

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Thursday, October 6, 2011
10:14 a.m.

Location

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

Attending

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

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist

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

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

Phoenix, Arizona
October 6, 2011
10:14 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, October 6th, and the time is 10:14.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Let's begin with call to order.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

(No oral response.)

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

(No oral response.)

CHAIRPERSON MATHIS: We have a quorum.

1 Other folks around the room today, we have legal
2 counsel, Joe Kanefield and Mary O'Grady.

3 Our mapping consultant, Willie Desmond.

4 Our staff includes Chuck -- Buck Forst chief
5 technology officer, Ray Bladine our executive director, and
6 Karen is our public outreach coordinator.

7 I think those are everyone from our staff here
8 today.

9 Oh, and our court reporter, Marty Herder, is
10 taking a transcript of today's meeting.

11 I apologize for this late start.

12 We were hoping to get the other commissioner here.
13 Unfortunately Mr. Stertz is out still with issues with his
14 family, so he can't make it today.

15 But Mr. Herrera expects to join us in the next
16 hour or so.

17 So we thought the thing to do might be, since I
18 have some request to speak forms, we'll jump to public
19 comment, and maybe get some public comment in, and then
20 begin working again on the legislative grid map adjustments.

21 So, reminding the public that when you come up to
22 address us, please speak directly into the microphone, and
23 also spell your last name so we get an accurate accounting
24 for the record.

25 Our first speaker is Fred Duval, representing

1 self, from Phoenix.

2 FRED DUVAL: Thank you, Madam Chair and
3 commissioners.

4 I appreciate the opportunity to be the first to
5 comment and for your putting this public comment period
6 first.

7 And I would like to begin by thanking you all for
8 your service. It is literally the most thankless job
9 imaginable, and it's never been more clear than this
10 morning's news accounts of the dynamics around the
11 congressional map.

12 My comments today aren't geared at river district,
13 although I will address the water that you're taking on.

14 I'm not here to talk about border districts, but
15 rather the lines of the public debate about the process that
16 you're engaged in.

17 We have a state that is essentially, give or take
18 a rounding error, equally split between two parties and
19 independents. And so one might think that any map that
20 reflects that essential balance would be considered as a
21 start of what's reasonable and fair.

22 This morning's newspaper would suggest that maybe
23 that's wrong.

24 And most folks believe that competitiveness is
25 actually supposed to be a driving force of this process,

1 but, again, judging by the stories today, that might be
2 wrong as well.

3 Because apparently both parties aren't looking to
4 compete with the best candidates or the best ideas.

5 It would seem that they really don't want voters
6 to have the robust choice that competitiveness brings. They
7 want you to assure outcomes.

8 The parties' job is to pursue self-interest. They
9 should, and they do.

10 Don't blame them for that. It's not yours.

11 So let's call everybody out.

12 The Democrats say with a congressional map we have
13 virtually the same registration as the Republicans, so how
14 could you possibly create four safe Republican districts and
15 only two safe Democratic ones. What you've done is unfair
16 and disenfranchises us. And their message to the
17 Republicans is we can't help the DOJ requirements that pack
18 minorities and Democratic votes, and after all, since we
19 share roughly the same percentage of the Arizona vote, you
20 should be assuring us the same potential outcome on election
21 day.

22 So they conclude what you proposed is a Republican
23 map and it should be changed.

24 And the Republicans say, you have it in your power
25 to create fewer competitive districts and assure us five

1 safe seats instead of four.

2 They argue that we are entitled to an assured
3 majority of safe seats and really an equal shot at two more
4 because, well, after all we're the party in power, and if we
5 had the old fashioned redistricting, that would be the
6 outcome, and therefore you should achieve the same thing.

7 Their message to Democrats is, we shouldn't have
8 to sacrifice because of a voter passed initiative. It's a
9 Democratic map, and it should be changed.

10 This morning it would appear that some have gone
11 too far.

12 They're saying to you, if you don't change it, our
13 entitlement and expectation of assured outcomes is so
14 pronounced that we will destroy your credibility and seek to
15 recall you for seeking fairness.

16 Apparently you may not have received the memo, if
17 you don't guarantee expected outcomes, you therefore must
18 not be legitimate.

19 Commissioners, yes, you are.

20 Your goal of seeking a balance that is right for
21 Arizona won't have a voice, except yours.

22 Compromise has become a dirty word in politics,
23 and your having found a reasonable middle ground will have
24 no allies.

25 That none of the loud voices are happy is the

1 evidence that you need to know that you've done your job.

2 The silent voters of Arizona have given you
3 license and power to put their interests first ahead of
4 party, ahead of entitlements to power, and will rightfully
5 turn cynical if threats bend your mission or your sense of
6 higher purpose.

7 Thank you for your willingness to serve our state.

8 CHAIRPERSON MATHIS: Thank you.

9 Our next speaker is Mohur Sidhwa, representing
10 self, from Tucson.

11 MOHUR SIDHWA: Well, I was going to say pretty
12 much what he said.

13 And I do echo his sentiments.

14 I too have seen the very fascinating press
15 coverage about what's been happening the last couple of
16 days.

17 Your job is not to make entrenched interest feel
18 comfortable or your party or my party or a third party feel
19 comfortable.

20 Your job is to do your job, and we will have your
21 backs.

22 Thank you.

23 CHAIRPERSON MATHIS: Thank you.

24 Our next speaker is Jim March, second vice chair
25 for Pima County Libertarians.

1 JIM MARCH: And I guess I'll say too, what he
2 said.

3 But let me go into a little more detail.

4 Yesterday you were subjected to a full court press
5 by various Republican federal legislators, Kyl, McCain, a
6 bunch of other people. At the same time Governor Jan Brewer
7 came in a press release against the proposed congressional
8 map.

9 And of course there's the ongoing drama with Tom
10 Horne and company.

11 You can tell real easily that this full court
12 press wasn't very well real thought out. If you look at the
13 third paragraph of Jan Brewer's press release, she says
14 that, well, you know, they didn't do the maps like we've
15 always done them, which is take the existing legislative
16 maps, congressional maps, whatever, and tweak them to fit
17 newer needs.

18 And as you all three of you know, as most people
19 in this room probably know, you're required to start from
20 scratch. You're required by the rules on how to do
21 redistricting every ten years, the current rules anyway, to
22 not take into account the previous maps and start over.

23 So what it tells you is that there's a lot of
24 sudden screaming and yelling and pressure and all this
25 happening, but it's not very well thought out.

1 And you need to take it with a grain of salt.

2 And I think what I said yesterday still holds. Do
3 your jobs and you won't be sued for it.

4 Trying to get the DOJ clearance on the first shot,
5 that will help you.

6 And consider the source. You know, you're
7 supposed to be independent.

8 You're supposed to be against the political
9 status quo, and you're supposed to do it fairly and cleanly
10 from scratch.

11 And you've done that. And everybody's freaking
12 out over it.

13 Well, yeah, that's what they're supposed to do.
14 That's what you're supposed to do.

15 So, you know, you have supporters.

16 Do you remember best.

17 Thank you.

18 CHAIRPERSON MATHIS: Thank you.

19 Our next speaker is Shirley Dye, representing
20 self, from northeast Arizona.

21 SHIRLEY DYE: Commissioners, good morning.

22 I was planning on being able to comment on the
23 work for today, this afternoon. And I had sent the word out
24 last night to try and get some more people down here to do
25 public comments, um, at the usual public comment time, so

1 I'm rather disappointed that, that you are not allowing --
2 hopefully you will allow another set of public comments
3 later on today.

4 CHAIRPERSON MATHIS: I will.

5 SHIRLEY DYE: Thank you very much.

6 Okay.

7 One of the things I wanted to mention was from
8 yesterday's comments I will reiterate that in northern
9 Arizona, northeastern Arizona, the fact that Gila County is
10 split into three different districts is very appalling to a
11 lot of us.

12 And, like I say, I have a network of people that I
13 am speaking for. And so that -- but another thing is your
14 mapper gentleman had left, and when I suggested that I would
15 like to see if there was a possibility in southeast Arizona,
16 the Yuma area, if we could get -- try working out a couple
17 of vertical districts, instead of the horizontal ones that
18 are proposed now, to see if we could get two legislative
19 districts that would be able to have their three people, the
20 senate and the two legislators, work with border issues,
21 along with Santa Cruz and possibly Cochise.

22 So, I would like to see a lot more activity
23 focused on border issues by our legislators. And if we had
24 two districts in that huge, big eastern half of the border,
25 that would be very, very helpful to me.

1 And I will wait until after I see how things play
2 out today before I comment further.

3 Thank you so much.

4 CHAIRPERSON MATHIS: Thank you.

5 Our next speaker is Karen Lambourne, representing
6 self, from Chandler.

7 KAREN LAMBOURNE: Good morning.

8 I have felt that it was my job to come and just
9 give you a little input from an ordinary citizen, which is I
10 feel like some of the data that has been given out to us has
11 not been very clear and it's substandard. In my opinion, we
12 haven't been able to see the maps that have come over the
13 resolution very clearly. And the resolution hasn't been
14 high enough.

15 So when I zoom in and go into all the different,
16 you know, links that go to, it's hard for me to find which
17 boundary is now confining my legislative district.

18 Also I need the street names, clearly put, so when
19 that I drive along I can say this is the community of
20 interest that's going to be in the proposed legislative
21 district.

22 I don't think it's been clearly put down, and I
23 think that's one of the reasons why we haven't had more
24 citizens coming in and requiring to speak, because it's been
25 difficult, and I am not an idiot, so I think it's been

1 difficult with that.

2 I think another problem might have been solved
3 with this if the mapping company had been local instead of
4 out of state, because they would have realized the needs and
5 the streets and the concerns of our local citizenry and
6 perhaps dealt their Strategic Telemetry to those concerns.

7 So I ask that when you now getting down to these,
8 you know, one or two left, hopefully we've got today, that
9 you identify clearly with the resolution the street
10 boundaries of each one of your configurations so that the
11 ordinary citizen can quickly see it.

12 I ask that you draw maps that represent and
13 respect and contain communities of interest.

14 I see that you have done that in option two
15 version 8A, and I think that that looks good to me.

16 But in the congressional map you have split up
17 Chandler and you have not respected the communities of
18 interest. So I don't think that is in line with your goals,
19 and it's certainly something I'm opposed to.

20 There's lots of things that I am not happy with,
21 but particularly I want to say good on Legislative
22 District 17, because that respects communities of interest.

23 And I went through and found out what the
24 boundaries were.

25 But this congressional map does not.

1 So I don't -- I think you can do a better job than
2 that, commissioners, and I think we need to.

3 And I thank you for your time today.

4 CHAIRPERSON MATHIS: Thank you.

5 Our next speaker is Kelly Townsend, Greater
6 Phoenix Tea Party, from Gilbert.

7 KELLY TOWNSEND: Commissioners. Kelly Townsend,
8 T-O-W-N-S-E-N-D.

9 And I am here to discuss Gilbert again, and I have
10 some maps to present to you.

11 I was able to find out when I went to count actual
12 population of the county islands, it's less than what we
13 thought. It's only 3,566.

14 So I don't have the actual number yet of Gilbert
15 itself, without the county islands, but it's approximately
16 208,000. So you add those together, you get 211,566, and
17 it's approximately 1500 away from the 213,000 for a
18 legislative district.

19 So one of the concerns was, if you have this
20 community of interest, of splitting the school districts.

21 So what I did was I went and I created a map and
22 highlighted on there the Gilbert Unified School District and
23 Higley Unified School District in the town of Gilbert
24 itself.

25 There's also Queen Creek Unified School District

1 more to the east.

2 So what -- it makes the most sense if you were
3 going to keep this as a community of interest would be to
4 have all of Gilbert and to extend the Higley Unified School
5 District east to Sossamon and microtune it when you get down
6 to your fine numbers.

7 But those two school districts are considered the
8 Gilbert area. And it does go into Mesa and I think part of
9 north Queen Creek.

10 So, I'll give these to you.

11 And I think that's it.

12 Beyond this, this is what makes the most sense if
13 you're going to keep -- that is currently Legislative
14 District 22.

15 And I saw one of the maps split -- it looked like
16 yours, Commissioner McNulty, split Gilbert half in two, but
17 I couldn't see the street names from the maps, but if you
18 could keep that in mind, to keep the school districts
19 together, I'd appreciate that.

20 CHAIRPERSON MATHIS: Thank you.

21 KELLY TOWNSEND: You're welcome.

22 Will Commissioner Herrera see that too?

23 CHAIRPERSON MATHIS: Yes, everyone will, and it
24 will get scanned.

25 Do we have it on electronic or?

1 KELLY TOWNSEND: I can do that. If you provide
2 the best e-mail to send it to, I'll send it e-mail.

3 CHAIRPERSON MATHIS: Great.

4 Our next speaker is Colleen Lomax, from Paradise
5 Valley.

6 COLLEEN LOMAX: Good morning, everyone. My
7 husband John and I learned that you were looking for input
8 about the drawing of the new political maps, and we would
9 like to be allowed an opportunity as husband and wife living
10 with our three children in Paradise Valley to give you our
11 input and thoughts about a drawing of the congressional
12 boundary.

13 My husband John and I have lived in Paradise
14 Valley for approximately eight years.

15 We are raising three children there, and we are
16 both working parents.

17 As a working parent in a town that significantly
18 limits commercial business development, we rely heavily on
19 the areas immediately surrounding our neighborhood,
20 Paradise Valley, in order to provide our daily needs.

21 Everything from our dry cleaning, to our food, to
22 grocery stores, and so on.

23 As a result, we spend a great deal of our time in
24 the neighboring areas of Arcadia and the Biltmore area and
25 northeast Phoenix.

1 We shop there. We eat there. And as business
2 owners and business people ourselves, we've developed
3 business relationships with the people and the business
4 owners in those areas, namely Arcadia, the Biltmore area,
5 and northeast Phoenix.

6 As business people ourselves, we've been able to
7 work with those areas, with people in the Biltmore, business
8 owners in the Biltmore, business owners in Arcadia, and to
9 help them with their problems.

10 And as a result of those things, we believe we've
11 developed a community of interest with many of the business
12 owners in the Biltmore and Arcadia areas.

13 We shop in the Biltmore area.

14 Our children, on a lighter note, expect to attend
15 many events in those other bordering areas, where Paradise
16 Valley is, of course, bordered on three sides by Phoenix,
17 but in areas of the Biltmore and Arcadia, we've got friends,
18 our children expect to trick or treat there, they expect to
19 attend athletic events there.

20 And we urge this Commission to think about the
21 need to keep these areas, Paradise Valley, Arcadia, the
22 Biltmore, northeast Phoenix, in a similar state to the
23 extent that they have become communities of interest for
24 working parents like us, and to assure that they stay and
25 have the same character that they do for the safety of our

1 children.

2 And that is really a important concern for us.

3 We shop. We dine. We work with business owners,
4 who are proposed to be moved to a different congressional
5 district from ours, but we believe, John and I believe,
6 and many others of us in Paradise Valley who have learned
7 to depend on business owners in the Biltmore and Arcadia
8 for our needs, that these are strong communities of
9 interest that need to be maintained with respect to the
10 current plan.

11 We, of course, enjoy our relaxed community feel of
12 Paradise Valley, but more importantly we appreciate the
13 convenience of being close to community events, family
14 events, our church, the people that we socialize with at
15 school. And all of those things for us are pretty much
16 contained in the Biltmore and Arcadia area. So we feel like
17 we're closely connected with those areas.

18 I run a Girl Scout troop that is in the Biltmore
19 area. Our sons attend Boy Scout troop that is in the
20 Arcadia area.

21 So for all of those reasons, we think that there
22 are common bonds and links that we share with Arcadia,
23 Biltmore, and northeast Phoenix that we don't share with
24 Scottsdale, that we don't share with Tempe.

25 And we would, again, urge this Commission to

1 consider that while we clearly believe that the town of
2 Paradise Valley has strong ties, we do not feel any strong
3 sense of connection to Scottsdale or places south of
4 Arcadia. That's not something -- that's not a place we get
5 to.

6 But it does concern us when the places where we
7 regularly go, a quarter of a mile distant to us and people
8 that we socialize with, dine with, and work with, will be
9 represented by perhaps somebody different from us.

10 Thank you very much.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is Paula Linker, representing
13 self, from Scottsdale.

14 PAULA LINKER: The lighting is better in this room
15 but the air conditioner is freezing.

16 Now, I'd like to address the legislative maps.

17 This particular version of the map does not seem
18 to me to be any more fair or rational than the previous
19 ones.

20 The current legislative district of Scottsdale,
21 that is in Scottsdale, leaves off some points to the
22 south and some points to the northeast. And it joins us
23 with Fountain Hills, a city which has a lot in common with
24 ours.

25 And it seems to me that if the Commission wanted

1 to shorten up Scottsdale, it would be better served to just
2 put a little bit more of the south into that district, a
3 little bit more of the northeast into that district, and
4 leave the core linked with Fountain Hills.

5 These are all areas with commonalities. The
6 northeast does share some commonality with Carefree and
7 Cave Creek.

8 Now, let's talk about Scottsdale.

9 Scottsdale is a destination city.

10 And after the Grand Canyon and Sedona, when people
11 from around the country and other countries think about
12 Arizona, they think about Scottsdale.

13 We are a destination, and we are unified.

14 We are a net contributor to the treasury of the
15 state of Arizona.

16 We have resorts. We have our amenities. We have
17 a lot of different places.

18 We have three branches of a very fine hospital
19 system. We have two museums. We have a unified school
20 district. We have superb police and fire protection,
21 sanitation. I think it is really a model for the area.

22 Now, the population of Scottsdale is made up of
23 largely, almost half probably, of transplants from New York,
24 and I am one of them, Minnesota, Chicago, Wisconsin,
25 California.

1 Yet all the of people who come to Scottsdale buy
2 into the concept of Scottsdale, a nice Sonoran city and it's
3 unified.

4 We don't need any particular artificial
5 manipulation of boundaries to make us a unified city with a
6 unified purpose.

7 Scottsdale is a special community of interest.
8 It's a quiet Sonoran suburb that lies basically along the
9 northeast plain.

10 It's a cohesive city.

11 The total population is less than 203,000.

12 We elect our six city council members on an
13 at-large basis.

14 We don't carve ourself up into districts with
15 special interests for a special agenda that says, I'll pass
16 your bill, you pass my bill. They do things for the unity
17 of Scottsdale.

18 We're a small city, and we've have concerns for
19 our neighbors.

20 Our city is a community of interest.

21 It lies along the north-south plain. Yet the
22 Commission has chosen to slice us up along an east-west
23 plain. To get from one end of the proposed legislative
24 district to another, I have to go past the highway and a
25 mountain range, which means I have to go down and I got to

1 go across and go back up.

2 You can't get there from here without going
3 through all sorts of contortions.

4 It makes no sense to me.

5 Most streets run north-south.

6 Why don't you keep our legislative district
7 running north-south.

8 To continue, we're a small city, but we're a
9 special community of interest.

10 Our city was named by BusinessWeek.com as the
11 fourth best for a business growth climate.

12 Quite an accomplishment for less than
13 203,000 total residents.

14 We have the second best educational system in the
15 southwest.

16 Again, quite an accomplishment.

17 Paid for by a small number of taxpayers.

18 We do this without making claims upon the state
19 treasury.

20 Our resorts, amenities -- our resorts,
21 accompanying amenities, restaurants, our businesses all are
22 net contributors to the state.

23 When people from our -- when our friends from
24 surrounding cities want to go out to dinner, we're always
25 wanting to go to them, but they always want to come to

1 Scottsdale. And when they come to shop, they want to go to
2 Fashion Square.

3 Let's not destroy this special place.

4 Now, it's just, it's just the sheer exertion of
5 power in my opinion to take this quiet, polite community and
6 split it up.

7 Or maybe there's some other motivation behind it.
8 I don't know.

9 I try to look at things as positively and as
10 optimistically as I possible can. I always try to think the
11 best.

12 Instead of just taking some data points and
13 numbers, plugging that into some contrived formula to draw
14 districts, I invite the Commission to take a ride around
15 Scottsdale on Ollie the Trolley. You'll find it to be a
16 superb Sonoran gem.

17 And don't worry about paying for Ollie the
18 Trolley. No matter how far you want to ride, no matter how
19 long you want to stay on the trolley, it's free. It's paid
20 for by all the citizens of unified Scottsdale, not by four
21 different parts of Scottsdale. So enjoy your free ride on
22 Ollie the Trolley.

23 It goes all the way up to the shops at Gainey, all
24 the way back down to the Tempe border.

25 This first -- and let me just conclude by saying

1 that the purposeful slicing of Scottsdale really requires
2 some detailed explanation by the Commission, not just
3 pretending this map with no streets or highways marked to
4 try to figure out.

5 What is the explanation, please, for the
6 Commission for doing this to my lovely city, which is the
7 now the home of my choice?

8 CHAIRPERSON MATHIS: Thank you.

9 Our next speaker is Lauren Bernally-Long, from the
10 Navajo Nation Human Rights Commission.

11 LAUREN BERNALLY-LONG: Good morning. My name is
12 Lauren Bernally-Long, and that's spelled L-A-U-R-E-N, B, as
13 in boy, E-R-N-A-L-L-Y.

14 My comments are directed at meeting preclearance
15 on the first submission to the DOJ.

16 The Voter Rights Act requirements must be met
17 before the state criteria.

18 Navajo Nation and Flagstaff have met to discuss
19 the plan for northeast Arizona. Navajo Nation prefers
20 option two, which includes Greenlee and the Apaches.

21 We are contemplating and discussing some
22 adjustments at this point.

23 The benchmark for Native American
24 majority-minority district currently in LD 2 is
25 58.93 percent.

1 Option one is set at 52 percent.

2 Native Americans VAP will not, will not be met.

3 Voters will not be able to elect candidates of
4 their choice. And this option should be rejected.

5 We respect that Flagstaff would like their
6 incorporated area to be kept whole.

7 Navajo Nation would like all of its ranch lands,
8 the Espil Ranch, Big Boquillas, the Winslow tract, and the
9 Hopi ranch lands to be included with this district.

10 And we have discussed this with Flagstaff.

11 That concludes my comments.

12 Thank you.

13 CHAIRPERSON MATHIS: Thank you.

14 Our next speaker is Steve Titla representing
15 San Carlos Apache.

16 STEVE TITLA: Good morning, commissioners,
17 Madam Chair. Good to see you again.

18 Today I'd like to recommend to the Commission
19 that, as I have said before, that the Voting Rights Act
20 be followed and that the communities of interest be
21 considered while you're considering the legislative grid
22 maps.

23 With regard to the grid maps, I'm looking at
24 option two version 8A and option one version 8A. And I just
25 wanted to let you know that the areas around the

1 reservations right now, San Carlo Apache and White Mountain
2 Apache, on the eastern boundary you have Greenlee County on
3 our eastern boundary. I think one time in Hon Dah I told
4 you that we have a San Carlos and White Mountain -- we have
5 a treaty of 1852 with the United States government.

6 And Greenlee County area was treaty lands, an
7 aboriginal Apache lands.

8 And the Graham County area, Safford and Santa Pima
9 areas are Apache land.

10 Winkelman, Dudleyville, Hayden, Kearny, Apache
11 land.

12 Globe, Miami is Apache land.

13 Clifton, Morenci is Apache land.

14 Before Dudley started cutting the reservation off
15 as they took the lands away.

16 But I want to let you know that those were
17 aboriginal Apache lands.

18 So Greenlee County is Apache -- aboriginal Apache
19 treaty lands in the maps that I'm looking at right now.

20 And the tribes -- San Carlos Apache tribe has not
21 taken a position on the legislative grid map yet, but I
22 wanted to let you know that the tribe has taken a position
23 in the county maps, I know that you're not dealing with
24 that, but just to let you know, in the county area, San
25 Carlos is in three counties. We are in Graham County,

1 Pinal County, and Gila County.

2 White Mountain Apache is in Apache County,
3 Navajo County, and Gila County.

4 So both reservations are in six counties.

5 So I don't think they were thinking about our
6 communities of interest whenever they drew those lines,
7 whenever it was done. I imagine around statehood. I don't
8 know.

9 But, anyway, the tribe did take the position on
10 Gila County map, and they said there that it would like to
11 be included with White Mountain Apache, San Carlos Apache,
12 and Tonto Apache in Gila County. So that's what they
13 supported, and forwarded that to Gila County commissioners.

14 Now, in this case if the tribe were able to get a
15 decision to you, I guess we'll forward it to you also to let
16 you know about the tribe's decision.

17 And when is the choice going to be made on these
18 options, if I may ask a question?

19 CHAIRPERSON MATHIS: Certainly. We're working on
20 developing a draft legislative map now. And the goal is to
21 have something by Tuesday of next week so that we can take
22 it on the road, so we'll need it actually a little before
23 Tuesday. But we're going to be -- we have -- we're
24 scheduled to meet Saturday, Sunday, and Monday, in case
25 we're not able to do something, you know, by the end of

1 tomorrow.

2 So we'd like to have the input as soon as
3 possible. That would be very helpful.

4 STEVE TITLA: You guys getting paid time and a
5 half or overtime?

6 CHAIRPERSON MATHIS: I wish.

7 STEVE TITLA: Okay. I will let the tribe know
8 this, and perhaps get some word to you before next Tuesday.

9 CHAIRPERSON MATHIS: Yeah, the sooner the better.

10 STEVE TITLA: We can comment.

11 CHAIRPERSON MATHIS: That would be wonderful.

12 STEVE TITLA: Okay. Thank you.

13 CHAIRPERSON MATHIS: Thank you very much.

14 Our next speaker is Sara Presler, mayor, city of
15 Flagstaff.

16 SARA PRESLER: Morning, members of the Commission.

17 Sara Presler, S-A-R-A, P-R-E-S-L-E-R, mayor, city
18 of Flagstaff.

19 I've missed you since yesterday.

20 Madam Chair, members of the Commission, I remind
21 you, of course, that the voters through Proposition 106
22 established this Independent Commission and want to
23 encourage you and empower you to take the voters' charge to
24 act as an Independent Commission and to take the input of
25 all members of our community and feel confident in your

1 ability to make a decision and in your ability to forward on
2 the first round a plan to the Department of Justice that
3 achieves preclearance.

4 And so we offer you the comments that we do in an
5 effort to achieve preclearance in the first round because if
6 that threshold is not met then we're right back where we
7 started from.

8 And so keeping that bigger picture in mind, we
9 heard both tribes that spoke previous to me indicate to you
10 their first preference is compliance with the Voting Rights
11 Act.

12 We also heard yesterday legal counsel for the
13 Commission indicate that option two as compared to
14 option one is more favorable in the numbers of the Voting
15 Rights Act.

16 Now, those percentages, I think, could be debated
17 and argued, but the bottom line is that the data that the
18 Independent Redistricting Commission has compiled and the
19 data that the city of Flagstaff has run through our GIS
20 department in comparing census numbers, voting blocks,
21 voting trends also indicates the same outcome, which is that
22 option two version 8A is more compliant and does not regress
23 in its representation under the Voting Rights Act.

24 So you just heard both tribes indicate that their
25 goal is to maintain and not regress under the Voting Rights

1 Act. In fact, the Navajo Nation indicated two specific
2 sections that they asked you to pay attention to.

3 The Constitution cannot be compromised. And with
4 that point in mind then, option two appears to be a better
5 direction, keeping indigenous interests together. And
6 the city of Flagstaff is more focused on its population
7 centers.

8 While there has been a conversation in option two
9 to include Greenlee County with parts of the Navajo Nation
10 as proposed in concept by Commissioner McNulty, we
11 understand that some tribes do need to consult back now that
12 we've made progress in this process, but we do want to
13 emphasize to you that that Voting Rights Act and
14 preclearance with DOJ should supersede any other
15 conversations or topics.

16 If we don't comply with the Voting Rights Act and
17 the constitution, we don't obtain clearance from the
18 Department of Justice, then our work will likely be for
19 naught.

20 Later today you'll hear from one of our leaders in
21 the business community who has made significant investment
22 with his corporation in the bioscience area. He'll bring
23 representation with him in the form of written
24 correspondence from our leading accountant in the region, a
25 major realtor and property owner, the manager of the major

1 downtown area, small business collaboration, W.L. Gore, and,
2 and a major bank in our region that handles a variety of
3 issues.

4 He'll bring that correspondence with him, but it
5 will demonstrate to you that all of those businesses -- and
6 if you check their political background, they come from
7 Independent, Democrat, and Republicans -- all value
8 competitiveness and all value option two version 8A. So
9 you'll hear from them later today.

10 We value keeping the city of Flagstaff
11 incorporated areas whole, and we value a district that is
12 compliant with the Voting Rights Act that is competitive in
13 its nature.

14 So we appreciate you listening and for your
15 progress. We do believe that you've made progress in this
16 process.

17 If only to engage in an active conversation.

18 It's a big win to have two tribes here, and we
19 expect other tribal representation moving forward. To
20 include people in the process to try to achieve preclearance
21 and compliance with the Voting Rights Act is a real win for
22 this Commission. Instead of telling us how things should
23 go, we really appreciate you listening to us as a region and
24 as a community and giving us the flexibility to meet and
25 discuss to be able to tell you that, yes, some modifications

1 need to be made, but we're definitely moving in the right
2 direction.

3 Thank you.

4 CHAIRPERSON MATHIS: Thank you.

5 Our next is Richard Miranda, state representative
6 and representing the Minority Coalition.

7 MARY O'GRADY: Madam Chair, I also have a note
8 just for the public who are here, the stat sheets that were
9 handed out to the public, the stat sheet for option one is
10 actually the stat sheet for option two.

11 They're getting copies of the correct statistics
12 sheet for the members of the public. So basically have two
13 stat sheets. Both are for option two.

14 We'll get the corrected one for option one.

15 CHAIRPERSON MATHIS: Okay.

16 Thank you.

17 RICHARD MIRANDA: Thank you. Richard Miranda,
18 M-I-R-A-N-D-A.

19 And I'm here speaking on behalf of the Minority
20 Coalition. It's -- we thought everything was going smoothly
21 for us, at least the direction the Commission was going.

22 I'm encouraged that other groups are here today
23 advocating for the option two map that I believe is called
24 the minority district 8A option two.

25 But it's the one that was adopted, or that was a

1 what-if map a couple days ago.

2 And so we do support that map.

3 It does show the -- keep the communities of
4 interest that everybody is talking about together. And I
5 know that we've testified and I know that people testify
6 about keeping the communities of interest in the west
7 Phoenix area and south Phoenix area.

8 And, you know, much thought was given into it, you
9 know, and, and so we came up with this proposal that we,
10 that we made much earlier.

11 And we're, we're encouraged by the option two map,
12 and I hope that that's the direction that the Commission
13 will go in.

14 I did get to talk to at least one of the Isaac
15 School District board members this morning.

16 My -- our understanding, and I saw a map this
17 morning, that was -- connected the Isaac School District
18 area with the historical area. And they are very concerned
19 about it.

20 He's contacting Maria Guzman, Patricia Jimenez,
21 and Evelyn Shapiro on the Isaac School District. And not
22 speaking for them, but he could say that they probably will
23 be very concerned if the historical districts are put in
24 with the west Phoenix area.

25 I think the outcomes of elections in the past has

1 shown that, that that whole west Phoenix, old west Phoenix
2 neighborhood, Isaac School District, has been
3 disenfranchised from the historical areas in elections,
4 especially primaries.

5 And in 2006 when they had a Latino running from
6 that area, he -- his performance was not good.

7 And what -- if you look at the election results,
8 the historical areas really outweighed the Isaac school area
9 tremendously.

10 So to that, to that effort, to try to correct
11 that, that is why we're supporting the option two. Because
12 it does keep voting performance for Latinos in -- at a level
13 that's going to give them the ability to select a candidate
14 of their choice.

15 And I know that we've talked about preclearance,
16 DOJ. All of you are aware of that.

17 And we are here to help to make sure that we get
18 this done the first time around and not linger like we did
19 ten years ago.

20 Ten years ago I advocated against putting the
21 historical districts with the old west Phoenix area, because
22 my fear was that they would get representation and that's
23 been borne out.

24 We simply are not going to get representation.

25 And I know in the new map, or the map that was

1 discussed last night, that I think it's District 29, that's
2 the upper west side, they have -- I didn't look at the
3 stats, but my, my -- I could be wrong, but I believe it's at
4 55 percent voting age Hispanic population.

5 If you try to compare that with south Phoenix, it
6 would be a wrong comparison. In saying that it's a
7 minority-majority district.

8 South Phoenix is at about 55 -- that option two
9 is, I think, about 55 percent.

10 And so is our coalition map.

11 However, you also have 15 percent, 15.4 percent
12 voting age population African American.

13 So when you combine those two communities, you
14 come up with almost 70 percent.

15 And that would guarantee the ability of those --
16 that south Phoenix community, Laveen and old south Phoenix,
17 the ability to select a candidate of their choice.

18 If you -- this other direction that this map that
19 was proposed last night simply is not going to work out.

20 And I know that we all have tough choices here,
21 but I do know that we're here to try to see what we can do
22 as a minority coalition to see that in what way we can help
23 you to make sure that you pass DOJ.

24 And I think working with option two is the good
25 start where you would be able to meet those requirements.

1 And, you know, the clear division is, if you go
2 into those neighborhoods, is once you get past Grand, and
3 once you get past 19th Avenue, those communities change.

4 So when you put those types of different
5 communities together, one is not going to be represented.

6 But, you know, we're here. I do know Harry
7 Garewal, a school board member from Isaac, is going to be
8 here this afternoon. Unfortunately because of work he
9 couldn't make the 9:30 here, but he is going to make -- be
10 able to come in the afternoon and give his opinion of which
11 maps he as a school board member from that area that he
12 does. He's going to try and bring some of the other folks
13 with him. It's a short notice, because I think this map was
14 proposed last night.

15 So -- and then I did -- everybody is getting
16 e-mailed to make sure that they e-mail at least a public
17 input form, and, and give them their opinion of what they
18 think of these maps should look like.

19 And then on another note, on the congressional
20 maps, I think the latest congressional map puts, I think,
21 Tolleson in that general area, the city of Tolleson in that
22 general area west Phoenix, old Glendale, south Phoenix.

23 However, I did notice that there's a part of
24 southwest Phoenix that's not in that area. And we would --
25 I would -- we would advocate for making sure that that part

1 of southwest Phoenix area is included back into that
2 majority-minority congressional district.

3 I think the issue for a lot of residents there is
4 that they've been represented by someone in Tucson. And
5 frankly, you know, they feel there hasn't been enough
6 representation for, in their opinion, for that community
7 in there. Because right now, parts, parts of those
8 communities are in a district that is represented by someone
9 in Tucson.

10 Ten years ago it was represented by someone that
11 was included in the majority-minority district from south
12 Phoenix to old west Phoenix.

13 And that was included, but ten years ago it was
14 changed.

15 I just think that community feels like that they
16 don't -- for lack of a better word, underrepresented by
17 someone in Tucson.

18 So I just wanted to add that in there.

19 Thank you.

20 CHAIRPERSON MATHIS: Thank you.

21 That's all the request to speak forms that I have
22 right now, and we'll have another public comment too at the
23 end.

24 I have one more. And then we'll do public comment
25 at the end of the day as well.

1 This is Wes Harris, PC captain, from LD 6-28.

2 WES HARRIS: Good morning.

3 I wanted to talk a little bit about the publicity.

4 And I agree with the first speaker to the extent that this
5 Commission is to be fair and forthright.

6 And I think that quite frankly the adverse
7 publicity that you have gotten the last couple of days is
8 self-inflicted.

9 And it was -- primarily it was the result of
10 slamming through that congressional map without allowing for
11 a time for us to look at it.

12 And that became the issue.

13 Had you delayed it by one day, I think all of this
14 would have never happened. And we would have had an
15 opportunity to talk about it.

16 And that just doesn't get it.

17 Now, as far as the individual district, LD maps,
18 whenever we put up a map on your system, if you don't put
19 that map automatically up on the mapping system, we have no
20 detail. We can't tell.

21 I look at this map. I have no idea.

22 I know where I live, but I can't tell from this
23 map what district I'm going to be in.

24 I can approximate it, but approximations don't get
25 it.

1 I have to have a street, a mountain, something to
2 that effect.

3 So I would recommend that any additional
4 adjustments to these maps be automatically put up, as I
5 requested this morning.

6 Is it up yet?

7 Okay. So we can't look.

8 So you're going to be talking about these district
9 maps and we can't, we can't decipher what you're talking
10 about.

11 And that's -- it's self-defeating. Our comments
12 can't be learned because we have no idea what you're talking
13 about.

14 And I personally like to do my homework at night,
15 before I come here.

16 And I can't do that, if that's not up there. So
17 I'm coming in here blind basically.

18 And I'd like to make a comment about some of these
19 so-called minority-majority districts.

20 It would seem to me that if the overall
21 congressional district is going to be around 52 percent,
22 which I think is the number we have for three, that the
23 individual legislative districts within that district,
24 should strive to have that same percentage.

25 The reason for that is that we reduce the amount

1 of disenfranchisement that we have on the minority section
2 in that district, and, in essence, allow them to be
3 competitive.

4 I mentioned this earlier, that it should be fair
5 to be competitive within these districts as well as being
6 competitive within the districts that are not minority
7 districts.

8 That way everyone has a fair shake, while you
9 still maintain the required level of minority-majority
10 percentages.

11 But by having LDs that have 69, 70, 71, 75 percent
12 minority, then that other 30 percent just drops off the map.

13 They're either going to move out or be satisfied
14 with being disenfranchised and accept the representation
15 that doesn't represent them.

16 So I would like you to look back at those
17 individual legislative districts and try to maintain those
18 percentages.

19 Looking at the grid behind these, which gives you
20 some idea of what those percentages are, I can see when you
21 look at the congruent districts, those that are adjacent to
22 them, you can see where you can actually modify the lines
23 and actually pick up some percentages from the other
24 districts, and vice versa.

25 Thank you very much.

1 CHAIRPERSON MATHIS: Thank you.

2 I think that concludes public comment. So -- for
3 this morning's session. And, see what time it is. It's
4 11:06.

5 Are you doing okay? Okay.

6 Let's take a ten-minute break, and then we'll
7 start back up.

8 It's 11:06.

9 (Brief recess taken.)

10 (Whereupon, Mr. Herrera joins the meeting.)

11 CHAIRPERSON MATHIS: Okay. We'll enter back into
12 public session. Recess is over.

13 The time is 11:34.

14 And we just had public comment, and thank you all
15 for providing that to us.

16 Our next item on the agenda is review, discussion
17 and direction of mapping consultant regarding the
18 development of a legislative district draft map based on
19 constitutional criteria.

20 And those of you following us closely know that
21 we've been up to this.

22 And I think last night where we left it was, as
23 everyone knows, and I think in the back of the room, you
24 should have copies of two different versions of what a
25 legislative draft map could look like.

1 And we've been working to bring those two together
2 on a new grid map that Mr. Desmond I think started. And we
3 thought that it made most sense to, since Voting Rights Act
4 is a federal requirement we have to comply with, to get
5 those districts set and at least, you know, some place
6 holders for them that make sense.

7 And then from there bring in other aspects of the
8 other districts and work with the criteria to, all six, to
9 ensure -- all other five I should say, to ensure that we're
10 complying with the constitution.

11 So based on that, we last night I think had
12 adopted portions of Ms. McNulty's versions in southern
13 Arizona and portions of Mr. Freeman's in Maricopa County
14 area. And we kind of punted on the northeast corner because
15 we're awaiting additional information from folks.

16 And we heard some -- a little bit more today.

17 So that's kind of a recap, and just to bring
18 everybody onto the same page of what we're doing.

19 So, Mr. Desmond, do you want to bring up sort of
20 that merged grid map concept to see what that looks like?

21 WILLIE DESMOND: Yeah. I was just trying to.

22 Okay. So here, what I have is the green areas are
23 the districts that we added into the original grid map last
24 night.

25 I call this district, this map, just merge,

1 because I was merging parts of the two.

2 So you can see Districts 2, 3, and 4 in southern
3 Arizona came from option two version 8A.

4 If you look at Maricopa, you see Districts 19, 27,
5 28, 29 came from option one version 8A.

6 Then everything else is the original grid map.

7 And there are large chunks of, as a result,
8 unassigned areas.

9 So if I change the shading to show you the
10 individual districts, you'll see, like, these parts are
11 unassigned.

12 Those came from -- that was part of original grid
13 map four.

14 I unassigned all of that. And the new four is
15 here.

16 So, when you're looking at the population of these
17 districts, some are dramatically underpopulated.

18 District 10 is 87,000 people underpopulated.
19 District 20 is 90, 24 is 42.

20 And that's just because, you know, we left it so
21 that there -- you know, the districts that we added in were
22 left whole, and we didn't change the balance, the result at
23 all.

24 That is -- is there something that you wanted to
25 look at right away, or. . .

1 CHAIRPERSON MATHIS: So just a clarification
2 question. So the districts from the original grid map that
3 weren't affected by the changes we made, those just appear
4 as they were in on grid map.

5 WILLIE DESMOND: Exactly as they were.

6 So, I mean, in all the maps, you know, both
7 congressional and legislative, one of the first steps we did
8 was to not split reservation lands.

9 This splits reservation lands and it splits census
10 places.

11 All those considerations that we worked on in
12 various what-ifs, I kind of just reverted back to the
13 original grid here.

14 CHAIRPERSON MATHIS: Commissioners, are you
15 comfortable with that approach? Does that make some sense?

16 VICE-CHAIR FREEMAN: Yes. To unassign the areas
17 as we're making the exchanges, that's what we have to do.

18 CHAIRPERSON MATHIS: You're comfortable with the
19 merged map approach, Ms. McNulty, in terms of the process?

20 COMMISSIONER McNULTY: I think so, yes.

21 CHAIRPERSON MATHIS: Mr. Herrera.

22 VICE-CHAIR HERRERA: As far as the process, yes.
23 The maps, no.

24 CHAIRPERSON MATHIS: Okay.

25 Okay. So that created -- that work yesterday

1 created three southern Arizona minority-majority districts
2 and four in Maricopa County.

3 Is that correct?

4 WILLIE DESMOND: Correct.

5 CHAIRPERSON MATHIS: Okay. And we're still
6 anticipating how many in northern Arizona?

7 WILLIE DESMOND: There will be, you know, the one
8 Native American district.

9 CHAIRPERSON MATHIS: Just one.

10 WILLIE DESMOND: But no Hispanic majority-minority
11 district.

12 I guess we've been kind of talking, and we think
13 it will make sense to continue to work on these voting
14 rights districts.

15 CHAIRPERSON MATHIS: Uh-hmm.

16 WILLIE DESMOND: And then at least at that point
17 if you could use those as like a jumping off point and deal
18 with the rest of the map maybe, that, you know, any changes
19 you would make to affect those districts, you would have to
20 at least, you know, ensure that the profile of those voting
21 rights districts is maintained so that you couldn't lower
22 the HVAP or the ability to elect or things like that.

23 Additionally, these districts are taken exactly as
24 they are from the two different maps.

25 I think there are some things in both the southern

1 Arizona districts and the Maricopa districts that the
2 Commission might want to look at addressing, either to bring
3 up the HVAP, to bring it down, or to improve the packing to
4 be contiguous, some of those types of iterations.

5 So, I wouldn't think of these as necessarily
6 set in stone districts, but maybe if you could think of
7 those seven districts as like a starting point.

8 CHAIRPERSON MATHIS: Yeah, a place holder.

9 WILLIE DESMOND: Yeah.

10 CHAIRPERSON MATHIS: Okay.

11 WILLIE DESMOND: And then once you have those
12 established, you guys can go through and figure out how you
13 want to, you know, deal with all the other issues in all the
14 other districts.

15 CHAIRPERSON MATHIS: Okay. Would it make some
16 sense, since we all agreed early on, to try to keep Indian
17 reservations as whole as possible in these legislative
18 districts just like we did on the congressional, and put in
19 the Navajo Nation lines with their ranch lands that they've
20 talked about? Would people be open to that?

21 VICE-CHAIR FREEMAN: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Freeman.

23 VICE-CHAIR FREEMAN: Yes. And in option one, I
24 did try to include as many of those lands as possible.

25 I do believe if you look at the very straight line

1 that follows west to east, the Navajo Nation line there in
2 Apache County, that there are some zero population tribal
3 lands just below that line which I did not include. I think
4 I mentioned that before.

5 CHAIRPERSON MATHIS: Yeah.

6 VICE-CHAIR FREEMAN: But otherwise I think I did
7 try to capture that, and the Big Boquillas Ranch land is
8 included in that in there as well.

9 I don't know if we have a shapefile that shows all
10 those ranch lands. But that might be helpful.

11 WILLIE DESMOND: So I was provided a file from
12 Leonard Gorman.

13 CHAIRPERSON MATHIS: And Leonard Gorman is from
14 the Navajo Nation Human Rights Commission.

15 WILLIE DESMOND: Yes.

16 That does provide -- is more of a map of, like,
17 Navajo Nation.

18 You know, the census defines the actual
19 reservation lands, and maybe that sticks up very well.

20 I'm not sure exactly what these areas. . .

21 Just looking for a label right now that would give
22 us some information on what need there is.

23 MARY O'GRADY: Madam Chair, I see some
24 Navajo Nation representatives including Mr. Gorman in the
25 back.

1 And I don't know if they can be helpful at some
2 point in this discussion.

3 COMMISSIONER McNULTY: Madam Chair, Ms. O'Grady, I
4 had included on the district on option two 8A at least some
5 of those lands. So perhaps we could request that they
6 advise us what in addition would need to be included.

7 I think they could probably direct Mr. Desmond to
8 the Boquillas Ranch.

9 WILLIE DESMOND: It looks like there is a ranch
10 labeled as available.

11 CHAIRPERSON MATHIS: Yeah, Winslow tract.

12 VICE-CHAIR FREEMAN: Zoom out. I'll point it out
13 to you.

14 COMMISSIONER McNULTY: Mr. Gorman is offering to
15 assist us.

16 VICE-CHAIR FREEMAN: Go out, keep out, pull out.

17 CHAIRPERSON MATHIS: Thank you.

18 VICE-CHAIR FREEMAN: More.

19 It's right over here.

20 I'll let Mr. Gorman correct me.

21 So that needs to go in.

22 LEONARD GORMAN: Madam Chair, members of the
23 Commission. Leonard Gorman, Navajo Nation Human Rights
24 Commission.

25 Last name Gorman, G-O-R-M-A-N.

1 The Big Boquillas Ranch is east of the Hualapai
2 Nation, right above the Interstate 40.

3 And then the Espil Ranch, which encompasses the
4 San Francisco Peaks and the U.S. Forest Service, is north of
5 the city -- incorporated area of the city of Flagstaff.

6 And then the Winslow tract, which is north and
7 northeast and east of -- I mean northwest -- let me see.
8 North and northeast and east of Winslow, north of
9 Interstate 40.

10 COMMISSIONER McNULTY: Mr. Desmond, could you put
11 up option two version 8A, please.

12 WILLIE DESMOND: So that heavy red line is
13 option two version 8A.

14 COMMISSIONER McNULTY: Could you just put option
15 two up without the conflicting?

16 WILLIE DESMOND: Okay.

17 COMMISSIONER McNULTY: Could you, Mr. Gorman, just
18 show us on this map also, just so I have a clear
19 understanding of what you are requesting.

20 LEONARD GORMAN: Madam Chair, members of the
21 Commission, Ms. McNulty, the Navajo Nation's request are in
22 several parts. One, of course, is to add land holdings off
23 the Navajo Nation that is considered as a trust land, so
24 that would be the Big Boquillas Ranch, the Espil Ranch, and
25 the Winslow tract. And also meeting the Voting Rights Act

1 and provision.

2 Now, in the iteration that's on the screen, it
3 does not, does not look like the Big Boquillas Ranch, if you
4 could project the Navajo.

5 The Big Boquillas Ranch is not included.

6 And it looks like the majority of the Espil Ranch,
7 except maybe on the south tip, are included.

8 And then the Winslow tract, it looks like just on
9 the east side and maybe west side are included in that
10 iteration. The massive part of the Winslow tract is not
11 included.

12 COMMISSIONER McNULTY: Would you mind if I gave
13 you the laser pointer, Mr. Freeman?

14 It's on the side.

15 LEONARD GORMAN: I'll turn it on first.

16 Okay. This is the Big Boquillas Ranch here.

17 So, it looks like the proposal is to include all
18 of this area in here, and it dips down into picking up
19 Hualapai.

20 COMMISSIONER McNULTY: Yes.

21 LEONARD GORMAN: Now, the Big Boquillas is not
22 included in the -- that is now the larger Navajo trust land
23 is included in.

24 And this is the Espil Ranch here.

25 It doesn't, from as far away, if the southern part

1 is all included.

2 And then this is the Winslow tract here.

3 So the part that's included are those trust areas,
4 lands for Navajo on the northeast of Winslow. But the land
5 holdings for Navajo Nation Winslow tract in this area is not
6 included.

7 COMMISSIONER McNULTY: That's very helpful. Thank
8 you.

9 I'm a visual person. I have to see it.

10 CHAIRPERSON MATHIS: So, I'm sorry, what's the
11 name of the ranch in the middle that starts with an E?

12 LEONARD GORMAN: Espil.

13 CHAIRPERSON MATHIS: Espil. Is that a -- at all a
14 census place there, Willie, that southern part of that?

15 WILLIE DESMOND: It's not. It's just north of
16 Flagstaff incorporated.

17 CHAIRPERSON MATHIS: Oh, I see. Okay.

18 LEONARD GORMAN: So, Madam Chair, the request
19 would be to include all of that southern part of the
20 Espil Ranch.

21 CHAIRPERSON MATHIS: Uh-hmm, where the green line
22 is; right?

23 LEONARD GORMAN: Yes.

24 CHAIRPERSON MATHIS: Okay.

25 COMMISSIONER McNULTY: Are those uninhabited areas

1 right now or they --

2 LEONARD GORMAN: Madam Chair, members of
3 Commission, and Commissioner McNulty, what I understand is
4 that those are ranch land areas in which they are leased out
5 for, as I understand, grazing areas.

6 COMMISSIONER McNULTY: Thank you.

7 CHAIRPERSON MATHIS: Any questions for Mr. Gorman?
8 (No oral response.)

9 CHAIRPERSON MATHIS: Thank you very much for your
10 help.

11 Well, so given that, do we want to adjust those
12 lines to -- because both of you have on both your versions
13 something similar. There's definitely some common ground
14 there. And if we can include those -- that area that wasn't
15 included on the left, and I'm forgetting the name of it as
16 well, Boquillas, into that district and also dipping down
17 and getting all of that Espil Ranch, and then the two ranch
18 lands that were pointed out, Winslow tract and the other.

19 COMMISSIONER McNULTY: So can you do that,
20 Mr. Desmond?

21 WILLIE DESMOND: Yes, yes.

22 CHAIRPERSON MATHIS: Does everyone agree with
23 that?

24 Should we look at it at least and see what that
25 does to the map?

1 COMMISSIONER McNULTY: I agree.

2 I don't think it will change any of the
3 population, and I think it makes sense.

4 It sounds like the city of Flagstaff is on board.
5 I don't think there would be any reason that they wouldn't
6 be.

7 WILLIE DESMOND: Currently the District 7 does
8 split reservation lands too, so let's start with that.

9 (Brief pause.)

10 WILLIE DESMOND: So I should go over on the top
11 of.

12 The census, what's happening is the census blocks
13 don't follow the same lines, so it's not going to fit
14 perfectly.

15 I have to grab a little extra.

16 But right now you're only looking at -- it's very
17 sparsely populated.

18 Right now it's 19 people.

19 (Brief pause.)

20 WILLIE DESMOND: I can do -- this touching up I'll
21 do later, but -- the other question is, how should I link
22 these two areas.

23 I can show you in option one it's done right along
24 there.

25 (Indicating.)

1 In option two, it's done just south of there. Is
2 there a preference either way? I don't know if that really
3 changes many people.

4 CHAIRPERSON MATHIS: Are you talking the thick red
5 line versus the thinner red line?

6 WILLIE DESMOND: I'm just saying -- so right now
7 District 7 is in two pieces, this part and this part.

8 In option one, those are linked on that line.

9 And option two they're linked that line.

10 Does anyone have any strong feelings either way?

11 CHAIRPERSON MATHIS: It looks like option one
12 follows some kind of -- is that a waterway or something?

13 There's a line there.

14 WILLIE DESMOND: The line right there is census
15 tract line.

16 CHAIRPERSON MATHIS: So it's following the census
17 tract line going over.

18 WILLIE DESMOND: I think so.

19 CHAIRPERSON MATHIS: And the other one is
20 following --

21 WILLIE DESMOND: Probably a lot group or
22 something.

23 CHAIRPERSON MATHIS: Why don't we do census tract
24 for now and adjust later if necessary.

25 WILLIE DESMOND: Again, I'm just looking at the

1 census block layer, because it's the smallest layer
2 available to us, but it doesn't share the same lines, so
3 it's not perfect.

4 I'm just kind of defaulting to grabbing a little
5 extra if I need to.

6 But, again, it's not huge numbers of population.
7 This current selection is 588 people.

8 So now all those lands, those ranch lands are
9 included in that district. Although that district is
10 39,000 people overpopulated, so it's going to need to lose
11 some.

12 CHAIRPERSON MATHIS: Does it include the Winslow
13 tract?

14 WILLIE DESMOND: Yes, because it has all of, all
15 of this area.

16 CHAIRPERSON MATHIS: Oh, okay.

17 WILLIE DESMOND: From the grid map.

18 CHAIRPERSON MATHIS: And we need to lose how many,
19 30?

20 WILLIE DESMOND: We need to lose about 39,000
21 people.

22 We also need to -- it does also split this
23 reservation here.

24 Because it follows the county boundary on the
25 reservation, so, the -- San Carlos reservation is split

1 right now. So that's -- it probably affects it too.

2 But I don't know if that -- if you want to put it
3 whole down here or up here.

4 MARY O'GRADY: What's the Native American voting
5 age percentage?

6 WILLIE DESMOND: 46.68 percent.

7 So that needs to go up too.

8 CHAIRPERSON MATHIS: In seven? 46.68?

9 WILLIE DESMOND: Yeah, as it is currently.

10 And the benchmark is 58.99.

11 So I don't know if you want to try to figure out
12 how this district -- whether or not to include the
13 San Carlos and Apache, or if not, or if you want to wait to
14 hear what they officially said. We can move on to a
15 different part of the state.

16 CHAIRPERSON MATHIS: Well, what are our options
17 for increasing the benchmark number -- to the benchmark
18 number?

19 WILLIE DESMOND: I mean, if we remove some of
20 these -- if we try -- if we take out the 39,000 and some
21 Anglo areas, that will bring it up initially.

22 So we can do that.

23 If you want to -- six is no longer a contiguous
24 district at this point, but six is probably underpopulated.

25 Six needs about 36,000.

1 So if we gave some of this area to District 6 to
2 maybe it bigger, that might -- that would include --
3 increase the Native American voting age population in this
4 district, percentage.

5 COMMISSIONER McNULTY: The benchmark that you just
6 provided us with is based on what boundary?

7 WILLIE DESMOND: The current district, I can show
8 you that.

9 The current District 2 is right here.

10 So it has the --

11 COMMISSIONER McNULTY: Are you talking about the
12 current legislative district?

13 WILLIE DESMOND: Yeah.

14 COMMISSIONER McNULTY: As it exists in the real
15 world today?

16 WILLIE DESMOND: As it exists in the real world
17 today.

18 COMMISSIONER McNULTY: The benchmark is
19 58 point --

20 WILLIE DESMOND: 99, I think. But it's important
21 to emphasize that that district is underpopulated by
22 39,000 to the 2010 ideal district size.

23 COMMISSIONER McNULTY: So they lost population.

24 WILLIE DESMOND: I don't think it lost probably,
25 but it didn't --

1 COMMISSIONER McNULTY: It didn't grow -- it didn't
2 grow at the same rate.

3 Okay. So I'm with you there.

4 So now what are we -- when we're trying to take
5 away population, I'm not sure I understand what we're taking
6 population away from.

7 WILLIE DESMOND: I guess the question is do we
8 want to try to finish this district right now or do you want
9 to wait.

10 If you want to finish it, we -- this district
11 needs to lose about 39,000 people.

12 As it's currently drawn, it's about 39,000 people
13 overpopulated.

14 COMMISSIONER McNULTY: But we haven't drawn
15 anything yet, so that's what I'm unclear about.

16 Are you talking about the existing legislative
17 district or are you talking about one of the options, one of
18 the proposals?

19 WILLIE DESMOND: I'm saying on the, on the -- this
20 map right here that we're looking at.

21 COMMISSIONER McNULTY: What map is that?

22 WILLIE DESMOND: This is the merged map, so this
23 is the three southern districts, the four Maricopa
24 districts, put over the original grid map.

25 This is back to kind of the original grid and

1 so --

2 COMMISSIONER McNULTY: You're talking about a grid
3 of some kind? Because we hadn't drawn District 7 yet on the
4 grid.

5 MARY O'GRADY: But you had a grid when you
6 started.

7 And so it's adjusting the grid to create -- to
8 balance out population. And the original grid that was the
9 basis for this conversation split the reservation, because
10 it was just the original grid that didn't include that.

11 So you've restored the Navajo Nation boundaries,
12 added those other boundaries, and as a result it's now
13 overpopulated.

14 Right?

15 Those are the only changes that we've made.

16 WILLIE DESMOND: Correct.

17 MARY O'GRADY: It's overpopulated, but it's under
18 the Native American percentage.

19 CHAIRPERSON MATHIS: So, I think we should
20 complete seven to the extent we can.

21 We don't have all the information yet, but at
22 least try to make it comply with population requirements and
23 in a logical way that respects the other criteria to the
24 extent we can.

25 So there's the -- we could look at the two

1 versions.

2 I'm guessing that Mr. Freeman's is following the
3 county lines?

4 Is that right?

5 VICE-CHAIR FREEMAN: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Freeman.

7 VICE-CHAIR FREEMAN: In option one, District 7, I
8 attempted to include the Big Boquillas Ranch and other
9 Navajo ranch lands. I don't know that if I got all of them,
10 but I tried.

11 The boundary that's cuts through Apache, Navajo
12 Counties follows the Navajo Nation tribal land boundary.

13 On option one, District 7 includes the city of
14 Flagstaff.

15 The Native voting age population in District 7 is
16 about 52 percent, less than current benchmark.

17 It seems like to me, and I did that because, one,
18 as was mentioned, Native American population in the state
19 has increased only about two percent, while the rest of the
20 population in the state has increased by a lot, lot more, on
21 the order of, I think, 25 percent.

22 So there's a big gap there.

23 Plus, because we have a statement from the
24 chairman of the White Mountain Apache Tribe asking us to
25 respect their wishes and keep the status quo as to the

1 district they're in now.

2 We are waiting -- we understand that we may hear
3 something further from the San Carlos Apache Tribes.

4 I know generally with respect to the Apache Tribes
5 they like to keep as much of their tribal lands together.
6 They mentioned the Yavapai, Apache, keeping them together in
7 their district. It's not possible to have it both ways.
8 You have to go one way or another.

9 And one way is expressed on option two, which is
10 to include all the Apache tribes together with the Navajos
11 and Hopis, and that gets your Native American voting age
12 population up to, I forget what it is, 58, 59 percent.

13 Or you do it the option one way, which is to keep
14 the White -- the Apache Tribes separate from the Navajos,
15 and then you have to rely upon more of a natural
16 retrogression argument to justify the reduction in the
17 Native voting age population from the benchmark of 58 to
18 52 percent.

19 COMMISSIONER McNULTY: Madam Chair, I think as
20 legal counsel told us yesterday, there has to be no other
21 practical alternative in order to prevail on that argument.

22 I'm not sure if those are the words that they
23 used.

24 But I think we do have another viable, realistic
25 alternative that makes sense from many perspectives, and

1 that is to include the White River -- White Mountain Apache
2 and the San Carlos Apache, at least as a place holder, in
3 the district with the Navajo.

4 It will achieve the benchmark, exceed the
5 benchmark. We won't have preclearance issues.

6 I think we heard this morning from the San Carlos
7 that they want to ensure that we satisfy the Voting Rights
8 Act, that they have a number -- that a large part of the
9 state includes their traditional tribal lands, including
10 Greenlee County and some other areas.

11 I think they've testified earlier that the -- I
12 think the San Francisco Peaks are a sacred land for the
13 White Mountain Apache also.

14 And I -- and we've heard a great deal of testimony
15 from the city of Flagstaff about their desire to be in a
16 separate legislative district and have, from a state
17 perspective, have their own representative in Phoenix to
18 deal with their economic issues.

19 I think that the Native American nations are in a
20 very unique position, and I understand that they each have
21 their own unique issues, but they are united in having to
22 deal with a number of things, including their sovereignty
23 issues.

24 And I think having a representative for those
25 tribes in the state legislature and ensuring that that does

1 not retrogress is -- I think it's absolutely essential.

2 I think the record has been presented to us that
3 it should be one of our highest priorities.

4 And I think that those concerns transcend
5 individuals. Those concerns on behalf of the Native
6 American nations really transcend what we might be told by
7 one or two individuals. And it's been a common theme that
8 we've heard throughout this process.

9 VICE-CHAIR FREEMAN: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Freeman.

11 VICE-CHAIR FREEMAN: Ten years ago the Hopi Nation
12 was not included with the Navajo Nation.

13 I think that was done in part out of respect for
14 the wishes expressed by that tribe.

15 I think perhaps if we wait a little bit, wait
16 to see what the Apache Tribes have to tell us. I mean,
17 maybe they'll tell us one way. Maybe they'll tell us the
18 other.

19 I also don't want to lose sight of the fact of the
20 other people who live up in Graham and Greenlee and Gila
21 Counties have all or universally expressed a desire not to
22 be split up, to keep the three Gs together. We've heard a
23 lot on that testimony. There's a lot of public comments up
24 in Hon Dah expressing desires and wishes along those lines.

25 So that would -- those wishes would be reflected

1 in option one, in District 5, which generally follow
2 the county lines and keep Graham, Greenlee whole,
3 Gila County whole, and the southern part of Navajo and
4 Apache Counties.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: I think the comments from the
8 Native American tribes and also the city of Flagstaff is
9 pretty clear, that we keep Flagstaff away in a separate
10 district from the Navajo and the Native American tribes.
11 And that's the desire of Native American tribes. And that
12 is that option two is a better option.

13 Again, with the Voting Rights Act, we shouldn't be
14 compromising. As I stated before, the Native American
15 tribes should be kept together, whole, away from the city of
16 Flag, so they can -- again, so we can respect the Voting
17 Rights Act and pass preclearance.

18 If we start messing with the Voting Rights Act and
19 trying to compromise, I think that's when we run into
20 problems.

21 Again, there really isn't any compromise on that.
22 Option two is a better option.

23 I think it was stated in public comment that it is
24 a better option than option one.

25 CHAIRPERSON MATHIS: Okay. Well, I don't think we

1 have an agreement yet on the northeast corner. We don't
2 have enough information.

3 Flagstaff told us they're going to bring some more
4 folks to talk to us, it sounds like, the business community.
5 And we want to hear from the San Carlos Apache on this as
6 well.

7 So right now we have eight -- no, seven
8 majority-minority districts drawn into the map.

9 Is that right?

10 And then the northeast corner will be one probably
11 in some way. We just don't know yet what shape it's going
12 to take.

13 So, and then after that you talked about coalition
14 districts.

15 Do we -- is that an important -- do we need to
16 consider that from the beginning as part of the Voting
17 Rights Act piece? Or do those kind of come about through
18 the adjustments of other -- paying attention to other
19 constitutional criteria?

20 WILLIE DESMOND: I would think we would be better
21 to start with those.

22 CHAIRPERSON MATHIS: So we start with coalition
23 districts, looking at those, where those might exist.

24 WILLIE DESMOND: We need to, I think, explore the
25 possibility of, yeah, plurality or coalition districts.

1 CHAIRPERSON MATHIS: Can you explain the
2 distinction between a plurality district and a coalition
3 district?

4 WILLIE DESMOND: So, a coalition district is any
5 district where the combination of the minority voters is
6 greater than the Anglo vote.

7 So any district basically where the Anglo vote is
8 less than 50 percent is a coalition district.

9 The minority is added up. It creates the
10 greatest -- it's the largest group.

11 Plurality is a little bit stronger than that, I
12 guess, in that plurality is that the Hispanic or any other
13 group is the largest group.

14 So it's also a coalition.

15 But it would be, if, if, for instance, the
16 Hispanic percentage was 48 percent, and the White percent
17 was 44 percent, that would be a plurality district. The
18 largest single group is not Anglo.

19 Does that make sense?

20 CHAIRPERSON MATHIS: Yes, thank you.

21 MARY O'GRADY: Madam Chair, the bottom line is
22 these are tools of measuring where there is an opportunity
23 to elect the preferred candidate of choice for the minority
24 community.

25 And, and as Bruce testified earlier, that we

1 started with nine benchmark districts. Don't have to get to
2 majority-minority but need to preserve the opportunity to
3 elect.

4 And we may have a tenth where there's an
5 opportunity to elect. And so that's why we've looked at
6 these majority-minority plus a few where there's, through
7 these number -- through the tools that Willie described,
8 where there is an opportunity to elect candidate of choice
9 for the minority voters.

10 CHAIRPERSON MATHIS: So we need to find two,
11 possibly three more.

12 MARY O'GRADY: One, possibly two.

13 CHAIRPERSON MATHIS: Oh, good.

14 MARY O'GRADY: We're at three in southern Arizona,
15 four in Maricopa County. That's seven. We'll have one in
16 northern Arizona.

17 CHAIRPERSON MATHIS: Oh, okay. I wasn't counting
18 that. Okay.

19 COMMISSIONER McNULTY: Madam Chair. Ms. O'Grady,
20 I have a question about the fourth majority-minority
21 district in Phoenix.

22 Is -- just explain to me the reason that we need
23 that rather than two coalition districts.

24 MARY O'GRADY: If you can have an opportunity to
25 elect, with less than a majority, that may work.

1 But you also if you can create a majority district
2 in a compact area, if you have enough voters to create a
3 district with a majority Hispanic percentage in a compact
4 area, you should, you know, look to do so.

5 Right now -- so that's why we -- and it looks like
6 based on the maps, based on the numbers, you do have
7 majority -- an opportunity to create four majority districts
8 in the Phoenix metro area.

9 So that's why the recommendation was to do so.

10 Now, we also recognize that, we've heard the
11 testimony this morning, that expressing concerns that by
12 doing so in the way that we did that, maybe there's not a
13 genuine opportunity to elect in that district.

14 And that it, it pulled out some population from,
15 and lowered the percentage in one of the other districts
16 that may threaten the opportunity to elect.

17 So we need to look at the whole package so we're
18 preserving the opportunity to elect.

19 And if we did it by all coalition districts, I
20 think that's something to look at, but, again, we have --
21 the mapping suggests that you can get over 50 percent, so we
22 need to look at doing that.

23 COMMISSIONER McNULTY: Okay. I just -- on the
24 subject of the coalition districts in the, in the option two
25 map, grid 29 was actually a coalition district.

1 The non-Hispanic White population was
2 47.27 percent.

3 And there's a -- a not very difficult way -- there
4 would be a not very difficult way to revise that district to
5 make it a majority-minority district, which would avoid the
6 problem that we heard about this morning.

7 So I think we should just keep that in mind.

8 The other coalition district in Phoenix that I had
9 put together is 26, which is Tempe, north of Baseline, and
10 west Mesa.

11 And that's an area that's currently represented by
12 a Latino representative.

13 So I think it's clear that there is in that area
14 an opportunity to elect.

15 The non-Hispanic White population on that grid 26
16 is 48.74 percent, I believe.

17 That district is just west -- or just east, I'm
18 sorry, of 27, which is the majority-minority district just
19 north of South Mountain.

20 And it sits right on top of District 18, which is
21 a district that is very similar on both Mr. Freeman and my
22 maps.

23 VICE-CHAIR FREEMAN: And option two, that would
24 correspond to proposed Legislative District 25, which has
25 similar statistics.

1 Actually the HVAP is I think a percent or one and
2 a half percent higher, but the demographics in the rest of
3 the district shake out slightly differently.

4 CHAIRPERSON MATHIS: So what do you want to do?

5 VICE-CHAIR FREEMAN: What are we looking at?

6 WILLIE DESMOND: I'll turn off the layer and turn
7 it back on and show you.

8 All right. So just starting with a blank canvas.

9 The census place, the county line, in yellow, so
10 not to move anything else.

11 The current districts, and, again, except for,
12 except for 19, 27, 28, and 29, these are all taken strictly
13 from the grid. The white areas are now areas that are
14 unassigned, that happened when we moved that in.

15 But I'm going to turn that back off for a second.

16 Option one version 8A is a blue line with a blue
17 label.

18 Option -- and I'll zoom in. I don't think this
19 works at a very distant area.

20 But if we look right here, option two version 8A
21 is a red line, with a red label. You can see how those
22 two -- I've been trying to play around, trying to find a way
23 that you can look at those two.

24 You also have, if you need it, the Indian
25 reservations to turn on.

1 The Hispanic Coalition district -- that's not
2 here.

3 The current districts, as they currently are.

4 And then unified school districts, secondary
5 school districts, and elementary school districts.

6 So just going back -- and I'm not exactly sure how
7 we want to proceed.

8 I guess one thing that if we look at the Hispanic
9 Coalition's district, which is the thick green line, look at
10 option one, which is a blue line that's -- let's make it,
11 just for a second, I'll make it very, very thick. You can
12 see that.

13 And then option two, everybody seems to kind of
14 follow the same -- District 27 is something that all three
15 of those pretty much exactly the same.

16 Maybe that's a starting off point that everybody
17 seems to be --

18 VICE-CHAIR FREEMAN: We've already got that one
19 drawn into our merge map.

20 WILLIE DESMOND: That's one of the agreed upon --
21 that was one of the four we added in yesterday.

22 And I am not sure if we want to take the four and
23 say those are set now or if we need to make adjustments to
24 those to start with.

25 But as many of these -- we can also look at

1 southern, but as many of these majority-minority voting
2 rights districts, coalition, plurality, whatever it is, we
3 could just kind of get locked in so we don't have to touch
4 them very much going forward I think the better.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: I don't think I agreed on
8 anything in Phoenix, because Madam Chair asked for agreement
9 approval and I said I don't recall asking, so -- my thoughts
10 were I don't agree with those particular lines in Maricopa
11 County area.

12 VICE-CHAIR FREEMAN: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Freeman.

14 VICE-CHAIR FREEMAN: I don't think the Commission
15 has agreed to any lines.

16 Okay. So it's okay. I mean, we're just trying to
17 put together a map with 30 districts.

18 I don't think we can lock down any position of any
19 lines until we're finished, because the smallest change can
20 ripple through the entire map.

21 And who knows, we might need to tinker with one of
22 these districts to balance population or then HVAP numbers
23 somewhere down the road. So we're just trying to get --
24 piece it together to get something that might work.

25 CHAIRPERSON MATHIS: That's exactly how I feel.

1 And all we're trying to do is get place holders into this
2 merged map of things that might work as majority-minority
3 districts, so -- and we just can't lock anything down.

4 COMMISSIONER McNULTY: In the category of
5 everything has been said but not everyone has said it, I'll
6 make the comment that I agree too.

7 We've got six constitutional criteria. And we do
8 have to satisfy the Voting Rights Act as a, you know, a
9 matter of federal law.

10 But at the same time, if there are several ways in
11 which we can satisfy the Voting Rights Act, and one way of
12 satisfying them leads to a better result for all of the
13 other criteria, then we need to look at that, and we need to
14 be looking at that as we go forward.

15 VICE-CHAIR FREEMAN: Madam Chair, I think though
16 with respect to the four proposed minority-majority
17 districts in the Phoenix metro area, you know, before we
18 come to terms with a proposed draft map, I think we need to
19 have all the data backing up whether they would pass
20 preclearance.

21 And so I think they would be incumbent upon us to
22 fully vet those districts and make sure we're comfortable
23 with the ability to elect a candidate of choice in those
24 areas.

25 I think that would be one way to proceed.

1 And I think going and looking at the possible
2 coalition or plurality districts would be the next step.

3 And that may take us to ultimately ten districts
4 and one third of the legislative map.

5 COMMISSIONER McNULTY: Madam Chair.

6 CHAIRPERSON MATHIS: Ms. McNulty.

7 COMMISSIONER McNULTY: Ms. O'Grady, just we've
8 got -- so we where we stand now is we have three in Tucson.
9 We have four in Phoenix. We have the possible -- so that's
10 seven.

11 Is that right?

12 We've got one -- we will have one in northern
13 Arizona. That's eight.

14 We have at least one coalition district that
15 appears to exist in the Tempe, west Mesa area, which could
16 be nine.

17 And you mentioned that we might need ten.

18 Would you talk a little bit more about that?

19 MARY O'GRADY: Sure. And Joe may want to
20 supplement too.

21 The districts that -- under the current map that
22 we've been looking at as benchmarks in the -- based on what
23 was precleared and then where people have been elected, the
24 majority-minority Hispanic voting age population were
25 13, 14, and 16.

1 Those were all Maricopa County districts and the
2 districts that were maintained in the Hispanic Coalition
3 map, the Native American district, and then we had plurality
4 districts 27 and 29 in Tucson.

5 And then we had, under the map, 23, 24, and 25.

6 Twenty-three was in Pinal County.

7 Twenty-four was in Yuma.

8 Twenty-five was in Cochise County.

9 And all of those were less than majority, total
10 minority, and in the 30 to 40 percent range Hispanic, but
11 had an opportunity to elect, it appears.

12 And then also we've been looking at the one that
13 frankly the evidence is less clear on in terms of -- well,
14 15 is another one that we've been keeping an eye on. That
15 was in the eastern Phoenix area.

16 It was at the time of preclearance 38 percent HVAP
17 and 46.47 combined minority.

18 And now it is, based on current census data -- I
19 need to double check that and see if I'm -- 38.46, 41 and --
20 38.46, and -- yeah -- and it's a combined minority-majority
21 district now.

22 And I'll check my precleared levels.

23 So that was another area that we were looking at
24 in east Phoenix.

25 And there was at least one minority Hispanic

1 candidate who was elected during the past decade, and we
2 need to do more to see if there were other -- if the other
3 candidates, although not minority, were the candidates of
4 choice.

5 So that's why we have ten who are sort of in play.

6 Are there are only a few that elect all minority
7 candidates.

8 And some of these, particularly the rural areas,
9 recently the minority incumbent got defeated.

10 But they did prior to that have a history of
11 election.

12 That's why we're looking at ten overall where
13 there may be an opportunity to elect.

14 COMMISSIONER McNULTY: Is that because what you
15 just described was ten?

16 MARY O'GRADY: Yes, that reached ten.

17 COMMISSIONER McNULTY: All right. You know, it's
18 kind of hard for us, I think, to translate that information
19 of what we're doing, unless we actually have the information
20 that you're looking at.

21 It might, it might help us to have that.

22 MARY O'GRADY: Okay. I can type up my notes if
23 that's useful.

24 That puts --

25 COMMISSIONER McNULTY: Or maybe we could -- maybe

1 it would be as simple as giving us the benchmarks again for
2 all of these.

3 WILLIE DESMOND: We can do that at lunch.

4 COMMISSIONER McNULTY: Okay. Is that because
5 you're basing it off those benchmarks. Right? Maybe you
6 can just highlight.

7 I know we all have that.

8 I don't think I have it with me.

9 CHAIRPERSON MATHIS: I don't either.

10 COMMISSIONER McNULTY: And I think it would be
11 helpful to have that, and -- I may be the only one in this
12 position, but I, I don't know all the current legislative
13 districts and how those -- you know, I have to look. I
14 can't automatically think LD 16, that's the same as grid X.
15 And --

16 MARY O'GRADY: And for the most part we won't be
17 referring to current legislative districts, but for the
18 voting rights districts and the voting rights analysis we
19 need to -- since there are benchmarks, we will be referring
20 to those. And I know that does get confusing.

21 COMMISSIONER McNULTY: Well, it might be helpful
22 if we had something just a little more visual with the
23 benchmarks.

24 Now we're doing this statewide; right?

25 That's the analysis that's statewide, so they

1 don't necessarily have to be in the same place.

2 MARY O'GRADY: That's right.

3 COMMISSIONER McNULTY: If they were.

4 MARY O'GRADY: That's right. That's right.

5 You can get them from different locations, as long
6 as we maintain the opportunity to elect overall.

7 And I note that the information is on the IRC
8 website, both for the current census data, there's a link,
9 but that we'll give that handout. And then also for the old
10 districts of title preclearance is also on the IRC website.

11 COMMISSIONER McNULTY: I understand that. It just
12 would be helpful if we had it right here in front of us.

13 We have, like, eight maps in front of us.

14 VICE-CHAIR FREEMAN: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Freeman.

16 VICE-CHAIR FREEMAN: What I took away from that
17 was that we've got eight. We've got a possible nine in the
18 west Mesa area.

19 We might be looking at the far southwest Valley,
20 Buckeye, Goodyear, for a location for another coalition
21 district.

22 I heard that maybe western Pinal County, maybe,
23 might be a place.

24 I also heard maybe another one in the east valley,
25 but I didn't -- I don't know where that would be. Maybe

1 you're referring to the one in west Mesa, east Tempe.

2 WILLIE DESMOND: I think, one thing, just to try
3 to take this a little bit back to the map that might work
4 going forward, is so we have -- currently we have the four
5 districts that we took from Commissioner Freeman.

6 So, again, these are 27, 28, 29, and 19.

7 Commissioner McNulty has mentioned, I think it's
8 your District 26, may be another possible coalition
9 district --

10 COMMISSIONER McNULTY: Right. And I think that's
11 in the notes that's attached to the map.

12 WILLIE DESMOND: And that's what I was going to
13 say.

14 If we look at Commissioner McNulty's map,
15 District 26 is right here.

16 It doesn't interfere with any of those boundaries
17 of those other four.

18 So if we wanted to add that in as a place holder,
19 maybe, for a fifth one, in Phoenix, we could use those as
20 jumping off points almost, something like that.

21 The one thing -- I'll zoom in here.

22 The one thing we have to figure out is -- so
23 Commissioner Freeman has this arm of 28 comes over, 27 is
24 the other one. So there would be this little tiny pocket
25 here of the unassigned that would be -- have to go into one

1 of those three districts.

2 That's something we could probably deal with.

3 But 26 does fit nicely with, with this.

4 I think that's the result of both, both option one
5 and option two having largely the same district as 27.

6 That's one suggestion as a place to go.

7 Commissioner Freeman just mentioned there has been
8 talk in Pinal County that we could add one maybe, something
9 further to the left.

10 I'm happy to explore those, but in the interest of
11 just moving forward, that's one place that's been brought up
12 that we could look at right away.

13 COMMISSIONER McNULTY: Did 27, did 27 configure
14 differently than it was in the Arizona Minority Coalition
15 map?

16 WILLIE DESMOND: So -- 27, right here, it's shaded
17 purple, and that is from Commissioner Freeman's map.

18 The Minority Coalition has, has that. So there is
19 a slight difference, right down here.

20 I don't know how many people that is.

21 It looks like -- we could figure that out.

22 And then just a little difference here where it
23 goes over to grab Guadalupe.

24 Other than that, I think it follows largely this
25 boundary.

1 COMMISSIONER McNULTY: Well, I would propose that
2 we put in District 26 as a place holder.

3 What I don't -- what's not clear to me and I'm
4 going to have to study a little bit is what that gap is.
5 Because on -- on the what-if map, option two 8A, that
6 District 26, the west boundary of 26 is the east boundary of
7 27.

8 WILLIE DESMOND: It's probably -- that, that is by
9 and large the case. So most of the boundary of 26 is the
10 east boundary of 27.

11 The way we had 28 drawn is it comes over the top
12 so that's what creates that little spot here.

13 I think in option, in option two, that district
14 goes north-south and this one comes more east-west.

15 COMMISSIONER McNULTY: Okay.

16 As I say, it doesn't square, so I'm going to have
17 to look at it.

18 WILLIE DESMOND: I can tell you what streets are
19 in that area.

20 COMMISSIONER McNULTY: I can -- as you said, it's
21 on the IRC website.

22 WILLIE DESMOND: Okay.

23 COMMISSIONER McNULTY: It's also on my computer,
24 so I can figure that out, but it would take me a few
25 minutes.

1 VICE-CHAIR FREEMAN: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Freeman.

3 VICE-CHAIR FREEMAN: And, by the way, to help
4 bolster 28, I put that unassigned area with what on my map
5 is District 28.

6 COMMISSIONER McNULTY: So that would explain it.
7 It's actually part of 28.

8 VICE-CHAIR FREEMAN: My 28, on mine.

9 CHAIRPERSON MATHIS: Well, it's 12:45. So we can
10 keep going if the commissioners wish to do that or break for
11 lunch, or whatever you want to do.

12 WILLIE DESMOND: If we do break for lunch, is
13 there anything I should try to get done during lunch?

14 COMMISSIONER McNULTY: Not on my account. I
15 wouldn't mind breaking for lunch.

16 CHAIRPERSON MATHIS: Any thoughts from Mr. Freeman
17 or Herrera?

18 VICE-CHAIR HERRERA: Madam Chair, I had asked that
19 Mr. Desmond when we when -- you know, we're done with coming
20 up with the majority-minority districts for us for him to
21 show us sort of an overlay of where the competitive
22 districts are.

23 I'd love to see that before we start going any
24 further with the rest of them.

25 CHAIRPERSON MATHIS: Okay.

1 Mr. Freeman.

2 VICE-CHAIR FREEMAN: I don't know exactly what
3 that means, because what this combo map, merge map is --
4 represents really has -- it's not going to give us any
5 useful information. I mean, we're just going to really know
6 where the majority-minority districts are, thereabouts, and
7 some coalition districts, on top of it at that point.

8 And then we have 20 districts to go.

9 CHAIRPERSON MATHIS: Yeah, we have to fill the
10 whole map.

11 VICE-CHAIR HERRERA: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Herrera.

13 VICE-CHAIR HERRERA: When I spoke to Mr. Desmond,
14 he said that was a possibility to do that, so unless I was
15 mistaken --

16 WILLIE DESMOND: I mean, I can shade the map by
17 coalition district.

18 That might be more -- or not -- by
19 competitiveness, excuse me.

20 You know, however you like. That might make more
21 sense with option one or option two.

22 Or we can look at the -- like what the
23 Dem-Republican split is. At any level. I can shade it by
24 that.

25 But I guess the thing is most of the districts

1 here are grid districts, so those aren't fully formed yet.

2 So if you want to go look back on the other ones,
3 we can do that. Or we could do it here, but that would just
4 be based off of districts that we're probably going to
5 change.

6 VICE-CHAIR HERRERA: Madam Chair, the reason I
7 bring this up is I -- again, this is one of the criteria --
8 the important criteria, and I don't want it to be, I guess,
9 forgotten or put in the back burner, and then having to mess
10 with it at the end.

11 So I want to make sure that that's always kept in
12 the forefront.

13 Eventually we're going to have to get the --

14 CHAIRPERSON MATHIS: Right. They all -- they
15 all -- they all have to be weighed equally, and we will
16 ensure that that occurs.

17 But it just seems like we need to get the map more
18 populated in a way that makes sense on some of these other
19 criteria and then see where we are, and then we can
20 definitely look at -- just I think doing it now, it doesn't
21 really make a lot of sense since a lot of these districts on
22 the merge map are from the grid map which we know needs to
23 be adjusted.

24 So, with that, let's take an hour lunch.

25 It's 12:49.

1 And -- oh, I'm sorry, Mr. Desmond.

2 WILLIE DESMOND: Am I supposed to put 26 into this
3 merge map or not?

4 CHAIRPERSON MATHIS: Commissioners, do you have
5 thoughts on that?

6 COMMISSIONER McNULTY: I'd like to put it in the
7 merge map.

8 VICE-CHAIR HERRERA: So would I.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: I like my district, so. . .

11 CHAIRPERSON MATHIS: You what?

12 VICE-CHAIR FREEMAN: I prefer the coalition
13 district that I constructed, which is --

14 WILLIE DESMOND: Which --

15 VICE-CHAIR FREEMAN: -- quite a bit different.

16 Which I think is -- it's very hard for me to read,
17 but it's District 25, option one.

18 Option one and option two sort of split those
19 areas differently.

20 WILLIE DESMOND: Oh, I see what you're saying.

21 CHAIRPERSON MATHIS: Okay. Well, since there's
22 not total agreement, I don't want to do it right now. So
23 let's just hold off and we'll look at these after lunch.

24 So we'll take an hour recess.

25 The time is 12:50.

1 (Lunch recess taken.)

2 CHAIRPERSON MATHIS: Okay. We'll enter back into
3 public session. Recess is over.

4 The time is 2:15 p.m.

5 And before recess we were talking about
6 majority-minority districts and how to make sure that those
7 are covered in the merged map that we're creating.

8 And I don't know if any commissioners had any
9 revelations over lunch on anything, but you'd be welcome to
10 voice them.

11 Oh, and I should point out that in front of you
12 should be a handout, it's hopefully in the back of the room
13 as well, for the existing legislative districts in terms of
14 the different statistics we're looking at and shows you the
15 majority-minority districts, which create the benchmark for
16 what we need to achieve this time. But, again, we need to
17 achieve that at a state level, so it doesn't have to be
18 those exact districts.

19 UNIDENTIFIED AUDIENCE MEMBER: They're not
20 available.

21 CHAIRPERSON MATHIS: Okay. We -- can we get a
22 copy of those -- they're on our website.

23 Is that right, Mary?

24 WILLIE DESMOND: They've been on the website for a
25 long time, yeah.

1 UNIDENTIFIED AUDIENCE MEMBER: Where?

2 WILLIE DESMOND: I think at the bottom of the maps
3 page.

4 CHAIRPERSON MATHIS: So we think they're at the
5 bottom of the maps page, those statistics. And they've been
6 on our website for a long time.

7 And the top of the spreadsheet says Arizona
8 existing LDs, just as a point of reference.

9 WILLIE DESMOND: I'll make some copies.

10 CHAIRPERSON MATHIS: Oh, great.

11 Mr. Desmond is going to make a few copies for
12 people here in the audience.

13 CHAIRPERSON MATHIS: Ms. McNulty.

14 COMMISSIONER McNULTY: I didn't have any
15 revelations, but my thought was that perhaps we should just
16 look at possibilities and what the attributes of each are
17 and work our way through them.

18 I think I understand now that when I was looking
19 at that, when we were looking at District 26 earlier, were
20 we looking at the grid?

21 I think there was some confusion in the public
22 about what that District 26 was. And I think maybe it was
23 the grid 26 that we were looking at.

24 So I think I would ask that we -- if there is an
25 unassigned area between the District 27 that we've put in as

1 a place holder and the District 26 that I proposed, that we
2 assign that to District 26, and that we look at the Hispanic
3 or the non-White voting population in that district, and we
4 run the Cruz index on that district.

5 And then we do the same thing on District 25 that
6 Mr. Freeman has proposed.

7 WILLIE DESMOND: Okay.

8 COMMISSIONER McNULTY: So we understand what
9 our --

10 WILLIE DESMOND: So what's up right now is four
11 districts we imported over the grid.

12 And also -- and in that handout I gave you guys
13 what's the racial makeup of the legislative districts in
14 2004 when they were precleared. So that's the old district,
15 the old number they all were. And that is available on the
16 2000 Commission's website, but not available here.

17 So those four districts, and then the unassigned
18 area we discussed, was if we were to take your District 26,
19 which is right here, there would be a little corner right
20 here that would be on this side.

21 COMMISSIONER McNULTY: Okay. So let's assign
22 that, just for purposes of discussion.

23 WILLIE DESMOND: Assign the whole District 26?

24 COMMISSIONER McNULTY: Assign that little piece to
25 my proposed District 26.

1 Isn't that what you were saying, that that would
2 be an unassigned area that would need to be assigned?

3 WILLIE DESMOND: Well, in your district it's
4 assigned to something.

5 In this map it's -- like this whole area here is
6 not assigned.

7 COMMISSIONER McNULTY: I don't -- what I'm talking
8 about is the District 26 that I proposed.

9 WILLIE DESMOND: Okay. If we, if we -- okay.

10 If I -- I can add that one in and then also
11 include that other part. Is that what you're asking me to
12 do?

13 COMMISSIONER McNULTY: What other part?

14 WILLIE DESMOND: I guess what I'm saying is right
15 now is that District 26 that you proposed isn't part of this
16 merged map.

17 You want me to add that in and then also add the
18 little piece it leaves on the side also.

19 COMMISSIONER McNULTY: Yes. Just for purposes of
20 analyzing what our options are.

21 WILLIE DESMOND: Okay.

22 Okay.

23 I'm going to call this District 31, I guess. It
24 will just be an extra district in here.

25 Does that work?

1 And I'll add that little area, and we'll be able
2 to see what that would -- what that district would look
3 like.

4 That's 943 people, that little chunk.

5 If you add that in, our new district, 31, is about
6 1,123 people over the ideal value. It's about half a
7 percent deviation, which is within the range of accepted
8 deviation for legislative maps.

9 COMMISSIONER McNULTY: Okay.

10 WILLIE DESMOND: The HVAP of that district would
11 be 30.33 percent.

12 The non-Hispanic White would be 55.39 percent.

13 The non-Hispanic Black would be 4.93 percent.

14 Indian is 2.76 percent.

15 It's 4.13 percent Asian.

16 .44 percent Hawaii Islander, Pacific Islander.

17 And .17 percent other.

18 Did you want to know any of the other measures on
19 that district?

20 COMMISSIONER McNULTY: Do you have total
21 population broken out in addition to voting age population
22 for those groups?

23 WILLIE DESMOND: I don't have.

24 I can have that for you.

25 Just one second.

1 Is there one you're in particularly interested in?

2 COMMISSIONER McNULTY: I'd like to know the total.

3 WILLIE DESMOND: Okay. So that district would be
4 36.73 percent Hispanic and 48.8 percent White, 5.04 percent
5 Black, 2.99 percent Native American, 3.54 percent Asian, and
6 then .5 percent Native Hawaiian, Pacific Islander, and
7 .18 percent other.

8 COMMISSIONER McNULTY: So the totals that I get
9 are 48.98 percent non-White total population and
10 44.17 percent non-White voting age population.

11 So could you run the Cruz index on that district
12 as it's configured now?

13 WILLIE DESMOND: In 2010 the areas that comprise
14 that district voted 54.1 percent Democrat in the mine
15 inspector race. And that's 54.11 percent two way.

16 So as a, as a percentage of people voting for
17 either Democrat or Republican, not including people that
18 voted for other candidates or Libertarian or write-ins or
19 anything like that.

20 COMMISSIONER McNULTY: Could we also run your
21 index two, the two-way Democratic or Republican performance
22 index?

23 WILLIE DESMOND: Yeah. And I started adding those
24 in now.

25 That would be -- index two would be 56.5 percent

1 in that district.

2 COMMISSIONER McNULTY: And that's 56.5 percent
3 Republican.

4 WILLIE DESMOND: 56.5 percent Democrat.

5 COMMISSIONER McNULTY: Democrat. Okay.

6 WILLIE DESMOND: 44.3 percent -- oh, no, I'm
7 sorry. 43.5 percent Republican.

8 COMMISSIONER McNULTY: Okay.

9 Can you back it out just a little so I can see
10 where the Salt River Indian community is? Is that it right
11 there?

12 WILLIE DESMOND: That's it right above. I'll make
13 it a little darker.

14 COMMISSIONER McNULTY: Okay.

15 So, Mr. Freeman, do you want to do the same
16 analysis on. . .

17 VICE-CHAIR FREEMAN: Yes, we might as well.

18 The issue I ran into though is how the
19 construction of this district perhaps affects the rest of
20 the map, and so I had -- if I could get the laser pointer,
21 please.

22 I had a District 26 that -- turn the census places
23 on.

24 That put most of Tempe basically with the travel
25 area. And then in District 26, which took part of west

1 Mesa, put it together with the rest of the Mesa that had
2 a -- and that was my District 25, over here, which, let's
3 see, Hispanic voting age population was 31.16 percent.

4 So it's kind of a -- may not be an apples to
5 apples analysis, because I think if you push that line
6 you're going to wipe out -- if you push this line all the
7 way over to the border of proposed District 27, you're going
8 to wipe out pretty much my District 26. And in doing that,
9 you're going to way overpopulate my District 25.

10 WILLIE DESMOND: What I did was I just undid that
11 those changes when we added that district in.

12 So I think -- the blue line is your -- is option
13 one.

14 VICE-CHAIR FREEMAN: Right.

15 WILLIE DESMOND: So would you like to add this
16 District 26 in? It does look like it fits with --

17 COMMISSIONER McNULTY: What I was hoping we would
18 do is analyze the vote -- the coalition district that
19 Mr. Freeman was proposing.

20 VICE-CHAIR FREEMAN: Yeah, go ahead, and let's
21 walk through the numbers on --

22 WILLIE DESMOND: Did you, just to check, did you
23 change this District 26, or is this the coalition
24 district you were -- which was your coalition district?

25 VICE-CHAIR FREEMAN: Twenty-five was.

1 WILLIE DESMOND: Okay.

2 So we can just look -- and have you made any
3 changes to 25?

4 VICE-CHAIR FREEMAN: I have not.

5 WILLIE DESMOND: Okay. Let me see. Well, then we
6 can just --

7 VICE-CHAIR FREEMAN: It's the same.

8 WILLIE DESMOND: I think we can just use the
9 packet then to look at District 25 as the coalition.

10 So District 25 is -- I don't have the -- let me
11 just do it in here so we can look at any other things you
12 guys want. That will be easier.

13 All right. So District 25 is now becoming
14 District 31 again.

15 And that district is.

16 VICE-CHAIR FREEMAN: Is 31.16.

17 WILLIE DESMOND: 31.16 percent voting age
18 population Hispanic.

19 60.14 voting age Anglo.

20 3.2 percent voting age African American.

21 2.17 percent Native American.

22 1.157 percent Asian.

23 .4 percent Hawaiian and .13 percent other.

24 Those are all voting age.

25 It's 36.76 percent Hispanic and 54.05 percent

1 White total population.

2 3.15 percent African-American.

3 2.34 Native American.

4 1.39 Asian.

5 .43 Hawaiian.

6 .16 other.

7 Do you want me to just go through all the same
8 things I looked at?

9 VICE-CHAIR FREEMAN: I don't think it's necessary.

10 I mean, this as originally designed, it was not
11 designed with the thought of putting a coalition district
12 together.

13 These districts were designed more to fit together
14 as this area of the Valley fits together with trying to keep
15 most of Tempe together, put it together with a part of west
16 Mesa and put it together with the tribal areas. But as it
17 turned out, we had a pretty high -- relatively high HVAP for
18 25. So it stood out as a potential coalition district in
19 this map.

20 So, you know, where this line falls, dividing west
21 Mesa from the rest of Mesa, I mean, that's -- I did not look
22 at that line to see if it could be fine tuned in a way to
23 maybe improve the numbers for District 25.

24 COMMISSIONER McNULTY: What's the Cruz index on
25 25?

1 WILLIE DESMOND: It was 36.03 percent Democratic,
2 63.98 percent Republican.

3 COMMISSIONER McNULTY: Give me the first number
4 again, 36 --

5 WILLIE DESMOND: 36.03, so 36 percent.

6 COMMISSIONER McNULTY: As compared to 54.1 percent
7 in the district configured the other way.

8 While we're at it, why don't we do the two-way
9 index also -- the index two.

10 WILLIE DESMOND: Index two was 61.4 percent
11 Republican, 38.6 percent Democrat.

12 CHAIRPERSON MATHIS: Would it help to turn on the
13 HVAP layer on this, just as an overlay or underlay? Just to
14 see where the populations are on that.

15 WILLIE DESMOND: There you go.

16 CHAIRPERSON MATHIS: In terms of getting to nine
17 or ten, it seems like our best bet is to keep this underlay
18 or overlay on so we can at least see how we might be able to
19 get up to the right benchmark on some of these and see where
20 coalitions might be possible too.

21 COMMISSIONER McNULTY: I think one of the things
22 that shows us is that the Tempe, west Mesa configuration
23 does afford an opportunity to elect. The Cruz index is over
24 50 percent. They already have a Latino representative from
25 that area.

1 So if we use the Tempe area and couple it with the
2 west Mesa area, we have an area of high Hispanic and
3 non-White concentration coupled with an area that does not
4 have a lot of racially polarized voting, at least it would
5 appear to be the case.

6 If we move it east into 25, we have the Hispanic
7 population coupled with the eastern -- more eastern areas of
8 Mesa, which is something we talked about in putting the
9 congressional district together, where the Cruz index is
10 much lower, down in the 30s, and the Republican vote is much
11 higher, over 60 percent.

12 So, that doesn't appear to present an opportunity
13 to elect.

14 However, the Tempe, west Mesa configuration, which
15 we've already -- and we've already talked at great length in
16 looking at the congressional map about the community of
17 interest issues and attributes of that area, I think would
18 make sense.

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: It's sort of same thing we
22 did with the congressional map, that we ended up including
23 Tempe and Mesa together.

24 There's a community of interest there. There's a
25 huge Hispanic population in west Mesa, and I think it's

1 growing and spilling into Tempe. So there's a possibility
2 to create a potential Hispanic district in the future by
3 combining those two areas.

4 I think that's a, that's a, a good idea, something
5 that we should consider doing.

6 As I said, those areas do have a lot of in common.
7 Part of the constitutional requirement is keeping those
8 communities together, and we want to do that plus respecting
9 the Voting Rights Act.

10 And possibly creating a competitive district.

11 COMMISSIONER McNULTY: I think that's right. I
12 think that district also affords an opportunity for -- I
13 mean, it would be a district where voter participation would
14 be encouraged, both at the minority level and the more
15 general competitiveness level.

16 CHAIRPERSON MATHIS: Did you say encarched?

17 COMMISSIONER McNULTY: Encouraged.

18 CHAIRPERSON MATHIS: I don't know that word.

19 COMMISSIONER McNULTY: Encouraged.

20 CHAIRPERSON MATHIS: Oh, encouraged.

21 VICE-CHAIR HERRERA: That's a new word.

22 COMMISSIONER McNULTY: Encouraged.

23 CHAIRPERSON MATHIS: Got it. Boston area accent.

24 COMMISSIONER McNULTY: I think it must be my
25 accent.

1 VICE-CHAIR HERRERA: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE-CHAIR HERRERA: Some of the public comments
4 do talk about the divide in Mesa, the -- for those of you --
5 anybody that knows Mesa as I have understands there's a huge
6 difference once you get past Stapley, around there, going
7 eastbound in Mesa, that there's a large Hispanic population
8 and a large White population on the other side. And there's
9 huge differences politically.

10 So I think keeping those two areas separate,
11 again, respecting, yeah, it will be dividing Mesa, but it
12 will be, I think, respecting communities of interest as
13 equally as important, if not more so.

14 COMMISSIONER McNULTY: In terms of fitting
15 together on the map, that configuration of 26 works with 18,
16 as to which Mr. Freeman and I appear to be in pretty
17 substantial agreement.

18 It also works with 18 and 17, which are the two
19 districts that the mayor of Chandler spoke about yesterday
20 that they feel strongly about, and with the district that
21 keeps Gilbert 95 percent whole.

22 I also think it fits in under the District 24 that
23 Mr. Freeman has drawn based on the -- his configuration of
24 District 28.

25 VICE-CHAIR FREEMAN: But I just caution 28, that

1 configuration might not be the most ideal configuration
2 given some concerns expressed earlier.

3 So I looked at ways of strengthening 28. And
4 actually I ended up using that, that area, cut out area
5 right there, I know it's only 900 folks, so it's probably
6 not a big deal ultimately.

7 COMMISSIONER McNULTY: I think even if 28 wasn't
8 the ideal configuration, and I agree that it probably isn't,
9 but there's a way to make 29 -- there's a way to do those
10 districts a little more horizontally, or -- and to revise
11 29, to move that from a coalition district to a
12 majority-minority district.

13 And I think those things could be done without
14 impacting this 26.

15 CHAIRPERSON MATHIS: Can you scroll the map over,
16 Willie, just so that -- the other way. Sorry.

17 Right.

18 So how would 28 though be more ideally configured,
19 based upon people's comments or -- and yet still achieving a
20 majority-minority district there?

21 Because it's in a -- it's like an L, right, with a
22 dome? Monticello.

23 COMMISSIONER McNULTY: Madam Chair, I think
24 another way to approach it, and I'm not sure -- it would be
25 focused on 29, I think. In the -- can we look at option 8A

1 option two, 29?

2 VICE-CHAIR FREEMAN: Madam Chair, just to answer
3 your question, I --

4 CHAIRPERSON MATHIS: You want to go back.

5 VICE-CHAIR FREEMAN: I had removed a chunk of this
6 population from 28 and put it with 19, which has a much
7 heavier HVAP to sort of improve the numbers in this
8 district.

9 Now of course that left it in a population
10 deficit, so I had to grab in various places, and that was
11 one of the places I grabbed.

12 I thought I interrupted.

13 You know, could we go back and look at the
14 west Mesa, north Chandler area?

15 See two pockets of population right there and
16 there. Of course I also know there's lots of municipal
17 lines coursing through that area, but it might be
18 interesting to see how if you put those two populations
19 together, what that would give it.

20 CHAIRPERSON MATHIS: You're saying vertically,
21 like connecting those two? Or two different?

22 VICE-CHAIR FREEMAN: No, in terms of a proposed
23 coalition district.

24 So I guess the answer is yes, vertically.

25 CHAIRPERSON MATHIS: Did you -- how did you

1 address that on your map, that area?

2 COMMISSIONER McNULTY: Um, let's go up.

3 CHAIRPERSON MATHIS: McNulty's.

4 COMMISSIONER McNULTY: The 26 area?

5 CHAIRPERSON MATHIS: Yeah, we were just looking at
6 those two groups of HVAP that are. . .

7 COMMISSIONER McNULTY: Well, in that bright green
8 on the right-hand side, in 26, is coupled with central
9 Tempe, which has already shown that it will elect a Latino
10 candidate with the result that you create a district that
11 does have -- it has a 48 point -- almost 49 percent total
12 minority population.

13 It has, you know, what the number was that we just
14 looked at.

15 44.17 percent minority voting population.

16 So once you couple that with the fact that the
17 non-minority population of that area has already elected a
18 minority representative, and the Cruz index in that area is
19 54.1 percent.

20 So in the state mine inspector's race, the
21 minority candidate was -- got the majority. Which, you
22 know, was an indication that there's little racially
23 polarized voting there, and that that coupled with the
24 fact that there already is a Hispanic representative from
25 that area suggests that that does create an opportunity to

1 elect.

2 So it would be a coalition district.

3 CHAIRPERSON MATHIS: What's the eastern boundary
4 on 26 in Mesa?

5 COMMISSIONER McNULTY: I think that's -- let's
6 see.

7 WILLIE DESMOND: Gilbert Road.

8 COMMISSIONER McNULTY: Yeah. Gilbert Road.

9 And beneath that is the two Chandler -- the two
10 areas comprising Chandler that we had looked at earlier.

11 WILLIE DESMOND: I'll quickly turn off the shading
12 so you can see.

13 The census places.

14 If that's helpful.

15 CHAIRPERSON MATHIS: What do you think about that
16 line though cutting through kind of that high density HVAP
17 area with all the upper part of your 26, as opposed to, I
18 don't know, including more of those folks vertically?

19 COMMISSIONER McNULTY: I think that the way it's
20 constructed now makes quite a bit of sense based on --
21 creates a district that would be performing, or would be --
22 have an opportunity to elect.

23 I think it includes the university areas.

24 It includes the lightrail, the areas that are
25 connected by the lightrail.

1 CHAIRPERSON MATHIS: But what is that area in 25
2 that's on the west side that's just north of your 26?

3 This border, all of that.

4 COMMISSIONER McNULTY: It's additional Latino
5 population. I guess if we did that, we would have to remove
6 some of Tempe.

7 And I'm not sure that strengthens the district.

8 WILLIE DESMOND: So, the --

9 COMMISSIONER McNULTY: So what we would be doing
10 is we'd be -- if we included those, we'd have too much
11 population, and then we'd have to cut out some of the higher
12 density areas that are what help make it a district that
13 affords an opportunity to elect.

14 I guess we would also wind up putting -- I mean,
15 I'm not sure where it would connect -- create an imbalance
16 in that entire little area, because Tempe would have to go
17 up into the Paradise Valley district, or. . .

18 And then the Chandler, Gilbert districts that are
19 below there make a lot of sense to those communities, I
20 think. We heard from the mayor of Chandler that that works
21 really well for them.

22 We heard that Gilbert wants to be -- kept as whole
23 as possible.

24 VICE-CHAIR FREEMAN: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Freeman.

1 VICE-CHAIR FREEMAN: Just for Voting Rights Act
2 concerns, I guess my only question was, and I don't know
3 what the answer is, if we made maximum use to the -- I think
4 it's the HVAP populations here and down here, what kind of
5 district do we construct? Is that -- is there too much
6 population to put that together? What would the ultimate
7 HVAP number be for a district so constructed?

8 WILLIE DESMOND: We can --

9 VICE-CHAIR FREEMAN: Is that something --

10 WILLIE DESMOND: We can explore any of these --
11 anything you guys want me to look at.

12 CHAIRPERSON MATHIS: Maybe, so try District 32, or
13 I don't know, just to group those in that way, see what it
14 does.

15 WILLIE DESMOND: All right. We'll move
16 District 31. We'll keep adding that in until we get this.

17 Okay.

18 So I'll just use some kind of. . .

19 That district is kind of just a little above, just
20 for a rough look at it.

21 District 31, which is this area right here, has a
22 Hispanic population of 38.7 percent. Of voting age.

23 And a non-Hispanic White percentage of
24 49.79 percent.

25 African American voting age of 4.6.

1 Asian of 2.18.

2 Indian of 2.77.

3 You can't move the -- do you want the total
4 population, or should I just go right to the mine inspector
5 and stuff?

6 Mine inspector, it was 43.84 percent Democratic,
7 56.02 percent Republican.

8 On the index two, it is 53.8 percent Republican,
9 46.2 percent Democratic.

10 So probably wouldn't work as an ability to elect
11 district.

12 Are there other things you wanted me to -- I'm
13 going to -- and are there changes to that district that you
14 think, just looking at the Hispanic percentage, you think we
15 could improve it or -- I don't think we're missing any great
16 Hispanic populations.

17 VICE-CHAIR FREEMAN: I'm not seeing a way to
18 really massage it too much and make too much of a difference
19 in the end numbers.

20 WILLIE DESMOND: Did you want to look at adding
21 some of these areas north of Commissioner McNulty's 26? Or
22 should we look at different areas of the map?

23 Is there an overlay or districts you want to see?

24 VICE-CHAIR FREEMAN: I'm sorry, just so I can keep
25 track, that is option two being displayed.

1 WILLIE DESMOND: This is the grid map being
2 displayed. This is the merge map being displayed.

3 So that this area right here is unassigned.

4 These 25 and 26 are directly from the grid.

5 Option one, again, looks like that.

6 And option two, like that.

7 MARY O'GRADY: Madam Chair, I don't know if people
8 are ready to plug in a place holder.

9 It seems like so far, based on the discussion, the
10 best performing opportunity to elect district would be the
11 Tempe, Mesa east-west combination.

12 And so maybe for talking purposes that might be
13 plugged in and then see if we can improve on it.

14 CHAIRPERSON MATHIS: Okay.

15 What do you all think about trying that out?

16 COMMISSIONER McNULTY: I'm in favor of it.

17 VICE-CHAIR HERRERA: Madam Chair, I think the -- I
18 think they're both community of interest and they make sense
19 to be combined together.

20 CHAIRPERSON MATHIS: Mr. Freeman?

21 VICE-CHAIR FREEMAN: Let's go ahead and see how it
22 looks and see how it works with the rest of the map.

23 WILLIE DESMOND: Okay.

24 So to do that on a, I guess, a more permanent way,
25 what I would do is I'm going to take District 26, as it's in

1 the grid map, and unassign it.

2 And that will put the new 26 from option two over
3 the top, so we'll have some more unassigned areas. And 25
4 will be short.

5 You want me to add that little chunk of unassigned
6 that's kind of -- that's in the district that we looked at
7 earlier?

8 VICE-CHAIR FREEMAN: I think we might as well
9 right now.

10 WILLIE DESMOND: Okay.

11 CHAIRPERSON MATHIS: Is that the little chunk that
12 you had added to yours also.

13 VICE-CHAIR FREEMAN: Yes. But I figure we're
14 going to have to go back through this and refine them
15 anyway.

16 CHAIRPERSON MATHIS: Yeah.

17 WILLIE DESMOND: Okay. So, now, 19, 27, 28, 29
18 have been addressed.

19 Twenty-six.

20 Not to say those are complete or near complete,
21 but those are the five districts we've specifically put into
22 this map so far.

23 In Maricopa.

24 And the three in the south.

25 COMMISSIONER McNULTY: So does that mean that when

1 we add a majority-minority district in northern Arizona we
2 will have our nine, the three in southern Arizona, five in
3 Phoenix.

4 WILLIE DESMOND: We only have -- well, yes.

5 I think there's some concern that, I think, Joe
6 and Mary have about some of the other ones in Phoenix. And
7 we might have to explore changing some of those a little
8 bit.

9 But it looks like there's five right now that are
10 close.

11 I think if we need to look for a sixth, it's
12 possible that there could be maybe something here in the
13 west Valley a little bit more.

14 District 19.

15 But, yes.

16 District 19 is a little high potentially, because
17 part of that may be to add at least another coalition maybe
18 there, something like that.

19 Right now District 19 is at 66.37 percent HVAP and
20 only 22.25 percent non-Hispanic White. So. . .

21 CHAIRPERSON MATHIS: And wasn't there talk of
22 another potential coalition in the Pinal area somewhere?

23 WILLIE DESMOND: There is still some talk of
24 Pinal, although I think we have to be careful of the prisons
25 down there.

1 CHAIRPERSON MATHIS: I remember. Right.

2 COMMISSIONER McNULTY: Ms. O'Grady, I -- that
3 sounded like a no to me, even though Willie said yes.

4 What, you know, what do we need to do here?

5 If what we're trying to do is put place holders
6 for all of our majority-minority districts and the coalition
7 districts that, you know, you feel confident get us a good
8 start, then what else do we need to do?

9 MARY O'GRADY: Madam Chair, Commissioner McNulty,
10 this would get us to nine. We'd have the, if I'm counting
11 right, five in Maricopa County, three in southern Arizona,
12 and one Native American once we finish building that.

13 That gets us to nine.

14 We had some talk about whether there needs to be a
15 tenth opportunity to elect, but that isn't clear.

16 So this at least gets us to nine, as long as
17 they're approved and as long as they really work as
18 opportunity to elect areas.

19 VICE-CHAIR FREEMAN: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Freeman.

21 VICE-CHAIR FREEMAN: Counsel, is it incumbent upon
22 the Commission to explore opportunities for a tenth
23 district?

24 MARY O'GRADY: I mean, Madam Chair, commissioners,
25 and Joe may want to supplement, I mean, my sense is maybe we

1 make sure the five we have work as minority districts,
2 opportunity to elect district, and then before moving beyond
3 that and building another, that, that before we reach out
4 and go beyond that.

5 But it wouldn't hurt to keep your eye out in terms
6 of if there are isolated areas of population that don't
7 affect these, whether there would be an opportunity to
8 elect.

9 JOSEPH KANEFIELD: Madam Chair, I agree with that,
10 although I do believe there may be a need to explore the
11 tenth opportunity district, so I do urge the Commission to
12 keep that in mind.

13 I also know that Bruce Adelson has some thoughts
14 on this. He's been keeping track of this, so I would like
15 to get him plugged back in from my perspective at some
16 point, possibly, depending on his availability, maybe
17 tomorrow's meeting.

18 CHAIRPERSON MATHIS: That would be very helpful.
19 So should we look at the five we do have in
20 Maricopa County and make sure that they are first?

21 MARY O'GRADY: Madam Chair, I think that makes
22 sense. And maybe that Cruz indicator is a useful tool
23 and -- as you go through things.

24 I don't know which order you want to start on
25 that.

1 CHAIRPERSON MATHIS: What order, Mr. Freeman?

2 VICE-CHAIR FREEMAN: Which of the five districts
3 do you think deserves attention first?

4 MARY O'GRADY: I'm not worried about 27. So I
5 think that's the least controversial.

6 VICE-CHAIR FREEMAN: Yeah, I'm guessing 28 and 29.

7 MARY O'GRADY: Twenty-eight and 29, I have
8 questions as to whether they work. And in my mind 19 has
9 questions as to whether it's more than we need.

10 VICE-CHAIR FREEMAN: Right.

11 MARY O'GRADY: Perhaps 28.

12 VICE-CHAIR FREEMAN: Well, one thing with respect
13 to 28 as I looked at having 19 come in narrowly and then
14 grab some of this population right in here, and put it with
15 19, so to improve 28's numbers.

16 Now you're going to have to make some additions to
17 28. It's going to have to grab some population in the
18 western area of that district and a little bit more on the
19 far east.

20 WILLIE DESMOND: Should we go through and explore
21 some of what you --

22 VICE-CHAIR FREEMAN: Right. So maybe if we zoom
23 in there on the south side of 28.

24 Maybe find 16th Street.

25 And what's the south boundary? Is that Jefferson

1 or Van Buren?

2 WILLIE DESMOND: The south boundary is 60.

3 And you wanted to find which, which street?

4 VICE-CHAIR FREEMAN: 16th.

5 WILLIE DESMOND: 16th.

6 Okay.

7 16th is right in here.

8 16th Avenue; right?

9 VICE-CHAIR FREEMAN: No.

10 VICE-CHAIR HERRERA: Street.

11 WILLIE DESMOND: 16th Street.

12 It runs right here.

13 Like that.

14 VICE-CHAIR FREEMAN: Then your south boundary
15 again was?

16 WILLIE DESMOND: Van Buren.

17 VICE-CHAIR FREEMAN: Okay.

18 So if you run from -- for some reason I think what
19 I'm looking at got changed slightly, but north on
20 16th Street to Thomas, just try this out.

21 WILLIE DESMOND: So we're adding this to.

22 VICE-CHAIR FREEMAN: It's going to -- I'm
23 describing ultimately what is the eastern boundary of 19.

24 WILLIE DESMOND: Okay.

25 North to Thomas?

1 VICE-CHAIR FREEMAN: Correct.

2 WILLIE DESMOND: Okay.

3 VICE-CHAIR FREEMAN: Then west to Seventh Avenue.

4 WILLIE DESMOND: Okay.

5 VICE-CHAIR FREEMAN: Okay. Now the northern
6 boundary of 19 will be McDowell.

7 And then it will jog north again at 51st Avenue,
8 which I think is the boundary.

9 WILLIE DESMOND: It goes north at 35th, not 51st.
10 But you might have to readjust it.

11 VICE-CHAIR FREEMAN: Yeah, I think there was some
12 more adjustment.

13 WILLIE DESMOND: Okay. So if we do --

14 VICE-CHAIR FREEMAN: Anyway, the idea is to take
15 that chunk out and put it in a more heavily HVAP populated
16 19.

17 WILLIE DESMOND: Now 19 is -- is about 31,000
18 people overpopulated.

19 So, and it looks like 28 is -- about 30,000
20 underpopulated.

21 So you take -- 28 cuts into 19 right here. Is
22 that what happens?

23 VICE-CHAIR FREEMAN: Yeah, okay. This is, this is
24 35th Avenue, did you say?

25 WILLIE DESMOND: This is 30th, I believe.

1 VICE-CHAIR FREEMAN: Okay. Is this 51st Avenue?

2 WILLIE DESMOND: 43rd.

3 51st is right here.

4 So that's, what, 20,000 people. If you move that
5 chunk from 19 to 28.

6 VICE-CHAIR FREEMAN: Okay. What is this northern
7 boundary of 19? Is that Thomas?

8 WILLIE DESMOND: I believe this road right here is
9 Thomas.

10 And this is McDowell.

11 VICE-CHAIR FREEMAN: Sorry, I cannot see that.

12 WILLIE DESMOND: Oh, I'm sorry.

13 So you see the red box. The top part of that is
14 Thomas.

15 The bottom part of that is McDowell.

16 VICE-CHAIR FREEMAN: Gotcha.

17 WILLIE DESMOND: I think this is what you're -- so
18 now 19 would run west until it hits 51st, and then it would
19 go up on 51st Avenue until where? To Thomas?

20 VICE-CHAIR FREEMAN: Yes.

21 WILLIE DESMOND: Okay.

22 So if we do that, now 28 needs to get about 10,000
23 more people from 19. That's just. . .

24 Do you have anywhere you want me to -- the only
25 place that. . .

1 VICE-CHAIR FREEMAN: It doesn't have to get it
2 from 19.

3 I suppose it could -- we could readjust this line
4 with 29.

5 WILLIE DESMOND: Yeah.

6 VICE-CHAIR FREEMAN: And have the line come up on
7 51st.

8 To Indian School and then over.

9 WILLIE DESMOND: So adjust --

10 VICE-CHAIR FREEMAN: Square that off basically.
11 And that little bit of population goes off into 29.

12 WILLIE DESMOND: I see. Let me. . .

13 That's about 9,000, take that, and then move this
14 over here, is that what you're saying?

15 Buck, do we have another laser pointer?

16 BUCK FORST: No, I only have the one. I'm sorry.

17 VICE-CHAIR FREEMAN: I've got the only one?

18 WILLIE DESMOND: Yep.

19 So I guess what I'm saying is --

20 VICE-CHAIR FREEMAN: Okay. If you add that which
21 you've highlighted --

22 WILLIE DESMOND: I'll use the hand tool. Can you
23 see that a little bit?

24 VICE-CHAIR FREEMAN: Yeah.

25 WILLIE DESMOND: Okay. So I was saying let's add

1 this to 28, and then 28 is about where it needs to be.

2 And then from 29 then needs to get something from
3 28, so add this over a little bit right here.

4 VICE-CHAIR FREEMAN: Right. Maybe that chunk
5 right there that's jutting up into 29.

6 WILLIE DESMOND: Okay.

7 So do that.

8 And then have 29, that's about 9,000, that's about
9 right.

10 I take that.

11 Now, I think those districts, 19, 27, 28, 29, are
12 all voting balanced.

13 VICE-CHAIR FREEMAN: What's our HVAP?

14 WILLIE DESMOND: All right. Starting with 19, the
15 HVAP in that new district is 61.76 percent.

16 District 27, it's 54.79. I don't think that's
17 changed at all.

18 District 28 is 55.31.

19 And District 29 is 56.08.

20 Nineteen was 61.76.

21 COMMISSIONER McNULTY: So do I correctly
22 understand that we now have 28 coming -- reaching over 19
23 and way east, and then 19 reaching -- that has an arm
24 reaching out to grab those historic neighborhoods and pull
25 them into the majority-minority district? Kind of divide

1 them in two between 19 and 28?

2 VICE-CHAIR FREEMAN: That boundary could be
3 massaged, but it's to balance out -- it's to improve the
4 HVAP number in 28. And it will decrease -- the net effect
5 would be to decrease slightly the HVAP in 19, which was a
6 number that was well above baseline.

7 WILLIE DESMOND: Do you want to look at any other
8 measures there?

9 CHAIRPERSON MATHIS: Can you just pan to the right
10 a little bit?

11 I'm just curious about the west side, what other
12 HVAP there is on far west. Just move over.

13 Yeah.

14 WILLIE DESMOND: And, again, I can, just to make
15 it easy, up here, this color, is zero to 20 percent HVAP.

16 This color is 20 to 40 percent HVAP.

17 This color is 40 to 60.

18 This color is 60 to 80.

19 And the darkest green is 80 percent and above
20 HVAP.

21 CHAIRPERSON MATHIS: And then pan back to where we
22 were, please.

23 Where are these historic neighborhoods,
24 Ms. McNulty, that you're referring to?

25 COMMISSIONER McNULTY: I think they're those

1 really light green areas in the arm of 19 and in the arm of
2 28.

3 CHAIRPERSON MATHIS: Yeah, that's why I was
4 looking on the west side, to just see if there's anything we
5 can pick up moving those lines on the west side.

6 And it looks like there's a big unassigned area
7 above 28 that -- right. And wondering if that can somehow
8 all be together.

9 WILLIE DESMOND: Well, 28 is about correctly
10 populated.

11 Twenty-four needs about 45,000 people.

12 Twenty-five needs 112,000 people.

13 So, a lot of the unassigned is going to have to go
14 to the districts that we have taken chunks out of when we
15 kind of put these other ones on top.

16 (Whereupon, Mr. Herrera exits the room.)

17 WILLIE DESMOND: Is there any other shading that
18 would make it helpful?

19 Again, I can -- I'll turn off the Hispanic HVAP
20 shading so that you can see the areas kind of.

21 COMMISSIONER McNULTY: At some point I'd also like
22 to try adjusting 29 within those three majority-minority
23 districts to see if we can adjust the population so that we
24 wind up with four majority-minority districts rather than
25 three majority-minority and one coalition district.

1 WILLIE DESMOND: Okay.

2 So I guess you're talking about there then is
3 going back to your original three and adjusting those to try
4 to get a fourth?

5 COMMISSIONER McNULTY: You don't have to do it
6 right now, but I would like to do that --

7 WILLIE DESMOND: Okay.

8 COMMISSIONER McNULTY: -- do that exercise before
9 we finish with all of this.

10 WILLIE DESMOND: Okay.

11 We can do that. I would do that on a separate
12 version probably.

13 Are these changes we want to leave?

14 Are these changes we want to save as a version so
15 we can come back to them easily? Or are these changes that
16 I should just accept or undue?

17 I'm trying to think about continuing to have one
18 map that we're all working on. How do we proceed now?

19 VICE-CHAIR FREEMAN: Could you give me the HVAP
20 again for 27, 28, 29?

21 WILLIE DESMOND: Sure.

22 For 27, the HVAP is 54.79 percent.

23 For 28, it is 55.31 percent.

24 And for 29, it is 56.08 percent.

25 COMMISSIONER McNULTY: Would you do the Cruz

1 numbers on all four?

2 WILLIE DESMOND: Okay.

3 Okay. So for 27, the mine inspector, Democrat
4 received 73.13 percent in 2010.

5 In 28 the Democrat received 56.07 percent.

6 And in 29 the Democrat received 57.26 percent.

7 Also -- you want District 19 also?

8 District 19, the Democrat received 68.01 percent.

9 I may have misspoken. In District 28, it's 65.07.

10 I may have said 56. It's my mistake.

11 Twenty-seven was 73, 28 was 65, 29 was 57, and
12 19 was 68.

13 VICE-CHAIR FREEMAN: Would you put the HVAP layer
14 on again, please?

15 WILLIE DESMOND: Yes.

16 (Whereupon, Mr. Herrera returns to room.)

17 VICE-CHAIR FREEMAN: Okay.

18 How about if 29 picked up this little corner here
19 in the southwest corner.

20 And then gave back the population in the northeast
21 corner.

22 WILLIE DESMOND: Here?

23 VICE-CHAIR FREEMAN: No, up here, directly above
24 it, north of it.

25 WILLIE DESMOND: Okay.

1 Okay.

2 VICE-CHAIR FREEMAN: Okay. Our population -- oh,
3 sorry.

4 WILLIE DESMOND: No, that's okay. So
5 population -- so District 29 is currently 12,466 people
6 over.

7 This change would move. . .

8 Just one second.

9 So that one will move up, almost exactly the right
10 number.

11 So now. . .

12 VICE-CHAIR FREEMAN: Okay. I know that
13 overpopulates or underpopulates 19 for the moment, but what
14 does that do to our numbers on 29?

15 WILLIE DESMOND: That actually doesn't touch 19 --
16 oh, you're right, you're right.

17 In 29 then our population is only 32 people off
18 the ideal.

19 The HVAP is 57.3.

20 VICE-CHAIR FREEMAN: Slight improvement.

21 WILLIE DESMOND: Then I'm looking at the mine
22 right now, the mine inspector Democratic percent was
23 58 percent flat, even.

24 Any other questions you have?

25 CHAIRPERSON MATHIS: Now, I'm just wondering about

1 that arm in 19, and if that block on the end of it on the
2 far east side -- and, you know, I'm not looking at anything
3 other than just shapes and compactness, contiguous stuff
4 right now, but trying to -- again, can 19 shift a little bit
5 west to pick up those HVAP areas that are right outside its
6 boundary, and remove that tail part, not all of the tail,
7 but, you know, the block end of the tail.

8 WILLIE DESMOND: So it would move over here you
9 mean?

10 CHAIRPERSON MATHIS: Right.

11 Would that do anything -- and then allow --
12 because we've got that kind of hole in the middle, and I am
13 just wondering how we make a district there, if that's even
14 possible.

15 WILLIE DESMOND: You mean this hole right here?

16 CHAIRPERSON MATHIS: No. Between 24 and 28.

17 WILLIE DESMOND: Again, I think 24 would need to
18 be -- a lot of those other districts need to be adjusted
19 pretty substantially.

20 CHAIRPERSON MATHIS: But the one right there in
21 the middle.

22 What's that?

23 WILLIE DESMOND: Right here?

24 CHAIRPERSON MATHIS: Uh-hmm.

25 WILLIE DESMOND: That's unassigned.

1 CHAIRPERSON MATHIS: Right. So connecting that
2 down to the box end of the tail, which obviously cuts
3 through 28 and might cause a problem.

4 But I'm just -- just in terms of trying to still
5 make 19 work, but do something with that big unassigned area
6 that links to areas below it.

7 WILLIE DESMOND: So that is about 108,000 people
8 there.

9 It's more this than half of a district.

10 So you'd like to see if there's a way to link it,
11 all this?

12 CHAIRPERSON MATHIS: What is that? What town is
13 that, or census place?

14 WILLIE DESMOND: I believe it's all Phoenix.

15 Yeah.

16 COMMISSIONER McNULTY: Would it make sense to look
17 at the coalition districts to see what happens when we
18 readjust those?

19 WILLIE DESMOND: Sure.

20 I'm going to save a new version of this then, and
21 change it to go back to those coalition districts, so that
22 we, we kind of keep track of everything then.

23 (Brief pause.)

24 WILLIE DESMOND: So I'm going to unassign our
25 District 27, unassign our District 19, unassign our

1 District 29, and then we'll input -- we'll do those three
2 from -- on the minority coalition.

3 So remove our District 27.

4 And I will -- okay.

5 I'm going to remove our District 19.

6 Okay.

7 CHAIRPERSON MATHIS: While you're building that,
8 I'm wondering if we have some folks who want to make some
9 public comment who are trying to beat a snowstorm. I guess
10 when it's in the 70s in Phoenix, it's snowing in Flagstaff.

11 So I'm wondering if we could maybe do that for a
12 little bit, and then allow them to get on their way, and
13 then we can come back to what Mr. Desmond builds.

14 WILLIE DESMOND: I think I'm actually about ready.

15 CHAIRPERSON MATHIS: Oh, okay.

16 WILLIE DESMOND: Sorry, Flagstaff.

17 COMMISSIONER McNULTY: Madam Chair, we can wait
18 and do this exercise after.

19 CHAIRPERSON MATHIS: Okay. We'll go ahead and do
20 the public comment.

21 So we have Sara Presler, mayor from the city of
22 Flagstaff.

23 SARA PRESLER: Members of the Commission,
24 Madam Chair.

25 Sara Presler, S-A-R-A, P-R-E-S-L-E-R, mayor of

1 city of Flagstaff. I should be the basis for the once a
2 today rule that we've instituted at the city council. So I
3 could offer you a process suggestion. You may want to stop
4 me while I'm in my tracks.

5 I want to just briefly before I head back up the
6 mountain appreciate the deference. We got about
7 three quarters of an inch yesterday, and today we're going
8 to get about an inch and so I drive a two-wheel drive truck,
9 so it's -- I didn't load up the back with sand yet. And if
10 you're from the north country of rural Arizona, you'll know
11 that's a requirement.

12 So thanks for your grace.

13 I wanted to summarize to you that we heard earlier
14 in the testimony today that Flagstaff supports option two
15 over option one. We heard Navajo Nation testify that they
16 would prefer option two over option one. And we even heard
17 the San Carlos Tribe through Mr. Titla's testimony that they
18 would support option two over option one.

19 Navajo Nation we heard asked for land and ranch
20 areas outside of Flagstaff.

21 Flagstaff has chosen to declare Switzerland and
22 remain silent as to those particular land issues. We'll
23 allow private sector and the tribes to work on those issues
24 with you together.

25 But we really don't have an opinion one way or

1 another at this time.

2 All three that you heard testify earlier today
3 indicated that the Voting Rights Act is the number one
4 priority and not to regress any native representation.

5 Flagstaff highly prioritizes a competitive
6 legislative district. And you've probably heard that Navajo
7 didn't directly address it. They were more silent as to the
8 issue of competitiveness but did identify their communities
9 of interest.

10 We identify those communities of interest on
11 behalf of the city that tribal nations should work together
12 so as to improve Voting Rights Act status and comply with
13 the constitution.

14 We're here today to provide you an economic basis
15 as to why option two is preferable over option one.

16 While we understand that there may be a barrier
17 with the White Mountain Apache letter in preferences. In
18 reviewing that letter in preferences, and not having an
19 opportunity, of course, to speak with their leadership, we
20 have tried to reach out.

21 We would like to offer that we believe that the
22 proposed district in option two is more competitive than the
23 district in option one for them.

24 So competitiveness is an advantage for all
25 citizens of the state of Arizona.

1 Number two, the current status quo of
2 White Mountain Apache is three counties or so, and this
3 would reduce the number of counties if we chose option two
4 over option one.

5 And, third, is that, is that when we talk about
6 maintaining the status quo, oftentimes as leaders we think
7 that's because that's what may be working for us, but if we
8 have an ability to improve and to obtain preclearance
9 through the United States Department of Justice on the first
10 round, I think that will benefit all involved for
11 predictability in the process and an outcome that meets many
12 of these.

13 So I only speak on behalf of the municipality,
14 but I do want to share with you that we're really pleased
15 to have David Engelthaler, who is here from TGen, which is a
16 corporation business here in the Valley, and also, of
17 course, has a branch of up in northern Arizona. And he
18 has many communications from our leadership in the
19 Flagstaff Forty business community that he'd like to share
20 with you.

21 So I just express gratitude to our business
22 community for being so engaged.

23 And you're probably wondering what the heck we're
24 doing here so much in front of you.

25 It's because we found in rural Arizona if you

1 don't get together and speak with one voice, in the
2 beginning of the process, that we do a lot of work on
3 the tail end of the process to try to clean up, because
4 everybody seems to be very paternal about rural Arizona.
5 They think that they may know what we want in our community.

6 And so we're just here to say to you that we're
7 diverse and we are alive and we are vibrant and we have our
8 views as to what works for our community.

9 So thank you for your deference and respect, and
10 I'll see you next time, hopefully on the 13th of October in
11 the community of Flagstaff.

12 So thank you.

13 CHAIRPERSON MATHIS: Thank you.

14 Our next speaker is David Engelthaler, excuse me,
15 Flagstaff Forty.

16 DAVID ENGELTHALER: Good afternoon, members of the
17 Commission, Madam Chairwoman.

18 I am David Engelthaler. I am the director of the
19 Flagstaff branch of TGen, what we call TGen North. I'm also
20 a small biotech business owner in Flagstaff, and I sit on a
21 number of boards and committees in Flagstaff that are really
22 geared around improving health and education in Flagstaff,
23 Arizona. I was previously the state epidemiologist for
24 Arizona. And I've worked in the private, nonprofit, and
25 government sectors in Arizona for much last of the last

1 25 years.

2 But more importantly, I recently moved back to
3 Flagstaff, after about five years, where my wife and I are
4 raising our kids.

5 And this is why I am so keen on trying to help
6 build a science economy based future for Flagstaff, which is
7 what I just want to take a minute to discuss what's going
8 on.

9 So I'm here to speak behalf of Flagstaff Forty,
10 but also myself and similar business and community leaders
11 in Flagstaff who worked very hard to make it what it is.

12 I strongly support the adoption of a map that
13 allows Flagstaff the right of self-determination.

14 While we are good neighbors and friends with the
15 Navajo Nation, we are distinct and have different interests
16 and needs, interest and needs that are more closely aligned
17 with our I-17 and I-40 neighbors.

18 I'm glad to see that this was acknowledged in the
19 most recent maps.

20 In Flagstaff we're starting to do amazing things.

21 We have a burgeoning bioscience cluster, a growing
22 research university with some of the best genomics, ecology,
23 geologic science, forestry researchers in the world.

24 We have a surprising number of life and
25 environmental science entities like Gore, Lowell

1 Observatory, and USGS.

2 We also have new spinoff companies that are funded
3 by the people of Flagstaff. We have folks like Michael
4 Manson, who really wanted to be here today and tried to be
5 here, whose company in Flagstaff, Motor Excellence, is doing
6 such amazing things it would make you cry. It's incredibly
7 exciting what's happening there.

8 And we have leadership like Flagstaff Forth and
9 others that actively encourage and fund science-based
10 learning and research, in the community, from things like
11 funding the local robotics club to significantly funding
12 operations at Science Foundation Arizona.

13 Much of this science and technology driven
14 community has been build in the last ten years.

15 Not because of the representation at the state
16 level, but in spite of it.

17 Imagine what we could really do if we had state
18 level representation looking out for the interests of
19 Flagstaff and its businesses.

20 As a resident of Flagstaff, but more importantly
21 of Arizona, I just want to urge you to create truly
22 competitive districts.

23 We will continue to degrade as a state where
24 redistricts are the norm and extreme maintain power in their
25 respective parties. And while competitiveness might be a

1 fading -- might be fading as American ideal, it should be an
2 intrinsic value in Arizona, not just in our sports, but in
3 your businesses, in your schools, definitely in our
4 electoral process.

5 And you guys obviously all hold the key for it to
6 allow for that, for real competition, or to quash it.

7 I urge you all to make it your ideal as well.

8 The last thing, I want to thank you as a
9 Commission for the incredibly difficult work you have do and
10 are continuing to do. This is amazingly important work for
11 the future of Arizona.

12 The future of Arizona and the future of Flagstaff
13 literally rests in your hands.

14 Thank you.

15 CHAIRPERSON MATHIS: Thank you.

16 Our next speaker is Teri Grier, from Flagstaff
17 Forty.

18 TERI GRIER: Members of the Commission,
19 Madam Chairwoman, I try when I come you up here to make sure
20 that I'm saying something unique.

21 And I really want to thank you for paying
22 attention to each one of the different voices that have come
23 forward today from Flagstaff.

24 I know that you had a chance to see our mayor.

25 And you may be asking why do I see the people from

1 Flagstaff so much?

2 And I wanted to give you a little bit of a
3 historical background related to that that you may or may
4 not be aware of.

5 Over the last five or six years, as Arizona has
6 looked at the economic struggles, and they've looked at how
7 to deal with the budget problem, one of the issues that has
8 been on the table was funding our higher education.

9 And one of those big chits that was out there was
10 Northern Arizona University. And at one point there was a
11 proposal to only have two universities, and NAU would be
12 bumped down to a tier two school.

13 And what that would mean is that it would be a
14 four year university and you would no longer have graduate
15 level or you would not have R&D.

16 So, David and his work and TGen would not exist.
17 And that type of thing.

18 Last week we gave you a packet, and in that packet
19 was a ten-page back and forth list of the inventions that
20 have come out of the Northern Arizona University. And it
21 included inventions related to forest health, health care,
22 bioscience, high technology, computers. This is all
23 research and development that's come out of that university.
24 That would not exist.

25 And so part of the reason why you've seen us

1 trample down the mountain in a six-hour round trip in the
2 car and then sitting here in eight-hour hearings is because
3 they've already walked this walk before, and they know what
4 it's like to possibly lose something that's so vital.

5 And so it's kind of like rev your engines, here we
6 go again.

7 So, so we're basically in the second inning here.

8 And so it was a lot easier to get them going
9 again, because they almost lost it once.

10 And so that's why you have gotten such a barrage.
11 And I wasn't sure you were aware of that, but I wanted to
12 make sure you knew.

13 You heard me talk about the diamond there.

14 I wanted to back up a little bit and tell you from
15 a perspective from me. I told you a little bit about
16 historically where I come from, but I been an advocate for
17 the business community for almost 17 years.

18 And just before I came back to Arizona, the
19 company that I worked, for my primary responsibility was
20 traveling around the country and to technology programs,
21 think tanks, to some of the best and the brightest, and
22 looking and seeing what was out there, and working with them
23 to see how to highlight that.

24 And I have to say, it was an honor to meet these
25 people and to see what was going on in the field in

1 relationship to energy and high technology and banking and
2 finance.

3 And I think that our country yesterday took a
4 pause when we heard that we lost Steve Jobs.

5 Not just our country. I think the whole world
6 just stopped.

7 But I have tell you, that in the time that I've
8 had to a chance to get to know some of the business people
9 up in Flagstaff and what they're doing, I don't care if they
10 were down in Santa Cruz County or in Lake Havasu or wherever
11 they were, I would be standing here advocating as hard as I
12 am because they are the Steve Jobs of tomorrow.

13 They really are bringing what is going to get us
14 out of this mess.

15 And what they're doing is going to address our
16 global warming issues. They're going to address our carbon
17 baking issues. They're going to -- I mean, it's amazing.

18 They're addressing issues that are providing
19 prosthetics for our soldiers.

20 I mean, it's touching our lives, not ten years
21 from now, but it's happening today. It's happening right
22 now.

23 And it's not just happening in this little silo in
24 Flagstaff.

25 Flagstaff is reaching out to the tribal nations

1 and helping them. They're reaching out to Prescott.
2 They're reaching out to the White Mountain. They're working
3 with Mesa Gateway.

4 And it's tripling all throughout.

5 So would you when you're talking about a community
6 of interest, and you're talking about watching out for that
7 and making sure that it's got representation on commerce, on
8 economic development, on ways and means, and finance and
9 taxes, on the appropriations committees, making sure there's
10 somebody sitting there watching out, on public institutions
11 and higher education, making sure there's a representative
12 sitting there watching, it's vital.

13 It is so important.

14 And so that is why you keep getting this barrage.

15 I have a stack here of letters from 12 different
16 companies, and I will give them to your staff to be able to
17 put in your binders.

18 And over the next, and I apologize sort of, but
19 not really, over the next three days you will see more
20 businesses come down.

21 And it's not to harass you.

22 It's basically because, for them and for our
23 state, it really is life and death.

24 And I just want to thank you so much for your
25 attention.

1 Because this really is what's going to drive us
2 into the 21st century.

3 Thank you.

4 CHAIRPERSON MATHIS: Thank you.

5 Our next speaker is Leonard Gorman, executive
6 director from Navajo Nation Human Rights Commission.

7 LEONARD GORMAN: Madam Chair, members of the
8 Commission, I want to share with you the basis map that we
9 had discussion on this morning with the City of Flagstaff
10 and the Navajo Nation.

11 My name is Leonard Gorman, last name G-O-R-M-A-N.

12 And when I repeatedly come to this podium,
13 presenting information about Navajo Nation's interest, and
14 as of yesterday, or Monday afternoon, we asked that the
15 Commission address our northern Arizona region after we meet
16 with the City of Flagstaff.

17 And we have done that this morning.

18 And had a lengthy discussion, coming to an
19 understanding with the map that there will be -- realizing
20 that there will be a number of tweaking regarding the map
21 that I've shared with you.

22 And this is an effort to bring two parties having
23 overlapping interests and also some interests that may have
24 parallel concerns, and bringing together those two parties,
25 and bringing due respect to the Navajo Nation, the

1 Flagstaff's concern about competitiveness, and we appreciate
2 the endorsement by the City of Flagstaff to impress upon
3 this honorable Commission to ensure that the Voting Rights
4 Act are appropriately complied with, particularly the
5 current Legislative District 2's voting rights threshold
6 number.

7 Just going briefly going over the map as you
8 started to map out earlier today, the northwest portion of
9 the state of Arizona picking up the Hualapai Nation, the
10 Big Boquillas nation, and leaving out the corridor leading
11 to the south rim of the Grand Canyon, and coming back down
12 to the Espil Ranch, and leaving out the city of Flagstaff,
13 the community of Fort Valley and --

14 CHAIRPERSON MATHIS: Mr. Gorman, just by chance,
15 I'm sorry to interrupt you, do you happen to have this on a
16 jump stick that we could put it up?

17 LEONARD GORMAN: Yes.

18 CHAIRPERSON MATHIS: Because that would be
19 helpful, I think, to show folks, but -- if that's easy to
20 do, while you're talking about it.

21 LEONARD GORMAN: I didn't put it on a -- I could
22 connect it to your --

23 CHAIRPERSON MATHIS: Okay.

24 LEONARD GORMAN: And we can send it as a jump --
25 shapefile --

1 VICE-CHAIR HERRERA: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE-CHAIR HERRERA: How different is this from
4 the option two? If you can pull option two, maybe he can
5 use that as an example.

6 I think they're -- unless I'm reading the map
7 wrong, it's very similar to option two.

8 LEONARD GORMAN: Madam Chair, members of the
9 Commission, Mr. Herrera, it is very similar to option two.
10 That is the line of thinking that we've come together on.

11 As I mentioned, there will be opportunities for
12 tweaking along the edges --

13 VICE-CHAIR HERRERA: Madam Chair, it would be
14 helpful for me if Mr. Desmond was able to bring up option
15 two and look at that area while he is -- while Mr. Gorman is
16 talking about the particular map.

17 Mr. Gorman, do you need a pointer?

18 COMMISSIONER McNULTY: I think what Ms. Dworkin is
19 saying that they have a jump stick in the back.

20 JUDY DWORKIN: Yeah, we can just download it if we
21 just wait a minute.

22 COMMISSIONER McNULTY: Okay.

23 LEONARD GORMAN: Sometimes we have difficulty.

24 VICE-CHAIR HERRERA: Madam Chair, can Mr. Gorman
25 come back?

1 CHAIRPERSON MATHIS: Yes.

2 VICE-CHAIR HERRERA: I just want to make sure I'm
3 understanding correctly.

4 COMMISSIONER McNULTY: They do have it on a jump
5 drive.

6 JUDY DWORKIN: We just have to download it from
7 the thumb drive.

8 CHAIRPERSON MATHIS: Okay. Yeah, I just --
9 everyone probably would benefit just to see it on a screen,
10 if we can.

11 We'll go ahead -- I've got another request to
12 speak, Judy Whitehouse, representing self from LD 15.

13 JUDY WHITEHOUSE: Good afternoon, members of the
14 Commission, and chairman.

15 I spoke to you earlier, maybe last week, and it
16 was a very crowded afternoon, and so I didn't tell you
17 anything about myself.

18 And I have to say that my family hasn't been here
19 as long as Mr. Gorman's family has been.

20 But they did homestead in Yuma in the early 1900s
21 and they did homestead in Tucson, my father's family, in the
22 teens. And they've been here a long time.

23 We have relatives all over the state.

24 So I live up in Maricopa County. I don't expect
25 you to favor me any more than any of my relatives who live

1 elsewhere.

2 We represent Independents, Republicans, Democrats,
3 very liberal, very conservative.

4 We have a multitude of interests, just like this
5 state has.

6 And it serves no one if one party in a family or a
7 state always has the advantage.

8 So I speak again on behalf of competitiveness.

9 I coached the ASU women's golf team for six years.
10 I competed and taught golf for over 45 years.

11 We value, and it seems to have been lost in our
12 current culture, honesty, integrity, being your own referee,
13 not taking advantage when you have the chance and no one's
14 looking.

15 These are our true values.

16 And our whole state's going to be a lot better
17 when people start playing by some really good rules.

18 And you hold the public trust for all the
19 people who are out working, cleaning our streets, taking
20 care of our sick, teaching our children, taking care of
21 children. All these people who can't be here, you must
22 speak for them.

23 And they expect a fair shake.

24 I expect that you will give us all a fair shake,
25 now matter who we are.

1 Thank you very much.

2 CHAIRPERSON MATHIS: Thank you.

3 Looks like we might still be waiting on the jump
4 stick.

5 Okay. Oh, sorry.

6 Shirley Dye, would you like to speak, representing
7 self, from northern Arizona.

8 SHIRLEY DYE: Thank you. I do have to get home up
9 the hill.

10 Shirley Dye, D-Y-E, from Payson.

11 In hearing all of the pleas from the
12 Flagstaff Forty, and the mayor of Flagstaff and all the
13 other Flagstaff people, I would like you to keep in mind
14 that there is another faction up in Flagstaff, the
15 conservative faction, that is not all on board with what all
16 of these people are saying.

17 So just so you know, they may not be representing,
18 you know, over 50 percent of the people up in Flagstaff with
19 what they are saying.

20 Also, in the option one, District 5, eastern
21 Arizona counties, people got together and submitted that
22 map. Yes, it's similar to, very similar to what we had
23 before.

24 But we have made up a coalition up there of not
25 only leadership-type people, but the people like me, who is

1 a retired person, who worked my butt off just north of
2 Los Angeles for years and years and years.

3 Okay?

4 Paid into this system, very well.

5 Okay?

6 And this, this option one map is made up of people
7 who have worked and provided, whether they be ranchers,
8 whether they be tourist attraction people, whether they be
9 the miners, whether they be the farmers, the business
10 people, or whatever, were included in preparing this map.

11 I have a real hard time at some point figuring out
12 how you can make all these majority-minority and
13 majority-minority coalitions when they did not necessarily
14 exist before, and you feel that that is something that
15 you're going to do.

16 You've already taken our old Congressional
17 District 1 and put it totally out of balance towards the
18 liberal side, when it was a very competitive, nicely
19 balanced district before, that sometimes voted for
20 Democratic candidates and sometimes voted for Republican
21 candidates.

22 And now you have skewed that far to the
23 department -- other way.

24 And so, you know, that upsets me.

25 I certainly understand the majority minorities

1 that live in the metro area.

2 Because that's, you know, where all the Hispanic
3 minorities are.

4 And if the Navajo and Apache and the Salt River
5 Tribe and the -- what's the tribe down there south, right
6 down over here, I can't remember the name of them, but is
7 included in District 1, if they had been together all these
8 years, that would have been one thing. But this is
9 something new, where they're trying to get everybody on
10 board for one district.

11 And I just don't feel like necessarily their
12 interests are going to be changed a whole lot if they're all
13 in one district.

14 I think they would probably have a better voice if
15 they were in one smaller district than one gigantic
16 Native American district.

17 I just don't -- because of the rural areas of
18 Gila, Graham, Greenlee, southern Apache, and Navajo Counties
19 are a very -- a different rural, very, very different than
20 the whole Flagstaff area.

21 And I for sure don't feel comfortable at all
22 having Gila County split into three different districts.

23 If there was some way you wanted to maneuver
24 and do something where you could keep whole counties
25 there so there would be some sort of resemblance of order

1 to the whole work -- works, that would that would be one
2 thing.

3 But, like I said, there's a whole bunch of people
4 that I represent from Graham, from Greenlee, that can't get
5 here.

6 They don't have the three hours here, the three
7 hours back time to do that, because these are working
8 people, and your meetings are all during the day. And I
9 happen to be retired.

10 I was hoping that some of them could come down
11 here, but Highway 87 was absolutely a gully wash this
12 morning and through the day, I understand.

13 And so, you know, I'm hoping some more of these
14 people -- I feel like I'm a real minority here, when I have
15 been a producer all of these years, and so thank you very
16 much for hearing me once again. I hope to be back tomorrow.
17 I can try it again.

18 CHAIRPERSON MATHIS: Thank you.

19 Looks like we just got that map up -- no, we
20 don't. Okay.

21 Would you like a break?

22 We'll take a ten-minute break. The time is 4:10.

23 (Brief recess taken.)

24 CHAIRPERSON MATHIS: Okay. The time is 4:38 p.m.

25 We'll enter back into public session.

1 And I think we've got the Navajo Nation proposal
2 up on the screen.

3 So if you want to walk us through that,
4 Mr. Gorman, that would be great.

5 LEONARD GORMAN: Madam Chair, members the
6 Commission, starting from the northwest corner of the state,
7 in that area of Mohave County is included north of the Grand
8 Canyon area.

9 And then the Hualapai Nation's lands, and then
10 the -- the area that's pointing here, this is checkerboard
11 land area, which the voting or the census block is kind of
12 configured in a weird fashion, so it pick ups more -- a
13 little bit of a land area beyond the checkerboard area, but
14 there's no population in that land area at all.

15 And then coming down to picking up the
16 Big Boquillas Ranch in here, east of the Hualapai region.

17 And then going up towards the south rim of the
18 Grand Canyon, and hitting the Navajo Nation western
19 boundary, and coming back down and picking up the Espil
20 Ranch north of the city of Flagstaff.

21 And then in that area the city of Flagstaff, the
22 entirety of the incorporated area is outside the
23 Navajo Nation's proposed boundary along with Fort Valley.

24 Census place is out and Doney Park is also out.
25 In that area.

1 Coming towards the Navajo Nation southwest corner
2 here, it's going along the interstate to that point.

3 And then there's lands, based on the previous
4 presentations by the Hopi Nation, they made a comment that
5 we have a number of conversations with them in developing
6 our original map, in which they said they requested our
7 office but also the Redistricting Commission to incorporate
8 their ranch lands in that area. And there were three -- I
9 think there were three or four different ranch lands in this
10 particular area here, just south of the southwest corner of
11 the Navajo Nation.

12 Those ranch are the Drye Ranch, D-R-Y-E Ranch.
13 Hart Ranch, H-A-R-T.

14 And then directly south of the city of Winslow is
15 the Clear Creek Ranch in here.

16 And then the Aja Ranch, A-J-A, Ranch, is also in
17 this area.

18 So this red line dipping south of the
19 Navajo Nation, that incorporates those four ranches in
20 there.

21 And then, of course, the Navajo Nation's Winslow
22 tract is abutting the north, northeast portion of the
23 incorporated area in the city of Winslow.

24 And then we go up towards Joseph City.
25 Joseph City is right here. And we exclude the incorporated

1 area of Joseph City. And the city of Holbrook is also
2 excluded in this, is outside the Navajo Nation's proposed
3 boundary in that area.

4 If we go south along the Apache, Navajo County
5 line and pick up two incorporated areas, right at this
6 corner, right above the White Mountain Apache Nation. White
7 Mountain Apache Nation is this area here. Right in that
8 corner we pick up Pinetop, Lakeside, Pinetop Country Club to
9 be a part of the district of the Navajo Nation to be
10 relocated.

11 And south of there we pick up the White Mountain
12 Nation and then the San Carlos Nation, Apache Nation.

13 And then Greenlee County is also included in its
14 entirety.

15 So that makes up the Navajo Nation proposed
16 boundary, and as we discussed with the city of Flagstaff
17 this morning, and it's along the concept of the option two
18 8A, and it would be amending that concept two 8A,
19 Madam Chair.

20 CHAIRPERSON MATHIS: Thank you very much.

21 Any questions for Mr. Gorman?

22 VICE-CHAIR HERRERA: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Herrera.

24 VICE-CHAIR HERRERA: Mr. Gorman, can you describe
25 to me why you included Colorado City, which is in

1 Mohave County, in part of the congressional district?

2 LEONARD GORMAN: Madam Chair, members of the
3 Commission, Mr. Herrera, in order for us to reach the ideal
4 number and also for each district, let's see, the ideal
5 number for each legislative district being 213,067 people,
6 our effort was to look at the feasibility of having to reach
7 that number and be within a deviation.

8 Now, part of the effort that we've explained is to
9 work with the City of Flagstaff as the City of Flagstaff has
10 the objective of the issue of competitive.

11 So either we pick up that area in the northwest
12 corner, or looking at the area right above the White
13 Mountain Nation, and Navajo Nation's preference is to pick
14 up that area to make up the numbers.

15 Now, the other exploratory area is the Winslow
16 I-40 corridor, Winslow, Joseph City, and Holbrook. As I
17 noted in here, that the Joseph City and Holbrook are out of
18 the Navajo Nation district.

19 So the effort is really to balance the population
20 and also arriving at the Section 5 Voting Rights Act
21 threshold, the 59 percent threshold.

22 VICE-CHAIR HERRERA: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Herrera.

24 VICE-CHAIR HERRERA: One more question for
25 Mr. Gorman.

1 There are currently, as you know, two maps, option
2 one and option two.

3 Just, again, can you state which one you would --
4 mostly meets the needs of the Navajo Nation?

5 LEONARD GORMAN: The -- in contrast -- in
6 comparison and contrast, the map that the Navajo Nation has
7 provided to you, the Navajo Nation believes that the
8 option two 8A is the map that most fits this iteration.

9 VICE-CHAIR HERRERA: And just for the record,
10 that's the map that Ms. McNulty presented.

11 LEONARD GORMAN: Yes.

12 VICE-CHAIR HERRERA: Thank you so much, sir.

13 COMMISSIONER McNULTY: Madam Chair.

14 CHAIRPERSON MATHIS: Ms. McNulty.

15 COMMISSIONER McNULTY: Mr. Gorman, is Winslow
16 within this district or outside of it? How did you handle
17 Winslow?

18 CHAIRPERSON MATHIS: It's outside.

19 LEONARD GORMAN: We have four -- five border towns
20 in the state of Arizona surroundings the Navajo Nation, the
21 city of Page, Flagstaff, Winslow, Holbrook, and then the
22 small community of Joseph City.

23 With the city of Page, it's in the proposal here.

24 With regards to the direct question with Winslow,
25 part of the difficulty that we faced is the fact that when

1 the Navajo Nation supported the Hopi Nation to have their
2 ranch lands incorporated into the district in which the Hopi
3 Nation is located, the ranch lands actually surround the
4 city of Winslow.

5 So that, in fact, there is a trust land directly
6 west of the city of Winslow. So we tried to make an effort
7 to perhaps extract the city of Winslow into outside the
8 Navajo Nation district.

9 However, also to the north side of city of Winslow
10 is the Winslow tract Navajo Nation land hogan.

11 So on the east side, along the I-40 corridor, the
12 Aja Ranch, Hopi Ranch butts against Winslow tract land the
13 Navajo Nation is holding.

14 So it was difficult to extract that particular
15 community.

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: I do have two additional
19 questions, Mr. Gorman, if that's okay.

20 The -- can you explain to me the consequences if
21 we were to adopt the way District 7 looks in option one
22 version 8A?

23 So, you stated that the -- your preferred option
24 two version 8A, if we were to adopt the other map, the way
25 that District 7 looks in that, can you talk about what the

1 consequences would be to the Native American people if we
2 were to adopt the opposite map to what you guys want?

3 It's option one version 8A.

4 LEONARD GORMAN: Option one? Okay.

5 Hold on.

6 Option eight -- option one 8A.

7 VICE-CHAIR HERRERA: Do you want a copy of this?

8 Sure, sure, I'm happy to.

9 LEONARD GORMAN: The option one 8A, as we've
10 explained repeatedly in the past, the Navajo Nation has a
11 number of principles.

12 One is that the first iteration that the
13 Navajo Nation presented said to this body a number of times
14 incorporates several indigenous nations in that area,
15 including both Apaches, Hopi Nation, and the Hualapai,
16 Havasupai, and Kaibab Nations. And one of the principles is
17 include those indigenous nations in the future districts
18 that are going to be drawn up.

19 Second, the Navajo Nation has presented
20 information as a principle that those land holdings off the
21 Navajo Nation, just like the Hopi Nation, would be
22 incorporated into the district in which Navajo Nation would
23 be located.

24 Then, finally, that the section -- Voting Rights
25 Act standard threshold being 59 percent for the Navajo

1 Nation would, in the current district that the Navajo Nation
2 is located, would be met.

3 And that we would also pursue the opportunity to
4 increase that threshold number from 59 percent to 61 percent
5 for very specific reasons.

6 And those reasons are that Navajo Nation voting
7 public have encountered a variety of situations and concerns
8 during the time the election takes place. And there's
9 always that challenge of existence for Navajo's voting
10 public on that date.

11 And that in order to ensure that the Navajo people
12 vote for the person that they believe would best represent
13 them, we do respectfully request that the 59 percent be
14 increased to at the minimum of 61 percent Native American
15 voting age population in which the Navajo Nation be located.

16 Having said that, going to option one version 8A,
17 this particular option significantly impairs the Navajo
18 Nation from having to enjoy the opportunity that we believe
19 would have been presented in the option that the Navajo
20 Nation presented before. And that is, for example, that it
21 does not meet the Voting Rights Act requirement of the
22 59 percent minimum, and also does not meet the Navajo
23 Nation's interest in increasing that voting age population
24 percentage.

25 Effectively it also does not provide an

1 opportunity for the Navajo Nation to have all of its land
2 holdings, particularly in the Winslow tract area, to be a
3 part of that proposal.

4 And then finally, as part of the comments and
5 concerns the Navajo Nation has expressed, the Hopi Nation's
6 land holdings surrounding the Winslow area.

7 CHAIRPERSON MATHIS: Any other questions?

8 VICE-CHAIR HERRERA: Just one more question, this
9 is regarding the White Mountain Apache Tribe.

10 Mr. -- Commissioner Freeman does not include the
11 White Mountain Apache Tribe obviously in that version.

12 What is the relationship of the Navajo Nation with
13 the White Mountain Apache Tribe? Can you describe that?

14 LEONARD GORMAN: Madam Chair, members the
15 Commission, Mr. Herrera, the Navajo people and the White
16 Mountain and the San Carlos Apache have a common language
17 origin, and it's Athabaskan. And we do have as a
18 long-standing traditional relationship as perhaps you could
19 say brothers and sisters.

20 There are large significant number of
21 intermarriages between the Navajo people and the Apache
22 peoples of White Mountain and San Carlos.

23 So that's -- I know them for that, that's the
24 extent -- or at least I know that that's part of the
25 relationships between the Navajo people and the

1 White Mountain Apaches from a traditional culture
2 perspective.

3 But in addition to that, there are a variety and
4 multiple community of interest concerns between all
5 indigenous nations in the state, in Arizona and the United
6 States, predominantly related to human rights issues.

7 As we are engaging the San Carlos Apache Nation
8 with the Navajo Nation to address sacred site issues. They
9 have expressed a strong concern about a sacred site. They
10 are pursuing to the Navajo Nation in the San Francisco Peaks
11 sacred site concerns.

12 So in that respect from a federal policy, state
13 policy perspective, we do have a lot of commonality in
14 addressing those policy concerns.

15 VICE-CHAIR HERRERA: Madam Chair, one last
16 question.

17 Do you consider the Native American tribes,
18 Navajo, Hopi, San Carlos Apache, the Pai Tribe,
19 White Mountain Apache, a community -- a community of
20 interest?

21 LEONARD GORMAN: Madam Chair, members of the
22 Commission, Mr. Herrera, yes.

23 VICE-CHAIR HERRERA: That's all I need to know.
24 Thank you.

25 CHAIRPERSON MATHIS: Thank you.

1 Any other questions for Mr. Gorman? Comments?

2 (No oral response.)

3 CHAIRPERSON MATHIS: I'm curious, do you go to
4 redistricting meetings in New Mexico too? They probably
5 don't have an Independent Commission.

6 LEONARD GORMAN: Madam Chair, members of the
7 Commission, Navajo Nation is involved in three states, the
8 state of Utah, Arizona, and New Mexico.

9 And unfortunately we're preparing for litigation
10 in New Mexico on redistricting issues.

11 CHAIRPERSON MATHIS: Okay. Thank you very much.

12 Well, so this proposal takes the American Indian
13 population up to 64.96 percent, according to this proposal.

14 And that -- this proposal is on the website yet?
15 It's not.

16 Okay. But it will be soon.

17 WILLIE DESMOND: It could be.

18 CHAIRPERSON MATHIS: It could be soon.

19 WILLIE DESMOND: If -- yeah, we can get it up.

20 CHAIRPERSON MATHIS: Yeah. I think as soon as
21 possible for folks following along at home, that would be
22 great.

23 VICE-CHAIR HERRERA: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Herrera.

25 VICE-CHAIR HERRERA: I think we've heard enough

1 testimony, at least for now, to at least move forward with
2 creating the -- that particular part of Arizona, with
3 filling it in with the -- with what appears to be a version
4 similar to Commissioner McNulty's.

5 We have testimony from the City of Flagstaff,
6 Navajo Nation, San Carlos Apache, so I think we can -- I
7 would feel comfortable moving forward and creating and
8 filling in that hole with the comments from Native American
9 leaders and also the City of Flagstaff.

10 CHAIRPERSON MATHIS: How do other commissioners
11 feel about putting in what they describe as District 2 as a
12 place holder for that northeast --

13 VICE-CHAIR HERRERA: District 7.

14 CHAIRPERSON MATHIS: -- north and northeast --
15 well, I'm sorry, on their --

16 VICE-CHAIR HERRERA: Oh, I'm sorry.

17 CHAIRPERSON MATHIS: -- on their proposal it's
18 two.

19 VICE-CHAIR FREEMAN: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Freeman.

21 VICE-CHAIR FREEMAN: I would not favor that.

22 We've heard from the White Mountain Apache Tribe,
23 and perhaps Commissioner Herrera didn't know this because he
24 wasn't here when the meeting started today, but we were
25 heard the San Carlos Apache Tribe wanted an opportunity to

1 weigh in on this issue.

2 So perhaps we should give them the opportunity to
3 speak their mind.

4 CHAIRPERSON MATHIS: I'm wondering if -- can we
5 cover at least the area -- because it looks like on
6 Mr. Freeman's version, his goes all the way over the way
7 theirs does; right?

8 Isn't it the same?

9 VICE-CHAIR HERRERA: Not even close.

10 CHAIRPERSON MATHIS: I can't tell.

11 I should put on my glasses.

12 COMMISSIONER McNULTY: I think it is the same in
13 Mohave County.

14 VICE-CHAIR HERRERA: In Mohave County, correct.

15 CHAIRPERSON MATHIS: Yeah. So, I mean, to me can
16 we at least follow most of it until the Apache? Would that
17 work?

18 VICE-CHAIR HERRERA: Madam Chair, I think that
19 would work, but, again, this isn't some zone --

20 CHAIRPERSON MATHIS: Yeah, just as a place holder.

21 VICE-CHAIR HERRERA: I would -- I would -- I would
22 be in favor of doing that now.

23 Let me remind you that at the point we decided to
24 adopt the -- Commissioner Freeman's majority-minority
25 district in Phoenix, I wasn't asked if I was okay with that.

1 We went ahead and did that without -- I said I
2 didn't approve that. And also I think Commissioner McNulty
3 approved that, but we went ahead and did that and move
4 forward, so I think we should do the same with the -- with
5 District No. 7.

6 Again, it's not a -- it's not set in stone. It's
7 something to keep us moving forward.

8 And I think we've heard enough public testimony to
9 at least go forward with these -- again, this is not even a
10 draft. It's not even set in stone. It's something that
11 will help us put together the rest of the pieces quicker.

12 COMMISSIONER McNULTY: Madam Chair.

13 CHAIRPERSON MATHIS: Ms. McNulty.

14 COMMISSIONER McNULTY: Ms. O'Grady, Mr. Kanefield,
15 we have to satisfy the Voting Rights Act; is that not
16 correct?

17 JOSEPH KANEFIELD: That is correct.

18 COMMISSIONER McNULTY: Are we in a position where
19 we cannot satisfy that benchmark without risking
20 preclearance?

21 MARY O'GRADY: Yeah, I think if we don't -- I --
22 as I mentioned yesterday, the benchmark -- the current
23 benchmark is at 58.99, so I think we need to get it up to
24 that number.

25 And I haven't seen a proposal that gets it up to

1 that number without including the Apache.

2 And so I don't think -- I'm concerned, as the
3 Navajo representatives have testified, that a 52 percent,
4 that drops it that significantly, would risk not getting
5 precleared.

6 I think we need to maintain that benchmark level,
7 is my advice.

8 JOSEPH KANEFIELD: Madam Chair, I'm not sure I
9 completely agree.

10 I think I agree with Commissioner Freeman that we
11 do need to hear from the San Carlos and Apache Tribe to see
12 exactly what their position is, because that is going to be
13 taken into consideration by the Department of Justice.

14 So -- and we do need to possibly do a little more
15 analysis.

16 So while I do concur that the number -- the higher
17 the number the better, the more chance of preclearance, but
18 I'm not willing to go that far at this point and say that it
19 has to be that level when we've got tribes that may
20 disagree.

21 COMMISSIONER McNULTY: Well, if we have tribes
22 that disagree, aren't we at least going to draw an objection
23 from -- don't we run the risk of drawing an objection?

24 MARY O'GRADY: We have to preserve an opportunity
25 to elect a Native American candidate of choice in state

1 legislature. So we have to draw a district that retains
2 that.

3 Unless we can prove that natural retrogression.

4 But based on what's in the DOJ guidance that we
5 put in the record yesterday, I don't think we can meet that
6 burden here.

7 So we need to preserve that opportunity to elect.

8 But when District 2, which was the Native American
9 district was precleared, it was 62 percent Native American.
10 Now it's 58.99 percent Native American.

11 So I think we need to preserve -- create a
12 district that preserves it within that -- within those
13 ranges.

14 COMMISSIONER McNULTY: Madam Chair, you asked what
15 our perspectives are, and mine is that even if we didn't
16 have to preserve an opportunity to elect, I think they're
17 very important imperatives. I'd like to see us adopt that
18 district as a place holder.

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: And putting it in that --
22 putting it in as a place holder doesn't prevent the
23 San Carlos or the White Mountain Apache from participating.
24 As a matter of fact, it probably would encourage them to
25 participate as opposed to leaving them blank.

1 I think we need to move forward with this, and I
2 would encourage the Native American friends to, to help us
3 communicate with the San Carlos and the White Mountain
4 Apache to get their input. But I think having that place
5 holder there, they'll have something to comment about.

6 And let's go forward.

7 Again, this doesn't prevent them from -- it's not
8 set in stone. It's just kicking us to the draft map, so
9 let's move forward and let's add that piece.

10 CHAIRPERSON MATHIS: When do we expect to hear
11 from White Mountain Apache and San Carlos Apache?

12 Do we have any -- is anyone reaching out to them?
13 Or do we consider their input to have been given? I
14 just. . .

15 MARY O'GRADY: I touched base with Norris Nordvold
16 through the Inter Tribal Council yesterday to see if we
17 would be hearing. And then, you know, Steve Titla this
18 morning testified for the San Carlos that he would be back
19 as soon as possible.

20 I haven't heard anything specific from the White
21 Mountain Apache in terms of their time frame.

22 We can follow up with them more directly, if
23 you -- if you'd like.

24 CHAIRPERSON MATHIS: Yeah, I would like that, just
25 so we can get an affirmative or some kind of input from

1 them, so that we have an answer.

2 It's looking so voting age Native American is
3 52.05 percent. Mr. Freeman's.

4 And we need to get it up to 58.99.

5 And, Ms. O'Grady, you're saying that you don't
6 think that can happen unless we include those tribes; right?

7 MARY O'GRADY: I haven't seen any alternative that
8 maintains the benchmark level without including the Apache
9 Tribes.

10 CHAIRPERSON MATHIS: Well, I guess we'll wait
11 until we hear from them.

12 It will be interesting to see, I mean, how we do
13 that otherwise.

14 I don't know what the plan would be, but we can
15 wait and see what their input is and go from there.

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: I think we're making a lot of
19 assumption that they will get back to us in a timely manner.
20 And what if they don't? It's very strong possibility.

21 I think the people that spoke on behalf of the
22 city of Flag and the Navajo Nation talked about reaching
23 out.

24 I don't think they've gotten much of a response
25 either.

1 So I would suspect that, that we may not hear from
2 them today, possibly maybe not even tomorrow. So I would
3 recommend that we move forward.

4 I think creating those majority-minority districts
5 will help us, you know, move around and start creating the
6 other areas.

7 The sooner we create the majority-minority
8 districts, the sooner we can create the -- fill in the gaps.

9 So, again, putting it as a place holder doesn't
10 stop anyone from commenting.

11 I'm assuming that would probably encourage them to
12 comment be if that's not what they like.

13 CHAIRPERSON MATHIS: Well, we know one
14 majority-minority district is going to be there. Just the
15 exact boundaries of it we don't know.

16 Is there agreement on putting it in where there is
17 common ground on the two proposals?

18 COMMISSIONER McNULTY: My concern is that that
19 does not create a majority-minority district, so I'm not
20 sure how that helps us solve the issue.

21 CHAIRPERSON MATHIS: Okay.

22 Well, then we'll just wait.

23 So I guess we go back to Maricopa land, where we
24 were before, and see what we might do to improve creating
25 majority-minority districts there.

1 WILLIE DESMOND: Where we left off, I was asked to
2 create a new version of the map that went back to the three
3 Minority Coalition districts from -- that they had
4 submitted.

5 So this plan has done that, 20, 29 -- I'm sorry,
6 27, 29, and 19 are taken directly from the Minority
7 Coalition.

8 As a result, what was 28 is now kind of split into
9 two chunks.

10 There's an unassigned area here, and some
11 unassigned areas are kind of on the fringes.

12 I think Commissioner McNulty wanted to try to
13 adjust these to make a fourth district somewhere.

14 So, I believe that was. . .

15 COMMISSIONER McNULTY: Can you import District 29
16 from option two version 8A and put it on top of this
17 District 29?

18 WILLIE DESMOND: They're the same.

19 COMMISSIONER McNULTY: Option two 8A, that's
20 District 20.

21 WILLIE DESMOND: That's District 20.

22 COMMISSIONER McNULTY: So if you would take
23 District 29 from option two version 8A and put it on top,
24 put it above.

25 WILLIE DESMOND: Okay.

1 So. . .

2 I'll call it 31 again, just for. . .

3 That's right here.

4 COMMISSIONER McNULTY: Okay.

5 WILLIE DESMOND: District 31 is the same as
6 option two version 8A District 29.

7 COMMISSIONER McNULTY: So according to our table,
8 that district has a voting age population Hispanic
9 population of 32.21 percent.

10 A voting age non-Hispanic African American
11 population of 5.97 percent.

12 Non-Hispanic Native American, 2.2.

13 Non-Hispanic Asian, Pacific American, 3.79.

14 And then a couple other smaller non-White
15 components, which brings the total voting age non-White
16 population, or the total voting age minority population, to
17 about 44.5 percent.

18 That's without making any adjustments.

19 So I think without any adjustment, that would be a
20 potential coalition, an opportunity to elect district.

21 If you go to the north boundary of 29 -- not of
22 29, of 31, I guess we're calling it now.

23 WILLIE DESMOND: Uh-hmm.

24 COMMISSIONER McNULTY: Move it south to Dunlap.

25 WILLIE DESMOND: Okay. That would remove about

1 81,000 people from the district.

2 COMMISSIONER McNULTY: Let's go to the south
3 boundary, between 43rd Avenue and 19th Avenue.

4 Move it south to Van Buren.

5 WILLIE DESMOND: 43rd and 19?

6 COMMISSIONER McNULTY: Yes.

7 WILLIE DESMOND: That adds about 84,000 people
8 back in.

9 COMMISSIONER McNULTY: This may need some
10 population adjustment, but just a start.

11 WILLIE DESMOND: Okay.

12 Now, District 31 is about 5,000 people
13 overpopulated, 2.46 percent.

14 COMMISSIONER McNULTY: What's the HVAP? What's
15 the total minority?

16 WILLIE DESMOND: HVAP is 50.39.

17 The non-Hispanic White percentage is 36.22.

18 So the total minority is 63.78 percent.

19 COMMISSIONER McNULTY: Okay.

20 WILLIE DESMOND: District 21, another
21 majority-minority district, underpopulated then, I believe
22 19 is as well, so those probably make up population
23 somewhere else.

24 COMMISSIONER McNULTY: Let's go to 20, which I
25 think is 29.

1 WILLIE DESMOND: Okay.

2 COMMISSIONER McNULTY: In between 59th Avenue and
3 43rd Avenue, move the south boundary from Thomas to
4 McDowell.

5 WILLIE DESMOND: Between which avenues?

6 COMMISSIONER McNULTY: 43rd and 59th.

7 WILLIE DESMOND: Okay. Now, District 29 is about
8 25,000 people underpopulated.

9 COMMISSIONER McNULTY: So let's go to the west
10 boundary.

11 Move it from 91st Avenue east. You'll see --

12 WILLIE DESMOND: You mean west?

13 COMMISSIONER McNULTY: West, sorry. West to --
14 see Litchfield Park there? Kind of west to the east
15 boundary of Litchfield Park.

16 WILLIE DESMOND: Okay.

17 COMMISSIONER McNULTY: I'm not sure exactly how to
18 adjust the population in there.

19 WILLIE DESMOND: Too much.

20 That's about 21,000. Take that. So still need to
21 go 3600.

22 COMMISSIONER McNULTY: Probably want to be looking
23 at HVAP when you're doing this.

24 WILLIE DESMOND: Yeah.

25 That gets it reasonably close to the edge of the

1 population.

2 District 29 is about 700 people overpopulated, and
3 has Hispanic HVAP of 63.19.

4 Total non-Hispanic White of 25.98.

5 So it's about 74.02 percent minority.

6 COMMISSIONER McNULTY: That's 29.

7 WILLIE DESMOND: That's -- this is 29, yeah.

8 COMMISSIONER McNULTY: Okay.

9 All right.

10 WILLIE DESMOND: Then I think the other
11 majority-minority district that has been affected is
12 District 19 is about 58,000 people underpopulated.

13 COMMISSIONER McNULTY: 58,000?

14 WILLIE DESMOND: Yeah. 57,867.

15 COMMISSIONER McNULTY: District 19 or District 27?

16 WILLIE DESMOND: District 27 is right on the money
17 here.

18 It's about 803 people overpopulated.

19 District 19, I mean, in your map, yeah, they're
20 both -- District 19 on both maps is the one that's off by
21 about 58,000 people.

22 COMMISSIONER McNULTY: That's -- sorry, so
23 District 19 needs to make up people.

24 WILLIE DESMOND: Yes.

25 COMMISSIONER McNULTY: Okay. Could you put the

1 census places back on?

2 WILLIE DESMOND: Sure.

3 COMMISSIONER McNULTY: Let's go to -- between
4 91st Street and 83rd.

5 WILLIE DESMOND: On what road?

6 COMMISSIONER McNULTY: Indian School and Thomas.

7 WILLIE DESMOND: Okay. That's right in -- this is
8 91st Street, and this is 83rd.

9 This is Indian -- this is Thomas, I'm sorry, and
10 then Indian School is -- yeah, Indian School.

11 Here's Indian School. Here's Thomas.

12 COMMISSIONER McNULTY: Okay.

13 So we're going to add, between 91st Street and
14 83rd, the area between Indian School and Thomas.

15 WILLIE DESMOND: To District 19?

16 COMMISSIONER McNULTY: Yes.

17 WILLIE DESMOND: Okay.

18 That's about 8,000 people.

19 Now, District 19 is about 50,000 people
20 underpopulated and District 29 is about 8,000 people
21 underpopulated.

22 COMMISSIONER McNULTY: Where is Avondale?

23 I can't see the coloration up there.

24 WILLIE DESMOND: Sure.

25 Avondale is this whole area. Let me change the

1 color quickly. That makes it a little easier to see off the
2 top.

3 COMMISSIONER McNULTY: I think we've got, like,
4 three or four census areas in Avondale -- oh, there it is.
5 Okay. Now I can see it.

6 That we need to pull into 19, so that Avondale
7 becomes a whole census place.

8 WILLIE DESMOND: So you want to pull all --

9 COMMISSIONER McNULTY: Pull Avondale in, yeah.

10 WILLIE DESMOND: To 19? Okay.

11 That will add about 14,000 people.

12 Now Avondale whole, District 19 is now at
13 178,000 people. It needs to get 35,000 more people into it.

14 And District 29 needs to make up about 9100
15 people.

16 COMMISSIONER McNULTY: Are those census tract
17 numbers? I think these were back in the area that I added
18 between Indian School and Thomas, let me give them to you
19 and see if you can find it.

20 WILLIE DESMOND: Okay. Let me pull that up real
21 quick.

22 COMMISSIONER McNULTY: I'm going to take these
23 from 27 and put them in 19.

24 WILLIE DESMOND: Take them from 27?

25 COMMISSIONER McNULTY: Yes.

1 WILLIE DESMOND: Okay.

2 COMMISSIONER McNULTY: 1125.12.

3 WILLIE DESMOND: Okay. One sec.

4 All right.

5 COMMISSIONER McNULTY: .13, .14.

6 WILLIE DESMOND: Okay.

7 COMMISSIONER McNULTY: 1155.

8 WILLIE DESMOND: Okay.

9 COMMISSIONER McNULTY: 1145.

10 WILLIE DESMOND: Okay.

11 COMMISSIONER McNULTY: And 1147.03.

12 WILLIE DESMOND: And that little, have to take
13 1146 also to do this.

14 COMMISSIONER McNULTY: Okay.

15 WILLIE DESMOND: If I do that on -- District 19 is
16 about 5300 people underpopulated, District 27 is about
17 29,000 people underpopulated, and District 29 is about
18 9100 people underpopulated.

19 COMMISSIONER McNULTY: Okay. Let's go to
20 District 27.

21 WILLIE DESMOND: Okay.

22 COMMISSIONER McNULTY: Between 7th Street and
23 32nd Street.

24 WILLIE DESMOND: On what road, the north boundary
25 or the south?

1 COMMISSIONER McNULTY: We're going to add between
2 Van Buren and McDowell, the area between Van Buren and
3 McDowell that's bounded by 7th Street and 32nd Street.

4 WILLIE DESMOND: Okay.

5 How far north?

6 COMMISSIONER McNULTY: The area between Van Buren
7 and McDowell, we'll pull into 27th.

8 WILLIE DESMOND: Between 27th and 7th; right?

9 COMMISSIONER McNULTY: 7th Street and 32nd Street.

10 WILLIE DESMOND: Okay.

11 District 27 is about 8900 people underpopulated.

12 District 19, about 53, 5400 people.

13 District 29 is at 9100.

14 And District 31 is about 5200 over.

15 COMMISSIONER McNULTY: There were a couple of
16 those numbers that you didn't say whether they were over or
17 under.

18 WILLIE DESMOND: I'm sorry, everything except for
19 District 31 is underpopulated.

20 So, again, District 27 is 8900 people
21 underpopulated.

22 Districts 19 is 5400 people underpopulated.

23 Districts 29 is 9100 people underpopulated.

24 District 31 is about 5200 people overpopulated.

25 COMMISSIONER McNULTY: Let's go back to the census

1 tracts.

2 WILLIE DESMOND: Okay.

3 Which ones do you want to add to?

4 COMMISSIONER McNULTY: I'm going to need better
5 glasses or a telescope.

6 WILLIE DESMOND: Let me change the color to see
7 make it easier.

8 COMMISSIONER McNULTY: Twenty-seven is
9 overpopulated; is that right?

10 WILLIE DESMOND: Twenty-seven is underpopulated by
11 8900 people.

12 COMMISSIONER McNULTY: Okay. And which one is
13 overpopulated?

14 WILLIE DESMOND: Thirty-one, right here.

15 COMMISSIONER McNULTY: Okay. So, what can we do
16 in there to --

17 WILLIE DESMOND: Well, I turn on block group.
18 Twenty-seven can grab some population right here. It looks
19 like it's -- or right here. This is a remnant of 28.

20 If we got rid of 28, it could become 31.

21 COMMISSIONER McNULTY: Maybe you can just look
22 around the edges.

23 WILLIE DESMOND: I can do that. I'll add to 27
24 first, about 8900 people.

25 COMMISSIONER McNULTY: Okay.

1 WILLIE DESMOND: Yeah, that's actually about --
2 I'm good. Do that to 27.

3 Twenty-seven is now perfect.

4 Not perfect, it's 30 people underpopulated, but
5 well within.

6 COMMISSIONER McNULTY: Well, we're right here.

7 WILLIE DESMOND: Twenty-seven is good.

8 Nineteen needs, needs 5300 people.

9 So I'll take that from 31. That's about a little
10 over.

11 So I'll just take this corner down here.

12 Nineteen is good.

13 Thirty-one is good.

14 The only majority-minority district that still
15 needs work is 29.

16 Twenty-nine needs to make up population.

17 COMMISSIONER McNULTY: Let's put that aside.

18 WILLIE DESMOND: Yeah.

19 That's about 83 -- 29 needs 800 people. All four
20 of those districts, right here, it's 19, 27, 29, and 31,
21 probably have to rename 31 before we publish it, are all,
22 are all even population.

23 I can give you the HVAPs of those if that's
24 helpful.

25 COMMISSIONER McNULTY: Yes, please. I'd like to

1 have those numbers.

2 WILLIE DESMOND: Okay. So District 19 has an HVAP
3 of 59.98 percent.

4 It has non-Hispanic White percentage of 26.77.

5 And the 2010 mine inspector race, Democrat
6 received 63.16 percent of the vote.

7 District 27 has an HVAP of 55.4 percent, a
8 non-Hispanic White percentage of 22.45 percent, and in the
9 2010 mine inspector race Democratic candidate received
10 73.33 percent of the vote.

11 District 29 has an HVAP of 61.74 percent,
12 non-Hispanic White percentage of 27.15 percent, and the 2010
13 mine inspector race the Democrat received 60.72 percent of
14 the vote.

15 District 31 has an HVAP of 49.55 percent, a
16 non-Hispanic White percentage of 36.82 percent, and in the
17 2010 mine inspector race the Democrat received 55.32 percent
18 of the vote.

19 Are there any other numbers or any other indexes,
20 or is that it for this?

21 COMMISSIONER McNULTY: Maybe it should -- maybe
22 it's clear just by looking at the table, but what have we
23 done to the three original -- to the HVAP numbers in the
24 original Arizona Minority Coalition proposals?

25 WILLIE DESMOND: Right. So District 16 -- um,

1 Mary, do you have -- Joe, do you have that handout?

2 So District 16, our District 27, District 16 was a
3 Hispanic HVAP of 54.79.

4 Again, now it's 55.4.

5 The non-Hispanic -- this doesn't have the
6 non-Hispanic.

7 But the non-Hispanic Black in their presentation
8 was 15.36.

9 And in this district it's 15.02.

10 So relatively close it looks like.

11 Their District 14 looks to have become our
12 district -- either 31 or 29, I'm not really sure.

13 So their District 14 though was 64.47 percent
14 Hispanic HVAP.

15 And our District 29 has an HVAP of 61.74.

16 And our district 31 has an HVAP of 49.55.

17 COMMISSIONER McNULTY: Could you just repeat that,
18 64 did you say, the HVAP of their District 14?

19 WILLIE DESMOND: Their District 14 was 64.47.

20 COMMISSIONER McNULTY: Okay.

21 WILLIE DESMOND: I guess lastly their District 13
22 is probably closest to our District 19. And their
23 District 13 had an HVAP of 67.10.

24 Our District 19 has an HVAP of 59.98.

25 COMMISSIONER McNULTY: Okay.

1 So, Ms. O'Grady, Mr. Kanefield, for 31, which has
2 an HVAP of 49.55, and increasing it to 55.32, do we need to
3 get that over 50 percent or would that, would that be
4 approaching or possibly satisfying the need for an
5 opportunity -- a fourth opportunity to elect?

6 JOSEPH KANEFIELD: Madam Chair,
7 Commissioner McNulty, we believe that that would be an
8 appropriate number for that particular district, looking at
9 the benchmark numbers and the other numbers of the district
10 that you proposed.

11 COMMISSIONER McNULTY: Thank you.

12 How about the change in -- so the HVAP of 27 goes
13 up a little bit, and then the HVAP in 19 goes from
14 67 percent to essentially 60 percent. With the Cruz index
15 of 63 percent.

16 Does that cause you any concerns on the face of
17 it?

18 JOSEPH KANEFIELD: Madam Chair,
19 Commissioner McNulty, Mary may have a different take.

20 On the face, it looks okay, but with those numbers
21 and this area, we need to do a deeper analysis just to make
22 sure.

23 MARY O'GRADY: I think that's -- I agree with Joe.

24 I think we might want to look at the Cruz index on
25 the benchmarks but as a point of graph also.

1 COMMISSIONER McNULTY: I just offer it as a way
2 that we can build that fourth district without changing all
3 the other boundaries, without, you know, completely redoing
4 the center of Phoenix, because essentially it stays within
5 the bounds of those four areas, and then also they're
6 clearly Hispanic areas.

7 MARY O'GRADY: Yes, that seems to be that.

8 The other thing to keep an eye out for is to the
9 extent that people used to be an opportunity -- used to be
10 an opportunity to elect district, and then if they aren't
11 anymore.

12 And 15, I think, used to be one of our
13 coalition-type areas. That's a -- taking a look at those, I
14 think it's Phoenix is ready to wall in this new map if they
15 are going to be an opportunity to elect.

16 COMMISSIONER McNULTY: Is that something that you
17 can look at tonight?

18 MARY O'GRADY: Sure.

19 WILLIE DESMOND: If these districts are in, are --

20 MARY O'GRADY: How they prepare the benchmark and
21 if they're voters who used to be in an opportunity to elect
22 district.

23 COMMISSIONER McNULTY: We should we look at that
24 right now, if that's a mapping issue. Can we look where 15
25 is in relation to?

1 WILLIE DESMOND: Yeah. Fifteen is right in the
2 current edge.

3 Perhaps -- let me, let me try one thing, to make
4 this a little easier.

5 COMMISSIONER McNULTY: While he's doing that, how
6 does that -- on the one hand we're -- this is a statewide
7 thing, and we are -- we're not necessarily replacing apples
8 with apples.

9 We're doing -- at the end of the day we have to
10 have something that's statewide, doesn't retrogress. That
11 strikes me as a little different from ensuring that all of
12 the areas are the same.

13 MARY O'GRADY: That's true. They'll compare the
14 benchmark district to the final districts. And so we'll
15 need to explain to Justice, even though we start with the
16 grid, we'll explain to Justice how the benchmarks differ
17 from the final map. And so, for example, if, if it looks
18 like the Hispanic voters have been removed from a benchmark
19 district, we might need to explain why.

20 COMMISSIONER McNULTY: And we would do that by
21 explaining that a whole new district has been created in
22 which voters have been added.

23 MARY O'GRADY: That's true.

24 They're also contiguous perhaps. If they're close
25 to a minority district, there might be questions about why

1 not just put them in that district, why have you made the
2 choices to put them where you have.

3 COMMISSIONER McNULTY: What we've done is create
4 another district of contiguous voters.

5 MARY O'GRADY: We certainly will defend what is
6 enacted.

7 These are the things we'll have to explain. And
8 so the less we have to explain, if the minority voters are
9 still in an opportunity to elect district, we can take a
10 closer look, and if there are contiguous districts that they
11 can be put in that have an opportunity to elect, still, but
12 we just we'll look at it closer.

13 COMMISSIONER McNULTY: Okay.

14 VICE-CHAIR FREEMAN: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Freeman.

16 VICE-CHAIR FREEMAN: Counsel, there were
17 four benchmark districts in your Maricopa County area
18 before; correct?

19 We've recreated between eight and four this time.
20 We're now taking some voters who were formerly in a
21 benchmark district and they now are outside a benchmark
22 district, according to what has been done in the last hour.

23 And so the concern then is explaining to Justice
24 why those voters could not have been included in a
25 minority-majority or perhaps a new coalition district.

1 Is that correct understanding?

2 MARY O'GRADY: Yes. That's what one would like,
3 and the explanation would be that we picked up other voters,
4 but we still want to be able to explain why there was no
5 place to put these voters.

6 WILLIE DESMOND: So this isn't working with.

7 Planning, but. . .

8 So. . .

9 I don't know.

10 I was trying to just shade the voting rights
11 districts so you could kind of see where 15 is, but it's not
12 quite working, so. . .

13 COMMISSIONER McNULTY: We can tell.

14 WILLIE DESMOND: The dark, the dark areas right
15 here are the four districts we just created.

16 VICE-CHAIR FREEMAN: So the people in the old 28,
17 which is now just a little sliver, were formerly in a voting
18 rights district? Or am I confusing which layer we're
19 looking at?

20 WILLIE DESMOND: All right. So in 28, what this
21 is shaded by is the Hispanic percentage, so that sliver of
22 28 that's left is relatively high Hispanic percentage.

23 If you let me -- I think I can do this.

24 Let me remove that 28 for a second.

25 So, so these four dark green areas are the four

1 voting rights districts as we have them drawn.

2 Now, if I turn on this layer, this is the current
3 legislative districts so you can see, I guess, what
4 percentage of old 15, which is right here --

5 VICE-CHAIR FREEMAN: Fifteen was a benchmark
6 district.

7 WILLIE DESMOND: Was the benchmark district.

8 VICE-CHAIR FREEMAN: And now those people are
9 outside the benchmark district.

10 WILLIE DESMOND: Yes, except for this part up
11 here.

12 COMMISSIONER McNULTY: They were outside of the
13 Arizona Minority Coalition's districts also.

14 WILLIE DESMOND: Yes.

15 COMMISSIONER McNULTY: So, where is this 14 there?
16 What is that?

17 WILLIE DESMOND: Fourteen is -- if you remember,
18 the old 14 is kind of a long arm that goes off to the east.
19 That's that long arm.

20 So old 14, I'll just outline with a little hand,
21 is basically this area right here.

22 So this --

23 COMMISSIONER McNULTY: That's that -- that was --

24 WILLIE DESMOND: This is --

25 COMMISSIONER McNULTY: -- the one that Justice had

1 an issue with.

2 WILLIE DESMOND: This is the old 14.

3 COMMISSIONER McNULTY: So are you saying that we
4 need to combine 14 and 15 into 27, 31, 19, and 29? Or we
5 need to take out all the Hispanic people that weren't in the
6 districts before so that all the Hispanic people that were
7 in districts before are in the districts?

8 MARY O'GRADY: I'd like to think on that.

9 Because some of it -- 25 was not one of the more
10 effective Hispanic districts.

11 There was -- that included the historic districts
12 last time around.

13 And I know there's been some concern about the
14 effectiveness, but it was one of our benchmark districts.
15 And so if we're building a more effective district on the
16 west side, if that's -- if you truly are, we need to have,
17 you know, effective minority districts.

18 But we'd have to have that explanation for why we
19 made these shifts, if we're making shifts.

20 Also looking at the Tempe district, that's a
21 coalition district, and some of this abuts Tempe. You know,
22 it's around a bunch of minority districts, and it has been
23 included in one.

24 So we just have to be able to defend the choices
25 that we're making.

1 And we can think more about that issue.

2 WILLIE DESMOND: And one thing I could give you
3 would be taking the old 15, or the old 14, or any of the old
4 districts, I can tell you the portions of it that are in a
5 new voting rights district. I can do this on the fly. The
6 number of HVAP, the number of non-HVAP.

7 So I think it's possible that when you -- if I
8 remove the shading from, from our current -- the plan that
9 we have right now, you can see that the portions of 15 that
10 are, you know, not included in a voting rights district do
11 seem to be the whiter portions of it.

12 So it's not the whole district, but it's where the
13 Hispanic population in those old districts is, how that
14 relates to the new district.

15 It's not that the whole district has to be
16 preserved, but the Hispanic population has to be accounted
17 for.

18 COMMISSIONER McNULTY: Well, it sounds like kind
19 of a legal analysis issue that maybe Joe and Mary want to
20 take a closer look at it, because I don't think it could be
21 the case that we have to create districts on top of the
22 other districts all over the state, because that would be a
23 different analysis.

24 But I understand what you're saying, so maybe you
25 could -- we've got a couple different alternatives here

1 we're just looking at, and I would ask you to do that.

2 MARY O'GRADY: Sure. We'll confer and work with
3 the mapping folks.

4 VICE-CHAIR FREEMAN: And, Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Freeman.

6 VICE-CHAIR FREEMAN: Another question would be is
7 it the four majority-minority districts have effectively
8 shifted to the west, it seems like, and left behind a
9 portion that was formerly in a benchmark district.

10 I mean, does it have to be that way?

11 I mean, conceivably you could use that leftover
12 population, so to speak, I would think, to form a new
13 coalition or plurality district if you shifted the other
14 four minority-majority districts in just the right way.

15 I mean, so wouldn't it be incumbent upon the
16 Commission to examine different ways of doing that so that
17 we didn't deprive ourselves of the opportunity of creating
18 another possible coalition district.

19 MARY O'GRADY: I think it makes sense to look at
20 all those things.

21 Again, as long as we make sure that we have those
22 effective minority districts, it makes sense to look at the
23 minority population and see where they are and see if there
24 are any areas with an opportunity to elect.

25 WILLIE DESMOND: So I hear -- I guess what you're

1 saying there is because this population right here is
2 outside of a voting rights district now, to see if making a
3 district here creates an effective coalition or plurality?

4 VICE-CHAIR FREEMAN: Well, I don't know if it
5 would or wouldn't, but there might be other ways of
6 constructing 27, 19, 29, and 31, you know, if the answer to
7 your question is no, the way it's configured now, there are
8 ways of configuring the other districts, keeping them
9 effective, and leaving what's left over into a coalition or
10 plurality district.

11 And I certainly don't know the answer to any of
12 those questions, but I would think it would be incumbent
13 upon us to examine that.

14 CHAIRPERSON MATHIS: What is in that whole
15 leftover area that's between 31 and 24? Yeah.

16 WILLIE DESMOND: A whole bunch of people.
17 Let me tell you.

18 262,000 people, 263,000 people.

19 And also you have some pockets down here
20 unassigned.

21 CHAIRPERSON MATHIS: What's the HVAP of that, the
22 red selected area?

23 Forget the little part that --

24 WILLIE DESMOND: Yeah.

25 CHAIRPERSON MATHIS: Contiguous.

1 WILLIE DESMOND: Of this area, it's about
2 29 percent HVAP.

3 And then the non-Hispanic White percentage is
4 58.24.

5 But, again, that is overpopulated by about 50,000
6 people.

7 So maybe.

8 CHAIRPERSON MATHIS: What's 30's population at
9 right now?

10 WILLIE DESMOND: Thirty is at, I think,
11 82,500 people.

12 Are there questions about that unassigned area or
13 other unassigned areas?

14 VICE-CHAIR FREEMAN: The portion you've
15 highlighted, is that 212,000?

16 WILLIE DESMOND: No, it's about 181,000.

17 VICE-CHAIR FREEMAN: And what's the HVAP of what
18 district --

19 WILLIE DESMOND: The HVAP of that is 32 point --
20 is about 32 percentage points.

21 The non-Hispanic White is about 54.95.

22 But it does have, in using the mine inspector, it
23 was 57.68 percent Democrat.

24 Again, it's underpopulated by 31,000.

25 Are there other areas we want to. . .

1 MARY O'GRADY: I was wondering about the
2 population in 24.

3 I don't know if the Commission is interested in
4 looking at the darker areas there.

5 Or in the southern part of 30.

6 VICE-CHAIR FREEMAN: Either/or. You might want to
7 drop -- I think it's Papago Park down there in that little
8 spur in the southeast corner. I don't know if that's
9 helping or hurting us.

10 We should just round out that district.

11 Yeah, we can add -- I would think we can add, you
12 know, as Ms. O'Grady said, in those areas.

13 WILLIE DESMOND: Do you want me to look at
14 constructing any district here or changing the boundaries?

15 I'm happy to do that.

16 (No oral response.)

17 CHAIRPERSON MATHIS: I would. Sure.

18 Do you?

19 VICE-CHAIR FREEMAN: To counsel, is it worth
20 pursuing? I mean. . .

21 MARY O'GRADY: I'm just curious. It just, again,
22 it looks like an Hispanic area abutting an area that we're
23 looking at as a potential influence district, so it might be
24 worth looking at.

25 WILLIE DESMOND: That's about 214,000.

1 And it has Hispanic population HVAP of 31.6, and
2 non-Hispanic White of 55.67.

3 If we did it a little differently.

4 This isn't the most compact and contiguous
5 district.

6 That has 217. That has an HVAP of about
7 32 percent.

8 CHAIRPERSON MATHIS: And what if you picked up
9 that area in 30 that's coming down, since 30 needs to lose
10 population anyway? I'm just curious. Yeah.

11 WILLIE DESMOND: Right here?

12 CHAIRPERSON MATHIS: Right.

13 Instead. . .

14 WILLIE DESMOND: That's only 4700 people.

15 And 30 does not need to lose.

16 Thirty needs to make up.

17 CHAIRPERSON MATHIS: Oh, it does. I read it
18 wrong. I thought it was under -- I mean over.

19 MARY O'GRADY: But at this point I don't know that
20 we're worried about those equalizations as much as we are
21 about the voting rights issues.

22 CHAIRPERSON MATHIS: But, right there was a HVAP
23 area there that I just wanted -- since it was darker, higher
24 density, I thought it might help.

25 WILLIE DESMOND: We'll give it one more.

1 COMMISSIONER McNULTY: What about in the very
2 southwest corner of 24?

3 WILLIE DESMOND: Right here?

4 COMMISSIONER McNULTY: Yeah.

5 WILLIE DESMOND: Again this one takes a big chunk.
6 There is now non-contiguous.

7 It's something like that is 212,000.

8 This has an HVAP of 33.88 percent.

9 It has a non-Hispanic White percentage of 52.89.

10 So at least getting closer to a true coalition.
11 Possibly a district with ability to elect, if you played
12 around with it more.

13 The Cruz scale here is that red selection race for
14 Democrat 2010 mine inspector race at 58.45 percent.

15 VICE-CHAIR FREEMAN: And I might -- I don't know
16 if it'll make much of a difference on the stats, but if we
17 bring out the -- ran north along the border of 31, so you
18 wouldn't have that non-contiguous segment there.

19 WILLIE DESMOND: Yeah. You'd probably have to run
20 it like this way.

21 The goal being to take out as much of this chunk
22 as possible.

23 VICE-CHAIR FREEMAN: Right.

24 VICE-CHAIR HERRERA: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1 VICE-CHAIR HERRERA: How many majority-minority
2 districts have we created so far?

3 WILLIE DESMOND: So, majority-minority, there's
4 four in Maricopa, three in southern Arizona. There's going
5 to be one -- well, there is one in northern. So that's
6 eight.

7 There's the beginning of an ability to elect
8 district in District 26, but we might need to try to
9 increase that or play around with it following analysis.

10 So that would be the nine.

11 VICE-CHAIR HERRERA: And this would be ten.

12 WILLIE DESMOND: This would be, would be a tenth,
13 yes.

14 VICE-CHAIR HERRERA: My only concern is that
15 there's no requirement for us to create that many.

16 I think nine is the, I guess, the benchmark.

17 And I'm just fearful of trying to pack as many
18 Democrats into as few, into as few districts as possible.

19 I'm not saying that that's what
20 Commissioner Freeman is doing, but that's a concern of mine.

21 So I, again, I think nine is the benchmark. So
22 there's no requirement for us to create more than that.

23 So I want to make sure that that's -- but that is
24 true; correct? You know what I'm saying, that there is no
25 requirement to create more than nine.

1 JOSEPH KANEFIELD: Madam Chair,
2 Commissioner Herrera, I don't know if I would necessarily
3 agree with that statement.

4 We know -- I think there's consensus that nine is
5 the benchmark.

6 The question is whether because of the population
7 growth over the last ten years, including the growth in the
8 Hispanic population, that there may, in fact, be an
9 opportunity to elect district, a tenth opportunity to elect
10 district, that we want to closely -- carefully consider,
11 because we -- because from what I understand the Department
12 of Justice will be asking the same question, looking at the
13 numbers. So I don't think it's safe to just assume nine
14 gets us preclearance without carefully thinking that
15 through.

16 After we do the analysis and if we determine that
17 it's just not possible to create a tenth coalition district,
18 the effective -- with the ability to effectively elect a
19 candidate of choice, well, then that may, may be back with
20 nine, and the Department of Justice may reach the same
21 conclusions.

22 But I think at this stage I would caution against
23 just assuming nine is the number that we need without giving
24 more careful consideration to whether or not a tenth may be
25 required.

1 VICE-CHAIR HERRERA: Madam Chair.

2 CHAIRPERSON MATHIS: Go ahead.

3 VICE-CHAIR HERRERA: Again, I understand where
4 you're coming from, but I hope you understand where I'm
5 coming from, that I -- what I don't want to be doing is,
6 again, packing as many Democrats into as few districts as
7 possible.

8 And that, to me that is a concern when we start
9 doing things like that.

10 This particular district looks -- I think
11 Mr. Freeman always talk about compactness. This is anything
12 but compact.

13 So I want to make sure that we're not trying to
14 stretch it out where we are, again, packing too many
15 Democrats into too few districts.

16 I don't disagree with your comments, but I just
17 wanted to voice mine.

18 JOSEPH KANEFIELD: Madam Chair, Commissioner
19 Herrera, I understand your concern. I'm not disregarding
20 it. I'm only trying to make sure that we do this analysis
21 in a thorough way so that we don't get an objection that
22 could have been avoided otherwise.

23 VICE-CHAIR HERRERA: Okay.

24 VICE-CHAIR FREEMAN: Madam Chair.

25 CHAIRPERSON MATHIS: Mr. Freeman.

1 VICE-CHAIR FREEMAN: We also have a district in
2 southern Arizona that looks a little funky too.

3 But is Mr. Adelson -- is he going to be here
4 tomorrow or available tomorrow to help us out on these
5 issues?

6 JOSEPH KANEFIELD: Madam Chair,
7 Commissioner Freeman, we -- Mary and I are going to reach
8 out to him tonight. He is -- we'll talk with him on some of
9 these issues.

10 I know he's been keeping track of what the
11 Commission has been discussing lately, so it would be great
12 if he could join us. If he does, it will have to be
13 remotely.

14 If not, we'll make sure we have a thorough
15 discussion with him, as we have been all along, to make sure
16 that we're giving you the best advice based on his thoughts
17 and analysis also.

18 COMMISSIONER McNULTY: Madam Chair.

19 CHAIRPERSON MATHIS: Ms. McNulty.

20 COMMISSIONER McNULTY: Mr. Desmond, what's the
21 population in the, in the most densely HVAP -- most dense
22 HVAP areas just north of 29 above that little arm there?

23 WILLIE DESMOND: Right here?

24 COMMISSIONER McNULTY: Oh, sorry, north of 27, in
25 the little arm, between 24 and 27 in the unassigned area.

1 (Whereupon, Mr. Herrera exits the room.)

2 WILLIE DESMOND: That selection is 44,000 people.

3 Do you want me to keep moving over?

4 COMMISSIONER McNULTY: No, no, that's good.

5 I guess what I'm thinking, Ms. O'Grady,
6 Mr. Kanefield, is that one way to address the issue is, I
7 would ask that you think about it, perhaps tonight as you
8 look at this, is to pull that into 27, or something like
9 that. You know, move some of 27 over to 19, move some of 19
10 up into 19 and 31, and move some of what we added in 19 and
11 maybe the less Hispanic areas on the west side of 29 out
12 that way.

13 So if what you conclude when you think about this
14 a little more is that those areas should be in a
15 majority-minority district. It looks like there's a way to
16 do that, that would be pretty straightforward, that would
17 also allow us to keep central Phoenix in a district
18 together. And that wouldn't -- that would be consistent
19 with the other things we've done so far on the map.

20 MARY O'GRADY: We'll look closer at that.

21 COMMISSIONER McNULTY: Thank you.

22 I'd also like to spend some time tonight just
23 scrolling through HVAP in central Phoenix and looking for
24 other opportunities, perhaps.

25 CHAIRPERSON MATHIS: Well, it's 6:15. And sounds

1 like we want Mr. Adelson and legal counsel to kind of take a
2 look at this this evening and get a sense of where we
3 might -- tomorrow we can maybe pick this up again and figure
4 out -- we still need to lock those in in a way that makes
5 sense for everyone.

6 So, it doesn't sound like we'll be able to do that
7 tonight.

8 Any thoughts on where we should go from here?

9 COMMISSIONER McNULTY: I would ask Mr. Desmond to
10 save those changes in some format, so we don't need to
11 recreate them if we want to look at them again.

12 WILLIE DESMOND: So right now we have,
13 unfortunately, two paths of the merge map. One we worked on
14 before, and then this one that we started when we started
15 adjusting the three minority coalition maps. And they're
16 both -- as we -- this one as it is now is as we left it.

17 And, again, the only difference between those two
18 maps is this there.

19 CHAIRPERSON MATHIS: Is it worth looking at the
20 Pinal County area just to see what coalition districts might
21 be there or now? I mean, I know there's the prison
22 issue and. . .

23 WILLIE DESMOND: Yeah.

24 CHAIRPERSON MATHIS: I'm curious to know if this
25 is myth or reality that we could actually create one there,

1 just so we know.

2 WILLIE DESMOND: So, again, this is based off the
3 grid. I believe that is all unassigned area. Sorry.

4 So, just double check.

5 Yes, this is an unassigned area. There's
6 87,000 people in it.

7 It is about 29.7 percent Hispanic.

8 If we were to just quickly kind of add to it.

9 Let's go 215,000 people there.

10 Mostly in Pinal County, but dipping down into Pima
11 there.

12 Has an HVAP of 28.5 percent.

13 Don't think that would really work for the ability
14 to elect district.

15 (Whereupon, Mr. Herrera returns to the room.)

16 WILLIE DESMOND: I guess the other area to look at
17 would be this area.

18 Is there somewhere you wanted to start in Pinal
19 County?

20 CHAIRPERSON MATHIS: No. I was just curious.
21 Anywhere. Unless another commissioner has specific ideas, I
22 just wanted to see if there was any way to create one there.

23 WILLIE DESMOND: This one is a . . .

24 MARY O'GRADY: Madam Chair, and historically
25 Hispanic voting strength has been more in the eastern side

1 of the county in some of the little towns.

2 WILLIE DESMOND: That's about 204,000 people and
3 has a Hispanic population of about 30.24 percent,
4 non-Hispanic White percentage of 58.18.

5 Again, I don't see how it works.

6 Looking at the mine inspector race, it was 50 --
7 or 43.57 percent Democratic 2010.

8 So I think -- I just think with the growth in
9 Pinal County over the last decade, and with the prison
10 population, it's going to be tricky to get any sort of
11 district that we'd feel comfortable sending off to Justice
12 in Pinal County.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE-CHAIR HERRERA: And I -- for a district like
16 this, the growth has mainly been from the White population
17 probably in that area. So even if you were to create a
18 district like that with sort of a coalition, I think the
19 non-Hispanic population would easily outpace the Hispanic
20 population in that area.

21 And those are some of my concerns in some areas
22 that we're trying to create a coalition district, that, that
23 the non-Hispanic area will easily outpace the Hispanic
24 areas.

25 WILLIE DESMOND: I think to some extent that might

1 have been what happened in current District 23, which is now
2 157,000 people over the ideal population, and only
3 28.7 percent Hispanic.

4 I think that was a coalition district last time.
5 So. . .

6 CHAIRPERSON MATHIS: Okay. Well, it's good to
7 know that this is not an option.

8 It's nice to put things off the table.

9 So we're going to have to -- if we do need this
10 additional tenth, it's probably going to have to come from
11 the Maricopa County area.

12 So we'll have to figure out the best way to
13 construct that to achieve it.

14 So I'm looking forward to great advice from legal
15 counsel and Bruce tomorrow.

16 No pressure.

17 Any -- what else do we want to do? Commissioners?

18 COMMISSIONER McNULTY: I think we've learned a lot
19 today. I think we made a lot of progress in understanding
20 how the majority-minority issue works. And I think we
21 should listen to the public comment, if there is any, and
22 take a rest, and come back tomorrow morning, and keep going.

23 VICE-CHAIR FREEMAN: Here here.

24 CHAIRPERSON MATHIS: Okay.

25 Mr. Herrera.

1 VICE-CHAIR HERRERA: I'm fine with taking a rest.

2 CHAIRPERSON MATHIS: All right. I think --

3 Mr. Desmond.

4 WILLIE DESMOND: I was just going to say so --
5 just so I understand what you guys need from me tonight, do
6 you all want to leave with, you know, block equivalency
7 files of the merged map, 1A and 1B?

8 COMMISSIONER McNULTY: I would, yes.

9 VICE-CHAIR FREEMAN: Yes, please.

10 WILLIE DESMOND: So during public comment I'll get
11 those -- I can get those to thumb drives, I can hand them to
12 you, and you can be copying them to your computers so I
13 don't keep you here too long after, it won't keep me here
14 after.

15 And then if -- I guess we'll work with legal to
16 figure out what types of analysis reports we need for
17 tomorrow.

18 Is there anything else that I'm forgetting that
19 you would need from us tonight on this?

20 VICE-CHAIR HERRERA: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Herrera.

22 VICE-CHAIR HERRERA: You had talked about looking
23 at the maps that, I guess, that were created by that -- I
24 can't remember the name of the organization. I came across
25 the division, the division. . .

1 CHAIRPERSON MATHIS: Arizona Competitive Districts
2 Coalition.

3 VICE-CHAIR HERRERA: Thank you.

4 To see how they not only came up with the
5 competitive maps, but also, also how they came up with their
6 majority-minority districts.

7 I'd love to see them.

8 WILLIE DESMOND: I think that's something that
9 staff was going to reach out to.

10 I know Kristina -- Ms. Gomez was going to, but I'm
11 not sure where we stand with getting those.

12 Ray, do you have any idea? If we're supposed to
13 get the Arizona Competitive Coalition district submissions
14 anytime soon?

15 I don't have them right now.

16 VICE-CHAIR HERRERA: Sure. I wasn't expecting you
17 to have them right now, but I think we -- it's something
18 that I would love to look at to see how they -- the winners
19 of that competition came up with the majority-minority
20 districts and the coalition district that they came up with.

21 RAY BLADINE: Madam Chair, I know that Kristina
22 was going to recontact them again today, but I haven't
23 talked with her to know what they said, but we'll certainly
24 find out.

25 And if we can get it from them tomorrow morning,

1 we'll get it posted.

2 VICE-CHAIR FREEMAN: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Freeman.

4 VICE-CHAIR FREEMAN: Mr. Desmond, I would also
5 love to know when we're going to get that 2004, 2006
6 election data incorporated into our database.

7 WILLIE DESMOND: I know Ken and Brad and Andrea
8 and John in our office were all working on that today. I
9 got a flurry of e-mails from them. Getting more precinct
10 files from some of the counties that had been lacking, and I
11 will hopefully have progress report for you tomorrow, work
12 on that tonight.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE-CHAIR HERRERA: And when we do get that
16 information, we still have to decide what type of weight
17 will be given to the 2004, 2006 election results.

18 As I stated before, and I think people in the
19 public have stated, there's been a lot of changes in Arizona
20 since 2004, so I want to make sure that -- and we want that
21 information from those years, but I want to make sure we
22 weigh them accordingly for relevancy.

23 So that's something that we need to keep in mind
24 once we get that information, which I hope is soon.

25 CHAIRPERSON MATHIS: And then, legal counsel, I

1 don't know if it's you or staff, but if somebody could
2 follow up with White Mountain and San Carlos Apache
3 tomorrow, that would be great, see if they can tell us
4 anything.

5 MARY O'GRADY: We'll coordinate with staff.

6 CHAIRPERSON MATHIS: Great.

7 Okay. Any other comments or questions or
8 follow-up for Mr. Desmond?

9 (No oral response.)

10 CHAIRPERSON MATHIS: Okay.

11 Was there anything on the executive director's
12 report, item three on the agenda?

13 RAY BLADINE: Just a very quick item.

14 I think I mentioned to you several days ago that
15 we're -- the state is in the budget process for the year
16 2013, Megan Darian, who basically is our liaison with the
17 department administration, will be meeting with the
18 governor's budget executive on Friday.

19 Megan and I took a look at what was the budget for
20 last year -- or ten years ago, I'm sorry, and it was about
21 1.9 million at that point.

22 We are proposing to put in a request of about 1.7,
23 which would only be spent if we get into litigation and need
24 to keep the office open.

25 The idea would be to keep the current office open.

1 The vast majority of the funds would be for legal expense
2 and witnesses.

3 And probably have two full-time positions, perhaps
4 one part-time position.

5 And I'll get something when we have it together to
6 submit to the governor's office, put it on an agenda for
7 your approval.

8 I just wanted to kind of let you know that's where
9 we're headed, in case somebody thinks we should do something
10 otherwise. I'll be happy to change it.

11 CHAIRPERSON MATHIS: Okay. Any other -- anything
12 else that's on --

13 RAY BLADINE: No, still working to be ready when
14 you all are ready for the second round of public hearings.
15 And that's why I'm here and Kristina is there.

16 And she said it's been going well.

17 I think there was a few changes. Maybe, if I
18 remember right, Oro Valley may end up being Marana, but in
19 the same area, due to scheduling.

20 There was one other one like that that I can't
21 recall, but they were very close cities.

22 And so we're making progress, so we'll be ready
23 for you.

24 Okay.

25 CHAIRPERSON MATHIS: Thank you.

1 Any questions for Mr. Bladine?

2 (No oral response.)

3 CHAIRPERSON MATHIS: Okay. Thank you very much.

4 Discussion of future meetings and future agenda
5 items.

6 Future meetings, we're meeting here tomorrow at,
7 staff help me, 9:00, 9:30?

8 Mr. Bladine, sorry, is it at 9:00 or 9:30
9 tomorrow?

10 RAY BLADINE: 9:30.

11 CHAIRPERSON MATHIS: Okay. 9:30 tomorrow, here,
12 same room.

13 And we'll see how much progress we make.

14 It would be great if miraculously we actually
15 didn't have to meet all weekend, but we've got a lot to do.

16 So we're keeping those days open, Saturday,
17 Sunday, Monday, in case we have to keep going.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

20 VICE-CHAIR HERRERA: I think we -- a possible
21 meeting on Saturday, and I mentioned with plenty of notice
22 that I have prior commitment on Saturday afternoon.

23 So I don't know how long the meeting will go on
24 Saturday. If it goes long, maybe I'll be able to make part
25 of it, but I will miss a good chunk of the meeting.

1 CHAIRPERSON MATHIS: Okay. And what time are you
2 available Saturday?

3 VICE-CHAIR HERRERA: Well, I have to be at a
4 certain. . .

5 CHAIRPERSON MATHIS: Or what time are you not
6 available?

7 VICE-CHAIR HERRERA: It will be between probably
8 12:00 and 3:00, 12:00 and 4:00.

9 CHAIRPERSON MATHIS: Okay.
10 What time do we have -- you have us starting,
11 Mr. Bladine, on Saturday? Is it --

12 RAY BLADINE: 9:30 also.

13 CHAIRPERSON MATHIS: 9:30.
14 Okay.

15 VICE-CHAIR FREEMAN: Madam Chair, has anyone
16 solicited Commissioner Stertz' availability?

17 CHAIRPERSON MATHIS: I don't know.

18 Did you hear from Mr. Stertz to see if he's coming
19 tomorrow?

20 RAY BLADINE: Madam Chair, no. I went back, and
21 Mr. Stertz' memo indicated that it would be -- that he would
22 be gone yesterday and today, but I've had no contact from
23 him.

24 We have been sending him the same information that
25 we've been sending you, but I've had no contact.

1 CHAIRPERSON MATHIS: Okay.

2 VICE-CHAIR HERRERA: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

4 VICE-CHAIR HERRERA: I was under the impression
5 that the meeting on Saturday started at 1:00. Am I
6 incorrect?

7 RAY BLADINE: Madam Chair, Commissioner Herrera,
8 it's Sunday at 1:00. And it will be Sunday at 1:00 and
9 Saturday at 9:30.

10 VICE-CHAIR HERRERA: Oh, Sunday is the 9th.
11 Is that correct?

12 I apologize.

13 RAY BLADINE: I'm not sure of the date, but I
14 remember Sunday at 1:00 and Saturday at 8:30(sic).

15 And I did post them that if you were to have
16 adopted a map prior to then, then most likely those meetings
17 would be cancelled. So they are posted that way to
18 hopefully give you an opportunity to not meet if you can get
19 it all done.

20 CHAIRPERSON MATHIS: And the Monday meeting, is
21 that in Tucson?

22 RAY BLADINE: That's in Tucson, and I -- at the --
23 there's a Speedway Sheraton hotel.

24 And we did post that, so it's on the web page. I
25 think we did 9:30.

1 And it's closer to the freeway. It's like
2 1900 Speedway.

3 And my recollection is that is 9:30, but it is --
4 I did just put it on the web page about an hour ago, so it
5 will be out there.

6 VICE-CHAIR HERRERA: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE-CHAIR HERRERA: I thought that there was a
9 Jewish holiday this weekend; is that correct?

10 RAY BLADINE: Yes, Saturday is Yom Kippur, and it
11 is a Jewish holiday.

12 VICE-CHAIR HERRERA: We're still okay. I just
13 wanted to make sure that you guys knew that already.

14 CHAIRPERSON MATHIS: Okay. Any other questions?

15 (No oral response.)

16 RAY BLADINE: Okay. Thank you.

17 CHAIRPERSON MATHIS: Thank you.

18 Next item is number five, report, legal advice and
19 direction to counsel regarding attorney general inquiry.

20 Is there anything?

21 JOSEPH KANEFIELD: No.

22 CHAIRPERSON MATHIS: So public comment, and I've
23 just got a couple request to speak forms.

24 Carol Corsica, representing self, from Tempe.

25 CAROL CORSICA: Hi, hi.

1 Yeah, I mean, I can see from your work today that
2 you're having -- that this is not an easy process, getting
3 everything to fit and work right.

4 So, of course it's difficult.

5 I'm, I'm -- I live in south Tempe. I just live at
6 south of Rural and Baseline. And, and it's going to be an
7 additional amount of Tempe, at least option two, as an
8 additional amount of Tempe put into Chandler, Ahwatukee,
9 Mesa, for sure.

10 So, um, I think the problem that I'm experiencing
11 is I would really like to be able to tell people in my
12 precinct why. If this really has to happen, I'd like to be
13 able to tell them the real reason why.

14 I mean, if it's a voting rights issue, if it's a
15 different issue.

16 Because what's going to happen is most people have
17 no idea what's going on here.

18 So, and I -- you know, I'll be honest, I'm a
19 precinct committee person in the Democratic party.

20 So when, when the voters see themselves in a new
21 area, I'd like to at least have, you know, something to tell
22 them.

23 I don't even know if Tempe could have been a
24 minority-majority district. I don't know if that would have
25 been possible.

1 And keep Tempe together.

2 I'm very confused about -- there's a town of
3 Guadalupe that shares my ZIP code, but it's like onto
4 itself.

5 And all I heard basically is that they wanted to
6 be in a voting rights district.

7 So, so I don't know if there's a way to do this.
8 Because I do see all the complications that you
9 have.

10 And that's, and that's -- I guess what I'm trying
11 to say is if there's a possibility to keep more of Tempe
12 together, I would, I would be advocating for that, you know,
13 without -- and I realize without hurting a voting rights
14 district and your other important issues that you're dealing
15 with.

16 So, and basically that's it.

17 I mean, I kind of -- you know, I get upset about
18 it, but when you start talking about trying to create nine
19 or ten majority-minority -- I mean, I realize you have a
20 quite a few things going on here to tackle, so, anyway,
21 that's my two cents.

22 CHAIRPERSON MATHIS: Thank you.

23 Our next speaker is Don Ascoli, representing self,
24 from Gila.

25 DON ASCOLI: Thank you, Madam Chair and

1 commissioners.

2 Unfortunately I was only here the last 45 minutes
3 to an hour, so I know you did a lot of work that I wasn't
4 privy to.

5 But I -- when I walked in, I was handed two
6 legislative grid maps. One called option one version 8A,
7 one called option two version 8A.

8 And I have to ask -- respectfully ask that you
9 support version -- option one version 8A.

10 I'm from Gila County. It's a rural county.

11 There are 12 rural counties in the state of
12 Arizona.

13 Three I'd call urban, Maricopa, Pima, and I think
14 Pinal is pretty much becoming much more urbanized. So I'm
15 counting the other 12 counties as rural.

16 Option two takes five -- excuse me, option one has
17 five counties with multiple LD districts.

18 So the congress is seven counties, communities of
19 interest are kept whole.

20 Now, I wear many hats in Gila County. One is
21 which is I'm chairman of the Gila County Planning and Zoning
22 Commission.

23 We work very hard to do things as a county.

24 We've been there from the beginning of statehood,
25 and we'd like to do things together as a county.

1 We have a lot of common interests.

2 Option two takes my county and splits it into
3 thirds, which is abhorrent to me and to my fellow folks from
4 Gila County.

5 In fact, your plan, option two, or whose plan, I
6 don't mean yours, goes from -- there's five counties right
7 now in option one to eight counties with multiple
8 legislative districts.

9 So option two splits three more counties into
10 pieces.

11 Again, it makes no sense.

12 Communities of interest, people, heritage go back
13 100 years, should be kept that way.

14 We're rural.

15 We have different interests than in metropolitan
16 areas, which most of you here come from.

17 In fact, I've addressed you before in a couple of
18 prior meetings.

19 I don't believe any of you come from a rural
20 county.

21 Doesn't make it right or wrong. But there are
22 different attributes, different interests in rural counties.
23 And you should be preserving it as part of this body.

24 I -- you take Cochise County, split it from one
25 to two districts. You take Gila County, go from one to

1 three. You take Graham County, go from one to two. You
2 take La Paz County, take it from one to two. Yuma County,
3 one to two.

4 Not necessary.

5 You have more contiguous, compact districts in
6 option one.

7 Now, I don't know where you're at on the map. I
8 don't know if you started with option one and moved some
9 boundaries, or two, wherever. But I implore this body to
10 keep the interest, the commonality, and the contiguous
11 compactness of your rural counties in this state as they
12 are.

13 You should be doing your best not to split up
14 counties.

15 Not split them up like you do in Maricopa and
16 Pima, and now Pinal you have three.

17 But, again, I think today's population is more
18 becoming an urbanized county.

19 But for those 12 outlying counties, let them be.
20 Don't slice and dice them up. Let the communities of
21 interest where I work hard with my fellow eight
22 commissioners to do things as a county. If I have three
23 different electoral groups representing the county, it's
24 too much.

25 I want to be able to, as we have had in LD 5,

1 which we're a part of, and which option one kind of keeps
2 LD 5 the same, we want to keep it that way.

3 It has represented our interest very well.
4 There's no reason to change it.

5 So I ask you to reconsider, if you are moving in
6 that direction, stick with option one or as darn close as
7 you can.

8 If the folks could afford the gas, I would have
9 had a hundred people with me.

10 Please, don't slice and dice our counties.

11 Thank you.

12 CHAIRPERSON MATHIS: Thank you.

13 I don't have any other request to speak forms, so,
14 seeing nobody coming up, that leaves one item on the table,
15 and that's adjournment. And I'll declare this meeting
16 adjourned at 6:42. Thank you for coming.

17 (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA) ss.

3

4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing 214
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 12th day of
11 October, 2011.

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C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

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