

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

E X C E R P T

Friday, November 4, 2011
6:08 p.m.

Location

**Marana Municipal Complex
Auditorium
11555 West Civic Center Drive
Marana, Arizona 85653**

Attending

Richard P. Stertz, Commissioner

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

Joe Kanefield, Legal Counsel

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

1 Marana, Arizona
2 November 4, 2011
3 6:08 p.m.

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5 P R O C E E D I N G S

6
7 (Whereupon, the public session commences.)

8 COMMISSIONER STERTZ: Good evening, everyone. And
9 welcome to the Friday, November 4th, Arizona Independent
10 Redistricting Commission meeting.

11 The time is 6:10.

12 My name is Rick Stertz, and I will be the acting
13 commissioner for this evening's hearing at which we'll be
14 taking testimony from all of the folks that would like to
15 give testimony tonight about the comments that they have on
16 the draft maps that have been given to us -- given to you
17 for review.

18 I'd like to give some quick introductions.

19 Our executive director is Kristina Gomez. She's
20 in the back of the room waving her hand.

21 Please if there's anything that you would need
22 from her, either if you have not filled out one of the
23 yellow sheets for speaking or one of the blue sheets for
24 giving testimony, please see Kristina Gomez, and she will be
25 able to provide that for you.

1 Our audio visual tonight, and we are live
2 streaming, so the other commissioners are watching us on
3 live stream this evening, that is being managed by Buck
4 Forst, who is our audio visual technician.

5 We also have Lisa Schmelling, who is our outreach
6 coordinator, and Kristi Olson, who are in the back of the
7 room that greeted you when you came in the door.

8 Each one of you should have received a packet that
9 looks like this that contains information about the draft
10 maps that are, that are being discussed and reviewed at this
11 time.

12 To my left, from Strategic Telemetry, I have
13 Andrew Drechsler.

14 To my right, with -- one of our legal counsel, Joe
15 Kanefield.

16 And down on the floor here is who I called the
17 iron man last night because he continuously took testimony
18 for three hours without a break up in Scottsdale yesterday
19 where we had a room of 250 people and he took testimony for
20 almost 90 people in a two-and-a-half-hour period, Marty
21 Herder.

22 So we want to first stand for the Pledge of
23 Allegiance.

24 (Whereupon, the Pledge of Allegiance was recited.)

25 COMMISSIONER STERTZ: Before we get started, we

1 have our translator, Carlos Reyes.

2 Carlos, if you would like to come join us at the
3 podium.

4 CARLOS REYES: Good evening, Commissioner Stertz,
5 ladies and gentlemen, commissioners.

6 In accordance with the Voting Rights Act, an
7 interpreter will be available at the public hearings in
8 order to provide interpreting services that might be needed
9 for those citizens that need interpreting services. Please
10 contact the interpreter present at this meeting so that he
11 or she can assist you.

12 Now I will read the same script in Spanish for the
13 Spanish speaking citizens.

14 And it says.

15 (Whereupon, the interpreter made a statement in
16 Spanish.)

17 CARLOS REYES: Thank you very much.

18 COMMISSIONER STERTZ: Thank you very much,
19 Mr. Reyes.

20 Just as a reminder, tomorrow we have another
21 hearing scheduled for 9:00 o'clock tomorrow morning in
22 Green Valley at the Desert Hills Social Center located at
23 2980 South Camino Del Sol, and tomorrow afternoon up the
24 road in the city of Casa Grande, which will be at the city
25 council chambers, 510 East Florence Boulevard, and that's

1 going to start at 3:30 tomorrow afternoon.

2 Folks, I know that it's been a week where a lot of
3 emotions are moving around. It's been a difficult week and
4 a challenging week.

5 So what we'd like to do tonight, we're going to --
6 we've got about 30 people that have given time to speak.
7 We'll set the timer at three minutes. We'll be -- try to be
8 considerate of the others that are speaking tonight.

9 And the goal of tonight is to capture as much
10 information from each one of you as we possibly can to place
11 into the record. So if you don't feel comfortable about
12 placing -- or coming up to the microphone to speak, then
13 please make sure that you fill out your thoughts on the blue
14 cards, because the importance of the blue cards is equally
15 important as the public testimony that you'll be giving at
16 the microphone tonight.

17 Before we get started we have a presentation that
18 will be provided by Andrew Drechsler on the process that we
19 are currently going through.

20 Andrew.

21 ANDREW DRECHSLER: Thank you very much,
22 Commissioner Stertz.

23 We just wanted to -- before we show you the draft
24 maps tonight and hear what your thoughts are on the draft
25 maps, just wanted to go through a presentation that talks

1 about the process and how it started and where we are right
2 now.

3 So just wanted to get started with that.

4 Just a quick overview of the process in general.

5 Arizona's redistricting process is governed by the
6 state constitution as amended by voters in 2000 with the
7 passage of Proposition 106.

8 It stipulates that Arizona's Independent
9 Redistricting Commission shall redraw Arizona's
10 congressional and legislative districts to reflect the
11 results of the most recent census.

12 Due to the 2010 census, Arizona gained a
13 congressional seat. So you're going from eight
14 congressional seats to nine congressional seats.

15 The number of seats in the senate will remain at
16 30. And then the house of representatives, that will remain
17 60 as well.

18 What are the requirements of the state
19 constitution per Proposition 106?

20 These are really the guidelines that the
21 commissioners and the Commission is using to draw the maps.

22 New district boundaries must, A, comply with the
23 U.S. Constitution and the Voting Rights Act; B, be equal
24 population.

25 Criteria A and B are federally mandated.

1 To the extent practicable the districts must be,
2 C, compact and contiguous; D, respect communities of
3 interest; E, use visible geographic features, city, town,
4 and county boundaries, and undivided census tracts; F, favor
5 competitive districts where no significant detriment to
6 other goals.

7 So the remaining four requirements here are ones
8 that were included into the Proposition 106 along with the
9 other two that were federally mandated.

10 Just wanted to do a quick overview of the
11 Voting Rights Act.

12 Arizona's congressional and legislative districts
13 must receive preclearance or approval from the Department of
14 Justice or a federal court under Section 5 of the
15 Voting Rights Act before they can take effect.

16 To get preclearance, Arizona must demonstrate the
17 new districts do not discriminate against minority voting --
18 voters in purpose or effect, which means there can be no
19 intentional or accidental discrimination.

20 Under Section 5, Arizona's redistricting plans
21 cannot be retrogressive. The plans cannot weaken or reduce
22 minority voting rights.

23 The presence of discrimination can be determined
24 by analyzing population and election results.

25 And we have a quick presentation from Bruce

1 Adelson, who was -- worked for the Department of Justice in
2 2000.

3 (Whereupon, a video presentation of Bruce Adelson
4 was shown.)

5 ANDREW DRECHSLER: Next we wanted to go over the
6 timeline of the redistricting process.

7 First, it started earlier this year. Basically
8 what was done is a whole new agency, state agency was
9 created.

10 The commissioners were appointed following a
11 thorough screening process, and each of the commissioners
12 serve in a voluntary, unpaid role.

13 The second step was the first round of hearings.

14 Before drawing a single line, the Commission held
15 23 public hearings around the state in July and August to
16 get input from members of the public about issues relevant
17 to redistricting, such as geography, communities of
18 interest, minority voting rights, and competitiveness.

19 And then the mapping started.

20 Per Proposition 106 we started with a clean slate.
21 And then the next step was we divided the state into equal
22 population and compact-like grids -- compact-like districts,
23 which was the grid map that was approved on August 18.

24 Proposition 106 requires us to do that. We cannot
25 take into consideration any of the old lines or where any of

1 the incumbents live.

2 Since adopting the grid maps, the Commission has
3 met more than 25 times during the months of -- over the
4 months in August, September, and October, to take into
5 consideration and make adjustments to the grid to
6 accommodate all the state criteria.

7 Also during this time they received additional
8 public comment and draft maps.

9 And approval of the draft maps. On October 3rd
10 the congressional -- the Commission approved the draft
11 congressional map that incorporated all the changes based on
12 the constitutional criteria. And then on October 10th the
13 legislative draft map was also approved.

14 Step four was the second round of hearings, which
15 we are presently part of today.

16 We've started the second round on October 11th,
17 and we're finishing up tomorrow.

18 We've visited over 25 towns and cities around the
19 state to share the draft maps and to receive additional
20 public comment throughout the months of October and
21 November.

22 The next step is the final maps.

23 Upon completion of public comment period, the
24 Commission will adopt the final maps.

25 And then the final step in the redistricting

1 process is getting preclearance.

2 Because Arizona is subject to the Section 5 of the
3 Voting Rights Act, the district maps must be approved by the
4 federal Department of Justice or a federal court in
5 Washington, D.C., before they can be used for upcoming
6 Arizona elections.

7 Just wanted to give you, before we show you the
8 draft maps, just wanted to give you an overview of the
9 process that has taken place.

10 This map that you see in front of you is the
11 map -- the congressional map that was approved by the last
12 Commission and was most recently used in the 2010 elections.

13 Per Proposition 106, we started with a clean
14 slate, and then we created the grid map.

15 The grid map only takes into consideration
16 two criteria.

17 It takes into consideration compactness and equal
18 population.

19 So this is the grid map that was approved on
20 August 18th.

21 And here in front of you after the 25 meetings
22 where the commissioners met and the numerous public
23 comments, we came up with the congressional draft map that
24 you see in front of you.

25 Some features of this, it has two predominantly

1 rural districts, three border districts, three districts
2 in the greater Tucson region, five districts that are
3 entirely in Maricopa County, it avoids splitting Arizona's
4 Indian reservations, and has two districts where minority
5 voters have the opportunity to elect a candidate of their
6 choice.

7 The legislative map followed a very similar
8 process.

9 You can see here this is the map that was approved
10 by the last Commission. And, again, most recently used in
11 the 2010 elections.

12 And, again, we started with a clean slate and then
13 we went to the grid map.

14 The grid map has the -- so we took in two of the
15 six criteria, equal population and compactness.

16 And finally the draft map that you see here was
17 approved on October 10. And some features of the draft
18 map -- the map that you just saw per -- the old map that was
19 most recently used in the 2010 elections, because of the
20 population changes in Arizona, some of the districts had as
21 little as 155,000 people living in those districts and some
22 had up to 378,000.

23 Under the draft map that you see here, the
24 population is approximately 207,000 to 215,000.

25 To comply with the Voting Rights Act, the draft

1 map includes ten districts whereby minority voters should
2 have the opportunity to elect the candidates of their
3 choice. The draft map also includes three districts wholly
4 within Pima County and three additional southern Arizona
5 districts, 17 districts that are primarily within Maricopa
6 County, and nine districts that are rural.

7 We want to hear your input, and that's a big
8 reason why we're here today to show you the maps.

9 And there's a number of different ways that you
10 can give us your input.

11 You can fill out a request to speak form, if you
12 would like to speak tonight.

13 Examples of some of the input that you can give
14 us, you can talk about any of the constitutional criteria,
15 things that you might like about the congressional maps,
16 things that you might not like about the congressional maps,
17 and the same thing with the legislative maps.

18 And besides speaking here, you can also fill out
19 one of these blue forms that are in the back of the packet.
20 And you can either fill these out tonight and hand them in
21 to Kristi or Lisa or Kristina in the back, or we have the
22 address on the bottom, you can mail them in. Or the other
23 way you can submit public comment is going to our website at
24 www.azredistricting.org, and there's a public comment
25 section where you can make public comment.

1 You can call us at, toll free, (855)733-7478, if
2 you have any comments.

3 Next is just a shot of our home page, and just
4 wanted to highlight a couple of things to everybody who
5 would like to go there.

6 A couple arrows on here.

7 You can see in the upper left-hand corner you see
8 an arrow for maps.

9 What you find here is an online mapping software
10 that you can draw your own maps.

11 You can see the grid maps to, if you -- you can
12 see what any of the what-if maps on there that were
13 considered by the Commission as they came through the final
14 maps.

15 You can see the arrow for the meetings. While
16 tomorrow is the last day for round two, there will be
17 additional hearings to finalize the maps. And you can watch
18 all of those live. And you can go view any of the past
19 meetings as well.

20 So if you wanted to see the over 100 hours that
21 went into drafting the maps, the draft maps that you saw
22 tonight, all those meetings are online, and the transcripts
23 are online, and you can review those if you like.

24 There's an area where you can do public input. If
25 you click on that, it will ask you a couple questions and

1 you can fill that out and submit that.

2 And down on the bottom you'll see the two pictures
3 of the draft maps.

4 If you click on either of those, it will take you
5 to this page, which has a lot of information available for
6 you on the draft maps.

7 It has a compactness report, competitiveness
8 report, splits reports, which shows what counties and areas
9 were split.

10 And then there's a number of different, there's a
11 number of different maps and different formats that you can
12 look at, that you can look at, and on top is the
13 congressional and on the bottom is the legislative.

14 One of the features that people have really liked
15 is the Google map. And that's circled in red. It's on the
16 top.

17 If you click on that, you come to the screen that
18 looks like this. And what it shows is the maps. And one of
19 really nice features about the Google map is you're able to
20 scroll in. People wanted to know where they live, where are
21 their boundaries, where are boundaries for the neighboring
22 districts. And this allows you to scroll in and zoom in so
23 you're able to see that.

24 Here's an example. I think this is a shot from
25 Maricopa County that sort of highlights the streets and the

1 boundaries and some of the geographic features there.

2 And finally we want you to stay connected.

3 As I mentioned there's a wealth of information on
4 our website that's available for everybody. You can draw
5 your own maps. You can get information on any of the past
6 meetings or current meetings coming up.

7 And you can also follow us on Twitter and
8 Facebook.

9 Just want to thank you for coming out tonight.

10 We really look forward to hearing your comments.

11 I will be around afterwards if anybody has any
12 questions. I will be more than happy to answer them, or any
13 of the staff. We want make sure that you understand the
14 process. And happy to be here to answer any of your
15 questions.

16 Thank you very much.

17 COMMISSIONER STERTZ: Thank you very much, Andrew.

18 Before we get started, I just wanted to thank the
19 town of Marana for providing these beautiful facilities for
20 us to be able to hold this meeting in tonight.

21 And I want to thank all of you for coming out
22 tonight to share your thoughts and your ideas about what
23 are -- what is unquestionably a difficult task that we have.
24 And we're looking forward to capturing all the comments that
25 you have.

1 So leading into that, we'd like to go ahead and
2 begin with our first speaker, which is Mayor Ed of the town
3 of Marana.

4 MAYOR ED HONEA: Thank you, Commissioner Stertz,
5 and welcome to our humble abode.

6 Our council has been talking about these maps,
7 both the legislative and the congressional parts of the map.
8 And probably the one we have the biggest problem with is
9 District 1, which we are part of. And it's not that we have
10 a problem necessarily being with Pinal County or part of
11 Cochise County and part of southern Arizona, but that
12 district is about a third of the state and covers
13 three fourths of the Utah border, all the way to Mexico.

14 The current representative there is Paul Gosar.
15 He's 200 miles from my house.

16 The district, I don't think, meets the criteria of
17 compact or trying to keep it more compact.

18 Don't have a problem with the southern part of the
19 district, but the fact that I would have to drive for
20 four or five hours to talk to my congressman as an elected
21 official in Marana is a little disturbing to me.

22 Legislatively we would be in the new district 11,
23 which is mainly Marana and Maricopa, part of Casa Grande,
24 Eloy, and part of Coolidge.

25 We don't really have a problem with that. But,

1 the general legislative districts around Tucson, I think,
2 are atrocious.

3 I really think what has happened -- I understand
4 that you don't draw districts to keep people in a safe
5 district or to look at people, but we're having four and
6 five legislators thrown in the same district with the
7 redistricting.

8 And I don't know if that's good for the state of
9 Arizona.

10 I understand we want to be fair, but by doing some
11 of those things, I would hope that you would seriously look
12 at some of the southern Arizona legislative districts, and
13 maybe look at the congressional district and realize that
14 it's thousands and thousands of square miles.

15 And Page and Marana will be in the same district.
16 And that's a long ways away.

17 I mean, that's a four- or five-hour drive or
18 six-hour drive for me.

19 And we appreciate what you're doing. We know it's
20 a tough job. I'm not here to say anything bad about you.

21 But if compactness is one of the two primary
22 criteria, District 1 is not compact by any stretch of the
23 imagination.

24 And it would be very difficult for a congress
25 member to represent that district well because of how far

1 spread we are.

2 Thank you very much for coming to Marana, and
3 thank you for the opportunity.

4 COMMISSIONER STERTZ: Thank you, Mayor Ed. Thank
5 you for the hospitality.

6 (Applause.)

7 COMMISSIONER STERTZ: I'm going to do the best I
8 can to take these in order as they came in, at least that's
9 how the stack came. And what I'm going to do is I'm going
10 to read off the first three names so that you can start
11 getting your thoughts in your head about what you would like
12 to present.

13 So first up is Mr. Pete Bengtson.

14 After that is Betty Bengtson and Ben Love.

15 PETE BENGTON: I knew there was a penalty for
16 coming early.

17 Commissioner Stertz, thank you for coming and
18 representing the Commission tonight.

19 Appreciate your time. I know it's a lot of effort
20 to get out here.

21 COMMISSIONER STERTZ: Mr. Bengtson, I forgot a
22 little housekeeping for everyone.

23 For our reporter, Marty Herder --

24 PETE BENGTON: I forgot Marty.

25 COMMISSIONER STERTZ: -- you need to spell your

1 first and your last name, please, for the reporter.

2 PETE BENGTON: It's Peter, P-E-T-E-R, Bengtson,
3 B-E-N-G-T-S-O-N.

4 I guess I got to put my glasses on.

5 As I've mentioned a number of times or at least
6 once before I'm not -- I just started.

7 I'm just -- I'm really an environmentalist. I'm
8 not really a Democrat, although I hang with those guys. The
9 reason I do that, being an environmentalist is what gets me
10 off, walking neighborhoods and making phone calls, and
11 that's what I'm really interested in.

12 Environmentalism is sort of popular, but it's not
13 a top issue.

14 If I had my way, I would come up here and talk to
15 you to try and ask you to redraw the districts so that
16 environmentalists could get elected.

17 You can't do that. I know it's not one of the six
18 goals.

19 All I can do is encourage you to draw the
20 districts so that we have more competitive districts.

21 I've been to something like 22 of these business
22 meetings. I've kept the agendas. Scared me when I counted
23 them up.

24 But I wanted to say that I've been really
25 impressed with the commissioners, how hard they work,

1 discussing where they can draw the line here or there, to
2 try and meet all of the six conflicting goals that you have
3 to deal with.

4 Plus I'm impressed with Strategic Telemetry. I
5 know they've gotten a lot of bad press, a lot of static, but
6 they -- their people have been very careful not to -- I hate
7 to say show any initiative, but that's what they're doing.
8 They're following the directions of the commissioners all
9 the way down the line. The lines are drawn right where the
10 commissioners wanted them.

11 Finally I want to say that I'm very disappointed
12 with the state legislature and Governor Brewer for removing
13 Colleen Mathis.

14 I think that's just terrible.

15 (Applause.)

16 PETE BENGTON: And I know the Commission
17 attorneys have appealed, and Colleen Mathis' attorney is
18 appealing, and I hope she's successful getting back on the
19 Commission.

20 Thank you.

21 COMMISSIONER STERTZ: Thank you, Mr. Bengtson.

22 **(END OF EXCERPT)**

23

24

25