Rico, Green Valley, and
2 all of those areas surrounding it.

3 COMMISSIONER STERTZ: Madam Chair.

4 And, again, I'm not exactly sure how --

5 EVELIA MARTINEZ: Well, you want to maintain the
6 integrity of that history. You want to maintain, and map 7A
7 maintains that integrity.

8 COMMISSIONER STERTZ: But -- Madam Chair.

9 And, again, to explore this, the history of the
10 Santa Cruz Valley, the connectivity between Nogales and
11 Tucson, the connectivity --

12 EVELIA MARTINEZ: Absolutely. That's been a trade
13 route from centuries back.

14 People would -- merchants would have their cattle
15 that they would drive up to Tucson to sell.

16 They have their crops that they would drive up to
17 Tucson to sell, and buy goods in Tucson.

18 COMMISSIONER STERTZ: Agree with all of that.

19 I'm --

20 EVELIA MARTINEZ: You're lost about why I want to
21 maintain that?

22 COMMISSIONER STERTZ: No, I'm not lost. I'm
23 trying to find where the destruction of history comment is.

24 EVELIA MARTINEZ: Well, the destruction of history
25 comes from the fact that if you're trying to do another

1 realignment of the district, you're not going to have people
2 that are going to have mutual interests that are going to be
3 represented.

4 Like Yuma is a border town. Douglas is a border
5 town.

6 I mean, that's a different town, but you've got
7 Nogales, and the issues in Nogales and the issues in Yuma
8 are similar issues.

9 They're border issues.

10 Have to do with the coming of people, coming of
11 people from one country to another.

12 There -- it has to do with trade routes. They
13 have to do with business. They have to do with commerce.
14 They have to do with agriculture. They have to do with
15 people and their history.

16 COMMISSIONER STERTZ: So, again, what are you
17 seeing that -- in anything that has been delivered or that
18 we've contemplating that is destroying the history?

19 EVELIA MARTINEZ: Well, I just want to make sure
20 that you have representation. And when you do not have
21 representation of the area, how are you going to say that
22 maintains integrity?

23 COMMISSIONER McNULTY: Madam Chair.

24 CHAIRPERSON MATHIS: Ms. McNulty.

25 COMMISSIONER McNULTY: I think I understand what

1 you're saying.

2 And one of the concerns that I've had about the
3 border issues, and I'd like to ask you to comment on this
4 seeing as we're discussing it, is that the communities in
5 south Yuma, in the Tohono O'odham Nation, and in Santa Cruz
6 County have been on the border for centuries --

7 EVELIA MARTINEZ: Right.

8 COMMISSIONER McNULTY: -- and share interests that
9 predate all of us, and represent a community that predate
10 all of us.

11 And from my perspective, it's important to
12 maintain the voting strength of those communities.

13 And my question would be, is that one of the
14 things that you're, you're trying to get at. When you say
15 destroying history, are you referring to diluting the voting
16 strength of those --

17 EVELIA MARTINEZ: I am.

18 COMMISSIONER McNULTY: -- communities along the
19 border?

20 EVELIA MARTINEZ: I am specifically addressing
21 that.

22 And, Mr. Stertz, I apologize for not being able to
23 convey that to you.

24 But you're totally correct, Ms. McNulty, in what I
25 am trying to convey.

1 I'm trying to convey the fact that we want to have
2 representation, and for so long so many of us did not have
3 representation. We want to maintain -- we want to have --
4 to continue to have a voice in Washington.

5 CHAIRPERSON MATHIS: Other questions?

6 VICE-CHAIR FREEMAN: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Freeman.

8 VICE-CHAIR FREEMAN: Ms. Martinez, thanks for
9 coming today.

10 I just want to make sure I understand one of your
11 concerns that you were expressing.

12 Your concern was that because Pinal County, at
13 least potentially, is an area that could see a lot of growth
14 in the future.

15 EVELIA MARTINEZ: Right. According to
16 Supervisor Martyn, yes.

17 VICE-CHAIR FREEMAN: So there's a potential in
18 your mind of having more transient or recent arrivals in
19 that district, and that makes them, or that county, and that
20 concern is that putting them in with a minority-majority
21 district then raises a concern in your mind.

22 EVELIA MARTINEZ: Well, it raises a concern in
23 terms of, you know, Supervisor Martyn is concerned about the
24 fact that the Hispanic community is rising, that the
25 Hispanic community is having a significant voice in map 7A.

1 And that to me was his issue, that he did not want
2 us to have a voice.

3 He does not want us to be represented.

4 And if you know -- he talked about the sheriff,
5 Babeu.

6 You know, he's a recent, in my opinion, would be a
7 recent transplant, because he came from somewhere else.

8 He's never -- he hasn't lived his life like I have
9 here in Arizona.

10 And I bet you that if we raised hands about how
11 many of us are actual Arizona natives, I tell everybody I'm
12 an endangered species, because there's so many other people
13 that are coming to our community.

14 And we welcome them, but we also want them to
15 respect our values. We want them to respect our history.

16 VICE-CHAIR FREEMAN: By the way, I'm native as
17 well.

18 EVELIA MARTINEZ: Good for you.

19 VICE-CHAIR FREEMAN: In fact, my father was born
20 in Bisbee in the '20s, so we go back quite a ways.

21 One other thing, you mentioned, you mentioned the
22 Hispanic Coalition map 7A.

23 EVELIA MARTINEZ: That's correct.

24 VICE-CHAIR FREEMAN: This is a question I asked
25 earlier.

1 The Hispanic Coalition has submitted a map that
2 basically describes two congressional districts --

3 EVELIA MARTINEZ: Correct.

4 VICE-CHAIR FREEMAN: -- minority-majority --

5 EVELIA MARTINEZ: That's correct.

6 VICE-CHAIR FREEMAN: -- districts that would
7 satisfy the Voting Rights Act --

8 EVELIA MARTINEZ: Right.

9 VICE-CHAIR FREEMAN: -- our thresholds that we
10 need to -- and we've integrated those things in the various
11 what-if scenarios.

12 Are you aware of a map that's been prepared by the
13 Hispanic Coalition that uses the constitutional criteria
14 that this Commission is --

15 EVELIA MARTINEZ: Yes.

16 VICE-CHAIR FREEMAN: -- required to apply and
17 draws all nine congressional districts?

18 EVELIA MARTINEZ: No, I don't know about all the
19 nine.

20 I will, I will -- I misspoke when I said yes,
21 because I was assuming that you were talking about the two
22 congressional districts.

23 I have not looked at the other one, so I really
24 can't speak to them.

25 VICE-CHAIR FREEMAN: Okay. Thank you.

1 EVELIA MARTINEZ: Thank you for the questions.
2 Anybody else?

3 Thank you for the opportunity.

4 Have a great day.

5 CHAIRPERSON MATHIS: Our next speaker is Jill
6 Kipnes, represent Pinal County Government Alliance.

7 JILL KIPNES: Hi. Thank you.

8 I was actually quite thrilled to see
9 Supervisor Bryan Martyn here this morning, because he really
10 said everything I was hoping to say.

11 Because regarding map -- well, first I'd like
12 really to say that Mr. Lynch, Mr. Robert Lynch, he's already
13 presented to you, he's out of town today and unable to be
14 here, so he has sent me here in his stead.

15 So we did present two maps -- or we did present
16 one map twice, once at the public hearing in Casa Grande,
17 and this map that Chairman Mathis has already alluded to,
18 and then, again, once earlier this month at the Fiesta Inn.
19 So we do know we need to make changes to that map because of
20 the conversation last week and between the Hopis and Navajo
21 reservations together.

22 This map clearly -- or the Alliance clearly
23 supports two rural districts, and we've already heard, not
24 only from Supervisor Martyn, but from the eastern county
25 organizations who spoke first today.

1 Our map does include a river district. This map
2 does keep eight counties whole and divides four counties
3 only once.

4 And it keeps the Indian reservations of Pinal
5 County whole together in a very similarly drawn district
6 that they are currently in, which is CD 7.

7 Our map also does make two majority-minority
8 districts, which have higher representation than currently
9 seven and four had in 2000.

10 So we have felt that our map has built those
11 districts even stronger than they were in 2000.

12 The concern regarding 7A is, first of all, that as
13 Supervisor Martyn said, Pinal County's 375,000 people, and
14 it cuts those people into four districts. Where Phoenix is
15 over a million people, and Phoenix is only in three
16 districts on that map.

17 The second concern is the placement of where we
18 are today, the Gila River Indian community. It's with
19 Paradise Valley and Scottsdale, and I don't really know what
20 this reservation has in common with any of those areas.

21 The third is, again, like he mentioned regarding
22 San Tan Valley not having anything in common with Mohave
23 County.

24 Regarding Apache Junction and Queen Creek, I'd
25 just really like to mention this.

1 There's a very small portion of Apache Junction
2 that's in Maricopa County. It's just north of Apache Trail.
3 And so that community needs to stay together.

4 And Queen Creek has two areas that fall outside of
5 Maricopa County, east of Pinal County. One is just east of
6 the reservation here, and one is on just the east side of
7 the town which is north of Combs Road.

8 So those communities just need to stay together as
9 we begin to finesse these maps finally.

10 One thing about prison population, I know it's a
11 topic that keeps coming up, and it's obviously about Pinal
12 County.

13 Pinal County's prison population in 2010 is
14 6.5 percent of its whole population and is 3.4 percent of
15 the 710,224 people that make up a district.

16 So there's no need to split Florence and Eloy just
17 to separate their prisons.

18 I cannot today come out and support of any whole
19 county map because the Alliance has yet to see these.
20 But as Supervisor Martyn had said, the Pinal -- Pinal County
21 on this map that was to be today 6D is exactly the way
22 that Pinal County is seen as shown on their map and exactly
23 how Pinal County would like to be seen for the next ten
24 years.

25 Again, Apache Junction would like to be with Pinal

1 County, and, again, taking care of that little piece of
2 Queen Creek that are falling into Pinal.

3 And quickly on legislative maps, again, just to
4 echo what he said, that Pinal County would like to be, you
5 know, two districts, if possible.

6 And keeping the eastern mining towns like Kearney
7 in Pinal County rather than pushing them out toward the
8 eastern districts.

9 And I am happy to answer any questions.

10 CHAIRPERSON MATHIS: Thank you.

11 Do you mind spelling your name for the record?

12 JILL KIPNES: Oh, yeah, sure. It's K-I-P-N-E-S.

13 CHAIRPERSON MATHIS: Thank you.

14 Any questions from commissioners?

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

17 COMMISSIONER STERTZ: In the 7A map that you're
18 referring to in District No. 5 which connects Tucson to
19 Window Rock, and then encompasses about two thirds of the
20 eastern side of Pinal County.

21 JILL KIPNES: Uh-hmm.

22 COMMISSIONER STERTZ: If you were going to look at
23 a representative that where someone would be elected, where
24 do you think that that individual would come from in that
25 massive district?

1 You've got about 100 and -- between the northern
2 part of Tucson going up into Saddlebrooke and the eastern
3 side of Casa Grande, you've got about a third of the overall
4 population of that district would be located in that small
5 tract.

6 Would it be, would it be logical to say that the
7 representative may come from that part of the, part of the
8 district?

9 JILL KIPNES: I would say yes, but I really am not
10 qualified to answer that question totally.

11 COMMISSIONER STERTZ: Well, if the answer was just
12 a presumption of yes, if you were looking at the rest of the
13 northern part of the state, which includes the Apache,
14 Navajo Nation, and the Hopi Nation, the Hualapai, the
15 Fort Apache, the San Carlos, the Tonto Apaches, do you
16 think that they would be -- if someone was elected and they
17 were coming from a small part of the state, that would be an
18 urban part of the state, do you think that they may have a
19 difficult time being represented properly?

20 JILL KIPNES: Well, I mean, the problem with any
21 map that is presented, or that will be come up with, is just
22 the mass land that we have, and there's just so many parts
23 of it that have zero population.

24 And so, yes, I think that, yes, I'm sure that,
25 yes, northern Arizona deserves representation just as much

1 central Arizona and southern Arizona. So as much as we can
2 build these maps to keep rural counties together, because
3 they need that one voice, as was said by both Mr. Martyn and
4 then by the eastern county organization earlier, but quite
5 honestly I can't really answer a question on where someone
6 would come from.

7 COMMISSIONER STERTZ: Okay. Thank you.

8 JILL KIPNES: Uh-hmm.

9 CHAIRPERSON MATHIS: Thank you.

10 Any questions?

11 (No oral response.)

12 CHAIRPERSON MATHIS: Thank you, Ms. Kipnes.

13 JILL KIPNES: Thank you.

14 CHAIRPERSON MATHIS: I think that concludes public
15 comments on these mapping presentations -- oh, okay, no, it
16 doesn't. We have more.

17 I hope -- let's see if we can find everybody in
18 here.

19 We'll get it.

20 So this is Onita Davis, representing self.

21 ONITA DAVIS: Yeah.

22 Okay.

23 ONITA DAVIS: Okay. I'd like to speak about the
24 map 7A that's getting a lot of talk today, because I am very
25 concerned.

1 I am from what is currently CD 8, LD 26, which
2 means I'm northwest Pima County.

3 On September 15th, CBS News reported an AP story
4 about the new congressional district proposed by the
5 Navajo Nation and supported by the Hopi and other nations.

6 My concern is not that such a district is desired,
7 but how it was proposed as such a district be created.
8 Specifically at the expense of those of us who do not have a
9 tribal affiliation.

10 Somehow my right as a citizen of this state to be
11 represented by one of my own, i.e., someone of my choosing,
12 does not quite stack up because of that deficiency.

13 I'd like to make three points.

14 One, after weeks of meetings and a 133 proposed
15 maps and counting, the Commission has spent numerous hours
16 discussing the wants and desires of only two or three
17 affected groups as a result of the voting rights criteria
18 combined with competitiveness being given high priority.

19 The priorities of the affected groups seem to have
20 been given precedence over other communities of interest,
21 because with the Navajo proposal, we are definitely talking
22 about communities of interest.

23 Not voting rights criteria or competitiveness. We
24 are talking communities of interest.

25 Let me cite a couple of statements from the AP

1 report dated September 15th that substantiate that
2 assertion.

3 The Navajo Nation, quote, proposed Thursday that
4 Arizona's new congressional districts include one with
5 enough Navajo Native Americans to elect one of their own
6 kind, one of their own to congress.

7 Second, it makes sense for the two groups to be in
8 the same district in order to have more collective clout on
9 issues of common concern. That concept is what is good for
10 tribes, not just one tribe.

11 And third, life has changed, and we live in a
12 political world. And when you deal with politics, you need
13 strength in numbers sometimes, end of quote.

14 These statements sound like statements made by
15 residents of the current CD 8, LD 26 when they spoke to you
16 about why they believe communities of interest are so
17 important.

18 If I remember correctly, many people in the
19 audience, some of them here today, and on the Commission,
20 disagreed with us.

21 Now it seems to be politically correct and
22 expedient to embrace these ideas.

23 In case you have forgotten, let me quickly revisit
24 the only definition available for those from the 20 -- from
25 the 2000 to 2010 Commission regarding communities of

1 interest.

2 A community of interest is a group of people in a
3 defined geographic area with concerns about common issues,
4 such as religion, political ties, history, tradition,
5 geography, demography, ethnicity, culture, social economic
6 status, trade, or other common interest.

7 A lot of what the young lady spoke of just a
8 minute ago in terms of preserving things like that.

9 That would benefit from common representation.

10 Again, I think this is the point she was trying to
11 make.

12 With respect to communities of interest,
13 significant detriment means significant detriment to the
14 ability of that community to have an effective
15 representation or deprivation of a material or substantial
16 but not minimal or inconsequential portion of that community
17 of affected representation.

18 A mouthful.

19 But, in other words, that the community of
20 interest should exist to provide people with effective
21 representation.

22 7A takes Oro Valley, Marana, Saddlebrooke,
23 Catalina, the unincorporated areas around those communities,
24 and it puts us in a district that extends from northern
25 Arizona down to the border.

1 We are not a rural area. We are, quote unquote,
2 suburban area.

3 I don't think I can call myself a rural area.

4 And yet for some reason that seems acceptable.

5 Somehow in the drawing of that map I have just
6 been disenfranchised, because I will address Mr. Stertz's
7 question about whether I think my representation is going to
8 come from the seat of Oro Valley, or my community around it,
9 or is it going to come from northern Arizona.

10 And I have to tell you that I'm concerned, because
11 all of a sudden because I do not fall into an affected
12 category because of where I choose to live. I'm affected if
13 you look at the color of my skin, but not where I choose to
14 live.

15 I have lost my voice. I am being put into a group
16 that has stated publicly that it is looking for
17 representation that is from its own.

18 How can you then allow my community to remain in
19 that district?

20 I mean, all the arguments and all the statements
21 that we have made earlier before you about why we thought it
22 was important just to have Saddlebrooke with us, because
23 they're part of our community of interest, because they shop
24 with us, worship with us.

25 And yet we were told poo poo. And now it's okay.

1 It's okay because a larger group, that has a
2 bigger voice, has said we need that area to create this -- I
3 don't know what the district numbers are. I've lost count
4 of all your districts.

5 So, to draw a congressional district as
6 recommended by the Navajo Nation is to deprive me of my
7 right to be represented by someone who has my best interest
8 as the resident of northwest Pima County at heart. Placing
9 the communities of Oro Valley, Marana, Catalina,
10 Saddlebrooke, and unincorporated areas, into the proposed
11 Navajo district is certainly not giving me that same sense
12 of security.

13 I do not have a tribal affiliation that guarantees
14 me that strength in numbers, nor are the concerns and issues
15 that will impact those residing in northern Arizona and
16 those down at the border and those residents of Indian
17 nations are not the same ones that are facing the members of
18 my community of interest.

19 Further, do we want to have a discussion about
20 equality? One person, one vote? And voting rights?

21 Such a discussion would lead to a talk about
22 reverse discrimination and gerrymandering.

23 Such a proposed redistricting plan disenfranchises
24 me.

25 I'm only speaking about Onita. I'm not

1 representing a group. Because I am not a part of an
2 affected class by virtue of where I choose to live.

3 Thank you.

4 CHAIRPERSON MATHIS: Thank you.

5 I think, do we have two others who request to
6 speak?

7 I want to check in with our court reporter.

8 Would that be okay to cover them? Okay.

9 Mohur Sidhwa, representing self, from Pima.

10 MOHUR SIDHWA: Well, it seems like everybody knows
11 where I stand on all issues.

12 M-O-H-U-R, S-A-R-A-H, S-I-D-H-W-A.

13 I wasn't planning to speak during this particular
14 segment, but I just wanted to mention, again, one thing that
15 I said, I think the time before last when I spoke, and I was
16 wearing my anthropologist hat at that time, because I am an
17 anthropologist. I was talking -- thinking about Yuma.

18 There is a large population of Yuma that does
19 not -- would not feel represented by a portion of Yuma that
20 would be represented no matter how you cut it, slice it, or
21 dice it.

22 There is a lot of bad discourse and a lot of
23 people, Hispanics, have lost voice over there.

24 Another thing that I heard brought up was it would
25 be okay to disconnect them because of that, the bad

1 discourse that goes on.

2 The other thing is that there's a straight
3 connection from the agricultural areas to the various ports
4 of entry towards the border and the Nogales area.

5 I just wanted to mention that keep those things in
6 mind also.

7 You cannot force people to talk to each other
8 civilly. I'm sure you know that, having sat through so many
9 of these meetings.

10 The other thing I was concerned about. And, yes,
11 I do like the map 7A. But I do want you to be alert not to
12 overpack it.

13 Not to use that as an excuse to pack more
14 Hispanics when a certain amount is enough to give them
15 clout, thereby diluting their clout elsewhere.

16 Nonetheless, I do support 7A with minor tweaks.

17 The other issue I wanted to talk about was Tucson.

18 I live in Tucson, and I'm represented by two
19 congress people.

20 And I don't feel slighted in the least having --
21 and I do have the ability and I do go to both, depending on
22 which issue I'm yelling about at that particular time.

23 There is nothing wrong between having, in a
24 population as large as the greater Tucson area, of having
25 two congress people there for us.

1 So that's not necessarily a bad thing. But just
2 something to keep in mind so in case people are worried
3 about Yuma having more than one representative, just
4 something I just wanted to bring up.

5 That's all I had to say.

6 And please, in all this, yes, I do know that
7 you're in very difficult spot, but try and keep at least one
8 or two districts competitive while all this is going on.

9 Thank you.

10 CHAIRPERSON MATHIS: Thank you.

11 Please come up. You'll have told me who you are.

12 GEORGE CUPRAK: Good morning. My name is George
13 Cuprak. Last name is spelled C-U-P-R-A-K.

14 Thank you for what you're doing. It doesn't look
15 like an easy job.

16 It's quite different to be here in person versus
17 watching you on the live feed online. And actually watching
18 it with a few of my coworkers recently, we noticed some
19 discussion about the 101 possibly being a natural boundary
20 in northern Phoenix.

21 And so I thought, well, this would be a great
22 thing. I can't understand a lot of the maps, but I think I
23 get that piece of it, because I've grown up there. I'm born
24 and raised right in Phoenix. My family is from Superior and
25 Ray before that, and the other half of my family is from

1 Tucson.

2 So in watching this about the 101, things sure
3 have changed.

4 Because gone are the days when you get on the 17,
5 and you'd leave Phoenix, and you'd see a couple of those
6 little dome houses, and after a while you'd see the signs
7 that say don't pick up hitchhikers because the prison's there.
8 And if you kept going long enough, then you'd run into that
9 outlet mall that was way out there in the desert.

10 If any of you have been out there recently, you
11 know, you don't leave Phoenix any more. It just keeps going
12 all the way up. And the prison is just kind of the only
13 little spot of desert that's left up on the road there.

14 And that's basically the 101 going north all the
15 way up to Anthem.

16 A lot of people who live south of the 101 shop
17 north of the 101, and a lot of people who work and live
18 north of the 101 shop and do stuff south of the 101.

19 So we thought -- because where I work, we looked
20 at a couple of numbers. And it's interesting. There's
21 quite a few other, I guess we call it, communities of
22 interest that kind of straddle that 101.

23 The Phoenix City Council, for instance, there's
24 two districts that straddle north and south of the 101.

25 The Maricopa County Board of Supervisors, there's

1 a supervisor district that runs north and south and totally
2 straddles the 101.

3 The Maricopa County Superior Court Justice of the
4 Peace precincts, there's actually three of them in north
5 Phoenix. There's Desert Ridge, North Valley, and Arrowhead,
6 and they both cross north and south over the 101.

7 And then there's Phoenix Police Department.
8 There's a couple of precincts, especially the one I'm in,
9 the Black Mountain police precinct. And that's north
10 Phoenix. And that's both sides, north and south of the 101.

11 And I think even if you look at ZIP codes.
12 Between Scottsdale Road and I think 75th Avenue, there's
13 like five or six ZIP code areas that cover north and south
14 of the 101.

15 But I just thought I'd mention that.

16 I know that if you've been in Arizona a long time,
17 it used to be 101 was like the border, but it's just not
18 anymore.

19 And one of my clients and really good friend owns
20 a Chinese restaurant up in Anthem, which is this wonderful
21 little suburban area that's basically just connected to the
22 rest of Phoenix now.

23 And a lot of people when they leave their jobs,
24 and it's one of their biggest customer base, is the American
25 Express facility right near where the 101 intersects with

1 the 17. There's about 6,000 employees there.

2 A lot of those employees on their way home, when
3 they get to Happy Valley Road, they call the Chinese
4 restaurant, put in their order, because they know in about
5 eight or seven -- seven or eight minutes when they get to
6 Anthem Drive, their food will be ready and they pick it up.

7 That's a community of interest to me.

8 I grew up living on Cave Creek Road, and we go
9 north or south, or we go up on Tatum. We watch our movies
10 up at Desert Ridge. We watch our movies up at Happy Valley
11 we might shop at Costco at the 17 and the 101 or the one in
12 the Cave Creek just south of the 101.

13 I think that the days of that being a natural
14 border, that parted of the area, are just gone.

15 Even when they put the 101 in, they had to tear
16 down tons of houses up on Beardsly Road to put that freeway
17 there.

18 They actually cut into a community that was
19 already there.

20 So that was just a point I thought I would bring
21 today, and thank you for your time.

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: I'm really happy that
25 somebody has brought this up about the 101 as being some

1 sort of a dividing line that everything south of the 101 or
2 west of the 101, depending on which 101 -- which side of 101
3 that you're on in the loop has some sort of significance.
4 That you're absolutely correct.

5 There were, there were houses that were torn down,
6 businesses that were torn down. There was, there was an
7 anticipation of the north-south 101, actually that it ended
8 up not being on its original design path.

9 So as the 101 was developed and then now the
10 outgoing 202 and then the 303 which is going to be developed
11 going out to the west, these are transportation corridors
12 that are going in a -- that are following a development path
13 that is moving out in the direction as the community of
14 Phoenix and its, and its -- and all of its suburbs are
15 growing and expanding.

16 It is by no means a containment zone.

17 And it got referred to at the last couple of
18 meetings that somehow that that is somehow a dividing line
19 of communities.

20 I thank you very much for bringing that forward
21 because it absolutely is not, on any level, on any part of
22 the state -- of the general Phoenix metro area.

23 GEORGE CUPRAK: Any other questions?

24 CHAIRPERSON MATHIS: Thank you.

25 Any other --

1 GEORGE CUPRAK: Thank you, commissioners. I am a
2 writer, and I quite often have to deal with multiple people
3 wanting their input into the results of my writing. And I
4 can just imagine what you're having to do dealing with all
5 of these different inputs to come up with maps and decisions
6 which are a lot more important than some of the newsletters
7 I do.

8 But thank you so much for what you're doing. I
9 really appreciate it.

10 CHAIRPERSON MATHIS: Thank you.

11 I have three more, Marty. Do you want to --
12 you're okay? Okay.

13 Lynne St. Angelo, representing self.

14 LYNNE ST. ANGELO: Sorry. I'll be quick.

15 Good morning. I was interested in speaking about
16 the maps.

17 I hadn't looked at, like, commissioner -- or
18 Supervisor, I guess, Martyn, is his name, had looked at the
19 7A map and seen that there was a 20 percent difference in, I
20 guess, Congressional District 8.

21 But that is kind of my point I wanted to speak
22 about on the mapping, because today I'm sure you're going to
23 do the same things, draw the lines and make changes here and
24 there.

25 And so one of the most important criteria that is

1 being considered, but hasn't been defined but is being used,
2 and so by the fact that it is being used it is defined. I
3 mean, you can't not define something that you're using as a
4 measurement.

5 So the most important one that you seem to be
6 using is the competitiveness numbers.

7 But those numbers are not used in voter
8 registration data, which is the most current available data
9 all the time. Because every quarter the new numbers come
10 up. It comes to the Secretary of State's Office. And every
11 county and district and LD and down to precinct level, they
12 get all of their numbers every single quarter.

13 So that is the most current data to look at for
14 using -- for deciding competitiveness of an area. Yet that
15 is not being used at all.

16 And, in fact, Maptitude has said that they have no
17 problem adding voter registration data, but they haven't
18 been asked.

19 So I would ask you to really get the -- and maybe
20 you have it today, the voter registration data, and to
21 incorporate that in the measurement of competitiveness.

22 It is a changing thing and actually the
23 measurement that you've been using is kind of a fluid
24 measurement, yet it is becoming the overriding consideration
25 in how these maps come out.

1 Basically, from what I understand has been said,
2 is you're taking seven statewide races in the 2010 election,
3 which was an off presidential year.

4 In off presidential election, half of the people
5 vote as vote in a normal presidential year. So you're
6 getting half the number of people, but applying seven races
7 from that election equally somehow with two races in the
8 2008 presidential year, which is a presidential year, which
9 has twice the number of people voting. And somehow that's
10 being equated to seven races in the off presidential year,
11 including even making President Obama's race equal to the
12 mine inspector somehow.

13 Now, perhaps I don't know if you're doing all the
14 numbers and just adding them all together of how many voted
15 on one side or the other, and then averaging them out. But
16 however you're doing it is weighted heavily to the off
17 presidential year and is not considered the years before
18 that.

19 And since redistricting is for the past ten years,
20 it has to include the 2006, 2004 data, or you're not using
21 data that is -- it makes any sense to what's happened in the
22 past year for this new redistricting.

23 So my point is that we're deciding major things
24 based on kind of a moving target, until you settle down and
25 get a real number that includes all these other data points,

1 the 2006, 2004 data, and the current voter registration
2 data.

3 So I'm hoping that you do that today as that is on
4 your agenda.

5 And thank you so much.

6 CHAIRPERSON MATHIS: Thank you.

7 Our next speaker is Jim Hogan from Scottsdale.

8 Oh, is that right?

9 JIM HOGAN: Thank you. I'll make mine brief too.

10 As I said when I spoke to you once before, you do
11 have a tough job, but you also have the ability to change
12 the nature of our state.

13 We're really in a quarrelsome, difficult, edgy
14 kind of place in the state of Arizona, and the whole world
15 sees us and knows it.

16 You have a chance, if you make this state
17 competitive, to be able to eliminate the extremes on both
18 sides. And so, you know, I know that competitiveness can't
19 be the sole and strongest, but I certainly lobby on behalf
20 of strength, the competitiveness, because it really will
21 change the nature of our state.

22 Whenever you look at states or areas that have
23 competitive districts, they're a much more middle kind of
24 group of people. They're much more collaborative, much more
25 cooperative, problem-solving. And God knows we need that at

1 this time with our country.

2 So I pitch you to be diligent to make this a
3 competitive process.

4 CHAIRPERSON MATHIS: Thank you.

5 And would you like to speak as well?

6 EMMALYN KING: Madam Chair, commissioners, my name
7 is Emmalyn King. My first name is E-M-M-A-L-Y-N, and my
8 last name K-I-N-G.

9 I'm representing myself. I'm just a resident of
10 Tempe.

11 I'm a master's in social work student at ASU, just
12 down the road from downtown Phoenix.

13 Thank you for let me come to speak.

14 I've attended and watched a few of the Commission
15 meetings, online and also in person. And I feel like I've
16 finally gathered my thoughts enough to actually make public
17 comment about the draft maps that I've been looking at.

18 I've seen that -- I was really surprised to find
19 out when I was looking into Arizona's voters registration
20 that we're currently registered one third Independent and
21 one-third of each of Republican and Democrat.

22 That was interesting to me because I think you
23 don't really see that necessarily in our elected
24 representatives. So I was just wanted to say that I really
25 think that Prop 106 and competitiveness are real important

1 in considering draft maps.

2 The whole counties maps 6D seems to keep a lot of
3 the congressional delegates incumbents in power.

4 And the eighth currently is running some senate.

5 In map 6D, competitiveness seems to be kind of put
6 on the back burner a little bit.

7 More than 7A anyway.

8 And 6D, I was looking at, it says that about two
9 out of nine districts show competitiveness.

10 And the Phoenix metro area wasn't exactly
11 balanced.

12 And then the noncompetitive districts, like Tempe
13 is a nice competitive district right now, especially in the
14 legislature.

15 A lot of college students have problems with
16 voting.

17 I've actually volunteered with the Get Out The
18 Vote a couple of times at ASU. And a lot of people are
19 like, well, my vote really doesn't count because it's really
20 just the dominant party in my district that will determine
21 that election.

22 So, I think the 6D map kind of makes the districts
23 feel a little bit more unbalanced, so it makes people feel
24 like their votes really don't count as much.

25 So I prefer the map 7A by echoing the praise that

1 I've heard from the spoke -- people that have spoken in
2 previous testimonies.

3 It creates a little bit more competitive
4 districts, like one and six.

5 I would be in District 6 in the 7A map.

6 And it would encourage people to vote, and so I
7 think it fits my idea of a reasonable draft map a little bit
8 more than the other one.

9 Thank you.

10 CHAIRPERSON MATHIS: Thank you.

11 Okay. I think that concludes folks who wanted to
12 speak on mapping presentations and --

13 MICHAEL TENNANT: Ma'am.

14 CHAIRPERSON MATHIS: Oh, I'm sorry.

15 MICHAEL TENNANT: I had signed up.

16 Okay. Can I get your name?

17 MICHAEL TENNANT: Michael Tennant.

18 CHAIRPERSON MATHIS: Michael Tennant, from
19 Sun Lakes, representing self.

20 MICHAEL TENNANT: Yes. Thank you, and good
21 morning.

22 I can see that it's a lot of hard work to do all
23 this stuff.

24 I'm glad you're doing it and not me.

25 I work 36 and a half years and now I live down

1 here in Sun Lakes.

2 And guess what, I'm retired.

3 And I spend too much time golfing because it looks
4 like I needed to come to some of these meetings and learn
5 about some of this mapping.

6 It's been brought to my attention that our area,
7 Sun Lakes, is going to be lumped in with Pinal County and
8 Casa Grande.

9 And certainly would think that we have nothing in
10 common with them, as when you talk about shopping, we do
11 everything north of Hunt Highway, and groceries and shopping
12 and purchasing cars or whatever it is.

13 And very rarely do I go south, except to go to
14 Tucson to visit friends.

15 So, since we are a planned master community, and
16 we are four to five to six thousand people living there,
17 50 percent of snowbirds. It seems to me that we should be
18 kept in with Chandler.

19 And I'll be honest with you. This is my first
20 meeting and my first map session, and I cannot tell where
21 we're at.

22 Is Sun Lakes going to be in district -- is it
23 nine? Or is it going to be in a district outside of that?
24 I can't tell.

25 Nobody's going to say anything?

1 You can't? You don't know?

2 Okay.

3 Well, I would say -- ask you to consider leaving
4 us alone as we are retired and we do very well for
5 ourselves.

6 Thank you very much.

7 Any questions?

8 CHAIRPERSON MATHIS: Thank you for summing it up.

9 MICHAEL TENNANT: Thank you.

10 CHAIRPERSON MATHIS: And I just want to remind --
11 I don't want people to feel like they're not getting to
12 provide their input.

13 We have a public comment section that comes at the
14 end of the meeting. And that's the time to address all
15 kinds of issues.

16 This opportunity was really to just speak about
17 mapping presentations and to provide us with actual maps we
18 could consider into our process. So it's this particular
19 public comment has grown longer than usual, and I apologize
20 for that. So next time --

21 MICHAEL TENNANT: I apologize also since it's my
22 first meeting.

23 CHAIRPERSON MATHIS: Understood.

24 Next time we'll work with our staff to make sure
25 that we're really focused on keeping mapping presentation

1 comment to that agenda item specifically and keep the rest
2 of the public comment for public comment.

3 Our time is 11:01. I think we should take a
4 15-minute recess to give our poor court reporter a break,
5 and we'll return at 11:15.

6 (Brief recess taken.)

7 (Whereupon, Vice-Chair Herrera entered the room.)

8 CHAIRPERSON MATHIS: We'll enter back into public
9 session.

10 The time is 11:33 a.m., and the recess is over.
11 Sorry. It went a little longer.

12 We're actually going to -- I'm calling an audible
13 here to accommodate some folks' schedules today.

14 We're going to jump ahead on the agenda. And
15 instead of doing adjustments to grid maps now, we're going
16 to do that in the afternoon.

17 So we're going to go to agenda item seven,
18 discussion and possible action on transparency policy
19 regarding contact with members of the public for the
20 Commission and the Commission's staff.

21 Then we'll go to agenda item six and have a
22 presentation on competitiveness from Mr. Strasma.

23 Then we'll have a lunch break.

24 And then we'll come back and do the mapping in the
25 afternoon.

1 So this discussion and possible action on
2 transparency policy is something I raised a few weeks ago.
3 And there was actually an opinion piece in the Arizona
4 Capital Times that got me to thinking more about this.

5 And I just don't think it's necessarily fair that
6 we're subjecting our mapping consultant to some restrictions
7 and, you know, logging every contact they get, when we're
8 not as commissioners doing it ourselves.

9 And so I wanted the Commission to discuss this and
10 give your thoughts on applying those same standards that
11 we're applying to our mapping consultant to us as a
12 Commission.

13 Anyone want to jump in?

14 JOSEPH KANEFIELD: Madam Chair, maybe I could
15 start.

16 In the past I believe one of the commissioners
17 maybe of the Commission had directed me to inform the
18 Commission on how the lobbying laws work in general.

19 And if you'll indulge me, I can just give you a
20 very quick overview of how they work.

21 CHAIRPERSON MATHIS: I can, but just so you know,
22 it's a different subject to me than this transparency
23 logging issue.

24 JOSEPH KANEFIELD: Okay. I thought they were
25 connected.

1 So, if that's the case, then I will --

2 CHAIRPERSON MATHIS: They can be.

3 There could be legal counsel involved here,
4 because, you know, with just privilege and things like that,
5 I don't want to be doing something that somehow hinders the
6 ability of this Commission to operate in the future, or --
7 but I just thought for this Commission, if it's not, you
8 know, something too onerous, I think it's something we
9 should be doing. So. . .

10 JOSEPH KANEFIELD: I think at this point, I'll
11 defer to the Commission and let you continue your
12 discussion, because this probably isn't related to what you
13 just raised.

14 COMMISSIONER STERTZ: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Stertz.

16 COMMISSIONER STERTZ: What's your pleasure?

17 CHAIRPERSON MATHIS: I would like to begin logging
18 contacts for our Commission.

19 I don't think the Commission's staff necessarily
20 needs to be doing that.

21 We're the decision makers, the five of us, and so
22 to me having the staff log every single contact they're
23 getting from -- because they're our interface with the
24 public in many ways.

25 I don't think -- I think that's too onerous

1 frankly. But for the Commission itself, I think it makes
2 sense.

3 COMMISSIONER STERTZ: Could you elaborate how you
4 saw that process working?

5 CHAIRPERSON MATHIS: I would say that we would
6 subject ourselves to the same standards that we've asked our
7 mapping consultant to comply with, and that's to log every
8 contact of anybody who comes to us.

9 Now, there are some exceptions to that, and --
10 such as family members or -- but essentially any -- anybody
11 who's coming to us with Commission business or, you know,
12 ideas, if we could log those contacts.

13 I don't know how we would, you know, have that
14 available as a public -- if it's a public records request
15 that would then get made, legal counsel would have to advise
16 on how the -- how folks could get access to that particular
17 log.

18 But I think each of us, it would be incumbent upon
19 each of us to log our contacts with outsiders.

20 COMMISSIONER STERTZ: Madam Chair, as a practical
21 example, for example, I just had a conversation with
22 Mr. Gilman during the break.

23 How would you see that -- and we were discussing a
24 variety of different things, but how would you see that
25 being logged?

1 CHAIRPERSON MATHIS: If it's -- if he was
2 providing, if he, if he was providing input on Commission
3 business, such as anything to do with a map or draft map --
4 and in a public meeting, it obviously doesn't apply.

5 But on a break or something like that, I do think
6 that if there is -- if you're getting lobbied, so to speak,
7 you know, people are providing input to you or asking you to
8 consider a certain factor, I think that it's worth tracking.

9 And I remember Mr. Herrera a long time ago saying,
10 you know, somebody in the grocery store who knows he's on
11 the Commission might, you know, come up to him as a
12 commissioner and say something to him --

13 VICE CHAIR HERRERA: I think that happened. I was
14 at Fry's.

15 CHAIRPERSON MATHIS: And so I open that to other
16 commissioners.

17 What do you guys think? How do you handle
18 somebody coming up in a grocery store or at a meeting?

19 COMMISSIONER STERTZ: Well, not having the grocery
20 store experience that Commissioner Herrera did, I'll keep
21 with the example that just place a couple moments ago.

22 I'd made an outreach, because I saw Mr. Gilman's
23 photo adjacent to his op-ed piece that was written in the
24 Daily Star, and wanted to chat with him about that for a
25 moment about how he crafted and how he came about writing

1 that piece and how he's been following the Commission.

2 What do you see the narrative being or how do you
3 see the log being crafted?

4 Would it be a -- in the -- because I -- the
5 usefulness of it, as well, as well as the useful of the log
6 would be the specificity of it, and what would the oversight
7 be, and then how would we track that document because that
8 would now become part of the public record that that
9 conversation took place, as did the conversation with
10 Commissioner Herrera and his friend at Fry's.

11 CHAIRPERSON MATHIS: I don't know if it was a
12 Fry's.

13 But I would say that we would do whatever our
14 mapping consultant does. That's my -- would that be my
15 recommendation.

16 I don't frankly know, because I've never asked Ken
17 to actually tell me exactly how they're logging things. But
18 maybe he can speak to that, and we can consider that as the
19 way we would do it.

20 KENNETH STRASMA: Certainly, Madam Chair.

21 We use -- just on the logistics of it, we use a
22 Google document spreadsheet so that everyone on our staff
23 who's working on this project, no matter where they are, can
24 enter into the same document.

25 Enter the date, time, person contacting, the mode

1 of contact, if it's e-mail other people who are cc'd on it,
2 and the topic area.

3 And one, one other point of clarification. The
4 amendment to our contract that called for doing this did
5 explicitly exempt contact of doing Commission hearings.

6 And so to Commissioner Stertz's questions about
7 conversations at these meetings, if you're following the
8 same procedure we are, those would not be logged, but
9 outside would be.

10 And we'd be happy to share the, you know, the
11 spreadsheet format if the Commission needs that.

12 CHAIRPERSON MATHIS: Thank you.

13 Any thoughts from other commissioners?

14 VICE-CHAIR FREEMAN: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Freeman.

16 VICE-CHAIR FREEMAN: We further modified that
17 contract to exclude contacts Strategic Telemetry might need
18 to make pursuant to its contractual needs.

19 So in exercising its duties and responsibilities
20 under the contract, if it needs to make, if it needs to
21 contact the county recorder or something like that, it's my
22 understanding those contacts are not logged as well.

23 CHAIRPERSON MATHIS: Thank you.

24 Thoughts from other commissioners on this topic?

25 VICE-CHAIR FREEMAN: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Freeman.

2 VICE-CHAIR FREEMAN: My only thought and concern
3 is that I know that there is the issue of commissioners have
4 legislative privilege, and this has been talked about
5 recently with respect to various things that have been in
6 the media.

7 And I guess this is a question more directed to
8 counsel.

9 How would us adopting a policy like that have an
10 interplay and we wouldn't want to do anything to undermine
11 the position anyone has taken.

12 So where is the inter -- is that one of the issues
13 you looked at, first of all, and, if so, how would that
14 work?

15 JOSEPH KANEFIELD: Madam Chair,
16 Commissioner Freeman, we have looked at that issue with
17 respect to legislative privilege.

18 We've all discussed that at length that the
19 Commission enjoys the privilege.

20 Communications with constituents arguably fall
21 within the scope of the privilege.

22 So if the Commission were to adopt a policy
23 whereby commissioners would be compelled to disclose those
24 communications, it could effectively be a waiver of that
25 privilege.

1 So it's not that the Commission can't do it as a
2 group, but, again, the Commission fought hard to establish
3 itself as a legislative body to enjoy that immunity.

4 Just caution you to take that into consideration
5 in adopting any policy that would compel commissioners to
6 disclose communications that may otherwise be protected by
7 the privilege.

8 VICE-CHAIR FREEMAN: And just a follow-up
9 question.

10 Could a majority vote of the Commission adopt a
11 policy that required the remaining commissioners to waive
12 that privilege? I thought that was a privilege held by
13 commissioners themselves and was asserted by the Commission.

14 JOSEPH KANEFIELD: Madam Chair,
15 Commissioner Freeman, you raise a good question that we may
16 need to look a little bit deeper into.

17 The privilege is held by the Commission, as we
18 understand it. Although individual commissioners can waive
19 the privilege of their own thought processes and impressions
20 about the body, as we've learned.

21 If the Commission on a divided vote were to take
22 an action that arguably waived the privilege of the body,
23 well, that raises some other issues.

24 We also would want to look a little bit closer at
25 the issue of constituent communications to the extent to

1 which they would fall within the scope of the privilege,
2 though arguably they do, there is a question there that we
3 would want to analyze a little more deeply if the Commission
4 wished to go in that direction.

5 CHAIRPERSON MATHIS: Thank you.

6 Other questions or comments?

7 COMMISSIONER STERTZ: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Stertz.

9 COMMISSIONER STERTZ: I'm -- as I said to
10 Commissioner Herrera last Thursday, whichever direction he
11 wants to go in, I'll follow behind him. So I would like to
12 get -- to get have your thoughts on this.

13 VICE-CHAIR HERRERA: Yeah, I like the idea. And
14 if we decide to go forward, I want us -- I want it to be a
15 unanimous choice of all five commissioners that this is the
16 right thing to do.

17 And I think I would like for our counsel to look
18 into the issue that was just -- that Commission Freeman just
19 raised and if it's something that we can do.

20 If it's something we want to do, to waive
21 legislative privilege with regard to these contacts, and if
22 the -- our attorneys see no reason for us, you know, if we
23 can do that, and it won't hurt future Commissions, which it
24 might, then I'm willing to discuss this further.

25 CHAIRPERSON MATHIS: Okay.

1 Any other comments?

2 COMMISSIONER McNULTY: Madam Chair, I think I have
3 two comments.

4 One is a concern about how something like this
5 would actually be implemented. You know, I -- how it would
6 be enforced.

7 Three comments.

8 I'm also concerned about the issue of waiving the
9 legislative privilege. And that is not because I have any
10 concerns whatsoever about discussing the very few people
11 with whom I communicate. I mean, almost nobody has lobbied
12 me.

13 I kind of wish frankly that more people would talk
14 to me in particular.

15 I mean, maybe some of the other commissioners are
16 talking to folks, but the, I mean, the marketplace of ideas
17 is what this country is based on, and I think it ought to be
18 what this process is based on. And I think it's important
19 that we hear from more people rather than less people,
20 whether it's in the grocery store or in the lobby or in the
21 newspapers or wherever it might be.

22 Which kind of brings me to my third point, which
23 is that from my perspective, we -- the issue is what's
24 motivating the people that are talking to us and how do we
25 determine that.

1 We are five volunteers doing the best job we can.

2 And there is a huge effort to come before us and
3 influence us.

4 And we don't have any way to tease out what's
5 behind all of that.

6 And so to the extent that this is an issue, I
7 think -- I don't think that it's an issue on the part of us
8 as individuals.

9 And I don't think that even if we were to maintain
10 a log of people with whom we spoke that that would address
11 the much larger issue on the other side of the equation
12 about how we understand and whether or not people are being
13 transparent in coming before us.

14 And I think that's an important issue that should
15 be addressed by this Commission.

16 For example, last week we talked about attorneys
17 who are coming before us and are disclosing that they are
18 coming before us in a representative capacity, but are not
19 disclosing who they're representing.

20 And I would wonder whether the Commission could
21 impose some kind of rule that for this Commission, given
22 this situation -- the unique job of this Commission, that an
23 attorney that appears before us doesn't have to disclose --
24 does, in fact, have to disclose the real party in interest
25 that they are representing.

1 So, I think it's an important issue. But I don't
2 think that a log that we keep solves the issue.

3 Those are my thoughts.

4 CHAIRPERSON MATHIS: Thank you.

5 I agree. I don't think we can actually get to
6 people's motivations in doing such a log.

7 But in terms of how it would be implemented, I
8 would think that doing something similar to what Mr. Strasma
9 is doing would work for our Commission. And then it's all
10 in one place, and we're all inputting to that.

11 But in terms of enforcement, it would have to be
12 the honor system.

13 There's nobody that can -- you know, we don't have
14 an ombudsman or anything watching over us.

15 So, I do think it's really important to get some
16 legal advice on this matter. And something you raised did
17 go to what, I think, Mr. Kanefield talked about earlier,
18 transparency with regard to folks lobbying or others.

19 And I think we've talked about that in the past,
20 but if you want to talk about that a little more now,
21 Mr. Kanefield, that would be helpful since we have a segue.

22 JOSEPH KANEFIELD: Thank you, Madam Chair. And
23 sorry I was getting a little ahead of myself earlier.

24 But I think I was asked earlier just to give the
25 Commission a very brief overview of how the lobbying laws

1 work with the state legislature.

2 Basically the law requires that those who lobby
3 with the legislature register with the Secretary of State
4 and file public reports that relate to the expenditures that
5 they make that benefit individual legislators.

6 It also requires principals of, principals of
7 public bodies to register, and that would be principals
8 would essentially be businesses, organizations that wish to
9 lobby particular legislation, and then public bodies, of
10 course, or state agencies themselves that opted to engage in
11 lobbying efforts.

12 Lobbying under the lobbying laws is defined as
13 attempts to influence the passage or defeat of any
14 legislation by directly communicating with a legislator.

15 There's also provisions that apply to school
16 district boards and to agencies that are engaged in rule
17 making.

18 Essentially it really -- the crux of it is
19 applying to legislation and efforts to shape bills that are
20 currently pending before the legislature.

21 As we now know, pretty clearly the laws, these
22 lobbying laws do not apply to the Redistricting Commission.

23 It's also important to note that the legislators
24 themselves are not required to file the reports under the
25 lobbying laws. They do have separate obligations under the

1 financial disclosure laws, but those are a different
2 division of Title 38 and are not necessarily related to what
3 the lobbying laws are attempting to accomplish through
4 disclosure and transparency. But financial disclosure laws
5 are attempting to identify potential conflicts of interest
6 that individual legislators may have, may identify those in
7 those files that are also filed with the Secretary of
8 State's Office.

9 Last thing I'll note is when I principal public
10 body registers, or I'll refer specifically to principals
11 here so these are businesses, other organizations that have
12 an interest in appearing before the legislature. When they
13 register with the Secretary of State's Office, they
14 generally will be asked to the provide their names and
15 address.

16 They'll note who their lobbyist is.

17 The duration of the engagement with that person.

18 And then also the nature of the primary business
19 or activity, issue, interest, or purpose of the principal.

20 That's it in a nutshell.

21 CHAIRPERSON MATHIS: Thanks.

22 Any comments on the lobbying laws?

23 COMMISSIONER McNULTY: Have you given any thought
24 to -- I'm sure you have, but can you comment on or would it
25 be appropriate to ask you to think more about how we might

1 make those laws applicable to us, both in terms of the
2 conversations with individual commissioners and in terms of
3 efforts to influence the Commission at the podium.

4 JOSEPH KANEFIELD: Madam Chair,
5 Commissioner McNulty, we have given that some thought.

6 It certainly would be within the scope of the
7 Commission's authority to ask folks to identify who they
8 are, who they represent.

9 Compelling them to do so is a different question
10 that would require a little bit more analysis. Lobbying
11 laws -- lobbying obviously raises some fundamental First
12 Amendment issues.

13 The lobbying laws themselves have been upheld in
14 the face of some First Amendment challenges over the past
15 few decades, but having gone through the whole
16 First Amendment analysis, in addition to trying to get a
17 better handle on the scope of the Commission's authority to
18 require that.

19 So, the Commission simply wishes to ask folks to
20 disclose. And if they don't, Commissioner McNulty, you noted
21 in the prior meeting that you can take that individually
22 into consideration, give that testimony whatever weight you
23 prefer.

24 And that's fine.

25 Compelling and enforcing someone else to do that

1 is a different question.

2 So if -- I would -- I think at this point, before
3 we dive deeper into that analysis, because that gets into
4 some heavy First Amendment stuff, we would ask if that's
5 truly the direction of the commissioners to go, and then we
6 would undertake that analysis and bring back advice for you
7 later.

8 COMMISSIONER McNULTY: Mr. Kanefield, I have
9 another question.

10 The lobbying laws are enforced by who?

11 JOSEPH KANEFIELD: Madam Chair,
12 Commissioner McNulty, the Secretary of State and the
13 attorney general.

14 COMMISSIONER McNULTY: Okay. And in our case, we
15 don't have any enforcement arm.

16 JOSEPH KANEFIELD: That's correct.

17 And I should note that Secretary of State Ken
18 Bennett has said that -- he's clearly communicated that he
19 will -- I should say he wishes to pursue legislation that
20 would require the lobbying laws be enforced against the
21 Commission. Right choice of words. Require the lobbying is
22 applied to those folks that come before the Commission.
23 That would be something he would likely pursue this next
24 legislative session.

25 But I guess we don't -- he has -- in the statutes

1 that govern lobbying, there are enforcement statutes, both
2 civil, criminal statutes, that apply to the Secretary of
3 State. For example, he is tasked with determining whether
4 there is reasonable cause to believe that someone has
5 violated the lobbying laws. And if he makes such a
6 determination, he then refers it to the attorney general for
7 enforcement.

8 So there's a whole mechanism by which enforcement
9 is undertaken in the lobbying laws that obviously the
10 Commission -- isn't spelled out in the Commission's
11 authority and the constitution.

12 COMMISSIONER McNULTY: Madam Chair, I think it's
13 an important issue from the perspective of the Commission
14 and of future commissions. And when I say it, I mean just
15 the whole question of -- this whole question, not just as to
16 individual commissioners, but as to the process as a whole
17 and the people who are participating in the process.

18 At the same -- and I think it's -- it bears more
19 looking at, because I think it's important for us to do what
20 we can to help the next Commission learn from what we've
21 learned here in this process.

22 At the same time, my own, my own perspective is
23 that right now we need to be focused on getting these maps
24 drawn, and getting public input on the maps and finalizing
25 the maps and getting them precleared.

1 And that really is my singular focus.

2 And I guess my own perspective would be that we've
3 been appointed for ten years, and when we do have some time
4 to take a look at this, with the benefit of what we've
5 learned, but I don't want to distract from what we need to
6 do in the next six weeks.

7 COMMISSIONER STERTZ: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Stertz.

9 COMMISSIONER STERTZ: I'm getting the sense that
10 we've got two issues that are being discussed. One is the
11 willingness and desire to -- how do we share on the record
12 with anybody that is coming to or we're actually interfacing
13 with in non-public hearings so that there's a sense from the
14 public that we are not being independently lobbied because
15 we're keeping a record of it.

16 Is that correct?

17 CHAIRPERSON MATHIS: That's correct.

18 COMMISSIONER STERTZ: Okay. There's also another
19 piece in regards to -- and Joe, God bless if you lost the
20 envelope with the story, with how you're going on the
21 lobbying laws.

22 But if I could get a better understanding. We've
23 got a -- that there's a concern that there is one group,
24 because I did watch last Friday's testimony in my absence.
25 And I watched, I watched a -- somebody, a member of the

1 public, representing a group being undressed by -- dressed
2 down by a member of the Commission, in regarding the --
3 their unwillingness to disclose their client or people that
4 were funding their client.

5 I guess it's incumbent about a meeting that this
6 process overall has been really unique in that the majority
7 of the state of Arizona, the public, doesn't know what we're
8 doing.

9 This whole remapping issue is sort of an unknown
10 to most everybody that I talk to.

11 They haven't heard about us. They don't know what
12 we're doing. They just sort of walk their way through it.

13 I think it's really incumbent upon the members of
14 the Commission, members of the general public, to really
15 want to get involved, get engaged, talk to as many people as
16 possible, in as many ways as possible. If we have to keep a
17 log about it to make everybody feel more comfortable, I'm
18 all for it.

19 I'm all for getting -- you know, having some sort
20 of a document, if we need to, be to able to show who we're
21 talking to.

22 But I'd like that document to look like
23 War and Peace when we get done, because we need to get more
24 people involved in this process.

25 Because this is -- we're representing six and a

1 half million people in this state. It's been said over and
2 over and over again. And for some reason, not who -- we're
3 getting a room that might be full today, but there's not a
4 lot of people in this state that actually have an
5 understanding about what we're doing.

6 And if there's a group that comes -- and I don't
7 want to get into a place in my head where I'm looking for
8 all the contributors of Pete Rios' campaign because he came
9 representing the Hispanic Coalition as a group of -- as a
10 Pinal County supervisor and needing to get all kinds of
11 disclosure about whoever he's representing.

12 I think that it's great that Pete Rios and that
13 group put together and went to the all the trouble to craft
14 these maps that we've been working off of.

15 And if we're going to be chasing them away by
16 looking at these maps as levels of disclosure, I guess
17 that's okay.

18 But I don't like the idea that more people, more
19 involvement, more engagement is actually a brighter piece --
20 a bunch of sunlight on what we're trying to accomplish.

21 So, however we get there, whether or not it's a
22 challenge to get there, whether or not we have lobbying laws
23 that we need to get in there, whatever the case may be, I
24 just want to make sure that we get as much input as possible
25 from as many people as possible in every form possible.

1 CHAIRPERSON MATHIS: Thank you.

2 Other commissioners?

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: I agree with Mr. Stertz. I
6 think we should be -- and I think we're doing a good job of
7 engaging the community in that when we hear the progress
8 report and they talk about how we're engaging the community,
9 there are e-mails on the web, so I think we're doing that.
10 Public hearings, these hearings, so I think we're doing a
11 pretty darn good job of reaching out to the community trying
12 to get them engaged.

13 But what I think the exception is -- I didn't -- I
14 don't want to speak on behalf of Pete Rios. I'm sure he
15 would be very happy to disclose who he represents. He
16 wouldn't have an issue with that.

17 And they shouldn't.

18 If they're lobbying the IRC, they should be
19 expected to be asked, okay, you represent so and so
20 organization, what it does that mean? What does that mean
21 for us? What does it mean for the public?

22 And that's something we should be, we should be
23 asking.

24 And I am happy to talk to Mr. Rios and ask him to
25 disclose who those individuals are. And I suspect that he

1 will be more than glad.

2 Because I think the issue of transparency affects
3 us all, the people that are here listening to us, the people
4 that are on the web.

5 So it's an important issue, and I don't think
6 we're -- by asking this information, we're not, we're not
7 sending people away or not wanting to hear from them. We
8 just want to know, okay, who do you represent?

9 You say you represent a large organization, but we
10 only see you.

11 Are you truly representing a large organization or
12 just yourself.

13 I think this is good information to ask.

14 We always talk about transparency, but when it
15 comes down to it, we tend to back away.

16 I want transparency for the mapping consultant but
17 not anybody else. I think it's a little hypocritical.

18 If we really care about transparency, it will
19 apply to everyone. Us, the people that are lobbying us.
20 And I am in support of that.

21 CHAIRPERSON MATHIS: Thank you.

22 Other comments?

23 COMMISSIONER STERTZ: Madam Chair, it sounds like
24 we want to start taking a log.

25 And we'll follow the lead of the -- of our mapping

1 consultant.

2 VICE-CHAIR HERRERA: Yeah, and I don't -- I said
3 if we can find a way that make it -- I think consistency is
4 important.

5 I don't want to be logging, you know, every person
6 I talk to, and some other fellow commissioner is skipping
7 this person, is skipping that. It has to be consistent. It
8 has to be detailed. And we also have to consider the
9 waiving immunity.

10 But I think the more important issue, I think
11 Ms. McNulty brought up, is people who are lobbying us and
12 speaking in front of the Commission. I think that one I
13 think we can at least look into compelling these individuals
14 to reveal who they represent.

15 I mean, I don't know if we can force them, but we
16 can at least look at it. I think that's an important
17 subject that needs to be addressed.

18 We had a conversation last week with an attorney
19 representing an organization, and he -- it was -- he was --
20 took it personal, like he were personally attacking him.

21 And I was saddened by that, because it wasn't a
22 personal attack. It was a legitimate question that I --
23 actually I've been asking, I think I have, I've been asking
24 any organization that comes in front of the Commission, who
25 are you, who do you represent.

1 And I think most -- I think everyone, with the
2 exception of that individual, chose not to answer that.

3 And that worries me.

4 So. . .

5 COMMISSIONER McNULTY: Madam Chair.

6 CHAIRPERSON MATHIS: Ms. McNulty.

7 COMMISSIONER McNULTY: Ms. O'Grady and
8 Mr. Kanefield, there is an Arizona ethical rule that I'm
9 sure you're aware of that requires attorneys who appear
10 before a tribunal to disclose that they're doing so in a
11 representative capacity.

12 I don't know whether it's been addressed in
13 Arizona, whether that requires disclosure of the actual
14 client as distinct from the representative capacity.

15 Assuming it does not, the commentary on that rule
16 talks about the need for candor.

17 In fact, I think the rule is called candor with a
18 tribunal and talks about the responsibility of lawyers
19 and the fact that they can be held to a higher standard
20 than members of the general public in appearing before
21 tribunals.

22 I would just ask you to look at whether if we were
23 to require that attorneys who come before us disclose not
24 only that they are doing so in a representative capacity,
25 but also state whom they're representing, whether that could

1 be enforced.

2 JOSEPH KANEFIELD: Madam Chair,
3 Commissioner McNulty, I have some knowledge about the rules
4 of professional conduct.

5 Note, this is the Commission, I'll look under
6 stanza, the rules of professional conduct that govern our
7 profession as attorneys, the enforcement entity is the
8 State Bar of Arizona and ultimately the Arizona Supreme
9 Court.

10 And the typical penalty has to do with our license
11 as counsel.

12 So, if -- and we'll look into this, but just so
13 you understand, if an attorney is obligated to disclose
14 under the candor of tribunal rule of professional conduct,
15 then it wouldn't necessarily be for the Commission to
16 enforce that. It may be the Commission to file a
17 complaint alleging that an attorney has violated the rules
18 of professional conduct. But it wouldn't -- that
19 enforcement process wouldn't be grappled upon your
20 enforcement process.

21 Does that make sense?

22 COMMISSIONER McNULTY: I understand that, and I
23 thank you for clarifying it.

24 I guess my very specific question was, or is, I'm
25 assuming that the current rule of professional conduct, the

1 candor before the tribunal rule, would not require an
2 attorney to disclose anything more than the fact that they
3 are appearing in their representative capacity.

4 But the commentary for the rule also talks about
5 the fact that individual tribunals may have special rules.
6 And that lawyers are to be expected to be held to a higher
7 standard than members of the general public with regard to
8 tribunal.

9 And so it just -- it's one small part of the
10 puzzle, but just trying to think of small ways in which we
11 could help the Commission in the future achieve candor and
12 transparency.

13 I wondered whether if the Commission itself were
14 to have a rule along those lines, whether it would then be
15 incumbent upon the attorney under the ethical rule to follow
16 the rule of the Commission, knowing that it wouldn't be for
17 the Commission to enforce, it would then be for the bar to
18 in force.

19 JOSEPH KANEFIELD: Madam Chair,
20 Commissioner McNulty, I think I understand. We'll look at
21 the question.

22 VICE-CHAIR FREEMAN: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Freeman.

24 VICE-CHAIR FREEMAN: Just going back to the two
25 issues, like Commissioner McNulty, with respect to the

1 disclosures by individual commissioners, I think people
2 would be surprised that how boring my life is. Few people
3 talk to me.

4 Yes, I certainly want to go out to lunch with
5 friends. I often talk about what I do, and this is one of
6 the things I do.

7 Nobody is lobbying me to draw a map in any
8 particular way to favor any candidate or any incumbent
9 politician.

10 When I was appointed, it was my first trip to the
11 state capital since -- I wanted to say originally since high
12 school, grammar school, but I remember a couple years ago I
13 went to the capital in connection with a dedication ceremony
14 of the state archives building that was something my mother
15 was involved in.

16 And I met no politicians other than see them on
17 the dais when the ribbon was cut.

18 So that was my first real trip down there, my
19 first meeting with any politician, when I was with the
20 speaker of the house who appointed me.

21 And I had a couple meetings with him in connection
22 with that. And in those meetings, one of which was an
23 interview, there was never a discussion of maps or how they
24 would look.

25 Maps, maps were the farthest thing from my mind at

1 that point.

2 The only thing promise that was extracted from me
3 was that I follow the constitution.

4 Really that was like giving me the sleeves out of
5 my vest, because that was something that I took an oath to
6 do when I was sworn in on the commission later in February.

7 That's been it.

8 In terms of contact by outsiders, almost none
9 regarding maps.

10 The only thing I would say is with respect to
11 the -- I have been talked to by outsiders, asking me
12 questions about, well, can you construct a rural district.

13 And that would be representatives of the Arizona
14 Farm Bureau. And I had a phone call a few weeks later from
15 them.

16 That was the only question they really had, was
17 can you make a rural district.

18 It wasn't saying can you draw the line here or
19 there. It was just rural versus urban. That's it. It
20 wasn't a lot of help for me, other than urban and rural and
21 that's an important distinction.

22 We heard a lot about that today, so that's, so
23 that's nothing surprising.

24 So really there's nothing there basically.

25 In terms of who appears before the Commission, no

1 question. As we sit here listening to people talk, and we
2 hear lots of people, they either represent this group or
3 that or they say they represent themselves.

4 And yet there are -- and I encourage everyone to
5 talk. I don't care who you're from, Republican, Democrat.
6 Libertarian, Green Party. I want as much public comment as
7 possible all across the state.

8 And I don't want to curtail that in the slightest.

9 But when we listen to people, there's no question.
10 Sometimes we're hearing people say comments and, at least in
11 my mind, I'm thinking, well, this person is probably on the
12 Democrat side of the coin, this person is probably on the
13 other Republican side of the coin.

14 I don't know.

15 I hope everyone is truly -- who comes up here
16 is coming before us as a citizen. And when they say
17 they're here representing themselves, that's what they are,
18 but it wouldn't surprise me that people are being rallied to
19 come and speak for the Commission by groups all across the
20 board.

21 That's fine.

22 I mean, Republicans represent people. Democrats
23 represent people.

24 It's a way people express themselves through these
25 parties.

1 But in terms of the Commission, it's going to be
2 very hard. I think we as commissioners sort of have to
3 evaluate all the comment on our own, and weigh it, and talk
4 through it.

5 And there's no problem for me, if Democrats want
6 to come in and lobby about maps being drawn a certain way,
7 that's fine with me. I'll evaluate. I'll evaluate it and
8 I'll put it against the constitutional criteria.

9 And the same goes with Republicans.

10 It's just going to be very difficult, I think, for
11 the Commission to sort -- I think it's fine to ask people
12 where they're from and who they represent. That's fine.

13 But if they say they're here representing
14 themselves, we'll -- I will always take that on face value.

15 But in terms of us putting -- I don't know how we
16 would impose more requirements on them other than what we're
17 doing already.

18 Who are you, what's your name, spell your name for
19 Marty, and tell us where you're from and who you represent.
20 And that's our record.

21 And then we just listen to your comments, and we
22 weigh the substance of the comments, juxtapose the
23 constitutional criteria.

24 So I think we're doing what we need to do with
25 respect to both of those issues right now.

1 And certainly with respect to the transparency
2 issue, vis-a-vis contacts with other commissioners, I
3 do think our lawyers need to look a little bit more into
4 that.

5 I think Commissioner Herrera unintentionally
6 misspoke earlier. It's not a legislative immunity issue.
7 It's a legislative privilege issue that could be, could be
8 affected.

9 So I think we need to know the answer to that
10 before we proceed on that issue, and perhaps we should
11 just -- I know we have a lot to do and really focus on maps,
12 but we just take that up at a future hearing and hear what
13 the lawyers have to say on that issue.

14 CHAIRPERSON MATHIS: Thank you.

15 Any comments from other commissioners?

16 COMMISSIONER McNULTY: I'll make a comment along
17 the same lines.

18 You know, I got into this because I believe that
19 we need to have fair -- a fair process.

20 And I believe that we should and can build
21 competitive districts in this state. And the building
22 blocks of those districts are the communities of the state.

23 And no one's lobbying -- no one has lobbied me at
24 all for a particular map or for -- to protect any incumbent.

25 I'm just struggling through this with the same

1 goals that I started with.

2 Those haven't changed.

3 So, again, I kind of go back to the fact that it's
4 a huge process, and it, and it works both ways.

5 And I -- although -- I don't have any issue --
6 well, I think the important thing is that people do come
7 before us. I think that's very important, that people come
8 before us and tell us what they think.

9 And I don't care who they are either, whether
10 they're Republicans or Democrats or Green or Hispanic or
11 Native American or, you know, from Oro Valley or
12 Independent, or any of the -- you know, undecided, any of
13 those things.

14 I think it's really important that we hear from
15 the folks.

16 And the reason that we were all chosen hopefully
17 is because we were committed to hear from all those folks
18 and then arrive at our best independent judgment about how
19 we piece this puzzle together.

20 That's what I, you know, got into this for, and
21 that's what I'm still committed to do, as tiring as this may
22 sometimes be.

23 But, you know, to suggest that any of us are doing
24 this for anything other than the reasons that, you know,
25 we -- that we took an oath for, I think is just, is

1 incorrect.

2 CHAIRPERSON MATHIS: Thank you.

3 Other comments?

4 (No oral response.)

5 CHAIRPERSON MATHIS: Okay. I appreciate the
6 healthy discussion on this matter.

7 And, legal counsel, if you could look into that --
8 those for us, all those different issues regarding
9 transparency, that would be helpful.

10 I am very concerned about the future of the
11 Commission, not just ours but the commissions to come.

12 And it's important that we don't jeopardize them
13 in any way by actions we take now. So we'll look into that
14 from a legal perspective and have this on an agenda in the
15 near future.

16 So, it looks like I might have a few comments from
17 the public on agenda item seven.

18 So let me see if I can find those and pull them.

19 I just received one, Steve Muratore, publisher,
20 Arizona Eagletarian.

21 STEVE MURATORE: Thank you, Madam Chairman. Steve
22 Muratore, M-U-R-A-T-O-R-E.

23 I -- just very briefly, I appreciate the
24 discussion. I wanted to mention that I don't have a problem
25 with when people appear saying that they represent

1 themselves taking them at their word.

2 The elephant in the room, however, on this subject
3 is that attorneys representing Fair Trust haven't been so
4 candid.

5 And that just needed to go on record. So, that's
6 what I had to say on that.

7 CHAIRPERSON MATHIS: Thank you. And I think that
8 concludes agenda item seven.

9 So we'll go back to agenda item six, which is
10 presentation on competitiveness.

11 And I just want to check with Mr. Strasma. It
12 says 30 minutes. Does that sound about right?

13 KENNETH STRASMA: All depending of course on
14 questions and discussion. I think I've got about 10 to
15 15 minutes of material to present and assume there will be
16 questions and discussion.

17 CHAIRPERSON MATHIS: Okay. Great. We'll go ahead
18 and have that presentation and then we'll break for lunch.

19 KENNETH STRASMA: So in this presentation we're
20 covering a number of different questions that have arisen
21 since the time we did the initial presentation on
22 competitiveness a couple of weeks ago.

23 Two of the issues that we've been asked to explore
24 were, one, incorporating '04 and '06 election data, and the
25 other incorporating registration data.

1 On the '04, '06 election data, the last we
2 reported to the Commission we were investigating a file
3 obtained through legislative counsel to make sure it didn't
4 have the precinct mislabeling issues that arose with the '08
5 and 2010 data.

6 We determined yesterday that they did have those
7 issues, so we are going to have to be doing a -- the same
8 precinct unscrambling process that we did for the '08 and
9 2010 data in order to have the '04, '06 data allocated to
10 the correct precincts.

11 The registration data is currently uploaded and
12 available for Maptitude, and we'll be able to put that on
13 the commissioners' computers and on the online Maptitude
14 file.

15 I don't want to get overly technical, remembering
16 when I think I lost some people at the discussion of
17 disaggregation of election data last -- at the last meeting
18 where I spoke about it.

19 I did want to discuss with the voter registration
20 data that is disaggregated at the block level using the
21 process that we used for, for the election data, so we look
22 at how many registered Democrats, Republicans, minor
23 parties, and Independents there are in a given voting
24 district. And allocate those voters to the census blocks
25 based on the voting age population in those blocks.

1 There is another approach which is called
2 geocoding where we take the address of someone on the voter
3 file and use that to look up their census block.

4 Unfortunately that can't be applied universally
5 because the voting addresses that are used in some of the
6 voter registration records differ from what is used on the
7 census TIGER files so not all of the individuals will
8 geocode and the differences are not evenly spread out
9 throughout the state.

10 There is a skew towards poor matching rural areas.

11 So rather than having a skew that affects the
12 rural areas disproportionately, we chose to disaggregate
13 from the precinct level to the census blocks.

14 I just wanted to bring that up in case anyone's
15 looking at the data so they understand that process.

16 That does not affect any of the legislative
17 district level numbers that I'll be discussing today,
18 because each legislative -- each precinct is uniquely within
19 one legislative district. So there isn't any ambiguity or
20 loss of accuracy through that process. And it does allow us
21 to then calculate registration for proposed new districts as
22 the census blocks are applied and split current voting
23 tabulation districts or VTDs.

24 So with that technical explanation out of the way,
25 if you can see up on the screen, this is the breakdown of

1 registration in the state. It's often been described as a
2 third, a third, a third. And statistically speaking, it's
3 very close to a third each.

4 Republicans have the most registration at 35.4.

5 The second most is actually Independent and minor
6 party, at 33.6.

7 And Democrats have 31 percent of the statewide
8 registration.

9 The middle column on this chart shows the
10 two-way percent. And I wanted to stop and define that term,
11 because it's going to be coming up a number of times during
12 this presentation.

13 Two-way percent means the percent of the major
14 party registration.

15 So when we're saying two-way percent Republican is
16 53.3, of the registered Republicans and Democrats,
17 53.3 percent are Republican, 46.7 percent Democratic. So
18 when we're talking about a two-way percent, it's always
19 going to add up to 100 percent.

20 The same applies when you're looking at election
21 results.

22 The two-way percent means that it's the percent of
23 the major party vote cast.

24 And this chart is probably harder to read if
25 you're fairly far back, back in the room.

1 This is where we broke out the individual races
2 that we've been looking at so far from 2008 and 2010.

3 We've got the two-way Republican percent for each
4 one of those, so you can get a sense of the range of
5 different percents.

6 We've got the U.S. Senate 2010 where McCain got
7 62.29 percent. And at other end of the spectrum in the 2008
8 corporate commission vote, only 47.6 of the vote were cast
9 for Republicans.

10 So there's a fair range in the outcomes of these
11 different races.

12 A number of questions and suggestions have come
13 up, both from commissioners and from members of the public,
14 about how best to average these races together.

15 You would think that's a fairly straightforward
16 question, but there actually are a number of different ways
17 it can be done.

18 If, for example, one were to add up the Democratic
19 and Republican vote for all of these races, and divide by
20 the total vote, that would be one approach. But it would
21 overweight any race in which there was higher turnout. As
22 has been brought up, the presidential years will have higher
23 turnout so that would be giving more weight to the races
24 with higher turnout.

25 Another approach is to average the percent for

1 each of the races.

2 That's the current number that we have on the
3 reports that we've been running on what-if map.

4 That does have the effect of overweighting 2010
5 just because there were more statewide partisan races in
6 2010 than there were in 2008.

7 With that in mind, some of the commissioners asked
8 us to look at other ways of weighting these races.

9 We looked at averaging the '08 and 2010 equally
10 weighted.

11 And that's the second row from the bottom. You
12 see the difference there. On the average, the nine
13 statewide races together, that gets a statewide average of
14 56 percent.

15 Because the 2010 election in which Republicans
16 were more successful is more heavily weighted.

17 When we average '08 and 2010 equally, the
18 statewide average percent Republican is 53 -- sorry,
19 54.3 percent.

20 When we throw in a registration, it's equally
21 weighted with the '08 and 2010 results. That's 54.5 percent
22 statewide.

23 So those are three, three different ways of
24 looking at partisanship of a proposed district.

25 One of the questions that this raises is how well

1 are -- do any of these numbers predict the outcome of
2 legislative races.

3 There's fairly broad agreement through public
4 comments and other discussions that a competitive district
5 is one in which a good candidate from either party has a
6 realistic chance of winning and that the outcome of the
7 election is not a foregone conclusion.

8 Under the current plan there are 13 districts
9 that have elected Republicans in all 12 legislative races
10 that have been run under this map. And there are eight
11 districts that have elected Democrats in all 12 of those
12 races.

13 I think it's fairly clear in anyone's mind that
14 those districts would not be considered competitive.

15 There are nine districts that have show some kind
16 of splits, although all except three of those have gone with
17 one party or the other at least 75 percent of the time. So
18 although they may elect candidates of both parties, the
19 large majority of the time they go with one party or
20 another.

21 You may recall from the last time we discussed
22 this we mentioned that we calculated the correlation between
23 these different election percents and the number of seats
24 held.

25 And correlation is just sort of describing how

1 well two lines fit.

2 So if, if -- with every percent increase in the
3 percent Republican for a statewide race, there is a
4 one-percent increase in the percent of the last 12 elections
5 that the Republicans had won, that would be a perfect
6 correlation with a correlation coefficient of one.

7 I apologize, it's kind of hard to read. We've got
8 so many numbers here.

9 The bottom line is that all of these races
10 correlate strongly.

11 The worst correlation is .87, for the attorney
12 general's race, to the number of seats held by Republicans.

13 And the best correlation is for the average of
14 '08, 2010, and registration at a .92 correlation.

15 But the basic non-technical takeaway from that is
16 just that all of these are pretty good predictors of the
17 number of seats that a party is going to win.

18 The higher it goes on Republican on one of these,
19 the more likely it is the Republicans will win more of the
20 12 races. The more Democrat, the more likely it is that the
21 Democrats will win those 12 races.

22 So then the question becomes how do we find where
23 these competitive races are clustered in a way that allows
24 us to define tests that will let us analyze new plans for
25 the likelihood that they can elect candidates from both

1 parties.

2 This chart, you'll recall, is similar to the one
3 that we showed earlier when we took the first cut at this.
4 It's the average percent of Republican for statewide races
5 in 2008.

6 The -- it goes from highest to lowest percent
7 Republican. So the bar is at the top. You'll see there are
8 solid red bars indicating the Republicans have won 12 of the
9 last 12 races.

10 Down at the bottom you'll see a bar indicating
11 Democrat -- a solid blue bar indicating Democrats won 12 of
12 those 12.

13 And close to the center of the map you see areas
14 where there's a greater split in the number of times
15 Democrats versus Republicans have carried a given seat.

16 And it's not exactly in the center either.

17 You'll notice the yellow bar that we've added
18 there, if you're able to see that, right at the 51 percent
19 line.

20 That's a statewide average for '08.

21 And so districts that are closest to the statewide
22 average tend to be the ones that are more likely to have
23 elected a mix of Democrats and Republicans.

24 COMMISSIONER McNULTY: Mr. Strasma, I'm sorry to
25 interrupt. Would you tell us what it says on the left-hand

1 there, please?

2 KENNETH STRASMA: Sorry. It's kind of hard to
3 read. This will be available on the website.

4 Average percent Republican in statewide races in
5 2008.

6 COMMISSIONER McNULTY: Thank you.

7 KENNETH STRASMA: Next up we'll look at the same
8 thing but for 2010.

9 So this is the average percent Republican in
10 statewide races in 2010.

11 The major difference here is the yellow line when
12 we add that is now at 57 percent, because 2010 saw
13 Republican candidates getting a much higher share of the
14 vote.

15 So the statewide average indicated by that yellow
16 line is a much higher Republican percent.

17 And you'll see again that the competitive
18 districts plus or around that statewide average rather than
19 around the 50 percent line.

20 We see that other ways to look at, here is the
21 Republican two-way registration percent. So just to
22 reclarify, the two way means the percent of Democratic and
23 Republican registration.

24 For registration, the statewide average is
25 53 percent.

1 So the yellow bar in the center, that 53 percent,
2 and you can see that again the districts that have elected a
3 mix of candidates from both parties are clustered around the
4 center there.

5 The next two -- sorry, before I get to that.

6 This chart, you'll notice, is a lot different. We
7 do not have the competitive districts clustered in the
8 center and the solid red and blue bars at either stream.

9 This chart is where we sorted the legislative
10 districts by the percent minor party and Independent based
11 on voter registration.

12 CHAIRPERSON MATHIS: Mr. Strasma, would you mind
13 just documenting the slide that you're too for folks that
14 end that up watching this later?

15 KENNETH STRASMA: Okay. Thank you for the
16 suggestion.

17 We're now on slide number ten, entitled on the
18 left-hand side registration percent Independent or minority
19 party.

20 So here, here we've sorted the 30 legislative
21 districts by the percent of registration that is not
22 Democratic or Republican. And there is no correlation here
23 between a higher percent Independent and a greater
24 likelihood of electing a mix of candidates.

25 In fact, there's a slight inverse correlation.

1 Another thing that we looked at is the number of
2 districts that have a plurality Democrat, Republican or a
3 plurality of Independents.

4 The theory being that perhaps districts where the
5 registration shows a plurality Independents are more likely
6 to elect a mix of candidates.

7 In turns out that the conventional wisdom that
8 registered Independents tend to follow the voting patterns
9 of their partisan neighbors is borne out by these numbers.

10 Although there are four districts that are
11 plurality Independent, one of those elected Democrats 12 of
12 the last 12 times, one of those elected Republicans 12 of
13 the last 12 times, and the other two were a mix.

14 So that having a larger share of Independents does
15 not make a district in any way more likely to elect
16 candidates of both parties.

17 And that getting back to the first slide where we
18 documented using the two-way percent Republican for
19 registration, that seems to be a more valuable metric for
20 looking at competitiveness.

21 This next slide, slide 11, is the average percent
22 Republican in statewide races in 2008 and 2010.

23 So this is where we average 2008 and 2010 equally.

24 Here the average statewide is 54.3 percent.

25 And, again, you'll see close to the yellow bar.

1 That's where the competitive districts are clustered.

2 The next slide --

3 COMMISSIONER McNULTY: Mr. Strasma, I'm really
4 sorry to interrupt you again, but could you go back to 12?

5 KENNETH STRASMA: Okay.

6 COMMISSIONER McNULTY: I'm not seeing when you say
7 that's where the competitive districts are clustered. I see
8 all red above that yellow line.

9 And so could you just explain to me what --
10 specifically what you mean when you say that and where we
11 see it on the chart?

12 KENNETH STRASMA: Yes.

13 So the yellow line on that chart is at
14 54.3 percent.

15 You are correct that there's one mixed district
16 above that, and then as it gets higher those are mostly
17 Republican.

18 So I should perhaps say close to rather than
19 clustered around it.

20 The -- at other end of the spectrum at 50/50, I
21 guess that would be the other bound of the range of
22 what's -- what appeared to be the competitive districts
23 here.

24 In this case it's less clear than if I can go back
25 to some of the earlier slides.

1 Slide nine, the registration percent Republican,
2 the yellow bar, statewide average is more close to the
3 center of the cluster in which you find the districts that
4 were electing candidates from multiple parties.

5 But you are correct, on slide 12 it appears that
6 the statewide average percent Republican is the highest
7 percent Republican at which we tend to find legislative
8 districts electing a mix of Democrats and Republicans.

9 COMMISSIONER McNULTY: As I look at those bar
10 graphs, I'm only seeing three that look like they have
11 anything close to parity.

12 Am I not seeing what you're seeing?

13 KENNETH STRASMA: That is correct. If we're
14 defining competitive as parity, then there are only three
15 that are less than, less than 75 percent one party or
16 another.

17 For, for looking at the range in which seats might
18 be considered competitive, I was looking at seats that have
19 elected a minimum of three seats for the minority party.

20 So that's not parity.

21 It's still can be nine to three, so a large skew
22 one way or another, but it does show that a candidate of a
23 minority party has a chance of being elected in one of those
24 districts if they're three or more.

25 And as has been discussed before, I'm not of the

1 belief that there is a bright line definition of
2 competitiveness that we can establish.

3 These are more intended to illustrate that the
4 closer the two parties' votes are, the closer they are to
5 the statewide average, the more competitive a district is.

6 But that, much like compactness, where there are
7 compactness scores that can tell us if a district is more or
8 less compact, there isn't a bright line definition.

9 There isn't a district that we can say is or is
10 not compact.

11 Just as it is difficult to say that a district is
12 or is not competitive.

13 But we can define if a district is more or less
14 competitive.

15 One of the -- jumping ahead here a bit, but I
16 would recommend that we add some more metrics to the
17 standard reports that we're running.

18 Right now we just do the nine race average
19 percent.

20 I would suggest that we add the average '08 and
21 2010, the distance of each district is from the statewide
22 average on those, and also the number of seats where, where
23 that average is within plus or minus three percent for the
24 average of '08 and 2010.

25 And then -- or where we look at the average of '08

1 and 2010 and registration, that we look at any districts
2 that are within plus or minus five percent.

3 Because when we look at it using registration,
4 there's a larger number of potentially competitive districts
5 that are more spread out, and so we have to use a plus or
6 minus five percent for that measure.

7 I'm suggesting several with the thought that the
8 commissioners may look at those and get a better sense for
9 what meets their definition of what's a competitive
10 district. And determine that, you know, one or the other of
11 these is more useful going forward.

12 And I would certainly be open to any other
13 suggestions about different measures that we can use or
14 different ways of weighting these races.

15 I would caution that we shouldn't get caught up in
16 spending too much time trying to decide the exact weighting
17 to give individual races, because it's easier to have the
18 computer answer that question for us.

19 We did roughly 20,000 different permutations of
20 the nine different races, weighting them, and actually found
21 nothing that was a better predictor, that had a stronger
22 correlation to the number of seats won, than did the average
23 of '08, 2010, and registration to a percent Republican in a
24 flat average.

25 Although I would certainly be happy to run these

1 with any other weighting schemes that someone would like to
2 have.

3 Jumping back just to the end of the chart here,
4 chart 14. Average percent Republican in 2008, 2010, and
5 registration.

6 This is the one I mentioned here where the average
7 is right above 54 percent. And there is a larger range in
8 which we appear to have seats that are electing both
9 Democrats and Republicans.

10 And so for this one I would suggest that we show
11 not only the average distance from the state average, but
12 also the number of seats that are within plus or minus
13 five percent.

14 For the earlier average of just '08 and '10, I
15 suggest a plus or minus three percent range.

16 That concludes the presentation. I'm happy to
17 take any questions.

18 CHAIRPERSON MATHIS: Thank you, Mr. Strasma.
19 Questions for him on this topic?

20 COMMISSIONER McNULTY: So in terms of what we
21 would see, what you would show us for each map, there would
22 be -- talk about the distance from average. That would be
23 based on -- the distance of what from the average what, and
24 that would be for each district?

25 KENNETH STRASMA: Yes. So, for each district, we

1 would see a number showing its average percent Republican or
2 Democratic under whatever weighting scheme we're talking
3 about.

4 So, for example, if we're using the 2008
5 elections, we would show the average vote cast, average
6 Republican vote in the '08 elections.

7 Then we would show the average distance that
8 district is from a statewide average, which for '08 is
9 51 percent.

10 So a district that was at 53 percent under those
11 average would be a plus two distance from the statewide
12 average.

13 And so that gets at how much of an outlier a
14 district is from what it would be if votes were evenly
15 randomly distributed across all the districts statewide.

16 So that's one, one measure.

17 Where we calculate that for each district and then
18 calculate an average of those averages for the overall plan
19 as one of the measures of how competitive a plan is.

20 The second measure that I propose is having a
21 count for the number of districts where the distance from
22 the statewide average is within a certain threshold.

23 I recommend that we look at the average of '08 and
24 2010 and the average of '08, 2010, and registration.

25 And for those two respective numbers, the

1 average of '08 and 2010, we would look at the number of
2 districts that are within three percent of the statewide
3 average.

4 And for the average that includes registration, I
5 recommend looking at the ones that are plus or minus
6 five percent.

7 And one of the reasons for wanting to look at
8 number of districts within a particular range is because
9 there is concern that a district that was massively packed,
10 at, you know, 90 percent Democratic or Republican, and was
11 changed to 85 percent Democratic or Republican, that would
12 show that it was -- its distance from statewide average had
13 decreased by five, but common sense point of view, it's
14 really hard to make a case that that district is any more
15 competitive or that the map overall is any more competitive.

16 Although the one way of looking at it, the average
17 distance from statewide average for all the districts, that
18 would be a better plan.

19 That's why I'm suggesting combining both that
20 number and the number within the threshold at which we find
21 the largest concentration of districts that are electing a
22 minimum of three people from a minority party.

23 And I hope, I hope that when we run this the first
24 time, this will be a little clearer when we see it in
25 writing.

1 I lost track of the number of times I was saying
2 average, again, the average distance from the average of the
3 state. . .

4 COMMISSIONER McNULTY: Can I ask one more
5 question.

6 The average percent R or D, is that a -- that
7 two way?

8 KENNETH STRASMA: Yes. All of these percents I'm
9 referencing are two way.

10 CHAIRPERSON MATHIS: Other questions?

11 COMMISSIONER STERTZ: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Stertz.

13 COMMISSIONER STERTZ: In the correlation analysis
14 that you have in regards to conclusion of registration, how
15 is registration -- can you explain again how the
16 registration is factored in against actually -- actual
17 voting trends for the dataset that you've created?

18 KENNETH STRASMA: So registration is -- it's 2011
19 registration as about two months ago. That's when we got
20 the file from the secretary of state.

21 It is -- what we're looking at is the two-way
22 percent Republican. So Republican registrants as a percent
23 of total Republican and Democratic registrants.

24 And that one, that number's correlation to the
25 number of seats won by Republicans, of the 12 possible

1 elections that they -- that were brought under the existing
2 plans actually shows the highest correlation of any of these
3 numbers we looked at at .92.

4 So that does seem to indicate that that number
5 does correlate strongly with the number of times that a
6 party will win a given legislative seat.

7 Counterbalancing that is that there is a larger
8 range when we throw in registration for the cluster of
9 competitive seats appear to be spread out over a larger
10 range. When we're looking at just the election results,
11 the clusters are closer together around the statewide
12 average.

13 Which is one of the reasons why I did not
14 recommend just looking at registration. I do think it would
15 be valuable to look at election results in combination with
16 registration.

17 COMMISSIONER STERTZ: And Madam Chair.

18 Mr. Strasma, what are the additional datasets that
19 you intend to -- you said you were -- that you intend to
20 expand the datasets.

21 What are they and when are they going to be
22 included into your analysis?

23 KENNETH STRASMA: We'll be adding 2004 and 2006
24 election results.

25 I wish I could tell you when exactly those will be

1 ready.

2 We're dealing with the same precinct mislabeling
3 problem that we had to deal with in the '08 and 2010
4 elections.

5 So the exact timeline depends to the availability
6 of all precinct plans from the counties. Many of those
7 we've collected already, but some of those we're still
8 waiting on information for.

9 It does mean, however, that this -- that
10 information is not likely to be available for any of the
11 maps that are drawn over the course of the next week.

12 So it is unlikely that that information would be
13 available for second round hearing draft maps.

14 I've discussed this with Professor King, the
15 voting rights analysis expert.

16 And his thought was to do a preliminary analysis
17 using the '08 and 2010 elections.

18 And suggest to us where we need to drill deeper in
19 specific areas. And then see doing the 30-day comment
20 period if that additional analysis using the '04 and '06
21 elections indicates that any of the districts' minority
22 percents need to be tweaked a little bit.

23 The difference that that would indicate is likely
24 to be fairly minor.

25 So it's possible to proceed using the '08 and 2010

1 analysis.

2 But that that was a discussion that we've had.

3 Unfortunately with this approach of seeing where
4 we need to drill down further, undoubtedly Maricopa County
5 is going to be one of the areas where we need to. And
6 that is the area with the biggest precinct mislabeling
7 problems.

8 So that's where we discovered the problem.

9 So, so, we're certainly going to have to add to
10 that analysis.

11 COMMISSIONER STERTZ: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Stertz.

13 COMMISSIONER STERTZ: Mr. Strasma, you've got
14 more -- you do have more data in 2008 and 2010 other than,
15 other than what you've included, correct, as far as election
16 results?

17 KENNETH STRASMA: That is correct, commissioner.

18 There are nonpartisan elections, there are local
19 judicial elections, and there are also legislative and
20 congressional elections.

21 For this analysis we've included only partisan
22 races and also only statewide races.

23 There are challenges if we were to include
24 legislative or congressional races because they were not all
25 equally contested.

1 At least in a statewide race, it was to a large
2 extent equally contested in all legislative districts,
3 although there are favorite son or daughter candidates in
4 particular areas, there are different media markets for
5 someone who's better known.

6 But generally speaking, if they're equally
7 contested statewide, which is why this analysis uses
8 statewide races rather than the state legislative and
9 congressional, state legislative and congressional results
10 are included in what's loaded on the Maptitude, both on the
11 commissioners' computers and the online version, if someone
12 wants to look at actual past results, but we've
13 intentionally not included them in these aggregates.

14 COMMISSIONER STERTZ: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Stertz.

16 COMMISSIONER STERTZ: Mr. Strasma, when we -- we
17 take into account actual voter registration and things, I'll
18 use current District 4, Congressional District 4, as a --
19 as -- because it has had very little -- it's actually -- it
20 doesn't quite meet up with the, with the population --
21 current population requirement, but it is the closest of any
22 of the, of any of the districts. It has an extremely low
23 voter registration.

24 How would you use that as a -- more specifically
25 regarding the minority -- majority-minority district when

1 you've got low registration as it correlates against
2 voter -- voting trends and voting turnout?

3 KENNETH STRASMA: That is definitely one of the
4 issues that has to be addressed for our DOJ submission, is
5 the rate of both the registration and actually voter
6 turnout.

7 By the different ethnic groups.

8 And as you correctly pointed out, CD 4 has one
9 were the lowest registration rates and lowest turnout rates,
10 and that does affect that population's ability to elect.

11 It's one of the reasons, as we discussed at the
12 last meeting where I was talking about this, one of the
13 reasons why it's not possible to say that there's a certain
14 threshold percent of Hispanic that a districts needs to be,
15 and that applies anywhere in the state.

16 One needs to see first what areas are included in
17 the proposed new district, then analyze the turnout rates in
18 that area in order to determine the threshold at which that
19 community has the ability to elect a candidate of their
20 choice.

21 COMMISSIONER STERTZ: The current registration and
22 the Democratic party in District 4 has a significant party
23 advantage by registration, even though there is low voter
24 turnout.

25 The concern I'm trying to bring up is how are we

1 going to get -- stay away from overly packing a district
2 with HVAP population due to low registration and low voter
3 turnout in the datasets that you currently have?

4 KENNETH STRASMA: I may be misunderstanding the
5 question, so please clarify, if I'm. . .

6 COMMISSIONER STERTZ: The -- in an effort, in an
7 effort to make sure that we have enough HVAP population in a
8 particular district where the history shows that we've got
9 extraordinary low registration and low voter turnout, there
10 would be a natural trend or a natural process to oversupply
11 the amount of voting age population in that particular
12 district.

13 And I don't think that that would be the intent to
14 do that.

15 But there would have to be -- but the statistics
16 might bear that out.

17 How do we avoid statistically going down that,
18 that path?

19 KENNETH STRASMA: That gets back to the
20 district-by-district analysis I was describing where we need
21 to determine the apparent turnout rate among the Hispanics
22 who live in a particular district. And as you correctly
23 point out, in the fourth that's a lower rate than in the
24 District 7 congressional district.

25 And so the effective percent likely needs to be

1 higher, although, to complicate things, because there's
2 never a straightforward answer, the opposite dynamic is at
3 place in terms of the polarization of the vote between the
4 fourth and seventh.

5 The vote in the fourth is more polarized, but
6 with lower turnout the vote in the seventh is much higher
7 turnout but less polarized. So those two factors have to be
8 weighed.

9 COMMISSIONER STERTZ: Yet, yet in both of those
10 districts, there is a significant voter registration
11 advantage to one party over the other.

12 KENNETH STRASMA: Correct. As is often the nature
13 of the voting rights districts, there is a significant
14 Democratic advantage.

15 COMMISSIONER STERTZ: This is going to be a very
16 complicated analysis at that point, for both of those
17 reasons.

18 KENNETH STRASMA: Correct.

19 COMMISSIONER STERTZ: Thank you.

20 CHAIRPERSON MATHIS: Other questions or comments?

21 COMMISSIONER STERTZ: No more at this time.

22 CHAIRPERSON MATHIS: Okay. Thank you,
23 Mr. Strasma.

24 I think it's lunch time. It's 12:51 p.m., so
25 we'll take a recess for an hour and come back and do some

1 mapping.

2 Thank you.

3 (Lunch recess taken.)

4 CHAIRPERSON MATHIS: We'll enter back into public
5 session now.

6 It's 2:02 p.m.

7 And we have one request to speak form on that
8 previous agenda item, but I'm not sure he's in here at the
9 moment, so we might need to wait until public comment on
10 that.

11 His -- it was D.J. Quinlan. So we'll come back to
12 him later.

13 The next item on the agenda is number three,
14 because we're going back and covering those items now,
15 review, discussion and direction of mapping consultant
16 regarding ideas for possible adjustments to congressional
17 grid map based on constitutional criteria.

18 We have a number of printouts in front of us from
19 work that our mapping consultant did based on the direction
20 we gave him last week.

21 And maybe Mr. Desmond can walk us through what he
22 completed.

23 WILLIE DESMOND: Sure.

24 I guess to start, you do have one data table
25 that's an add-on to a previous three border district map.

1 So there's no map attached to that, just so you know that.
2 The plan splits and the plan components report from the most
3 recent three border district map. So if you want to file
4 that away with the map and the -- like, racial breakdown
5 table, that's where that should go.

6 In addition, we have several more maps for today.

7 I guess starting with river district version 7C.

8 And I have two versions here because I was kind of
9 unclear on how exactly I should proceed. So I'll go through
10 both of those.

11 They both endeavor to accomplish the same thing,
12 but they're slightly different.

13 We also have two maps from the Navajo Human Rights
14 Commission that attempted to take their proposed districts
15 and match them with the grid map, so there's the option C
16 with grid and then two with grid.

17 Additionally there is river district version 7D,
18 which is another alteration to 7A, along with the two 7Cs.

19 Sorry. Sorry for the confusion.

20 And I believe that's it.

21 Oh, and also a whole counties version 6E, which is
22 very similar to 6C and 6D.

23 In this case, the unincorporated area of Maricopa
24 had started with a kind of the center district. And that's
25 where that. . .

1 So does anyone have any preference of where we
2 begin?

3 COMMISSIONER STERTZ: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Stertz.

5 COMMISSIONER STERTZ: I'd love to take a look at
6 the whole counties map.

7 WILLIE DESMOND: Okay. Just give me a second.
8 I'll pull that up.

9 Buck, I don't know, is there any way we can dim
10 the lights on that end of the room to make it a little
11 easier to see this?

12 If not. . .

13 Probably a little too dark.

14 We gave it a shot.

15 All right. While Buck tries to get the right
16 balance.

17 So if I could just kind of walk you through back
18 the progression of whole counties again, the map started
19 with the grid map, as all these plans have.

20 We were then asked to adjust it so that as few
21 counties were split as possible.

22 Following that we were asked to not split any
23 reservation lands.

24 Following that we were asked to adopt the Hispanic
25 Coalition For Good Government's two voting rights district,

1 which are in here three and seven.

2 Then there was some changes dealing with keeping
3 as much of Pinal County as whole as possible.

4 And then finally some other changes to remove as
5 much of the outer lying districts from Maricopa as possible.

6 There was a version six -- or 5B and 6B, both
7 leave the Maricopa area unassigned, so that Districts 5, 6,
8 8, and 9 are removed, and then the version C was asking me
9 to take an attempt at redividing it up.

10 Version D and E are subsequent attempts to do that
11 exact same thing, just divide it up using slightly different
12 criteria.

13 In this case you'll see the districts are numbered
14 in the order in which they were done.

15 So first came five.

16 Then six.

17 Then eight.

18 And then nine.

19 The criteria to start with here was to make a
20 district that used Scottsdale Road as a boundary, a border.

21 So that district, again, was District No. 5.

22 So, I zoom in you'll see that this district does
23 incorporate most of Scottsdale, the portions of it that are
24 west of Scottsdale Road are obviously in a different
25 district.

1 I'm pretty sure I was able to follow
2 Scottsdale Road from, you know, its northernmost point to
3 its southernmost point.

4 And that was really the first line I started with.

5 From there I just took everything to the right,
6 and then took as much of Mesa and Apache Junction as I could
7 until we had reached the 710,000 that we needed.

8 After that, it was pretty obvious to just go with
9 everything below that, six. So I just took everything I
10 could, and then the dividing line in Tempe is just a level
11 where we reached 710,000 again.

12 Following that, I did District No. 8.

13 And I just kind of worked my way straight north.

14 I kind of took a little bit more population than I
15 needed.

16 And then the border here between eight and nine
17 was just adjusted using census tracts to get as close to
18 710,000 in both as possible.

19 I believe the deviation isn't very extreme here,
20 so that, yeah, nothing is over, you know, 800 people. So
21 about a tenth of a percent at most.

22 That, again, can be cleaned up or would be cleaned
23 up as we move towards a draft map.

24 So I'm happy to answer any questions about this
25 particular division or refresh any commissioner's memories

1 on some of the outer lying districts that aren't in Maricopa
2 too.

3 CHAIRPERSON MATHIS: Any comments or questions
4 from commissioners?

5 COMMISSIONER McNULTY: Mr. Desmond, would you,
6 please, just repeat what the directions were to create this
7 district, this map?

8 WILLIE DESMOND: The specific --

9 COMMISSIONER McNULTY: This specific version, yes.

10 WILLIE DESMOND: Well, the only direction was to
11 start in the middle and use Scottsdale Road as a border.

12 In the two previous iterations, I had started on
13 the left side or the right side. So for this attempt I --
14 we started in the middle.

15 So, yeah, District 5 was the first one I drew, and
16 that western boundary is Scottsdale Road.

17 COMMISSIONER McNULTY: And then proceeding from
18 there to do what?

19 WILLIE DESMOND: Just to fill in the rest of them
20 respecting, you know --

21 COMMISSIONER McNULTY: Following the municipal
22 boundaries?

23 WILLIE DESMOND: Municipal boundaries and as
24 compact as possible.

25 COMMISSIONER McNULTY: Okay. But not taking into

1 account any of the communities within those.

2 WILLIE DESMOND: No, not respecting, like, the
3 different neighborhoods within.

4 COMMISSIONER McNULTY: Or addressing
5 competitiveness in any way.

6 WILLIE DESMOND: No, I didn't, I didn't look at
7 that at all.

8 VICE-CHAIR FREEMAN: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: Well, that's correct, the
11 last, the last go around, the only instruction was to use
12 Scottsdale Road as a divider for two congressional
13 districts.

14 And there was public testimony calling that out as
15 a natural divider of communities. But the intent -- the
16 focus of developing the map at this point wasn't to drill
17 down on every particular community of interest at this
18 point.

19 It was to apply the constitutional criteria to
20 compactness and respect for municipal and county lines and,
21 of course, trying to get us within equal -- within striking
22 distance of equal population.

23 What's been going on with the whole county maps,
24 so far as I've pursued it, is we've essentially surrounded
25 the urban Maricopa County area with districts that are, with

1 the exception of the Tucson district, essentially rural.

2 And maximizing to the extent practical respect for
3 county lines.

4 That in doing that we've, you know, we've had
5 corollary evidence, we've overlaid the voting rights
6 district, so that federal law is complied with.

7 We've kept reservations whole.

8 We've kept the counties as whole as possible.

9 We end up with a map that it does kind of split
10 rural and urban interests, which is something that we've
11 heard a lot about.

12 We also end up with a couple of districts that are
13 pretty competitive as well, these out -- these -- the one
14 over in Tucson is fairly competitive. The one along eastern
15 Arizona is competitive.

16 And then going forward though, then we've done a
17 couple of iterations, three or four actually, on how the
18 districts in the urban Phoenix or Phoenix Valley area can be
19 configured.

20 And in so doing, looking at this point only at
21 respect for municipal and county lines, compactness, and
22 equal population.

23 So what I'm just trying to explore in this what-if
24 scenario is how can we assemble the blocks in different ways
25 that meet constitutional criteria, and also hoping as a, as

1 a something of a fallout from there is that we've got a
2 configuration that also deals with the more competitive
3 districts.

4 So I would actually like to take another look at
5 this. I guess this would be 6F. And unfortunately I was
6 only able to just pull it up.

7 So I haven't been able to drill down on it to
8 give -- probably give you the precise instructions that I
9 would like.

10 But, perhaps, if you could maybe zoom out a little
11 bit.

12 So perhaps if we could reconfigure what is
13 proposed Districts 5 and 6, and maybe getting a little bit
14 of District 8, the southern tip of that, and split them a
15 different way.

16 This has -- here the splits are more of a
17 laterally.

18 Let's look a vertical split here and see what we
19 get.

20 And maybe as a rough, rough guide, and this is
21 something I was hoping I could do before this meeting, but I
22 was too consumed with the legislative maps to get to it, but
23 I think it was State Route 87, or thereabouts, sort of the
24 north-south divider there. And then you have to balance
25 population on Districts 5 and 6.

1 And you might need to borrow a little bit from the
2 southern tip of eight and you also might need to remove the
3 divider on eight west.

4 But I'm not sure of that.

5 Right now it looks like you're roughly following
6 I-17 here.

7 WILLIE DESMOND: Let me turn on the street maps.

8 We're roughly using 17 between eight, nine, the
9 best we can.

10 So what you're saying, just so I understand it, is
11 in this case to kind of like erase the border between five
12 and six, and divide that how exactly?

13 VICE-CHAIR FREEMAN: Well, to change the border.

14 Right now you have more of the lateral split
15 between six and five.

16 And let's go -- let's put this population in to --
17 when I say this, it's going to be east Mesa and part of
18 Apache Junction gets thrown in here, into, into six. And
19 basically make the divider State Route 87, I think it is.

20 WILLIE DESMOND: Okay.

21 VICE-CHAIR FREEMAN: The north-south divider. And
22 then balance, balance as needed the side --

23 WILLIE DESMOND: All right. That makes sense.

24 Are there other questions?

25 Or, Commissioner Freeman, is there any other

1 criteria?

2 So, eight and nine look to be about where you'd
3 want them for, I guess, 6F.

4 VICE-CHAIR FREEMAN: And one of my motivators to
5 just look, focusing on this area, is the end product of
6 this, while it looks good in terms of the compactness, the
7 end product looks like you've got some districts that are
8 out of whack, and in our very -- are less compact. So I
9 just want to explore a way to divide them a different way
10 that perhaps make them more competitive.

11 WILLIE DESMOND: Oh.

12 COMMISSIONER STERTZ: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Stertz.

14 COMMISSIONER STERTZ: What I would like to do on
15 these maps as we're going forward is I'd really like to take
16 a look at each one of them as they reflect back on our
17 constitutional requirements.

18 So I'd sort of like to either ask -- just to go
19 through each one of these maps and say, okay, are -- which
20 one of the six criteria and how are we actually meeting
21 these and whether or not they're meeting their applicability
22 of these six criteria.

23 And if that would -- if that works with the chair,
24 I'd like to -- I might as well start with this one.

25 CHAIRPERSON MATHIS: That works for me.

1 I was thinking that ultimately -- I mean, we need
2 to start bringing these maps together instead of having a
3 river district and a whole counties and other versions. It
4 would be great if we could start to congeal into one map.
5 And then, and then I -- that was what I was thinking we
6 would actually go through the six criteria and talk about
7 them for each district.

8 What do you think?

9 COMMISSIONER STERTZ: What I think, Madam Chair,
10 that this might help us to get to that place.

11 Because, for example, if we start going down on
12 this map and we find that we are -- I think
13 Commissioner Freeman just said that we weren't necessarily
14 geographically compact yet in an area, it would be nice to
15 know if this is the map and what criteria out of this map
16 that we should extract from and to combine.

17 This is -- we need to start to drill this thing
18 down so that we understand that as we find a map that is
19 going to amalgamate or merge itself or congeal itself into a
20 final product, that we're going to have -- it's got to meet
21 the six criteria that we've got in front of us. We need to
22 start addressing these point by point.

23 CHAIRPERSON MATHIS: Do others have comments on --
24 with that, if we start doing that now, will that help us get
25 to one map that we can then start adjusting?

1 Because I'm all for it if it would.

2 VICE-CHAIR HERRERA: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

4 VICE-CHAIR HERRERA: I would -- I think there is
5 too many what-if scenarios that may not even -- that
6 probably will not be considered, at least in my opinion.

7 And I think we need to focus on the ones that, you
8 know, once we start drilling down a little more and start
9 getting, um, a little closer to what we want, I think we
10 need to start doing that.

11 Because I think doing that many what-if scenarios
12 and doing what Stertz -- Commissioner Stertz is recommending
13 is going to be too lengthy, or maybe maps that are truly not
14 being considered by the entire Commission.

15 COMMISSIONER STERTZ: Madam Chair, I'm responding
16 to Commissioner Herrera's exercise on Friday of district 7A
17 where you drill through all nine districts.

18 So I though, sure, you went through that process.

19 And there's several maps in here that go all the
20 way back to -- in fact, the Chair's combo map, which is --
21 meets a lot of -- almost -- it meets almost every single
22 criteria, and I'm really looking forward to going back and
23 discussing --

24 VICE-CHAIR HERRERA: With respect to river
25 district 7A, I did look at all nine districts, but we did

1 not drill down on all the six criteria.

2 That we didn't do.

3 But we did look at --

4 COMMISSIONER STERTZ: You are correct. You did
5 not talk about communities of interest, geographic
6 boundaries, undivided census features, city, town, or
7 county.

8 You worked on competitiveness and --
9 competitiveness.

10 So I want --

11 VICE-CHAIR HERRERA: I mean --

12 COMMISSIONER STERTZ: That's what I'm saying is
13 it's really important to deal with all of these issues.

14 VICE-CHAIR HERRERA: No, I think you misunderstood
15 me.

16 We didn't -- although we didn't discuss it in
17 the -- when we went into some detail in that map, it doesn't
18 mean that those criteria were ignored when putting that map
19 together.

20 So I think there's two separate issues.

21 Yes, we tried when we were putting this map
22 together, if -- to keep all six criteria in mind, but,
23 again, when we actually discussed the map, we didn't go into
24 that much detail.

25 So, but I would recommend that we not do that yet

1 until we start getting to the maps that we -- you know,
2 let's just say we get down to two or three maps, what-if
3 scenarios that we do like, that may be a little, in terms of
4 time, that probably would serve us well that we do it then
5 as opposed to doing it now when we -- I mean, we have quite
6 a few -- I don't even know -- I lost track of how many
7 what-if scenarios we had for the congressional district.
8 It's quite a few.

9 CHAIRPERSON MATHIS: Any thoughts from other
10 commissioners?

11 COMMISSIONER McNULTY: Madam Chair, my thought
12 would be Commissioner Freeman just said that that he has not
13 yet looked at communities of interest on this whole counties
14 map.

15 And as I look at the summary sheet attached to it,
16 I mean, three or four things stand out.

17 There are only two districts that have any
18 semblance of competitiveness.

19 There are several districts in which the
20 Republican population is more than 20 percent above average.

21 In District 4 the difference is 29.08 percent.

22 In District 6 it's 25.8 percent.

23 WILLIE DESMOND: May I interrupt for one second?
24 I'm sorry.

25 I just noticed an error -- actually Mary noticed

1 an error.

2 If you look at the top table. It has some
3 numbers, one, two three, four, seven, five, six, eight,
4 nine.

5 And the bottom table has just one through nine.

6 They're ordered, the bottom table, the same as
7 they are the top.

8 So, it's because we added those districts at the
9 end that they're out of order.

10 I just wanted to point that out.

11 COMMISSIONER McNULTY: Okay.

12 MARY O'GRADY: So that means that what appears --
13 what is listed as District 5 under the compactness and
14 competitive scale is actually District 7. And so the order,
15 as Willie mentioned, is actually, despite what it says here,
16 is the same as the order listed for the general demographic
17 information.

18 COMMISSIONER McNULTY: Okay. I believe you, and I
19 don't understand what you just said, but I'm sure we'll fix
20 it.

21 VICE-CHAIR FREEMAN: So is seven five then?

22 COMMISSIONER STERTZ: Five is seven. Six is five.
23 Seven is six.

24 COMMISSIONER McNULTY: My point is that we still
25 have a lot of work to do on each of these maps. And on this

1 particular map we've just discussed that we haven't
2 discussed communities of interest.

3 I want to point out that there was discussions
4 this morning about how one of the grids on the river
5 district proposal had a Republican population that was more
6 than 20 percent above average.

7 On this map, this whole counties map, we have four
8 or five of those.

9 And I, and I also see that the splits analysis on
10 those, these two maps, are almost, almost identical.

11 Again, we have one that we're calling a whole
12 counties map or one that we're calling a rivers district
13 map.

14 We've got one more county split on the current
15 river district map as it stands.

16 The census place splits are -- we have a greater
17 number of census splits on the whole county maps.

18 We have a greater number of census tract splits on
19 the whole counties map. We have a greater number of census
20 block group splits on the whole counties map.

21 And then when you go down into the number of
22 districts and the types of splits on the two maps, they are
23 very, very similar both in terms of number of splits and
24 amount of splits.

25 Those are my only comments.

1 So I would -- I do not think it makes sense to --
2 I think it makes sense for each of us to talk about the ways
3 in which -- the reasons in which we're making the changes
4 and the ways in which they support the constitutional
5 criteria, but I don't think it's a good use of our time for
6 each -- for us each to go through on each of these what-if
7 maps every single criteria, because I don't think we'll be
8 where we need to be. I think we need to keep getting our
9 maps pulled together.

10 CHAIRPERSON MATHIS: Any other comments?

11 VICE-CHAIR FREEMAN: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Freeman.

13 VICE-CHAIR FREEMAN: There was one thing that was
14 slightly incorrect with what Commissioner McNulty says.

15 In developing the urban districts, communities of
16 interest were not ignored.

17 I did not drill down to identify every single
18 community of interest, but I do distinctly recall public
19 comment about the split of Scottsdale from areas of central
20 Phoenix, and even this morning heard public comment about
21 keeping Scottsdale whole and not splitting it unnecessarily.
22 And certainly right now, in this particular version,
23 Scottsdale is essentially kept whole. The very northern tip
24 of Scottsdale, that is very low density, is put into a rural
25 district.

1 But we're not going to be able to get everything
2 perfect, I suppose. To the extent practical we're supposed
3 to try.

4 So, it's not exactly true that communities of
5 interest have not been -- or have been ignored, but I would
6 admit that they have not been -- I have not looked at every
7 single one that might be contained within the Phoenix area
8 in developing this map.

9 Some were though.

10 And so when we talk about the -- the competitive
11 issue, on the river district, so-called river district map,
12 the rural district that is on the western side of Arizona
13 has a pretty big discrepancy between Republican and
14 Democrat.

15 And I would agree that in terms of the value, the
16 purported virtues of creating competitive districts, those
17 voters out there don't get to avail themselves of that.

18 It is not impossible to create a competitive
19 district out there, but I think to do so we would be
20 ignoring the other five constitutional criteria.

21 In urban areas, however, I don't think it's
22 necessarily the case that it's impossible to not make the
23 districts more competitive.

24 And we're forced to pack Republicans in very funny
25 looking districts.

1 And I know we'll get to it in a minute, but the
2 last version of the -- there's one version of the so-called
3 river district map has a district -- a long district that
4 wraps -- that goes from the rural areas west of Phoenix, and
5 wraps over the top of Phoenix, like a -- sort of like a
6 Daniel Boone hat in a way, that the discrepancy in that
7 district is 28.66 percent, Democrat to Republican, highly
8 packed Republican district.

9 I don't think those voters deserve that. They
10 should be in a more competitive district, and they
11 shouldn't be packed away like that. It's kind of an
12 artificial district that kind of runs roughshod over the
13 other constitutional criteria.

14 So I would like to continue.

15 I think the whole counties map looks -- has a very
16 good look to it.

17 It respects -- it is developed -- all the
18 instructions to the mapping consultant were premised upon
19 applying constitutional criteria in a systematic way, and we
20 ended up with an end result that kind of -- we've
21 essentially surrounded Phoenix, and now it's a matter of
22 developing the urban Phoenix districts.

23 One of them is pretty much set. It's the one
24 proposed by the Hispanic Coalition, and that's District 7 up
25 there.

1 That really hasn't been touched or needed to be
2 touched in any way.

3 It's sort of filling in the rest of the Phoenix
4 area and seeing what configurations we can come with that
5 respect, that respect communities of interest, that respect
6 county municipal lines, that are reasonably compact and, and
7 look at the end product that allows -- gives the voters the
8 more competitive configuration.

9 COMMISSIONER McNULTY: Madam Chair.

10 CHAIRPERSON MATHIS: Ms. McNulty.

11 COMMISSIONER McNULTY: I can't resist making the
12 comment, although I think it's a great point to take the
13 packing concept from the Voting Rights Act context and apply
14 it to Republicans. I don't think anyone is attempting to do
15 that.

16 And when I look at the whole counties map, there
17 are three districts that have -- one has an almost
18 30 percent Republican advantage, one has a 25.8 percent
19 Republican advantage, one has a 23.4 percent Republican
20 advantage, and the others have 15.5, 18.18, and, let's see,
21 7.51 and 2.86 percent Republican advantage.

22 So we have two that are arguably getting within
23 range of competitiveness.

24 But the others are far, far, far leaning
25 Republican.

1 So if, if, you know, the thought is that it's okay
2 to have a district that's 18 percent Republican, that's not
3 packing Republicans, that's just being closer to
4 competitiveness, but it's not okay to have 25 percent
5 Republicans in a district, then this map in and of itself
6 doesn't make any sense.

7 VICE-CHAIR FREEMAN: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Freeman.

9 VICE-CHAIR FREEMAN: First of all, you're looking
10 at one version of -- I believe you're looking at one version
11 of the whole counties map, one of the iterations.

12 If you look at the rural districts that have sort
13 of surrounded urban Maricopa County, we have two of them as
14 knowledged that are pretty competitive, and that's
15 Districts 1 and 2.

16 We have a third district, District 3, that's the
17 minority-majority district.

18 We would not necessarily expect that one to end up
19 being competitive.

20 Then we have District 4, which is the rural area
21 in the northwest part of the state, which looks a lot like
22 that -- the river district.

23 So we wouldn't be surprised that that district has
24 pretty big disparity.

25 It does in both scenarios, a big disparity, in

1 favor of Republicans.

2 It's configuring the urban districts where I think
3 we can find combinations that meet the first five
4 constitutional criteria and end up being more competitive.

5 This is just one version.

6 That's why I made some of the changes I asked for
7 today, was to try to re -- look at another configuration
8 that's going to put voters, while satisfying the
9 constitutional criteria, put voters in more competitive
10 districts.

11 COMMISSIONER McNULTY: Madam Chair.

12 CHAIRPERSON MATHIS: Ms. McNulty.

13 COMMISSIONER McNULTY: And the river district
14 version is just one version of the map also.

15 And my only comment is that we are now hearing
16 both from a Republican from me and Mr. Freeman that
17 Republicans are being packed in the river district version.
18 That's not the case. Just as you just described with
19 respect to the whole counties map, it's one version, and
20 we're just working towards a map on which -- what I hope to
21 result will be four truly competitive in the sense that we
22 heard described this morning congressional districts for the
23 people of the state of Arizona.

24 COMMISSIONER STERTZ: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Stertz.

1 COMMISSIONER STERTZ: Can we talk a little bit
2 about what happens when we create minority --
3 majority-minority districts and how that does -- that
4 affects the map of the state?

5 We seem to not want to talk about this.

6 And we -- I think we just need to just talk about
7 it. Because there's -- what happens is that when you
8 create, by virtue of the Voting Rights Act, we create -- we
9 have a large population of Democrats that are going to be
10 placed into two congressional districts.

11 Which means that you've got less Democrats to
12 spread around the other seven districts.

13 Now, what ends up happening, and I think that what
14 Commissioner Freeman was referring to, is that there's a
15 creation in 7A that creates an attempt to pick up all
16 different kinds of voter blocks that create very oddly
17 shaped districts that don't tie -- that disrupt communities
18 of interest, disrupt -- that don't have a real reaction to
19 the other -- several of the other criteria, in an attempt to
20 meet a competitiveness desire.

21 And my point of trying to drill down into the six
22 criteria is that, one, I think that has -- that happens
23 immediately in every single map, and Willie can correct me
24 if I'm wrong, but what you do first and second is that you
25 try to get equal population and you try to meet the Voting

1 Rights Act.

2 Is that correct?

3 WILLIE DESMOND: That's correct.

4 COMMISSIONER STERTZ: And then after that you try
5 to listen to the commissioners' desires based on some
6 general criteria and try to squish the lines around to get
7 it to meet those.

8 WILLIE DESMOND: Sometimes I start with your
9 wishes and then try to adjust them to, again, meet the
10 Voting Rights Act, yeah.

11 COMMISSIONER STERTZ: So what I, what I, what I
12 think we need to understand is that if we're going to start
13 clipping things off of our list here, and say that we're
14 going to disrespect communities of interest and disrespect
15 county lines, or city or town, and not have those having
16 equal weight, and we're going to concentrate on
17 competitiveness, we should just say that now and start
18 talking about that now.

19 Because if we're going to try to somehow a design
20 a map that becomes competitive or looks competitive that
21 we're going to try to back into to justify the other areas,
22 I think that that's an issue.

23 I don't think that that passes the smell test.

24 And it doesn't matter which map it is, whether or
25 not it's, you know, A, B, C, you know, X, Y, or Z. It

1 doesn't matter.

2 But unless we start talking about that, we're not
3 going to get to what you had just described, which is that
4 we need to get a map that's coming off of -- coming from the
5 five of us that's going to be moved forward.

6 And we haven't -- we got a week and a half to go
7 before we're supposed to be publishing a draft.

8 And we are -- haven't even got the congressional
9 and this is the easy one.

10 COMMISSIONER McNULTY: Madam Chair.

11 CHAIRPERSON MATHIS: Ms. McNulty.

12 COMMISSIONER McNULTY: Commissioner Stertz has his
13 own perspective, it's simply incorrect. He's made some
14 incorrect statements there.

15 Nobody is ignoring any of the criteria.

16 You can say that as many times as you want to --

17 COMMISSIONER STERTZ: And I intend to say it many
18 times.

19 COMMISSIONER McNULTY: I know you do. I know you
20 do.

21 But in between the times that you say it, we need
22 to keep drawing maps.

23 Communities of interest, there are many ways to
24 look at communities of interest. And the whole point of
25 drawing these districts is to create configurations of

1 communities that as a whole make up districts that best
2 serve the state.

3 And one of those goals is to create competitive
4 districts and to favor them to the extent that the other
5 criteria aren't substantially damaged.

6 And in the river district map, an effort has been
7 made to gather communities of interest into districts that
8 to the greatest extent possible afford opportunities for
9 competitiveness.

10 You and I live in a competitive district.

11 We are one of the more unique configurations in
12 the state of Arizona of communities that function in a
13 competitive district.

14 That doesn't mean that any of our communities have
15 been disrespected or torn apart.

16 Now, you can look at it a lot of different ways.
17 You can look at our district. There are three historic
18 neighborhoods in midtown Tucson.

19 And the congressional line runs right between
20 them.

21 As you know.

22 It's three blocks from your house and four blocks
23 from mine.

24 But our neighborhood is intact. That whole
25 historic neighborhood is not in one district, but our

1 neighborhood is kept together.

2 That's, I mean, one, you know, one group could
3 look at that one way and say, well, my goodness, the
4 historic neighborhoods in the center of town have been
5 disrespected, there's a line down the middle of them.

6 Another way you could look at it is to say,
7 well, the Sam Hughes neighborhood is all in the same
8 district, so on election day when you drive down the street,
9 you know, you don't have election signs from two different
10 candidates.

11 And that's what happened it in our district. That
12 doesn't mean that anyone has been -- any of the criteria
13 have been disrespected.

14 We are -- and I know Mr. Stertz knows this, and I
15 know you all know this, and I'm sorry for haranguing you
16 all, but the reality is that we have to merge all six of
17 these criteria together. And that means that communities of
18 interest -- and congressional districts are not communities
19 of interest. Congressional districts are groups of 710,000
20 people that comprise a whole bunch of communities of
21 interest.

22 Some of them will be very similar. And the river
23 district, maybe more politically similar.

24 But I think if you talk to people who live along
25 the river and people who live in, you know, Colorado City

1 and people who live in west Phoenix, I mean, they all have
2 very different interests.

3 We can, we can all talk about how different they
4 all are.

5 But that doesn't mean they won't each have a voice
6 in the district.

7 So, my message is to everyone that's involved in
8 this process that we need to work through all six of these
9 criteria and find a way to merge them. Every single one of
10 them is going to have to give a little bit in order to get
11 these districts.

12 But for us to be sitting up here and saying that
13 one or the other of our maps is disrespecting the criteria
14 or isn't taking into account the criteria is just wasting
15 our time.

16 And I don't want to waste our time.

17 I want to keep working on putting the maps
18 together.

19 And then we're just going to have to make
20 decisions about which map.

21 But what I'm not interested in doing is spending a
22 lot of time arguing back and forth about whose maps are
23 respecting what and whose maps aren't.

24 Now, I just want to make one more comment, which
25 is that Mr. Freeman was concerned that I was saying that his

1 maps didn't take communities of interest to account -- into
2 account.

3 That wasn't what I meant, Mr. Freeman. I didn't
4 mean to say that.

5 What I meant was that you had said that this
6 iteration of the map didn't take communities of interest
7 into account, and therefore I didn't think it made a lot of
8 sense to spend a lot of time focused on that with this
9 iteration of the map.

10 VICE-CHAIR HERRERA: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE-CHAIR HERRERA: Yeah, I agree completely with
13 Commissioner McNulty.

14 I don't know when Commissioner Stertz was
15 referring to a map disrespected communities of interest or
16 disrespected some of the other criteria, maybe he was
17 referring to his own map.

18 Or the whole county map.

19 I don't know who he was referring to.

20 And I would prefer that we not do that, and just
21 focus on some of the positive things that our maps do have,
22 and see how we can combine these maps.

23 Because we tend -- and I know Commissioner Freeman
24 likes to focus on river district 7A and criticize it, but
25 it's got a lot of good qualities as well as his map has a

1 lot of good qualities.

2 And I think we need to stop doing that and start
3 focusing on the good things that we have put together,
4 because we've done some good things. And we need to stop
5 being petty and, and saying that a certain district
6 doesn't -- a certain map doesn't respect this or that,
7 because that's -- I mean, that's not true.

8 I think all of us, each and every one of us, when
9 we're putting together a map, we're trying to respect all
10 six criteria. It's not that easy.

11 And when a certain commissioner criticizes one
12 map, we can say the same thing about his maps.

13 So, and that just proves that, you know what, it
14 is not simple, but we're all doing everything we can to make
15 sure that we address all six criteria.

16 So going forward let's focus on some of the things
17 that we have created, some of the good things, and let's see
18 if we can come up with one now.

19 COMMISSIONER STERTZ: Madam Chair, I must be
20 knocking myself on the head here because all that I -- how I
21 started this out was to say let's take each one of these
22 maps and compare them against the six criteria to find out
23 whether or not they meet the six criteria.

24 Now, I've just been harangued by saying that my
25 map is better than your map, your map is better than my map.

1 I haven't even made that comment.

2 So this is -- and I was just called petty?

3 I'm just trying to make sure that as we're going
4 through these maps that we're -- that we can find areas
5 where we have common -- commonality between what we're
6 doing.

7 And if they don't meet the criteria, we should go,
8 okay, what part of District 1 of map A, B, C doesn't meet
9 that criteria.

10 If it doesn't meet it, it doesn't meet it. It's
11 not, it's not really complex.

12 But if we don't start going down this, this path
13 and understanding it, we're going to, we're going to pick
14 one map -- and I'm okay with picking one map today. I'm
15 okay with saying, Madam Chair, your three border district,
16 river district combo map is terrific. And I'll use that map
17 and say, let's go ahead and use that to start tweaking. And
18 that's the map that we can start with.

19 Because it marries the whole counties map with the
20 river district map with the three border district map. They
21 marry themselves together. Let's take that one and start
22 working it through.

23 Because that works for me.

24 Because we have to start at a place where we
25 started to drill down for criteria.

1 That's your map. That's the map that you asked
2 for.

3 And we haven't even -- there hasn't been any
4 comment or discussion about that map.

5 We're getting into a our map, their map.

6 But if the goal is, Madam Chair, that the
7 Republicans need to walk away and create a map to bring in
8 and the Democrats create a map to bring in, I don't think
9 that that's what the purpose of this Commission is.

10 But it's certainly starting to feel that this 7A
11 map, was a Democrat-created map, that's really not taking
12 into any account of even having comment on it. I don't
13 think that's how this is supposed to be functioning.

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: I don't understand that
17 the -- Mr. Stertz' comments about the river district map 7A
18 being a Democratic map.

19 Again, I've said this numerous times, and I know
20 that Commissioner Stertz has heard this, that this map was
21 put together based on public comments.

22 COMMISSIONER STERTZ: Well, you keep saying that,
23 Commissioner Herrera, but I have to tell you, you keep using
24 the word we. And unless you've got a mouse in your pocket,
25 okay, the we is not including me.

1 I've never had any comment regarding the 7A map,
2 so there is a we --

3 VICE-CHAIR HERRERA: No, the we --

4 COMMISSIONER McNULTY: Mr. Stertz, I've had
5 comment about the 7A map. I've had a number of comments.
6 As you may recall, I started kind of down this path.

7 I've spent most of the weekend reading four
8 binders, four and a half binders. I've got half a binder
9 left to go.

10 And there were a huge number of comments that were
11 made that support the districts we've put together here.

12 COMMISSIONER STERTZ: And likewise --

13 COMMISSIONER McNULTY: I want to go back to what I
14 said earlier.

15 I don't want to spend the next week arguing back
16 and forth and listening to you tell us your
17 characterizations of the map.

18 I think we should just keep putting the maps
19 together. When we get to a point where we think we have
20 reached, you know, something that works, then we are going
21 to have to see if we can reach agreement.

22 At that point --

23 COMMISSIONER STERTZ: So far I have not given a
24 characterization of this --

25 VICE-CHAIR HERRERA: Actually you have.

1 COMMISSIONER McNULTY: You just did. You said it
2 was a Democrat map. You said it was --

3 COMMISSIONER STERTZ: Because, because I'm trying
4 to get an understanding which way are we going to go and I'm
5 trying to get an understanding about how we can move
6 forward. I --

7 COMMISSIONER McNULTY: The way I would like to
8 move forward is now that we've done whole county 6E, move on
9 to river district seven, whatever it is, and make the
10 comments that we would like to make to that map.

11 VICE-CHAIR HERRERA: And I -- Madam Chair, I just,
12 again, what I said before, these type of discussions don't
13 really add value to what we're trying to do.

14 All they do is create arguments and waste our
15 time.

16 So, again, let's focus on some of the positive
17 things and focus on some of the things that we can -- from
18 each of the maps, and see how we can come up with one map
19 that we can all agree on or at least agree on and send it as
20 a first draft.

21 But, again, the comments about, you know, this map
22 being a Democratic map or -- it's silly. It's silly and
23 really unnecessary.

24 So what I'd like to do is let's just focus on the
25 maps that are, that are, that are -- that we have ahead of

1 us, in front of us, and let's just stop with the this map is
2 this, this map is that. Again, this, I think, is a waste of
3 our time.

4 So we've already focused on this argument for
5 about -- at least 10, 15 minutes. And where has it gotten
6 us? Absolutely nowhere.

7 COMMISSIONER STERTZ: And again, Madam Chair,
8 again, Madam Chair, I'm going back to Commissioner Herrera's
9 going through the 7A map on Friday.

10 He drilled through every single, every single one.

11 I said, that was a good idea. So let's follow
12 that path.

13 If that's not the path that they're going to
14 follow, let's set the constitutional criteria aside, and
15 let's just use that as -- because it's our own personal
16 reflection of the constitutional criteria that we believe
17 that as we're making these adjustments independently that
18 we're taking that into consideration.

19 That's what I just heard us taking place, so
20 let's, let's -- if that's not what I've, if that's not what
21 I've heard, then that's okay.

22 But that's what I've been told.

23 VICE-CHAIR HERRERA: Madam Chair, let's move
24 forward, and let's look at the river district 7A.

25 CHAIRPERSON MATHIS: That's sounds good.

1 VICE-CHAIR FREEMAN: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Freeman.

3 VICE-CHAIR FREEMAN: Before we leave this one.

4 I spent a lot of time going through the public
5 comment as well.

6 I was pleased in seeing this map that to see the
7 central Phoenix district matches up with a lot of public
8 comment about the north valley --

9 UNIDENTIFIED AUDIENCE MEMBER: We can't hear you.

10 VICE-CHAIR FREEMAN: The north valley, Cave Creek,
11 and Carefree, expressing their community of interest, that
12 they're tied with the north valley, north Phoenix, central
13 Phoenix, and distinct from Scottsdale, distinct from the
14 west valley.

15 So that was a good corollary benefit.

16 But I agree that, I mean, we should be looking for
17 ways to try to come together on a map, and I would invite
18 any commissioner if they want to suggest a change to make a
19 new version of the old whole counties map to do so.

20 CHAIRPERSON MATHIS: I actually have a question
21 before we go on to any new version of maps, because it's
22 been weighing heavily on me ever since Bruce Adelson talked
23 about this a while back.

24 And it has to do with benchmark districts.

25 So I don't know if this is a question for the

1 mapping consultant or legal.

2 But we've all talked about how there are two
3 majority-minority districts that we've tried to preserve.
4 But he also talked about these effective majority-minority
5 districts.

6 And I am wondering if anyone's done any analysis
7 on our current congressional map to say, you know, actually
8 there are one or two effective majority-minority districts
9 that DOJ is going to look at later and say, hey, what did
10 you do about those, because those -- they could elect the
11 candidate of their choice. That's what the effective gets
12 to.

13 And I wanted to see if that could be addressed
14 because I think it's kind of a base criteria that we need to
15 be thinking about all the time.

16 And as everyone knows, one of my primary goals is
17 to achieve preclearance on the first try.

18 So I wanted to bring that up.

19 MARY O'GRADY: Madam Chair, I think we both might
20 have something to say on that.

21 Essentially the test under Section 5 is an
22 opportunity to elect the preferred candidate of choice, and
23 we're trying to avoid retrogression.

24 And under the congressional maps, I think it's
25 fair to say that we're unquestionably working with

1 two districts where there is an opportunity to elect the
2 preferred candidate of choice, and, and that the additional
3 analysis is at what level, what population is necessary to
4 make sure that we preserve that opportunity to elect the
5 candidate of choice.

6 And beyond that, I might see if Ken or Willie have
7 anything to supplement.

8 KENNETH STRASMA: Madam Chair, to the question of
9 whether there would be possible to have a third
10 coalition-type district, we are actually discussing this
11 this morning and yesterday, and if the Commission wished to
12 so direct, we could see if it's possible to create a third
13 district with a concentration of both Native American and
14 Hispanic population.

15 It's -- this is one of these questions where it's
16 impossible to answer the question of could it be done
17 without trying, because of what I alluded to earlier, where
18 the ability to elect depends on where in the state these
19 particular voters are coming from.

20 I do think it would be valuable for us to explore
21 that possibility, so that even if the answer is, no, it
22 can't be done, we can at least say it's been explored.

23 CHAIRPERSON MATHIS: Well, would DOJ come and say,
24 hey, there was an effective benchmark district that existed,
25 based on the past ten years, in some district?

1 KENNETH STRASMA: I believe it's fairly clear
2 there is not an effective benchmark.

3 CHAIRPERSON MATHIS: Okay. I was wondering if
4 that --

5 KENNETH STRASMA: I may have given a far more
6 complicated answer than you wanted.

7 Madam Chair, no.

8 CHAIRPERSON MATHIS: Thanks.

9 I understood that.

10 Okay. I'm sorry. Ms. O'Grady.

11 MARY O'GRADY: Just one other comment.

12 The issue that Mr. Strasma is talking about there
13 is not so much a Section 5 issue, not a retrogression issue
14 but a Section 2 issue, as to whether there is a majority of
15 a minority in a compact area that could create a new
16 minority district.

17 CHAIRPERSON MATHIS: Okay. Thank you.

18 Any comments?

19 COMMISSIONER McNULTY: I do have a question about
20 that.

21 I may have misinterpreted your question or maybe
22 it just sent me in a different direction.

23 But -- and this I think is a question for
24 Ms. O'Grady. On the one hand, in the majority-minority
25 districts, it's important to meet and exceed the benchmark.

1 But isn't there also a question about the voting
2 strength, so you can, on the one hand, for example, exceed
3 the benchmark, but at the same time dilute the voting
4 strength.

5 And how do we, how do we analyze -- are we
6 analyzing that or how do we analyze that?

7 MARY O'GRADY: Madam Chair, commissioners, and,
8 again, I'll start and Mr. Strasma may have some supplemental
9 comments.

10 Let me see.

11 Absolutely. You look at the numbers, but it all
12 is based on real world analysis because based on voter
13 behavior, turnout, racially polarized voting, and so it's
14 not just a question of, well, we started out at 52.41, so we
15 need to stay at 52.41.

16 Because a different 52.41 may lead to different
17 results.

18 In terms of the analysis, we're looking at the
19 election results now that we have. When I say we, I really
20 mean that Ken with the assistance of Dr. King are working on
21 that.

22 And, but I think a lot of that will happen when we
23 do land on a map so we can look at a precise map, just
24 because it does matter, you know, which voters are in the
25 district as part of the analysis.

1 KENNETH STRASMA: Just to expand on that a little
2 bit, if I may. We do have the sort of classic chicken and
3 egg problem that we can't -- you know, we have to know what
4 percent we need to reach in drawing the district and we have
5 to have the proposed district in order to know what that
6 percent is.

7 Generally speaking though, I do think it's fairly
8 clear that some of the maps that have shown a 60 percent
9 plus Hispanic population in the proposed new seventh
10 congressional district, that is probably higher than it
11 needs to be and, and I assume would be frowned upon by the
12 DOJ.

13 Exactly how much lower that population can and
14 should be would require further analysis.

15 CHAIRPERSON MATHIS: Thank you both.

16 Okay. Any other comments or questions on this
17 topic?

18 If not, we can move on to river district. It
19 looks like there are three versions in front of us, 7C1,
20 7C2, and 7D.

21 And maybe Mr. Desmond can walk us through what
22 he's created.

23 WILLIE DESMOND: Yes.

24 So, the question was raised as to whether or not
25 the portion of Pima County that's Oro Valley, Catalina,

1 Saddlebrooke, should be in the river district, which if
2 you'll allow me to go to that map.

3 It's District 5.

4 So we're asked to remove all of District 5 from
5 Pima County essentially.

6 And to make up that population that it lost by
7 going into -- take the rest of Graham, Greenley, and
8 Cochise.

9 There was still a little bit imbalance there.

10 So 71 -- 7C1 and 7C2 are two different ways of
11 balancing that population.

12 The first of which was to grab the -- wholly from
13 Cochise County.

14 And that was, I guess, 7C2.

15 The other option was just to grab a little bit of
16 Cochise County, I believe it was Benson, and then to make up
17 the rest of the district by taking some population from
18 proposed District No. 2.

19 That in turn makes proposed District No. 2 a
20 little underpopulated.

21 So then some population had to be grabbed, I think
22 I -- in the 7C1, I took that population from the city of
23 Maricopa.

24 So I wasn't exactly sure how you, how you guys had
25 directed me to proceed.

1 I don't think it was entirely clear how I was
2 supposed to proceed. Just as a result, I did two versions
3 to kind of illustrate both ways to do it.

4 That's the 7C maps.

5 7D was very similar, except that
6 Commissioner Stertz asked that District 1 be extended down
7 to grab all of Santa Cruz County to create a third border
8 district.

9 And then to make up that population that was lost
10 in District 2 other ways.

11 So there's really two different variations on the
12 river district 7A.

13 The 7C1 and 7C2 are two different ways of that one
14 variation. So that's a little confusing.

15 So I'm happy to start wherever you like.

16 By -- I guess it probably makes sense just to go
17 with 7C1.

18 CHAIRPERSON MATHIS: I'm wondering if on 7C1
19 Cochise can be kept whole and, you know, the lines on the
20 west side could be adjusted to take in whatever additional
21 population needs to take in to get rid of the bump that's
22 into Cochise.

23 WILLIE DESMOND: That would probably be possible.

24 I should also mention that with both of these
25 versions, I was asked to include the part of Pinal County

1 where Saddlebrooke is.

2 CHAIRPERSON MATHIS: Right.

3 WILLIE DESMOND: So that's reflected --

4 CHAIRPERSON MATHIS: It's -- yeah, 7D, I don't
5 think.

6 WILLIE DESMOND: 7C, it's underneath the one, I
7 believe.

8 CHAIRPERSON MATHIS: Oh, okay. It's hidden?
9 Okay.

10 Any other comments or thoughts on this?

11 Okay. It's sounding quiet.

12 WILLIE DESMOND: All right. We can also look at
13 7D, if you like.

14 All right. And if not, I can go on to the other
15 maps that we have for today too.

16 CHAIRPERSON MATHIS: Anybody have any comments?

17 VICE-CHAIR HERRERA: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE-CHAIR HERRERA: I don't have any comments on
20 the one we -- I have before me. I do have some changes to
21 river district 7A that I can easily -- if Mr. Desmond would
22 prefer that I e-mail to him, through Mr. Bladine, and
23 Mr. Bladine can then send it to Mr. Desmond and the rest of
24 commissioners, I'm happy to do it that way.

25 WILLIE DESMOND: I was going to say e-mail, e-mail

1 works well, because I have exactly what you asked for, but
2 it might be helpful if you just give a rough sketch right
3 now of what you want so I have an understanding going into
4 it also.

5 VICE-CHAIR HERRERA: I can definitely give you a
6 rough sketch.

7 COMMISSIONER McNULTY: Mr. Herrera.

8 VICE-CHAIR HERRERA: Yes, ma'am.

9 COMMISSIONER McNULTY: Before you do that, can I
10 preface it with one request?

11 VICE-CHAIR HERRERA: Of course.

12 COMMISSIONER McNULTY: I was asked to create a
13 what-if, and I said that I would, in which the Fort McDowell
14 and the Salt River Indian community are moved into -- I have
15 to look at the map. I think it's District 4.

16 Could you put, I guess, once you put 7A up, if you
17 could go to the Salt River Indian community, then I can show
18 you what we want to do.

19 WILLIE DESMOND: Is that right, commissioner?

20 Okay.

21 COMMISSIONER McNULTY: I can't see any of that.

22 So, so the concept is that we would take the
23 portions of -- I think it's Cave Creek and Scottsdale that
24 are north of Chaparral Road, so it's just going to be a
25 little piece, and we're going to move those together with

1 the Salt River Indian community and Fort McDowell north into
2 District 4.

3 So we're just going to move the boundary around
4 the outside of Fort McDowell, Salt River Indian community,
5 and then follow Chaparral.

6 And that will effectively incorporate those areas
7 into District 4.

8 WILLIE DESMOND: So move Cave Creek and
9 Fort McDowell into District 4 --

10 COMMISSIONER McNULTY: Just the, just the portions
11 that are north of Chaparral Road. It's just a small area on
12 the map.

13 And I can show you.

14 You will recall that at our last hearing Ms. --
15 Dr. Kilpatrick, representing the Fort McDowell Nation, was
16 asking that we show them two different ways of doing it, one
17 with, one the way it is now and one the way I just described
18 to you.

19 And I said we would do those what-ifs, so I would
20 ask that when we do the next iteration of this map that we
21 have the iteration and then maybe we have a separate version
22 after something that shows it the other way, so that they
23 have the two what-ifs that they can look at.

24 Thank you.

25 WILLIE DESMOND: Okay.

1 So, with Commissioner Herrera's proposed changes,
2 we'll go to river district version 8A.

3 If you'd like the next one to be eight -- should I
4 make that, like, 8A1 and 8A2?

5 COMMISSIONER McNULTY: Well, one of them will be
6 8A. 8A will be as it is now. And then 8A1 would be with
7 the, with the change that we just talked about.

8 VICE-CHAIR HERRERA: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE-CHAIR HERRERA: I -- I'm more than okay with
11 those changes. Again, it's taking communities of interest
12 in mind in making those changes.

13 And if Commissioner McNulty would be okay, I would
14 like to make them part of the same map that will the changes
15 that I'll be making based on 7A.

16 COMMISSIONER McNULTY: That would be fine.

17 I think all they're just looking for is different
18 what-ifs. You know, not just tied to this map even, but
19 just different what-ifs that they can look at. And, so, I
20 think that's good.

21 VICE-CHAIR HERRERA: And it's taking a community
22 of interest in mind and have one that's protected by the
23 Voting Rights Act.

24 So I am glad that you listened and are proposing
25 that change.

1 I'd like to make it part of the 7A -- based on the
2 7A map, and the changes that I'll make should be part of the
3 same map.

4 I'm okay with that.

5 So -- Madam Chair, some of the changes that I'm
6 proposing, and I'll send you an e-mail, if we can move
7 Apache Junction, Gold Canyon, and the -- parts of San Tan
8 Valley into District 4.

9 And that's one broad change.

10 And then move Gila River Indian community.

11 Move Gila River Indian community from District 6
12 to 5.

13 Another change is the northwestern part of
14 District 6, that boundary, which is north of Thomas, west to
15 Central Avenue and Seventh Avenue, along the District 7
16 border, and take it north up to approximately Northern
17 Avenue.

18 And then, let's see, fill out District 9
19 population by taking some of the population from the western
20 boundary through District 8's portion of south Glendale and
21 Peoria.

22 And I think that's it. I think those are the only
23 changes that I'm proposing.

24 And what I'll do is I'll send you a bit more
25 detail to Mr. Bladine, and for him to send to the rest of

1 the commissioners and to Mr. Desmond.

2 COMMISSIONER McNULTY: Can I piggyback something
3 else onto that map?

4 In District 9, could you show us grid nine,
5 Mr. Desmond?

6 The west side of grid nine.

7 WILLIE DESMOND: Do you want me to zoom in more?

8 COMMISSIONER McNULTY: Yeah. Well, it's hard to
9 say, because I can't see it any way we do it.

10 WILLIE DESMOND: The census place for a second?

11 COMMISSIONER McNULTY: I'm looking for El Mirage.

12 And Sun City is in between what we have now for
13 District 9 and El Mirage, I think.

14 I think the El Mirage may be --

15 WILLIE DESMOND: Well, El Mirage is this brown
16 area.

17 COMMISSIONER McNULTY: It's the brown census
18 place.

19 WILLIE DESMOND: There's Youngtown, Sun City, and
20 Peoria --

21 COMMISSIONER McNULTY: Right.

22 WILLIE DESMOND: -- between District 9 --

23 COMMISSIONER McNULTY: What I'd like to do is
24 see -- see District 9 pick up some population in Peoria and
25 Glendale there and wrap south of Sun City and take in that

1 brown census place, take in El Mirage.

2 WILLIE DESMOND: Okay. And then where would you
3 like District 8 to make up that population that will be
4 lost?

5 COMMISSIONER McNULTY: I think then you probably
6 just adjust between eight and four.

7 WILLIE DESMOND: Well, if nine grabs El Mirage and
8 the portion of, like, Peoria that's south of Sun City, that
9 will be coming solely from District 8.

10 So District 8 could grab population from nine by
11 moving further over to the border of Peoria.

12 You'll notice that there's that easternmost
13 portion of Peoria as District 9, or it could come south of
14 the 101 someplace.

15 I can play around with it, if you don't have a
16 specific thing.

17 I can probably balance that somewhere.

18 COMMISSIONER McNULTY: I think I would look at
19 four.

20 Between four and eight.

21 I'm just -- balance out the population.

22 As we've already demonstrated, I'm not an expert
23 in population balancing.

24 That would be my sense.

25 But the purpose of that, the purpose of that, and

1 I said this early on, and I know we're now getting comments
2 about how the 101 is not a natural boundary, and I know it's
3 not a natural boundary, but it is just kind of a general
4 landmark of where, you know, the older established
5 neighborhoods in more central Phoenix begin to give way to
6 the rapid growth north of that. That's all, that's all I
7 intended by that comment.

8 And so what I'm looking at here is a district in
9 which that, that established community is kind of kept
10 together, and has the potential -- and as we looked at early
11 on, there are a couple of growing Latino communities in that
12 area.

13 And I think it pretends -- it offers the
14 opportunity potentially for a competitive district to grow
15 over time.

16 And so that's the purpose of the change I'm
17 requesting, to see if we can keep that, those established
18 areas together, but at the same time build together some
19 communities and create the possibility for an emerging
20 competitive district.

21 VICE-CHAIR FREEMAN: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Freeman.

23 VICE-CHAIR FREEMAN: Just on the 101 issue.

24 Growing up in Phoenix, I've seen that northern
25 boundary moved north and north in terms of the urban and

1 less developed area.

2 But always there are these communities of Carefree
3 and Cave Creek here that I know I visited and we visited as
4 I was growing up.

5 And still now before I got married and I used to
6 ride motorcycles, that's a great place to go out to.

7 There are times there -- I have friends that
8 live -- I mean, this is Phoenix, north Phoenix. And it's
9 just an area that has a lot of horse property and larger
10 lots.

11 And that was something I looked at over the
12 weekend in terms of public comment.

13 There was quite a bit of it on how Cave Creek and
14 Carefree are tied with north Phoenix.

15 The I-17, 51 corridor, Tatum, those are all the
16 routes I've taken. Well, 51 wasn't there until more
17 recently, but Tatum was.

18 Lots of comments about New River being connected,
19 via I-17, to north Phoenix, to Cave Creek and Carefree, that
20 they were not connected to the west valley, that they did
21 not feel connected to Scottsdale either.

22 A comment about how Anthem, New River, Cave Creek,
23 and Carefree fit together along I-10 to northeast Phoenix as
24 a community of interest.

25 I am not going to go through all of them, but

1 there was quite a bit.

2 So that's a concern.

3 The other thing I just wanted, just to help you
4 out, Mr. Desmond, Chaparral Road where you're going to split
5 Scottsdale to put it into the river district is just north,
6 just north of Camelback. So that's where you'll find it.

7 WILLIE DESMOND: Any there other changes to what
8 will become river district version 8A?

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE-CHAIR HERRERA: I have no other changes other
12 than to reiterate I will be sending that information.
13 Hopefully the instructions I will send you will make sense,
14 but I kind of gave you a rough idea of what will be coming.

15 WILLIE DESMOND: Okay.

16 CHAIRPERSON MATHIS: Okay. That takes us to the
17 next set of maps, which are Navajo Human Rights Commission
18 option C with grid and NN2 with grid.

19 So, can we talk about those?

20 WILLIE DESMOND: Sure.

21 I'll start with option C with grid.

22 So last Thursday's meeting at the Heard Library I
23 was asked to take the two congressional plans that the
24 Navajo Human Rights Commission had submitted and import them
25 into our grid map and just see how they looked.

1 So I went through and did that with the first one
2 they had as their option C, so the title option C is
3 theirs -- it's just with our grid map.

4 I then adjusted the maps to satisfy the two
5 majority-minority districts.

6 One thing I will say is that it is difficult, I
7 guess, to draw those majority-minority districts without
8 having to touch any of the two plans that they submitted.

9 So just so you understand, I did not change their
10 boundaries whatsoever.

11 So in this case, option, option C with grid -- and
12 I should also mention -- I should have mentioned earlier,
13 all of the maps that we're discussing today are available on
14 the website right now, so anybody following on live stream
15 or with a computer here can grab these.

16 So, in this case it's District No. 5 is their
17 option C that they submitted.

18 So you can see it grabs all of the tribes to the
19 north and then links that with the Tohono O'odham and then
20 going up to the Gila River.

21 Because the population of Santa Cruz and Pima
22 County, the Hispanic population can't be linked with the
23 population in Yuma or even really the population of Maricopa
24 that easily.

25 I had to -- if you'll notice the cutout in

1 Maricopa County got a little creative, I guess, grabbing the
2 Hispanic population we needed.

3 So that's kind of why it looks a little, a little
4 jagged.

5 You know, if there was some direction from them as
6 to places where we could alter this a little bit, it might
7 be easier to adopt some of the core principles here.

8 But I'll zoom in on Maricopa, and you guys -- I'll
9 be happy to answer any questions you might have relating to
10 which communities these grab.

11 I should say that for the sake of this map, my
12 only real designed criteria was to try to use whole census
13 tracts when possible and, you know, to meet the
14 majority-minority districts.

15 And also the majority-minority districts aren't
16 probably where they would eventually need to be.

17 District No. 3 is 50.85 and District No. 7 is
18 51.28.

19 So, I did not pay particular attention to not
20 splitting municipalities.

21 CHAIRPERSON MATHIS: Mr. Desmond, just a second,
22 we're having a question on which map we're on. This is the
23 Navajo Human Rights Commission option C with grid.

24 WILLIE DESMOND: So, if we're going to go forward
25 with this one, probably want to start taking a look at

1 respecting some of those municipal boundaries more and
2 things like that.

3 Are there questions, or is there a place that you
4 would like to start?

5 Guess I'll also point out that District No. 5,
6 which is the district they submitted, is 21.55 percent
7 voting age, non-Hispanic Native American. And for that
8 number, it's not -- it's people that only marked
9 Native American. These numbers aren't Native American in
10 combination with another race.

11 COMMISSIONER McNULTY: Madam Chair.

12 CHAIRPERSON MATHIS: Ms. McNulty.

13 COMMISSIONER McNULTY: Mr. Desmond, that was my
14 first question. That's the base map that you started with.
15 When they said merge the Navajo Human Rights Commission map
16 with the grid, that meant merge this configuration of
17 grid five.

18 Is that right?

19 WILLIE DESMOND: Yeah, the only district in
20 option C is District 5.

21 So I simply placed District 5 over the top
22 of the -- over the grid map, and then adjusted the remaining
23 districts to both meet equal population and creating two
24 majority-minority districts.

25 COMMISSIONER McNULTY: Did they give you any

1 analysis with their map?

2 WILLIE DESMOND: No.

3 COMMISSIONER McNULTY: I guess I'm curious to know
4 what the main differences are between this map and the
5 versions of the east rural map that we have for our
6 basically two versions, the river district and the whole
7 counties.

8 Is there anything that kind of stood out in your
9 mind about issues that this map presented that you had to
10 overcome or would have to be overcome that aren't presented
11 in those other versions?

12 WILLIE DESMOND: I guess I don't understand the
13 question.

14 Which other versions? Our other whole counties
15 maps?

16 COMMISSIONER McNULTY: The east rural district
17 that we have -- I think we have an east rural district in
18 both of our, you know, versions of the maps.

19 We have one in the whole counties version and
20 then we have one in the river district version. And I guess
21 the main difference is they take in all the tribes up north
22 and. . .

23 WILLIE DESMOND: Yeah, I guess the main difference
24 is just that this grabs all of Santa Cruz County, a big
25 chunk of rural Pima County, where the reservations are, goes

1 up into Pinal County and grabs reservations there.

2 There is -- we don't have anything that comes
3 close to linking this many reservation areas together.

4 COMMISSIONER McNULTY: Okay. I see. All right.
5 I didn't understand that.

6 So that really does -- they come around, they take
7 in Tohono O'odham, and then they go up and they grab Gila
8 and Ak-Chin also.

9 WILLIE DESMOND: Yeah.

10 COMMISSIONER McNULTY: Oh, okay. All right.

11 So that's why the benchmarks are so low in these,
12 in the majority-minority districts now. Okay.

13 WILLIE DESMOND: Yeah.

14 COMMISSIONER McNULTY: All right. So that just
15 doesn't seem practical.

16 WILLIE DESMOND: So the -- I mean, I should point
17 out that District 5, it does have -- it is 21 percent
18 Hispanic also.

19 So there's a fairly low voting age non-Hispanic
20 White number, 52.84. Not quite like a coalition district or
21 anything, but. . .

22 COMMISSIONER McNULTY: And we think the purpose of
23 this was to get all -- essentially now we have everything
24 but the Colorado River tribes in one district?

25 WILLIE DESMOND: Yes.

1 COMMISSIONER McNULTY: Okay.

2 WILLIE DESMOND: I know it's a little hard to see
3 on the printout, but if you pay attention to the thick green
4 line, that's their submitted district.

5 It's below our kind of darker black line and the
6 counties dotted orange line.

7 COMMISSIONER McNULTY: Got it.

8 So what you did is you merged them with the two
9 different grids?

10 WILLIE DESMOND: Well, we -- you guys settled on
11 grid option two.

12 COMMISSIONER McNULTY: Uh-hmm.

13 WILLIE DESMOND: I merged it with that one.

14 COMMISSIONER McNULTY: Okay. And then what is
15 NN2?

16 WILLIE DESMOND: NN2 is they submitted two
17 different --

18 COMMISSIONER McNULTY: Oh, okay. All right.

19 WILLIE DESMOND: -- congressional ideas.

20 COMMISSIONER McNULTY: All right.

21 WILLIE DESMOND: That was their other idea, their
22 other submitted map.

23 So, these two are -- that's why I called them
24 option one and option two on my documentation, because
25 they're two different plans starting at the same point.

1 But for the purposes of being consistent with how
2 they had named them, I called them option C and then two,
3 which is how they were labeled when I was given them.

4 CHAIRPERSON MATHIS: May I just note that the
5 voting age Native American on the Navajo Human Rights
6 Commission option C with grid is only -- it's 21.55 percent,
7 compared with the river district 7D it's 19.24 percent.

8 So even though that swings around and pick ups
9 what would seem like a lot more Native American population,
10 it's only an additional 11,000 folks.

11 Not a huge difference, but. . .

12 WILLIE DESMOND: Yeah, the -- you know, however
13 you do it, the majority of the population is going to come,
14 I think, from the Navajo reservation. That accounts for the
15 bulk of it anyway.

16 COMMISSIONER McNULTY: Maybe to bring closure to
17 this.

18 As far as we know, there's not -- they haven't
19 expressed to us any particular things that these maps do
20 that wouldn't be done in one of the other versions that
21 we're looking at or that are -- have been omitted in one of
22 those other versions.

23 Is that -- would that be fair to say?

24 WILLIE DESMOND: The only thing that this map does
25 that we haven't been able to do is linking the

1 Tohono O'odham and the Gila River with everything else.

2 COMMISSIONER McNULTY: Okay. All right.

3 CHAIRPERSON MATHIS: Any other comments or
4 questions on these two?

5 WILLIE DESMOND: I could also, if you're
6 interested, it might be helpful just to see the area in
7 Maricopa that kind of looks, I guess, a little, a little
8 funky.

9 I could show the underlying block groups there,
10 the Hispanic population. I think you'll understand pretty
11 clearly why those two grab the way they do, in order to
12 maximize the Hispanic percentage. I believe you're
13 interested in seeing that.

14 If not, I can go to the NN2 and you can see how
15 that one kind of played out.

16 CHAIRPERSON MATHIS: Okay. Let's go to NN2.

17 WILLIE DESMOND: Okay.

18 So in this district, the District No. 1 is the
19 proposed district they submitted.

20 It's largely the same as the previous district,
21 although it does grab more of Pinal County and does not
22 attempt to grab the Tohono O'odham.

23 Again, I did not change their proposed district
24 again, District No. 1 in this case, whatsoever.

25 So I kind of accommodated the grid map around it.

1 It did take me a little while to get two
2 50 percent plus Hispanic districts.

3 Kind of as a result of my process of trying to do
4 that, I was able to create three districts that were kind of
5 mid to low 40s, and then I just stole from one of them and
6 brought the other two up over 50 percent.

7 I did have this highlighted orange district,
8 number four, because although it's not a majority-minority
9 district, it is a coalition district technically with the
10 voting age non-Hispanic White percentage being slightly
11 under 50 percent.

12 So, but I think if we were to raise the other two
13 majority-minority districts up to their current benchmark,
14 that would probably drop and not be a coalition district
15 anymore.

16 COMMISSIONER STERTZ: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: Mr. Desmond, all of this is
19 now available to the commissioners?

20 WILLIE DESMOND: Yes, it's available to the
21 commissioners and the public.

22 COMMISSIONER STERTZ: There's a lot of very
23 interesting things that are taking place in this version
24 that I would like to explore more. But being that this is
25 the first time I've seen it, I can only do so by drilling it

1 down and then sending you those comments. So I'll try to
2 get those comments to you so you can have something to us by
3 the beginning of next week.

4 WILLIE DESMOND: Great.

5 CHAIRPERSON MATHIS: Any other comments?
6 Questions?

7 VICE-CHAIR HERRERA: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Herrera.

9 VICE-CHAIR HERRERA: I think it would be
10 worthwhile for us to consider getting these minority groups
11 together from -- the people from the American Indians to
12 the -- those representing the Hispanic areas. Because when
13 they start putting together maps on their own and they just
14 worry about their own districts, it kind of creates a map
15 that looks like -- NN2 with grid, it doesn't make much
16 sense, because they probably weren't concerned but the other
17 areas.

18 So it would be great if we could get them together
19 in one room and thinking since they are a protected class
20 and we need to consider them, that these kind of maps would
21 be better -- really I think we would be better served if we
22 can have them cooperate in putting together a map that makes
23 sense for the Native Americans as well as for the Hispanic
24 and other minorities.

25 That would just be my idea.

1 CHAIRPERSON MATHIS: Okay. Other comments or
2 thoughts?

3 COMMISSIONER McNULTY: I guess my thought would be
4 that now that this is available -- it's on our website;
5 right?

6 WILLIE DESMOND: Yes.

7 COMMISSIONER McNULTY: That, you know, folks would
8 be able to comment on it and if there are -- I was under the
9 impression that we got a lot of comment in the Inter Tribal
10 Council meeting about direction on the map, and that maybe
11 now they can, they can, with the benefit of this, give us
12 comment about whether there are particular things here that
13 they feel haven't been addressed or need to be addressed in
14 a different way.

15 And I expect that will come.

16 Knowing how difficult it is when everyone is in
17 the room to reach agreement on anything, and knowing that
18 we're the ones that have to make the -- reach the decision
19 in the end, I'd just encourage folks to comment on that, you
20 know, on the two principal directions that we're going in, I
21 think, and the -- and then this map and, you know, tell us
22 all what's really important to them that we've missed, if
23 anything.

24 CHAIRPERSON MATHIS: Any other thoughts?

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: Mr. Desmond, in some real
3 broad brush, is it possible for you to drop in, in where
4 District 7 is located, to drop in the Hispanic Coalition's
5 map for the central Phoenix?

6 WILLIE DESMOND: I believe so.

7 COMMISSIONER STERTZ: I believe you can because
8 you'll be able to pick up population out of District 4 to
9 assist you in what you'll lose by -- because you're going to
10 end up increasing seven by going into four.

11 And you'll be able to add some out of four into
12 three where you're going to lose out of three.

13 WILLIE DESMOND: Let me -- we can do that right
14 now.

15 I'll add that layer on top of this.

16 All right. So the heavy green line is the
17 Hispanic Coalition For Good Government's line.

18 I can change that.

19 I know it's a little hard to see in the projector.
20 Let me change the color.

21 Any better?

22 COMMISSIONER STERTZ: So you'll be able to pick
23 up -- expand what's currently seven, picking up in three.

24 WILLIE DESMOND: The problem is that then we
25 have -- I don't think we have enough minority population in

1 either four or three.

2 I can try.

3 But I think three gets the majority of its
4 Hispanic population from the part that would be affected by
5 that.

6 COMMISSIONER STERTZ: You may go up and pick up
7 that little nodule to the left of nine, to the west of nine.

8 But let's -- let me -- I've got to get down to
9 street level on this, into the block level, to get more
10 comfortable.

11 I just wanted to see how at this was going to
12 look.

13 WILLIE DESMOND: Okay. I will.

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE-CHAIR HERRERA: Mr. Desmond, was there any --
17 so the map -- the Human Rights Commission submitted both of
18 these maps, is there one that they favored over the other?

19 WILLIE DESMOND: Not to my knowledge.

20 VICE-CHAIR HERRERA: Did we -- never mind. So I
21 guess they didn't specify.

22 CHAIRPERSON MATHIS: So it sounds like based on
23 Mr. Stertz' input you're going to create another version of
24 this NN2 with grid.

25 Is that right?

1 WILLIE DESMOND: Yes.

2 CHAIRPERSON MATHIS: And it will have the Minority
3 Coalition overlay in it and then whatever other directions
4 he gives you.

5 Okay.

6 WILLIE DESMOND: Okay.

7 So, you'll send me directions to that.

8 COMMISSIONER STERTZ: Yes, sir.

9 WILLIE DESMOND: Okay.

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: I would agree with
13 Commissioner McNulty that I think we should really encourage
14 the public to weigh in on these maps and tell us what they
15 think about them.

16 I'm interested in seeing the next iteration of the
17 river district 7A map.

18 I mean, right now, what I guess would be
19 considered the river district, because it mostly follows the
20 river district four, I believe we've got a breakdown of, at
21 least in terms of the competitiveness measure and
22 recognizing that we're only looking at 2008 and 2010
23 election data right now, that's a 35.39 split.

24 With the Republicans it's 67.74. Democrats at
25 32.26.

1 Now, granted the whole counties map, it's a little
2 better, but not much.

3 But it's still -- there's -- that's a high
4 concentration of Republicans living in that urban area.

5 At least as I understand the proposed changes to
6 this map that will happen, that river district will now
7 reach over Phoenix and reach in and grab part of north
8 Scottsdale, down to Chaparral Road, which is just north of
9 Camelback Road, and those people will be included in that
10 District 4.

11 It doesn't include all of north Scottsdale,
12 because other parts of north Scottsdale are either linked
13 with central Phoenix or they're linked with Carefree,
14 Sun City, and Buckeye.

15 So, we need to hear from people and what they
16 think about these proposals.

17 And, but I do think we should keep all working and
18 massaging these maps and hopefully we can have something
19 come out of all this.

20 CHAIRPERSON MATHIS: Other comments or additional
21 instructions for Mr. Desmond?

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: I have a question for
25 Commissioner Herrera. This is a clarification on 7A, if

1 could you peak over my shoulder.

2 Could you -- I wasn't clear whether or not the --
3 out of four as it snakes around the edge and pick ups
4 San Tan, did you clip that off in this last iteration or did
5 you expand it?

6 VICE-CHAIR HERRERA: I don't remember the
7 direction that I -- I think we had made some changes to --
8 where we had San Tan removed from the district it was
9 originally in.

10 COMMISSIONER STERTZ: San Tan is currently in
11 four.

12 VICE-CHAIR FREEMAN: I thought it was -- I heard
13 that it was expanded to include. I think that is right.

14 COMMISSIONER STERTZ: So, Mr. Desmond, are you
15 aware of whether or not we were expanding or contracting
16 four?

17 WILLIE DESMOND: I have in my notes to move
18 Apache Junction and Gold Canyon into four.

19 COMMISSIONER STERTZ: Apache Junction and Gold
20 Canyon into four. So it's actually expanding that into
21 that. Okay.

22 Thank you.

23 CHAIRPERSON MATHIS: Any other comments?

24 (No oral response.)

25 CHAIRPERSON MATHIS: Okay. It doesn't look like

1 we have legislative maps to discuss.

2 Is that right?

3 WILLIE DESMOND: That's correct.

4 I've been waiting for some of the things from the
5 Commission, and yesterday I received Commissioner Freeman's
6 changes.

7 I haven't really got back to him yet, but I'm sure
8 he'll agree that it seems like it's going to be a pretty
9 significant amount of tweaking.

10 And then also Commissioner McNulty asked me to do
11 some changes.

12 So I will be working on that, but nothing for
13 today.

14 VICE-CHAIR FREEMAN: Yesterday at 2:30 a.m., I
15 believe.

16 COMMISSIONER McNULTY: And 11:30 p.m.

17 WILLIE DESMOND: Sorry, I didn't have those for
18 you this morning.

19 COMMISSIONER McNULTY: What were you doing all
20 night, Willie?

21 CHAIRPERSON MATHIS: I appreciate them both
22 submitting those extensive ideas to you. I saw their
23 e-mails, but I know that will require a lot of work.

24 Is that something that you can do for tomorrow if
25 we wanted to try to discuss legislative tomorrow?

1 WILLIE DESMOND: I can try.

2 CHAIRPERSON MATHIS: Because -- I guess I should
3 ask the commissioners.

4 Should we focus on congressional right now in
5 terms of the changes we just talked about today and having
6 him go down that path, or would you like to see him start on
7 the two legislative ideas that you both submitted?

8 COMMISSIONER McNULTY: That's a really good
9 question.

10 What could you get done by tomorrow? Could you
11 get our congressional -- respective congressional ideas
12 pulled together?

13 WILLIE DESMOND: I don't think so only because --
14 well, unless --

15 COMMISSIONER McNULTY: Not legislative,
16 congressional.

17 WILLIE DESMOND: I -- yeah. Commissioner Herrera
18 was going to e-mail. Commissioner Stertz are going to
19 e-mail direction.

20 So assuming I get those e-mails early, I could
21 have those done, I believe.

22 VICE-CHAIR HERRERA: What's early?

23 WILLIE DESMOND: You know, just by --

24 VICE-CHAIR HERRERA: 12:00 a.m.?

25 WILLIE DESMOND: 12:00 a.m.? I don't know.

1 You know, in the next -- by 7:00, 8:00 o'clock, I
2 could work on them.

3 I can't guarantee I'll have these printouts ready.

4 It's quite a bit of time. I mean, reports.

5 I could have the maps ready I think. I can work
6 on that until later, but I don't know if I'll be able to
7 have, like, handouts for you tomorrow.

8 We could definitely go over those if I got the
9 changes by tonight.

10 I don't mind having to work late tonight, but
11 I just don't know that I could have the printouts generated.
12 I'll try.

13 CHAIRPERSON MATHIS: So what do you all think?

14 VICE-CHAIR HERRERA: Madam Chair.

15 COMMISSIONER McNULTY: Snow day.

16 CHAIRPERSON MATHIS: Snow day?

17 COMMISSIONER McNULTY: It sounds like a snow day.

18 VICE-CHAIR HERRERA: Yeah, I don't -- you know,
19 it's just worked out that way where we're working with the
20 congressional maps, because I think as Commissioner Stertz
21 mentioned, they're -- they tend to be easier because there's
22 only nine of them, but I don't think we would be opposed to
23 looking at a legislative -- a what-if legislative version
24 tomorrow if one was available.

25 I know I would -- I wouldn't be opposed to that at

1 all.

2 Whatever, whatever Mr. Desmond is able to come up
3 with, I'm happy to look at that. I'm sure we all would at
4 this point.

5 CHAIRPERSON MATHIS: So no pressure, Mr. Desmond.

6 WILLIE DESMOND: Okay.

7 CHAIRPERSON MATHIS: We'll look at either one,
8 whatever you think you can get and whatever direction you
9 receive in time.

10 We know you have the legislative, so if it makes
11 more sense to move forward on those until the others get you
12 whatever they're going to get you, that could be one path.
13 We're flexible.

14 WILLIE DESMOND: Okay. I will get done what I
15 can.

16 COMMISSIONER McNULTY: Madam Chair, I guess what
17 I'm thinking is if we're really going to expect something to
18 look at tomorrow, we'd probably better let Mr. Desmond get
19 to work pretty quick here.

20 WILLIE DESMOND: The other option would be if
21 there's other business to discuss, possibly meeting a little
22 later tomorrow, as far as the mapping, like we did today,
23 where we did the mapping in the afternoon.

24 CHAIRPERSON MATHIS: Is Mr. Bladine around? Just
25 curious.

1 Do you have the agenda for tomorrow? Is it -- I'm
2 not sure it's much different from today.

3 RAY BLADINE: We start at 9:00 o'clock here.

4 And call to order, map presentation, Arizona
5 Minority Coalition, and I think there will probably be one
6 other individual who has a map to present.

7 Then the same two items, review and discussion of
8 the congressional legislative map, break, executive
9 director's report, future meetings.

10 And then it's pretty much the same that we've had
11 before, attorney general report, call for public.

12 I think our meeting is scheduled to end here
13 tomorrow at 4:30.

14 CHAIRPERSON MATHIS: Okay. So, yeah, that doesn't
15 give a lot of room in the morning. There's really nothing
16 else on the agenda.

17 Sorry.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: You might the executive --
21 in an effort for Commissioner Herrera and Stertz to be able
22 to go and do their work so that they get it to Mr. Desmond
23 sometime before midnight, we might move the executive
24 director's report to tomorrow morning --

25 CHAIRPERSON MATHIS: Yeah, we can do that.

1 COMMISSIONER STERTZ: -- instead of this
2 afternoon.

3 CHAIRPERSON MATHIS: Is everyone okay with that?
4 Or is there anything you needed direction on with regard to
5 that?

6 RAY BLADINE: Nothing that couldn't wait until
7 tomorrow.

8 CHAIRPERSON MATHIS: Okay.
9 Let's do that then.

10 And we only have some public comment then to go
11 through.

12 The discussion of future meetings and future
13 agenda items, number nine, maybe we could go over that now.

14 Was there anything else right now to talk about
15 with the maps, I should ask before I just jump in.

16 WILLIE DESMOND: The only other thing would be if
17 there's any other what-ifs we would like explored.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: Mr. Desmond, will you be
21 able to prepare a support document for the three border
22 district river map combo as you did as well as the -- for
23 tomorrow?

24 WILLIE DESMOND: I believe that's already been
25 prepared. If not, yes.

1 COMMISSIONER STERTZ: Okay. Would you include
2 that with printouts of that map as well?

3 WILLIE DESMOND: I'll just redo the whole package.

4 COMMISSIONER STERTZ: The whole package so that
5 it's complete.

6 And, Madam Chair, one comment that came up today
7 was the -- I know that it's a challenge for staff to guess
8 what the public is going to talk about.

9 But one of the things that came up was that there
10 was a discussion early on about map 7A, during the testimony
11 of mapping, and that no map 7A was available for the public
12 to review.

13 So they were confused about why we were talking
14 about something that wasn't available or why it was part of
15 discussion.

16 CHAIRPERSON MATHIS: Right. That got to be a
17 frustrating public comment session, just because the idea is
18 that the public was only supposed to comment on mapping
19 presentations that had been made during that agenda item,
20 but it evolved and snowballed into talking about other maps
21 where we should have taken that public comment during the
22 period that we just had, in fact, when we actually talked
23 about river district 7D.

24 So in the future we're going to work hard to let
25 people know that that agenda item two, when it says map

1 presentations, is only for people who have maps to present
2 to us. And if there's comments specifically on what got
3 presented, those people can talk then.

4 But otherwise we're going to ask the public to
5 speak on the agenda item later in the agenda.

6 So that for that very reason we'll have the maps
7 up at the appropriate time.

8 RAY BLADINE: Right. Our understanding was you
9 wanted to have an opportunity for public to present maps,
10 and we kind of got into general discussion about map issues.

11 And we'll try to make that clear as we collect the
12 sheets tomorrow.

13 CHAIRPERSON MATHIS: Great.

14 So, anything else from -- for Mr. Desmond?

15 WILLIE DESMOND: I don't think so.

16 I know Ken and I had been talking a little bit
17 earlier.

18 And at tomorrow's meeting we might ask that you
19 ask us to look into some things with the legislative maps
20 regarding the number of majority-minority districts, but
21 nothing yet.

22 CHAIRPERSON MATHIS: Okay.

23 So we'll go ahead and jump to future agendas and
24 meeting times.

25 RAY BLADINE: There are a couple things I'd just

1 like to update you on in our scheduling of those and also to
2 confirm a few things.

3 When we went over the agenda for future meetings
4 for next week, I believe there was one conflict that
5 Commissioner Stertz might have, and we -- and I frankly
6 didn't get a chance to talk to him. I think it was an
7 11:00 o'clock meeting on one of the days next week.

8 So, one, I wanted to make sure we knew what that
9 was.

10 And I also believe that since we developed this
11 schedule, on Wednesday the 28th we have a conflict on
12 Commissioner Herrera's calendar.

13 And it would be nice to get -- try to resolve
14 those as best we can.

15 Do you want me to just one run over the planned
16 meeting dates, go through them, and then we can talk about
17 them?

18 On Monday, we're planning to meet on Monday the
19 26th from 12:00 p.m. to 7:00 p.m. in Casa Grande. And that
20 one is confirmed with Casa Grande.

21 Tuesday, and I guess -- I don't know of any
22 conflict right then.

23 Tuesday the 27th, we have from 9:00 a.m. to
24 1:00 p.m. in Tucson, and a break at 1:00 p.m. until
25 3:00 p.m.

1 And then we will reconvene at 3:00 p.m. and go
2 to -- I don't have a time, but I had late, but it might be
3 good to define late for us.

4 And that's Tuesday the 26th -- 7th in Tucson.

5 And I am going to ask is late maybe 3:00 till
6 7:00 p.m., or --

7 CHAIRPERSON MATHIS: I think so.

8 RAY BLADINE: I was going to say, it seems in that
9 time you all had a lot of brain power used up, so we'll try
10 to get till 7:00.

11 And then on Wednesday the 28th, we have scheduled
12 9:00 to 5:00 p.m. in Casa Grande. And I am not sure whether
13 that's one of the ones we're having trouble with.

14 We may or may not be able to do Casa Grande on
15 Wednesday.

16 We're trying to find a facility. And I don't
17 think we've been able to tie that down yet.

18 There's about three facilities there we can use.
19 And last we checked, it didn't look like any one of the
20 three were going to come available.

21 I guess if that's not the case, my suggestion
22 would be see if we can go back to either here or Fiesta Inn
23 depending on availability.

24 Then Thursday the 29th -- and I believe Wednesday
25 is the time also that Commissioner Herrera had the conflict.

1 And I would guess if we were back here -- his
2 conflict, as I recall, is like 12:00 to 2:00 on the 28th.
3 And if we're back in the Phoenix area it might make it
4 easier for him to attend most of that meeting.

5 Oh, I'm sorry, the conflict is the 29th.

6 I trust this is not the 28th.

7 So then the 29th, I also have Thursday the 29th,
8 9:00 a.m. to 5:00 p.m.

9 And I think we were trying to do Casa Grande, and
10 we ran into the same problem there. So more likely we would
11 be either here or Fiesta Inn, unless someone has a -- a
12 commissioner would like to do otherwise.

13 Friday, September 30th, I have 9:00 a.m. to
14 5:00 p.m.

15 And I think we have the same problem in
16 Casa Grande, that scheduling probably isn't going to work.
17 And, again, I would be looking for somewhere in the Phoenix
18 close to south end area.

19 And that is what I have for next week.

20 VICE-CHAIR HERRERA: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Herrera.

22 VICE-CHAIR HERRERA: My conflict was on the 28th,
23 which is on a Wednesday, and not on the 29th.

24 RAY BLADINE: It is on -- okay. The 28th. And is
25 it -- do I have it correctly 12:00 to 2:00?

1 VICE-CHAIR HERRERA: That's the time of the event,
2 but I would have to probably be a little early, 11:30 --
3 maybe 11:30 to 2:30.

4 So, yeah, 11:30 to 2:30 would be more realistic.

5 RAY BLADINE: And that would be assuming we were
6 meeting somewhere in the Phoenix area.

7 VICE-CHAIR HERRERA: That is correct.

8 RAY BLADINE: Okay.

9 CHAIRPERSON MATHIS: And then, Mr. Stertz, do you
10 have a conflict?

11 COMMISSIONER STERTZ: It's the same conflict on
12 Tuesdays and Thursdays that I have, that just like this
13 morning I cleared my plate by making other accommodation and
14 having other meetings at other times.

15 So we've got a full plate next week.

16 My question for you, Madam Chair, is that when is
17 Mr. Desmond going to be able to be drawing if we're meeting
18 and he's going to be attending all this time, where is that
19 break time in between so that he could be responding to what
20 we're asking him to do?

21 CHAIRPERSON MATHIS: Right. There isn't any built
22 in to this schedule, except there -- you know, the -- on
23 Tuesday, I guess, there's a little bit of time -- well,
24 Monday morning there's time until noon.

25 Tuesday there's a, you know, two-hour break in the

1 middle of the day, which isn't much.

2 Wednesday is just Wednesday evening or whenever we
3 get out at 5:00.

4 Same for Thursday, Friday.

5 So, there's not a lot of mapping time. We need to
6 clone him.

7 What do you all think?

8 COMMISSIONER STERTZ: I had two thoughts, that
9 Commissioner McNulty mentioned something about a snow day
10 tomorrow. And I think that she's speaking facetiously
11 obviously because we've got presentation by certain groups
12 that are coming in that are scheduled, but I'm wondering
13 whether or not there is a block of time for -- because what
14 I've just heard from Mr. Desmond is he might be able to get
15 to some of the legislative and he won't be able to get to
16 the congressional or just -- or some parts of it.

17 And I'm wondering whether or not he is fully
18 prepared for us on both of those counts on Monday, for
19 Monday's meeting and tomorrow we take care of business and
20 presentations.

21 And then take a look at giving him a day break
22 somewhere in the middle of next week so that he can capture
23 information, go away, and have a full day to be able to
24 prepare a work product and bring forward.

25 CHAIRPERSON MATHIS: Mr. Desmond.

1 WILLIE DESMOND: That would be good.

2 Although I would -- I mean, next week is kind of
3 getting wrecked on when we plan on having this first draft
4 done.

5 So with some of these longer sessions, if we can
6 start to come together on one map, we can be making -- like,
7 we can be drawing the map together.

8 Like we can be making decisions on does this line
9 cut through this county or does it go around this county.
10 And maybe to me that's a little less of me doing it away at
11 night, as far as actually drawing the map, and at night it's
12 more just producing resources in support of those changes.

13 I just think that, that although I'm all for, you
14 know, time off in between, I guess, it's my hope that next
15 week you guys are directing me kind of in session a little
16 bit more on where you want these changes to be made.

17 That's just one thing.

18 CHAIRPERSON MATHIS: Thank you. Good thought.

19 Other comments?

20 VICE-CHAIR FREEMAN: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Freeman.

22 VICE-CHAIR FREEMAN: Don't misunderstand my
23 comment. I'm all for accommodating my fellow commissioners,
24 because I hope they do the same for me.

25 We've got a hearing -- proposed hearing in Tucson

1 next week.

2 Some possibly in Casa Grande, maybe here.

3 We've got nothing in Phoenix.

4 And if we can't have one in Phoenix, how about
5 Scottsdale.

6 Have we looked at that?

7 It sounds like they might be able willing to host
8 us based on what I heard today.

9 RAY BLADINE: Madam Chair, Commissioner Freeman,
10 my discussion with Scottsdale yesterday was that they would
11 certainly do everything they could to make their council
12 chamber available for us to work in.

13 I can certainly run that down very quickly.

14 I'm sure the only issue would be whether they have
15 something else scheduled and getting it for the length of
16 time that you want to have it for a full meeting, but I
17 think we can certainly explore that, and if it's possible
18 we'll work it out.

19 We could say we had our first hearing.

20 CHAIRPERSON MATHIS: Well, the way we've got it
21 structured next week, at least for Wednesday, Thursday,
22 Friday, is 9:00 to 5:00 currently.

23 And if we -- if we're not making progress for
24 whatever reason on either a legislative or congressional, we
25 can -- and we really feel like we've got to give Mr. Desmond

1 some things to go work on and come back, we can -- you know,
2 I don't see us going until 5:00 o'clock.

3 So those days could easily end earlier, so that
4 then there is some more mapping time available should that
5 be desired or needed.

6 So I'm kind of in favor of leaving things the way
7 they are in terms of planning on this schedule.

8 And some of it we're going to have to play by ear
9 and see how things happen over the next couple days.

10 As for tomorrow, and the snow day concept, I
11 think, you know, that could make some sense in terms of at
12 least going through the business that is left, having those
13 folks that are planning on presenting maps to us tomorrow do
14 that, have public comment, the executive director's report,
15 and then depending on what Mr. Desmond gets accomplished
16 tonight, he can present those things to us, but then, you
17 know, the meeting ends, and we can go do some work
18 individually.

19 If that sounds good.

20 So partial snow day.

21 COMMISSIONER McNULTY: Madam Chair, that sounds
22 good to me.

23 I think we should -- we need to commit, and I
24 think it's fair to have those hearings scheduled and have
25 the venues.

1 And if we, you know, need to give the mapping
2 folks time to work outside of meetings, we can finish early
3 and better to have it set up and not use it. I mean, I
4 don't think it's a waste of any -- you know, if you reserve
5 Fiesta Inn conference room and then we don't need it, so be
6 it. You know, I don't think we've wasted too much. It's
7 fair to have it available.

8 CHAIRPERSON MATHIS: Any other thoughts?

9 (No oral response.)

10 CHAIRPERSON MATHIS: Thank you, Mr. Bladine.

11 RAY BLADINE: We know what we need to do, and we
12 will proceed.

13 CHAIRPERSON MATHIS: Okay. Any other future
14 agenda items though other than what we're doing and getting
15 these draft maps accomplished, was there anything --

16 RAY BLADINE: Not that I recall right now, but if
17 we can look at tomorrow, I was kind of looking at tomorrow
18 to talk about public input and talk about what we're
19 planning in terms of getting ready for second round
20 hearings. And we can also then talk about future agenda
21 items.

22 CHAIRPERSON MATHIS: Okay.

23 RAY BLADINE: Unless someone has something right
24 now they'd like to bring up, of course write them down.

25 COMMISSIONER McNULTY: Mapping.

1 RAY BLADINE: Mapping. Mapping, mapping. Okay.

2 CHAIRPERSON MATHIS: Okay. All right.

3 RAY BLADINE: All right.

4 CHAIRPERSON MATHIS: Thank you very much.

5 RAY BLADINE: Thank you.

6 CHAIRPERSON MATHIS: So, let's take a ten-minute
7 break.

8 The time is 4:02. We'll go into recess.

9 (Brief recess taken.)

10 CHAIRPERSON MATHIS: Okay. We'll enter back into
11 session now.

12 The time is 4:17 p.m.

13 And we are now on agenda item ten, report, legal
14 advice and direction to counsel regarding attorney general
15 inquiry.

16 I'm not sure that there's any update.

17 MARY O'GRADY: No update today.

18 CHAIRPERSON MATHIS: Okay. Thank you.

19 So we'll move to item 11, call for public comment.

20 I've got a few request to speak forms.

21 We'll start with D.J. Quinlan, elections director,
22 Arizona Democratic Party, from Tempe.

23 D.J. QUINLAN: Thank you, Madam Chair,
24 commissioners.

25 My name is D.J. Quinlan. That's Q-U-I-N-L-A-N.

1 I am from Tempe. I represent the Arizona
2 Democratic Party.

3 I had actually filled out a request to speak
4 earlier about presentation on competitiveness that was put
5 together.

6 Basically what I wanted to do was commend the
7 direction that the Commission's going with analyzing
8 competition. Excuse me. And also what I wanted to do was
9 alert you of kind of the downfalls of using just voter
10 registration when you're measuring competition.

11 The reason I say that is when you look at voter
12 performance, meaning how Democrats, average Democrats --
13 excuse me, how average Democrats and average Republicans
14 perform in an average year, and compare that with how voter
15 registration correlates. You can see regional differences.

16 One notable thing to look at is in rural counties,
17 voter registration can be handled slightly different at the
18 county level than perhaps in urban counties, because of
19 resource issues. If you look at Navajo and Apache County,
20 the voter registration, there's actually, in the 2008, 2010
21 election, 40,000 registered voters who did not vote in the
22 2008 or 2010 general election.

23 And so using simply voter registration can lead
24 you to some faulty levels of analysis when comparing that
25 to, say, Maricopa County where they've cleaned up their

1 voter file a little more.

2 So I would urge you to continue looking at
3 candidate performance averaged over a number of years.

4 I would also weigh the fact that the elections of
5 2008 and 2010, while they were swing years, were more
6 recent. And the state has changed a lot since 2002, 2004,
7 2006.

8 That being said, as Mr. Strasma said, it's my
9 opinion that when you have average all the races together,
10 there's not a very big deviation in numbers.

11 And so as long as you're using election results, I
12 think that you're going to get to a result that is pretty
13 good.

14 As I said, I'm with the Arizona Democratic Party.

15 I don't wish to hide that from you guys. We --
16 we'll fully disclose, you know, who we are, unlike some
17 other groups.

18 And that's -- you know, other groups can come up
19 here and hide who they are. That's fine.

20 But I think you guys -- I would ask that you guys
21 weigh that in how much credibility you give it.

22 I think that any group that's willing to say who
23 they are and defend why they're saying what they're saying
24 should be weighed heavier than a group that does not say who
25 they are or who they're representing.

1 That's all I have. So thank you.

2 CHAIRPERSON MATHIS: Thank you.

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: Actually I have a question.

6 Yeah, I just want to make -- you know, I'm always concerned
7 about these people that are approaching us as I said --

8 VICE-CHAIR FREEMAN: Madam Chair, just point of
9 order. We seem to be taking public comment, and I apologize
10 for interrupting, and turning it into a question and answer
11 session.

12 VICE-CHAIR HERRERA: I think I --

13 VICE-CHAIR FREEMAN: It's my understanding that
14 public comments from the public comment, the commissioners
15 can solicit -- at the even of public comment commissioners
16 can respond to criticism or direct the executive director to
17 put something on the agenda, but --

18 VICE-CHAIR HERRERA: Can I finish? I appreciate
19 your concern but --

20 CHAIRPERSON MATHIS: I need to ask the legal
21 counsel on that, because it is something that is point of
22 order.

23 MARY O'GRADY: That's right.

24 If -- well, if it's not on the agenda, if it's a
25 matter not on the agenda, then the Commission is limited to

1 responding to criticisms, referring to staff for direct --
2 or directing it be placed on a future agenda, if that's the
3 case, it's not on the agenda --

4 VICE-CHAIR HERRERA: This issue goes to the issue
5 of transparency.

6 MARY O'GRADY: And then the other issue is just
7 from the chair's perspective, if we're wanting to revisit
8 agenda items we've already addressed when we're now on
9 public comment, whether you want to go back and get into
10 other substantive agenda items when we've already addressed
11 them.

12 VICE-CHAIR HERRERA: I would like to finish my
13 comment.

14 CHAIRPERSON MATHIS: Okay. I'll grant you that.

15 VICE-CHAIR HERRERA: I appreciate that. Just
16 making sure that are you funded -- are you taxpayer funded?

17 D.J. QUINLAN: Can I answer, Madam Chair?

18 CHAIRPERSON MATHIS: Yes, you can answer.

19 D.J. QUINLAN: I am not. We are -- we do not fund
20 any of our redistricting efforts on our side of the aisle
21 with taxpayer money. We take it out of our general money
22 which is taken from contributions directly to the party.

23 I will also add that we've kind of refrained from
24 trying to be too involved in this process, out of respect
25 for the voters who passed Proposition 106.

1 Primarily I'll say that because, you know, we
2 trust the commissioners to make the right choices in the way
3 of public input.

4 Our concern was primarily that there are groups
5 that we know have partisan affiliations that are tied to
6 incumbents that are putting together legal arguments based
7 solely, we believe, on criteria that benefits self-interest.

8 And so we would like to counter that a little bit,
9 and also just put together an honest perspective of the one
10 million registered Democrats that we represent.

11 CHAIRPERSON MATHIS: Thank you.

12 VICE-CHAIR HERRERA: And, Madam Chair, just
13 quickly, what I wanted -- the reason for bringing this up is
14 that I wanted to make sure that anybody that approaches us
15 is treated the same.

16 I mean, there's no one treated differently that
17 we're asking questions about transparency like we did
18 before. So this would be no different since we had the
19 topic of transparency would be a legitimate question to ask.

20 CHAIRPERSON MATHIS: Okay. Yes, it was on the
21 agenda today.

22 MARY O'GRADY: And, Madam Chair, again, in looking
23 at that agenda item, it's on transparency policy.

24 So I wouldn't go too far, again, because the
25 agenda item is the policy.

1 CHAIRPERSON MATHIS: Okay.

2 VICE-CHAIR HERRERA: I appreciate that.

3 CHAIRPERSON MATHIS: Thank you.

4 D.J. QUINLAN: Thank you very much.

5 CHAIRPERSON MATHIS: Our next speaker is John
6 Chiazza, representing self from Gilbert.

7 JOHN CHIAZZA: Madam Speaker and Commission, my
8 name is John Chiazza. And I'm a 23-year resident of
9 Gilbert, Legislative District 22, Congressional District 6.

10 Currently our congressional districts are so
11 gerrymandered that many districts' elections are won in
12 primaries, not general elections.

13 This leaves out a large number of voters who feel
14 that their vote did not matter.

15 This ultimately affects future low voter turnout.

16 Competitive districts are good for our state. It
17 promotes democracy the way it should be. Where opposite
18 candidates actually have to compete for votes. The
19 candidates will have to talk to all the constituents to gain
20 their vote.

21 This results in more civic involvement, higher
22 voter turnout, and the feeling that the voter -- that their
23 vote really counted -- the feeling to the voter that their
24 vote really counted.

25 This Commission must make it large -- a huge

1 priority to map out competitive congressional districts that
2 will be represented by elected officials that will work on
3 issues of the communities within the district, not just
4 party principals or their base.

5 In noncompetitive districts now, voters are being
6 disenfranchised by extremism.

7 Candidates only appeal to their base, leaving out
8 an entire segment of unaffiliated, unaffiliated voters that
9 need to have their issues heard.

10 Congressional grid district map, which if --
11 what-if scenario whole counties version 6D is pure and
12 simple an incumbent projection map. It clearly protects
13 seven members of the congressional delegation. The eighth
14 is running for U.S. Senate.

15 Maps cannot be drawn protecting incumbents.

16 Competitive, competitive is coming up short in
17 this scenario.

18 Only two of the nine districts have
19 competitiveness.

20 Just having 22 percent of our districts being
21 competitive is simply not acceptable.

22 The Phoenix metropolitan area is very large.
23 Larger than 24 states.

24 This map awards the Phoenix metro area exactly
25 zero competitive districts.

1 This, again, is simply unacceptable.

2 This map also has extreme differences. Rather
3 than eastern Arizona District 1 including Flagstaff and all
4 of rural Coconino County, it instead includes the San Tan
5 Valley that is suburban in nature and not similar to the
6 rest of the district.

7 This, again, is not acceptable.

8 This map has Phoenix split into six congressional
9 districts. It should only be split into three or four
10 districts.

11 Again, this is not acceptable.

12 I highly recommend congressional grid map 7A.
13 This version will place competitiveness in our congressional
14 districts, which will in turn have potential to have
15 representatives that will be working on issues for all the
16 people and not just the party or the party's base.

17 I want to thank the Commission for its efforts and
18 hard work, and its -- for what it's doing to create fair and
19 competitive districts in our state.

20 Thank you.

21 CHAIRPERSON MATHIS: Thank you. Mr. Chiazza,
22 would you spell your name for the record, please?

23 JOHN CHIAZZA: C-H-I-A-Z-Z-A.

24 CHAIRPERSON MATHIS: Thank you.

25 Our next speaker is Keith Van Heyningen from

1 Tucson.

2 KEITH VAN HEYNINGEN: Good afternoon. My name is
3 Keith Van Heyningen. That is V-A-N, H-E-Y-N-I-N-G-E-N.

4 I've been a resident of Tucson for 12 years.

5 I spent 17 years of my life as a professional land
6 surveyor field engineer.

7 The only thing that has impressed me today was the
8 first presentation given to you by private citizens.

9 The rest of your mapping looks like a joke.

10 The second point is quite simply when a group or
11 groups come in and want to be heard on the basis of race
12 only, that's racism.

13 And a term I've heard today is outsider.

14 I'm sorry. I only see a couple of outsiders here
15 today, and that would be Strategic Telemetry. Handpicked by
16 Janet Napolitano who crucified this state and its budget
17 before she left.

18 And this is also the fourth meeting I've been to.
19 And it's the first time I've seen Mr. Herrera, and I am not
20 impressed.

21 It's my opinion. It's very simple.

22 Professionalism?

23 I see so much squabbling, haggling, it's
24 ridiculous.

25 You have to have this done in, what, a week or

1 something?

2 I just don't see it happening.

3 But beyond that, I hear a lot about, oh, the DOJ,
4 what are they going to do.

5 We don't trust them anymore.

6 I'm sorry, they have way too many scandals on
7 their hands. That's quite simple.

8 People want to talk about people who don't get
9 involved or don't vote.

10 That's not my problem. It's their problem. They
11 need to get involved.

12 And that's about it.

13 I hope you can get together, but keep it simple.

14 Your first option today, a map which splits the
15 state basically in half and puts everything else into a
16 corridor from Phoenix to Tucson is logical.

17 I'm from Tucson.

18 I would like to see Tucson quite literally
19 isolated, because we call it little Detroit for a reason.

20 It's been run by Liberals for way too long.

21 We call Phoenix the big city. Not because it's
22 big, but because it's been run fairly well.

23 Have a nice day. Thank you.

24 Any questions?

25 CHAIRPERSON MATHIS: Thank you.

1 Our next speaker is Anita Christy, representing
2 self, from Gilbert.

3 It doesn't look like she's still here.

4 So Betty Bengtson, representing self, from Pima.

5 BETTY BENGTON: Thank you.

6 My name is Betty Bengtson. It's spelled
7 B-E-N-G-T-S-O-N.

8 I live in Pima County, LD 26, CD 8. I am
9 registered as a Democrat. Although I do try to vote for the
10 county when I have a choice.

11 I've attended many of the Commission meetings and
12 have learned a lot about the state and about factors that
13 seem to be important to various constituencies. And I may
14 must say my own views in some instances have evolved as I've
15 come to meetings and have heard various presentations.

16 I would like to speak today about what I see as a
17 logical group of communities that can serve as a basis for a
18 third congressional district that would have a foot in the
19 greater Tucson area.

20 I'm not quite sure what version of the map I'm
21 talking about. Perhaps it's closer to 7A than any other.
22 But frankly I'm so lost in the numbers and versions, I'm not
23 quite sure.

24 The Commission has heard many speakers from the
25 northwest part of Pima County and southern Pinal County talk

1 about the strong communities of interest that exist between
2 Saddlebrooke, Oro Valley, and Marana.

3 In addition to the communities of interest, there
4 are other reasons to consider for creating a congressional
5 district using population centers along the I-10 corridor.

6 Marana and Oro Valley are experiencing the same
7 high rate of population growth as Pinal County.

8 Over the last ten years, Pinal County underwent a
9 99.9 percent population growth.

10 Pima County had a growth rate of just 16.2 percent
11 overall. And Tucson's growth was just 6.2 percent.

12 Compare that to Oro Valley, which grew over
13 22 percent and Casa Grande which grew at 33 percent.

14 Marana grew even more quickly by more than
15 150 percent over the past ten years.

16 Clearly Marana and Oro Valley have more in common
17 with Casa Grande and fast growing Pinal County than with
18 Tucson.

19 There's a story in today's Arizona Daily Star, for
20 example, that 1600 acres have been recently purchased by a
21 developer with plans to put a community or two, create a
22 community of 2500 homes. But the acreage is going to be
23 held until the recession is over, but clearly this developer
24 feels that that rapid development will continue in that
25 corridor.

1 And of course Saddlebrooke is growing to the
2 north into Pinal County. It has recently begun a new --
3 opened a new community north of State Route 77, between
4 Oracle Junction and Oracle.

5 Marana and Oro Valley can join with Pinal
6 communities such as Casa Grande to be a population anchor
7 within a congressional district to have more say and more
8 clout.

9 This would give Marana and Oro Valley more
10 strength than if they play second fiddle to Tucson.

11 Tucson and southern Arizona have unique needs, and
12 they should have access to no less than one third of
13 Arizona's congressional delegations.

14 So if you have another district with communities
15 in Pima County, then there is -- there should be interest in
16 Pima County issues.

17 Marana is already choosing to partner with Pinal
18 County in developing a transportation corridor along I-10
19 utilizing the Pinal airpark, the proposed Union Pacific
20 switching yard, and access to the interstate system.

21 I would call your attention to a recent article in
22 Inside Tucson Business detailing these plans, and I'd like
23 to submit a copy of that article for the record.

24 Thank you for attention -- your attention, and
25 thank you for your service.

1 CHAIRPERSON MATHIS: Thank you.

2 BETTY BENGTON: You're doing really good basic
3 work, so keep it up. Thank you.

4 CHAIRPERSON MATHIS: You can give that to
5 Mr. Bladine behind you. That'd be great.

6 Thanks a lot.

7 Our next speaker is Mickey Duniho. And if I'm
8 mispronouncing that, I apologize.

9 MICKEY DUNIHO: It's Mickey Duniho.

10 CHAIRPERSON MATHIS: Duniho, from -- representing
11 self, from Pima. Thank you.

12 And if you could spell your name for the record,
13 that would be great.

14 MICKEY DUNIHO: My name is spelled D-U-N-I-H-O.

15 And I live in Tucson, in the east side.

16 I'm presenting myself.

17 I'm an Independent, registered Independent.

18 I used to be a Republican. I used to be a
19 Democrat. Now I'm an Independent.

20 I want to first thank you for this thankless task
21 that you have set for yourselves.

22 I appreciate the difficulty of Democrats talking
23 to Republicans. That's one of the reasons I'm an
24 Independent.

25 And I'd like to thank you for -- I think I heard

1 that all of your maps have been put on the website in
2 Maptitude so that those of us in the outer world can
3 actually look at the demographic data.

4 This has been one of my big frustrations for the
5 last several weeks is that I kept seeing new maps put on the
6 website, but there was no demographic data available, so I
7 didn't have any way of evaluating the relative merit of
8 these different maps.

9 All the maps look nice, but until I look at how
10 many Hispanics, how many Democrats, how many Republicans or
11 whatever, I don't have any way of evaluating them.

12 So now I'll be able to evaluate those maps, and I
13 thank you very much for that.

14 I'd like to make a comment about communities of
15 interest.

16 This is the third meeting I've attended, and I've
17 heard an awful lot of people tell you about their
18 communities of interest, where they shop, where they go to
19 church, where their bridge club is located.

20 I would argue that none of these communities of
21 interest are political communities of interest.

22 A political community of interest would be an
23 incorporated city or town, a county, an Indian reservation,
24 a military base, or maybe a political party except that
25 political parties are not geographically located.

1 But these others are geographically located, and
2 they're really political communities of interest.

3 And when somebody tells you that two or three
4 towns should be considered as a single political of
5 interest, I would argue that's three political communities
6 of interest.

7 If they want to be a single community of interest,
8 they should merge their town boundaries and become a single
9 town.

10 But since they haven't done that, I would argue
11 they're not a single community of interest.

12 Regarding military bases.

13 I'm a retiree from the Defense Department, and I
14 am in favor of military reservations having proper
15 representation in the political arena.

16 And so Fort Huachuca and the Davis-Monthan Air
17 Base look to me like two communities of interest that might
18 well be served by being in the single congressional
19 district, if that's possible.

20 Regarding competitiveness.

21 As an Independent, I heard talk this morning about
22 your indicators going with the two-way counting Republican
23 and Democratic registration and Republican and Democratic
24 results.

25 And clearly you can't count us Independents on

1 registration, because that wouldn't give you any indication
2 of anything.

3 But I would hope that you would look at the
4 results of the election more than the registration, so that
5 those of us who were Independents who vote one way in one
6 race and another way in another race actually get counted in
7 what you're putting together.

8 And it sounds to me like that's the
9 recommendation, and I'm glad to hear that.

10 Regarding packing districts with extra Republicans
11 or extra Democrats, it looks to me like the basic problem is
12 that your two voting rights district have too many Democrats
13 in them and therefore there aren't enough Democrats left
14 over to create competitive districts in the rest of the
15 state.

16 And to that end, I would suggest that the
17 Democrats on the Commission should be trying to keep the
18 Democratic representation in those majority-minority
19 districts to a minimum, so that they have more Democrats to
20 spread around the rest of the state.

21 And I would think that the Republicans would not
22 want to put too many Republicans in one district, because
23 doing so means that they have fewer Republicans to spread in
24 the other districts.

25 So I would think both parties would have a vested

1 interest in spreading their party members around as much as
2 possible so that they get the best chance at having the
3 greatest number of elections in their favor.

4 And the last comment that I would like to make is
5 that in the numbers that I heard regarding competitiveness,
6 regarding outcomes of elections, it sounded like you're
7 taking the, the statewide races as your indicators. And
8 because -- because it's hard to take the numbers from
9 congressional races and legislative district races.

10 I understand statistically that's a problem. But
11 the goal is to produce competitive districts for
12 congressional and legislative districts.

13 And so I would hope that your consultant would
14 take those districts that you produce and at least test them
15 for correlation with legislative district outcomes and
16 congressional district outcomes to make sure that the new
17 districts you produce will, in fact, be competitive at the
18 legislative and congressional district level.

19 Thank you very much.

20 CHAIRPERSON MATHIS: Thank you.

21 Our next speaker is Pete Bengtson, representing
22 self, from Pima.

23 PETER BENGTON: Hello. My name is Peter
24 Bengtson. That's B-E-N-G-T-S-O-N.

25 I live in Pima County, in the Catalina Foothills.

1 I'm trying to adjust to forgetting that I'm in
2 LD 26.

3 I wanted to follow up on some comments on
4 communities of interest.

5 A while I submitted -- no, let me start by saying
6 I think at the August meeting you had in Phoenix where
7 Sandra Day O'Connor spoke, there was a Professor Steen that
8 submitted comments on competitiveness and communities of
9 interest.

10 And she mentioned that a true community of
11 interest as far as you guys should be concerned is a
12 political boundary, Indian reservation, city, town, school
13 district. But as the previous speaker said, groups that go
14 to a particular church, or shop at Costco like we do,
15 doesn't form a community of interest, because it has nothing
16 to do with politics.

17 One of the things that I was paying attention to
18 last week, and thought about over the weekend, there were
19 several comments last week talked about proposals for a
20 district that would put parts of Pinal and Pima County, as
21 Marana, Oro Valley, and Saddlebrooke, in a district that
22 included Window Rock.

23 There was a lot of complaints about that. The
24 comments essentially said, you can't do that because Marana
25 and Window Rock have nothing in common.

1 That question assumes that congressional and
2 legislative district -- that a congressional or legislative
3 district is composed of a single community of interest.

4 It's not.

5 There's only nine congressional districts.
6 There's lot of communities of interest.

7 In fact, each district would be made up of many
8 communities of interest.

9 Prop 106's goal relating to communities of
10 interest refers not to splitting communities of interest.

11 We don't want to do that. You don't want to split
12 them among two or three districts.

13 But it does not require that each district be made
14 up of a single community of interest.

15 Keeping all of the community of interest together
16 in a district also adds -- is not at odds with creating
17 competitive districts. Because the district will be made up
18 of many communities of interest that it's possible to
19 balance the political competitiveness with the goal of
20 minimizing splits of communities of interest.

21 And I want to mention that Buck took a picture of
22 me and claims I was sleeping, but I was preparing myself
23 talking.

24 Thank you.

25 CHAIRPERSON MATHIS: Thank you. Thanks for

1 clearing the record.

2 Our next speaker is Patricia Koepp from Sun Lakes.

3 We've lost her.

4 Our next speaker is Luis Heredia. And if I'm
5 mispronouncing that, I'm sorry. Arizona Democratic Party,
6 from Gilbert.

7 LUIS HEREDIA: Thank you, Madam Chair and members
8 of the Commission.

9 I was not going to address you today, but I felt
10 the need. First I -- the highlight was when
11 Supervisor Bryan Martyn addressed you this morning and
12 addressed his preference of a particular map.

13 You know, Bryan Martyn has not made his intentions
14 to run for congress a secret and he has, I mean, pretty much
15 is a congressional candidate in searching.

16 And so I wanted to point that out, because these
17 comments that are sometimes made with a degree of authority
18 because of a position people hold really have information
19 that we know of because of the work we have to do as a
20 political party, but Bryan Martyn certainly seeking or
21 looking for a congressional seat.

22 And so those comments need to be weighed in with a
23 grain of salt.

24 But what really prompted me to actually show up to
25 the podium was when Mr. George Cuprak addressed you this

1 morning, and he mentioned about the 101 boundary.

2 And the interesting thing is Mr. Cuprak was the
3 executive director of the National Young Republicans. Lives
4 in Arizona. He highlighted himself. He was. I'm not sure
5 of his current profession.

6 But just to highlight, I mean, the people that are
7 going to be before you presents to the issue of a colleague
8 the transparency that needs to be an ongoing conversation
9 before the Commission.

10 You know, we have members of a Fair Trust that
11 have identified, and we might have John Mills who is an
12 employee of the State, works with the Speaker for the House,
13 sitting next to Mr. Tim LaSota, who works for the Jordan
14 Rose Law firm, who has been identified with a Fair Trust
15 firm.

16 And we see this ongoing and ongoing.

17 We do observe certain things, and I think it's
18 important to point those out, because that is where we need
19 to do good for the general public.

20 Is negotiating fair, negotiating with information
21 and not hiding behind veils of secrecy and donors,
22 because -- another point, Lynne St. Angelo was a former
23 employee for Jesse Kelly, congressional campaign.

24 I will question if she's being paid for her to
25 attend all these Commission hearings.

1 She was on the payroll for the Jesse Kelly
2 congressional campaign from February of 2010 to February of
3 2011.

4 And so we need to point this out, so we can
5 continue to work in a fair and transparent way to optimally
6 come up with the best possible map for the entire state.

7 So it's information that is available.

8 It's our job, it's my job as a political party, to
9 present them in a way that you then use that information to
10 make the best rational decision.

11 So thank you.

12 CHAIRPERSON MATHIS: Thank you.

13 Do you mind spelling your name for the record?

14 LUIS HEREDIA: Heredia, H-E-R-E-D, as in David,
15 I-A. Luis.

16 CHAIRPERSON MATHIS: Thank you.

17 Our next speaker is Bill Mitchell, representing
18 self, from Maricopa.

19 BILL MITCHELL: Mr. Bill Mitchell,
20 M-I-T-C-H-E-L-L.

21 Actually I live in Phoenix, but I've lived in
22 Tucson, Glendale, Paradise Valley, Peoria, and I lived in
23 the county up north now.

24 And this has been an interesting day. I'm glad to
25 see your independence finally came out, that you weren't

1 afraid.

2 Someone mentioned earlier that people don't know
3 what's going on here.

4 Well the neighbors that I talk to about trying to
5 get involved in this process, they don't think it's broke.

6 All they have to do is come here to understand it
7 really is broke.

8 And they don't come here because they have no
9 reason to change.

10 The people that are coming here, the ones you're
11 hearing from, are the ones who want to see the changes going
12 on, so, therefore, you might be hearing some skewed
13 information or some numbers that are skewed based on their
14 input.

15 I wanted to talk about communities of interest
16 from a more practical and pragmatic viewpoint.

17 I have -- I guess what I'm representing is my
18 mother who's 86, my eight children and their spouses, and
19 14 grandchildren.

20 So that may, that may -- maybe I should register
21 with somebody about that.

22 But wherever I've lived and going back 50 some
23 years when my grandparents came here from Italy and Poland,
24 and our neighbors would get together and talk about events
25 of the day, they'd talk about their business, to me that was

1 a community of interest that they had. And things that they
2 were talking about.

3 Today when I hear what I like to believe are more
4 politicians than people, they frame it in a different
5 viewpoint.

6 Part of the disconnect between the common voter
7 and the politicians in this process is they believe that
8 people are here talking for the general interest of the
9 people within the state.

10 And I haven't been hearing that today.

11 I've been to four meetings, have listened most of
12 the time. I've watched the streaming when I can. I look at
13 the maps.

14 So I don't have a -- my views are more pragmatic
15 and anecdotal, because when I talk to people in my
16 community, that is a community of interest. It is where
17 they go to church.

18 And I understand the statements that are made
19 about a political community. But to them that's not a
20 political community. It's the reality of the community
21 where they live.

22 And when I look at some of these maps, the one
23 today scared me. That rivers map that came across --
24 halfway across the state.

25 I live in northwest Phoenix. I'm surrounded by

1 Peoria, so I'm kind of out there by the Agua Fria River.
2 And our community's grown significantly. It's grown over
3 24, 25 percent. In fact, Saddlebrooke it was just
4 announced, which is south of the Carefree Highway, they're
5 going to put 5,000 homes there. I don't know which year
6 that's going to be.

7 But that's growing tremendously. These are
8 communities for the people who live there, and it's
9 important to the common man.

10 So when I was looking at these maps, I kind of
11 liked the county map with the idea of the three districts on
12 the border, because of how that's grown and changed and the
13 representation that's really needed down there.

14 And I've got no skin in that game. I'm just
15 looking at what might be best for the state.

16 There is a big difference between the people who
17 live the rural area and the urban area. I've lived in both.
18 I live on the edge of an area like that now.

19 And there is commonality within the people who
20 live there.

21 So I guess when I'm looking at these maps, to me
22 the community of interest is more contiguous. I would be
23 now in the new LD 22 which goes from within a mile of the
24 river all the way over to Scottsdale.

25 Well, I really have nothing in common with the

1 people over there in Scottsdale.

2 We do with the people in Sun City, with the people
3 in Peoria, with the people in Glendale, so it's because of
4 what we do there and the people we talk to, where we
5 volunteer. And I think it's important to consider that not
6 from exclusively a political perspective but actually from a
7 perspective of the person who believes that you're doing the
8 job for them, the average citizen.

9 Thank you.

10 CHAIRPERSON MATHIS: Thank you.

11 Our next speaker is James Kelley, representing
12 LD 29, GOP.

13 JAMES KELLEY: Commissioners, thank you very much
14 for letting me address you again.

15 Aren't you glad that I've always identified who I
16 am and where I'm from?

17 There are a number of different things that were
18 discussed today, and one of the things that I have not
19 gotten an answer yet on, and I hope you guys find it worthy
20 enough to get an answer on, is there any evidence of
21 retrogression from our two protected minority-majority
22 districts that have retrograded out of those districts and
23 perhaps have given us enough population, particularly HVAP,
24 for another -- a different minority-majority district?

25 In other words, if we can retrograde from what is

1 presently seven or three, and maybe it becomes its own
2 district by being able to grab population from another part
3 of Maricopa County or another part of the border area.

4 I'd like to see that question answered. And I
5 haven't seen that question answered yet.

6 I'm very concerned about packing and cracking.

7 I'm very, very concerned about trying to pack, you
8 know, a Hispanic population to 60 percent, when it is --
9 when that particular geographic area has been a 52 or
10 54 percent on a regular basis.

11 And, and then the reason I'm concerned is I'm with
12 our -- your chairman. I want you guys to pass preclearance
13 on first try.

14 I want you guys to get through this, and there not
15 be any lawsuits, and that we have our maps, and we're
16 consistent, and we know what we're getting ready for, you
17 know, come the first of the year when everybody starts
18 jumping in, whoever it may be, from whatever congressional
19 districts or legislative district races that may be coming
20 in.

21 That's my concern, by the way.

22 I've said this before.

23 I'm partisan. It's my job to be partisan. It's
24 your job to be nonpartisan.

25 And one of the things that I want to address with

1 that particular statement is competitiveness.

2 Competitiveness is, when practical, according to
3 these six criteria, according to your charge, when
4 practical.

5 Competitiveness statewide is my responsibility or
6 Bryan's responsibility, not yours.

7 Competitiveness in, you know, in my district I'm
8 outnumbered two to one. That's my fault.

9 I let Mi Familia, an organized vota, an organizing
10 for America, come in to my district and take over and get
11 more Democrats registered than Republicans.

12 Granted they had more money, more people, and all
13 that good stuff.

14 But it doesn't matter. I did not get my people
15 organized in time or enough to get my registration up.
16 That's my fault. And I am doing everything I can to change
17 that.

18 But that's my responsibility. That's not this
19 Commission's responsibility, in my opinion.

20 I fear that if we maintain the status quo, we're
21 going to get what we've always gotten.

22 And I want the status quo to change, for
23 two reasons.

24 The reality is our population grew to where we now
25 are allowed nine districts instead of just eight.

1 So that reality alone says our status quo must
2 change.

3 And there is going to have to be compromise on
4 everybody's part. We cannot be the child with our hand in
5 the candy jar refusing to let go because we may lose our
6 candy.

7 My grandfather taught me the trick.

8 Let go, pull my hand out, pick up the jar, and
9 pour all the candy I wanted into my hand.

10 So if we're going to get our candy, we're going to
11 get our appropriations, let's do what's right for the whole
12 state.

13 And with that, I want to support, and I believe
14 since day one that this Commission met there has been public
15 testimony that we want urban districts, that we want three
16 districts on the border, that we want a river district, and
17 we do want our minority-majority districts.

18 I believe in the Civil Rights Act of 1965.

19 It's the interpretations of it that we all get
20 crazy about.

21 But the legislation was outstanding and one of the
22 shining, brightest moments of our American political history
23 in my opinion.

24 With that, thank you all very much.

25 CHAIRPERSON MATHIS: Thank you.

1 Our next speaker is Lee Daspit, representing self,
2 from Phoenix.

3 And if you'll spell your name for the record, that
4 would be great.

5 LEE DASPIT: It's delta, alpha, sierra, papa,
6 India, tango.

7 CHAIRPERSON MATHIS: Did you get that, Marty?
8 Okay.

9 LEE DASPIT: I also have -- I'll leave written
10 comments here, and I'll try to stick to the same script.

11 Good afternoon.

12 CHAIRPERSON MATHIS: If you could raise the
13 microphone toward you.

14 LEE DASPIT: Good afternoon, Chairman Mathis,
15 commissioners.

16 My name is Lee Daspit. I reside at 5110 North
17 32nd Street, Phoenix, Arizona.

18 I'm here to make a comment regarding the
19 guidelines to be used in the development of district
20 boundaries for your consideration.

21 Thank you for this opportunity to make this
22 comment. I genuinely appreciate your efforts on this
23 Commission.

24 You're honoring the commitments to your obligation
25 and to the public by the inclusion of public input. And

1 also by allowing for open, transparent public discussion
2 throughout your actions further -- this further honors your
3 obligation.

4 And I would say here that you should always be
5 reminded -- we should all be reminded that democracy is a
6 messy thing.

7 However, just beats the heck out of everything
8 else we tried.

9 So, your efforts can be described as professional
10 and thorough.

11 I would take this opportunity to comment
12 specifically on the need to establish competitiveness as a
13 key parameter in assigning boundaries. I support this
14 parameter.

15 Competitiveness is essential to providing the
16 citizens of Arizona with real choice in any election
17 process.

18 By competitive in this case I mean political
19 competitiveness.

20 Competition is the American way.

21 It is the crucible by which we achieve our goals
22 efficiently and effectively.

23 Competitiveness yields more comprehensive results
24 in the election process. It does this by allowing the
25 citizens the opportunity to consider multiple aspects of

1 concern and not merely single shot simplistic issues that do
2 not address all their concerns.

3 Open competition reduces the chances for cliques
4 and bullies, political barons, to become established thereby
5 strengthening their position while reducing the
6 opportunities for competing ideas to get a fair chance.

7 Competitiveness is more important than agendas or
8 guidelines in the establishment of boundaries.

9 Geographic boundaries are not generally what they
10 once were.

11 In today's world of TV, cell phones, and Internet
12 communications, all communication is more common.

13 We live in one area, work in another, and shop in
14 many others. This communication brings with it the
15 knowledge that we share many of our problems and concerns.

16 It is a small world after all.

17 Considerations for specific interest groups,
18 political, social or economic, ethnic, racial, religious,
19 sexual orientation, whether or not we wash dishes before we
20 put them in the dishwasher or not, are less important than
21 considerations for the larger concerns we all share.

22 I'm aware of the Department of Justice Civil
23 Rights Division and their power, and I would advise you that
24 a politician told me once, don't cross the federal
25 government, they got the bomb.

1 But how many of us have looked at the census box
2 to answer the questions on these subjects, which were
3 discussed here, and look for that one that says all of the
4 above or none of the above.

5 And I just submit that for your consideration.

6 And whenever I check that off, I always wonder,
7 because my family's French, Hispanic, Native American,
8 African American, Irish, Corsican, Welsh.

9 And that's in direct line, because, well, it's
10 partly because of I'm French. You know Frenchmen, they love
11 everyone.

12 And it's really hard to say exactly what are you.

13 And we're about to -- in our family we're about to
14 adopt some Asian.

15 So we will be expanding into the Pacific Rim.

16 It's just really difficult to do that. But also
17 recognize that these people have historically been denied
18 access, and so you must consider that in there.

19 I would never say disregard these other
20 communities of interest or to disregard completely racial,
21 economic, or social lines.

22 That's -- it's part who we are.

23 We should recognize that politicians and
24 especially their political advisers are not fond of
25 competitiveness. They all wish to play all their games on

1 home court, the home court advantage.

2 Competition is hard.

3 But making the life of professional politicians
4 easier is not a worthy goal for Americans, Arizonans, or
5 this Commission.

6 Again, let me thank you for this opportunity to
7 present these comments for your consideration.

8 And I applaud your efforts to resist calls for
9 abdication of your responsibilities to the citizens of
10 Arizona and their direct wishes for an independent
11 Commission.

12 All I can tell you is that when you hear such
13 calls, for abdication, you must be doing something right.

14 I thank all of you. Thank you very much.

15 CHAIRPERSON MATHIS: Thank you.

16 That's the end of the request to speak forms that
17 I have, unless I've missed anybody.

18 (No oral response.)

19 CHAIRPERSON MATHIS: Okay.

20 I thank all the public who came today and spoke to
21 us. We really appreciate your input.

22 I also wanted to make a quick public service
23 announcement and thank our mapping consultant for the
24 webinar that they hosted this past Tuesday. I hope some of
25 you were able to join them.

1 I know the statistics I have, 89 people signed up
2 and 50 actually participated, which is a 56 percent
3 participation rate. I did some math.

4 And that presentation should be online.

5 Is that so, Buck?

6 BUCK FORST: I'm sorry?

7 CHAIRPERSON MATHIS: Is the webinar available
8 online for folks to see from the mapping?

9 BUCK FORST: We're working on it right now.

10 CHAIRPERSON MATHIS: Okay.

11 So that will be up for anybody who wasn't able to
12 make the webinar but would still like to learn how to
13 utilize the Maptitude software so that you can draw maps at
14 home.

15 You can watch -- look for information on our
16 website, and hopefully that will be up soon. Buck's working
17 on getting that uploaded so that anybody can go and see our
18 recording.

19 And with that, I think that brings us to
20 adjournment.

21 The time is 5:05 p.m., and this meeting is
22 adjourned.

23 Thank you.

24 (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA) ss.

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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 278
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 2nd day of
11 October, 2011.

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C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

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