

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Friday, November 4, 2011
10:14 a.m.

Location

**Tohono O'odham Legislative Chambers
Main Tribal Business Loop
Sells, Arizona 85634**

Attending

Jose M. Herrera, Vice Chair

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

Joe Kanefield, Legal Counsel

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

Sells, Arizona
November 4, 2011
10:14 a.m.

P R O C E E D I N G S

(Whereupon, the public session commences.)

VICE-CHAIR HERRERA: Good morning. Let's get started. The meeting will be starting at 10:14.

Thank you for being here. My name is Jose Herrera, co-vice chair of the IRC.

And before we get started, let's start with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

VICE-CHAIR HERRERA: I think that that was the quietest Pledge of Allegiance I've ever heard, but that's okay.

There's a couple of people in the audience that I wanted to mention. We have IRC staff Kristina Gomez, deputy executive director, eating a doughnut back there.

And then we have Buck Forst, our chief technology officer.

Lisa Schmelling, our community outreach representative.

As well as Kristi Olson.

1 And then we have our legal counsel, Joe Kanefield.
2 We have Andrew Drechsler from Strategic Telemetry.
3 Marty Herder, our court reporter.

4 So we only -- currently only have one filled out
5 sheet to speak.

6 If you wish to speak, you can do two things. You
7 can fill out this form.

8 And if you want to make your comments but not
9 speak, you can submit a blue form. And those become part of
10 the public record.

11 Now, since there's hardly anybody here, what we'll
12 do is we'll do five minutes for each speaker, unless we have
13 100 people that come in at the last minute.

14 Again, this is an opportunity for us to listen to
15 your concerns about the maps, things that you want us to
16 change, things that you want us to keep in these maps.

17 So, again, this is your opportunity to speak to
18 us.

19 Typically we have an interpreter at these
20 meetings. I don't think there is one today.

21 Does anybody need any interpreting services?

22 (No oral response.)

23 VICE-CHAIR HERRERA: I will take that as a no.

24 Let's start with Andrew.

25 Are you ready for your presentation?

1 Thank you.

2 ANDREW DRECHSLER: Thank you very much.

3 Good morning.

4 We're going to give a presentation of and show you
5 the draft maps that were presented by the Commission and
6 approved by the Commission in October.

7 And before we do that, we just want to do a quick
8 overview of the process and timeline, and then show you the
9 maps.

10 And so as the Vice-Chair Herrera said, this is
11 your opportunity to give us comments on the maps, tell us
12 things that you like, tell us things that you don't like,
13 changes that we would make, that you'd want to see made.

14 So this is really your opportunity. We're here
15 for you, to hear what your thoughts are before we go into
16 the next step of finalizing maps.

17 Quick overview, Arizona's redistricting process is
18 governed by the state constitution as amended by the voters
19 in 2000 with the passage of Proposition 106.

20 It stipulates that Arizona's Independent
21 Redistricting Commission redraw Arizona's congressional and
22 legislative districts to reflect the results of the most
23 recent census.

24 Due to the 2010 census, Arizona gained a
25 congressional seat. So they will go from eight

1 congressional seats to nine congressional seats.

2 The number of state senate seats will remain at
3 30, as will the number of house seats will remain at 60.

4 What are the requirements of the state
5 constitution per Proposition 106?

6 The new district boundaries must, A, comply with
7 the U.S. Constitution and the Voting Rights Act; B, be of
8 equal population.

9 Criteria A and B are federally mandated.

10 The other four are parts specific to the state of
11 Arizona. And to the extent practicable the districts must
12 be, C, compact and contiguous; D, respect communities of
13 interest; E, use visible geographic features, city, town,
14 and county boundaries, and undivided census tracts; and F,
15 favor competitive districts where no significant detriment
16 to other goals.

17 So we just wanted to do a quick overview of the
18 Voting Rights Act.

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

23 To get preclearance, Arizona must demonstrate that
24 the new districts do not discriminate against minority
25 voters in purpose or effect, which means there can be no

1 intentional or accidental discrimination.

2 Under Section 5, Arizona's redistricting plans
3 cannot be retrogressive. The plans cannot weaken or reduce
4 minority voting rights.

5 The presence of discrimination can be determined
6 by analyzing population data and election results.

7 We wanted to do a quick presentation from Bruce
8 Adelson on the voting rights.

9 (Whereupon, a video presentation of Bruce Adelson
10 was shown.)

11 ANDREW DRECHSLER: All right. So next we just
12 wanted to go over a timeline for the redistricting process.

13 So the first step was setting up the Commission.

14 Earlier this year essentially a new agency was
15 created because the last Commission was -- the term expired,
16 so five brand-new commissioners were appointed to the
17 Commission.

18 The commissioners were appointed after a thorough
19 process, screening process. And each of them serve as a
20 voluntary -- unpaid voluntary role on the Commission.

21 The second step was the first round of hearings.

22 Before drawing a single line, the Commission held
23 23 public hearings around the state in July and August to
24 get public -- input from members of the public about issues
25 relevant to redistricting, such as geography, communities of

1 interest, minority voting rights, and competitiveness.

2 The third step was the mapping.

3 Per Proposition 106, we started with a clean
4 slate. We did not take in consideration where any current
5 incumbents live or any of the current district lines.

6 The next step is dividing -- we divided the stated
7 into equal population and compact grid-like districts, which
8 was the grid map approved on August 18th.

9 Since adopting the grid map, the Commission has
10 met more than 25 times in August and September and October
11 to consider adjustments to the grid to accommodate all state
12 constitutional criteria.

13 During this time they received additional public
14 comments and draft maps.

15 The approval of the maps, for the congressional
16 map. On October 3rd the Commission approved the
17 congressional draft map that incorporated the changes based
18 on all the constitutional criteria. And it approved the
19 legislative map on October 10th.

20 We're currently in step four, which is the second
21 round of hearings.

22 We have visited -- we're closing in on the end of
23 this. Tomorrow's the last day of public hearings.

24 We visited over 25 towns and cities to share the
25 draft maps and receive additional public input during the

1 months of October and November.

2 Step five is the final maps. Upon completion of
3 the public comment period, the AIRC will adopt the final
4 maps.

5 Step six is the preclearance.

6 As we discussed, because Arizona is subject to
7 Section 5 of the Voting Rights Act, the district maps must
8 be approved by the federal Department of Justice or a
9 federal court in Washington, D.C., before they can be used
10 for Arizona elections.

11 Before we show you the draft map, I just wanted to
12 go through the progression of maps.

13 The map you see here is the map that was approved
14 by the last Commission and most recently used in the 2010
15 elections.

16 Per Proposition 106, we started with a clean
17 slate, and then we moved into the grid map.

18 Again the grid map only took into
19 two considerations. It took into consideration compactness
20 and equal population.

21 And from here the commissioners as I mentioned met
22 over 25 times to come up with the map that you see here.

23 And also incorporated in this map is a lot of
24 public comment. I think we had over 5,000 public comments
25 that were incorporated into this map.

1 So some highlights of the congressional draft map
2 include two predominantly rural districts, three border
3 districts, three districts in greater Tucson region,
4 five districts that are entirely within Maricopa County, it
5 avoids splitting Arizona's Indian reservations, two
6 districts where minority voters have the opportunity to
7 elect a candidate of their choice.

8 The legislative map followed a very similar
9 process.

10 Again, this is the legislative map that was
11 approved by the last Commission and was most recently used
12 in the 2010 elections.

13 And, again, we started with a blank slate.

14 And we went -- per Proposition 106, we created the
15 grid map.

16 Again, the grid map took into consideration of the
17 constitutional criteria. It took into consideration
18 compactness and equal population.

19 And then on October 10th the Commission approved
20 this draft map that you see here.

21 Some highlights of the draft map.

22 So under the old map, the one I just showed you
23 that was used in the 2010 election, the districts ranged in
24 population from 155,000 to 378,000. Hence one of the big
25 reasons we have to redraw these lines is to make sure that

1 one person equals one vote.

2 The current draft map has roughly 207 to 215,000.

3 To comply with the Voting Rights Act, the draft
4 map plan includes ten districts which minority voters should
5 have the opportunity to elect the candidates of their
6 choice. The draft map also includes three districts wholly
7 within Pima County and three additional southern Arizona
8 districts, seventeen districts primarily within Maricopa
9 County, and nine districts that are primarily rural.

10 Again, one of the big reasons we're here today is
11 we want to get your input.

12 You can fill out a request to speak form at
13 today's public hearing and provide the Commission with your
14 input.

15 Examples of input could include comments on any of
16 the constitutional criteria, comments on anything that you
17 like or dislike about the current congressional draft map or
18 anything that you like or don't like on the draft
19 legislative map.

20 There's a number different ways you can submit
21 your comments. As I mentioned, you can speak here today.
22 You can fill out one of the yellow request to speak forms
23 that you can find in the back.

24 You can fill out the public input form. In the
25 back of your packets that you receive, you should have

1 received a -- there's a blue form that you can write your
2 comments.

3 You can either hand those in today. Otherwise at
4 the bottom of that is the address that you can mail your
5 comments -- mail that in to the Commission office.

6 Or you can call into the Commission. The phone
7 number is on there.

8 And another way you can give us, give us your
9 comments is going on to our website www.azredistricting.org.
10 And there's a public comment section there where you can
11 fill that out and submit it to us.

12 You can also give us a call at (602)542-5221. Or
13 you can call us toll free at (855)733-7478.

14 This is just a screen shot of our home page, and
15 just wanted to highlight a couple things.

16 Again, this is at azredistricting.org.

17 On the top left you will see a number of different
18 options, and one is the maps. If you click on there you can
19 find the draft maps that were presented today. You can see
20 the grid maps. You can see all the what-if scenarios.

21 And the other option under maps is the online
22 mapping program where you can draw your own map.

23 Under meeting information you can track us.
24 Again, we're closing in on the end of the second round of
25 hearings.

1 But, if you wanted to watch any of the -- how the
2 draft maps were made, all of the meetings are up on our
3 website. So you -- there's a video stream of them, so you
4 can go watch and watch all 25 of those meetings to see how
5 the maps were developed. And it has information on future
6 meetings as well.

7 Public comment area, as I mentioned before, you
8 can enter public comment there.

9 And down on the bottom is another way to get to
10 the draft maps. If you click on either of the two maps that
11 you see at the bottom of the screen, it will take you to a
12 page that looks like this.

13 On this page you will find maps in a variety of
14 different formats. You will find reports, different -- on
15 population. You will find competitiveness tables. You will
16 find compactness tables. Splits reports to show you --
17 shows you how the counties were split and other features
18 were split.

19 And then any data, the raw data is also available
20 on our website for the maps.

21 One of the things we wanted to highlight and
22 circle here is the ability to look at the Google maps.

23 The Google maps has been a very popular feature by
24 many citizens around the state. If you click on that, it
25 will take you to a page that looks like this. This is the

1 example of the congressional map. And what you see is
2 you -- what you have is the ability to really zoom in and
3 see what the boundaries of your district are.

4 You can scroll in and see exactly where your
5 neighbors, your neighboring districts are or anything else.

6 So by scrolling in, this is just a screen shot,
7 where you can zoom in and really have the ability to see the
8 exact geographic features that define your area.

9 Finally, we want to make sure that you stay
10 connected as we go into that next step of doing the final
11 maps.

12 You can find a bunch of information on our
13 website, again www.azredistricting.org.

14 As I mentioned before you can draw your own maps,
15 watch current meetings or past meetings, and get updates on
16 future meetings.

17 You can also follow us at Twitter and Facebook.

18 Thank you very much. I will be around after the
19 meeting. If anybody has any questions, feel free to come up
20 and ask me. I'd be happy to answer those questions.

21 Thank you very much.

22 VICE-CHAIR HERRERA: Thank you, Mr. Drechsler.

23 Now, the -- I think this is the 28th, the second
24 visit that we've done during the second public round. I
25 think we'll be doing a total of I think 31.

1 Tonight will be at Marana at 6:00 p.m., followed
2 by -- on Saturday we will be at the town of Green Valley at
3 9:00 a.m. and then Casa Grande at 3:30 p.m.

4 In case you still would like to speak to the
5 Commission, those are the last public hearings that are left
6 on the second round.

7 So let's go ahead and get started.

8 But before we do, again, I only have one speaker
9 form.

10 If anybody else would like to speak, I really do
11 need another -- well, you need to submit one.

12 So this is the only one.

13 And we have -- as I mentioned our court reporter.
14 If you can speak clearly, spell your first name and last
15 name, and spell any areas that we are probably going to be
16 unfamiliar with. So if there's any areas that have an
17 unusual spelling, unusual name, just make sure you spell it
18 for us, make it as easiest as possible. We're trying to
19 keep a record of these public hearings, so it will make
20 sense. If there's some things that you think we would need
21 some clarification, please clarify as much as you'd like.

22 Our next speaker, and I think I'm pronouncing your
23 name correctly, Wavalene Romero, Vice Chairwoman Tohono
24 O'odham Nation.

25 VICE CHAIRWOMAN WAVALENE ROMERO: Good morning.

1 My name is Wavalene Romero, W-A-V-A-L-E-N-E, Romero,
2 R-O-M-E-R-O.

3 I'm the vice chairwoman for the Tohono O'odham
4 Nation.

5 First of all, thank you for coming out to our
6 nation to present this information. It's very important to
7 our nation to understand and to comprehend what
8 redistricting is all about and to know that what the
9 census -- what the difference from the census count brought
10 this about.

11 And so I know that, you know, for the Nation
12 we've -- I know that this is the second public hearing
13 that's being held on the Tohono O'odham nation. However,
14 for the record, the first public hearing was not -- I think
15 there was lack of communication there, and so, therefore, we
16 did not have any -- the attendance at that first public
17 hearing was, was very poor.

18 But nonetheless we've attempted to let our
19 membership know about today's public hearing.

20 And also that we do have a local radio station,
21 but because this is a political item, that we were unable to
22 air this.

23 And so therefore those that are in attendance, I
24 hope that they take this information and, you know, try to
25 get familiar with what exactly the proposals are and what

1 redistricting is all about.

2 But my question for clarification as a tribal
3 leader, if someone can please explain how this directly
4 impacts us on the Tohono O'odham Nation.

5 I know that it's public comment, but you weren't
6 clear on whether we could ask questions or not.

7 VICE-CHAIR HERRERA: Madam Chair, normally we
8 don't entertain questions, but I would like to see if our
9 general counsel, legal counsel, would write that -- would
10 you be happy to answer that question?

11 JOSEPH KANEFIELD: What's the question?

12 VICE CHAIRWOMAN WAVALENE ROMERO: More so for
13 membership that's here, what does this mean to us, the voter
14 members of the Tohono O'odham Nation?

15 Like, kind of the layman's terms, what does it,
16 what does it mean to us?

17 I think it's really important.

18 VICE-CHAIR HERRERA: The whole purpose of the --

19 JOSEPH KANEFIELD: Madam Vice Chair, can you hear
20 me?

21 Just very generally perhaps we can talk more
22 later. Can everyone hear me okay?

23 Okay. Can you hear me okay now?

24 Sorry.

25 These maps are obviously important to the tribe

1 and tribal members because they establish the -- who will be
2 the congressional and legislative representatives for this
3 area, for the reservation.

4 So the tribe and its leadership as well as the
5 community will want to studies these maps as they have been
6 proposed to determine how they will impact the tribe.

7 One of the issues that the Commission started with
8 when they began this process was to assure that no
9 reservation was split in any way.

10 And as I understand, the Tohono O'odham Nation
11 remains whole in both the congressional draft map and the
12 legislative map.

13 But it probably would make sense perhaps for us to
14 sit down with -- I'm sure we would be happy to sit down with
15 tribal leadership to walk through the maps as they have been
16 proposed so you can see exactly how the nation is impacted,
17 at least in the proposed maps, and the nation can get its
18 comments back to the Commission as it sees appropriate.

19 VICE CHAIRWOMAN WAVALENE ROMERO: So that can be
20 done through who?

21 JOSEPH KANEFIELD: Why don't you get in touch with
22 Kristina Gomez, the Commission's deputy chief of staff,
23 deputy director.

24 She's in the back. You can arrange for a meeting
25 with whatever tribal official representatives you would like

1 the Commission to meet with.

2 VICE CHAIRWOMAN WAVALENE ROMERO: All right.

3 Thank you. And, again, I appreciate the
4 information.

5 Because we are a very big part of that census
6 count as Tohono O'odham members. So thank you.

7 VICE-CHAIR HERRERA: Thank you, Vice Chair Romero.

8 I think that's our last speaker for the day.
9 Usually we have more than one. That's fine. I really thank
10 you.

11 I'm a little thrown off I didn't expect to end
12 that early. But I thank you for being here.

13 Again, as I mentioned we -- excuse me.

14 What we'll do, we'll show the maps, especially the
15 maps around this area that will be pertinent to you guys,
16 and I'll have Mr. Drechsler come explain the map.

17 Would you like to do that?

18 ANDREW DRECHSLER: Sure.

19 VICE-CHAIR HERRERA: And give as much information
20 as possible on the proposed -- both the proposed legislative
21 and proposed congressional map.

22 ANDREW DRECHSLER: All right. Again, we're to the
23 website, and live demonstration on how to get to the maps.

24 Again, you can get to them by going to the map
25 section tab at the top, or you can click on either of these

1 dots here. It brings you up to this web page.

2 And what we'll do is just scroll in and look at
3 the Google map and see what it looks like.

4 I know for sure that the -- you're in
5 Congressional District 3 and Legislative District 4, I
6 believe.

7 So just zooming in a little bit to Sells.

8 It just gives you an example, shows you where the
9 borders are for the district.

10 Sells is right here.

11 And the district runs over to Yuma and down to
12 Nogales.

13 And goes up to the Phoenix area.

14 VICE-CHAIR HERRERA: Mr. Drechsler, that is a --
15 currently the way it's drawn is a majority-minority
16 district, one of two?

17 ANDREW DRECHSLER: Yes, that is correct.

18 Just going over and looking at the legislative
19 map.

20 You click on here. You can see District 4, that
21 it is District 4, and then just demonstrates the map here as
22 well.

23 Again, it goes over to Yuma, goes south of Tucson,
24 and goes up into Maricopa County.

25 VICE-CHAIR HERRERA: Mr. Drechsler, how far into

1 Maricopa County does it go into?

2 ANDREW DRECHSLER: Roughly -- let me see if we can
3 get one more map that shows the county boundaries.

4 You can see that the Maricopa boundary border
5 property goes right here.

6 So it goes up just south of Phoenix.

7 And the area highlighted is -- right here is the
8 Tohono O'odham tribe.

9 VICE-CHAIR HERRERA: What we will do is we will
10 show what the maps currently look like now and give you a
11 comparison of what they would look like if these draft maps
12 are adopted.

13 ANDREW DRECHSLER: Sure. We can go back to -- so
14 this is the current congressional map.

15 Currently you're in Congressional District 7.

16 And the new congressional district is currently
17 labeled as three.

18 So you see that takes less of Yuma and
19 Yuma County.

20 And then for the legislative map, you're currently
21 in Legislative District 25, that goes south of -- goes over
22 to Cochise County, takes the southern part of Pima County.

23 And one big difference in the current map is that
24 it does not go over to Cochise County. Rather it goes over
25 to Yuma.

1 VICE-CHAIR HERRERA: Thank you, Mr. Drechsler.

2 I think that will give you an idea of what these
3 current proposed maps look like compared to what they
4 currently look like.

5 Again, these are draft maps. And we're still, as
6 you know, we're touring the state getting comments from the
7 public to see what areas you would like us to see changed or
8 kept. And we plan to finish our second round of public
9 hearings tomorrow and then start working on any changes that
10 we'll be making.

11 So I think that is it.

12 Unless people -- yes, ma'am?

13 VICE-CHAIR HERRERA: This is Wavalene Romero, vice
14 chairwoman of the Tohono O'odham Nation.

15 VICE CHAIRWOMAN WAVALENE ROMERO: I have a
16 comment, kind of a question, but a comment.

17 I know that you mentioned that the Tohono O'odham
18 Nation is all intact. It's all still remains under the
19 same. But we actually have I notice on your congressional
20 map that you use, that was used for 2010, for one of the
21 other tribes, well, my concern is -- my comment is that we
22 have one community, Florence community, who is not adjacent
23 to the reservation, but is a part of the reservation.

24 Is there a way that you could consider including
25 them with the Tohono O'odham Nation?

1 Because right now they're not on the
2 representation.

3 And on the congressional map that's used for the
4 2010, the purple, the number two, what tribe is that where
5 you're able to -- you look at how it's separated and the
6 green is probably another -- how is this divided? Because
7 you're able to still capture two to be the same as two and
8 can we do that with that one community?

9 That would be a proposal.

10 VICE-CHAIR HERRERA: Madam Chair, that was done in
11 2010.

12 That was our old map. That was the old map.

13 And what they ended up doing is they ended up
14 getting the tribes on the -- I think the Hopi, and putting
15 them in, putting them -- taking them away from the
16 Navajo Nation, which they were in District 1, and putting
17 them in with the -- in District No. 2.

18 If you remember, ten years ago when we did
19 redistricting last time the Hopi Tribe didn't want to be in
20 the same district with the Navajos. And we ended up -- that
21 particular Commission did respect their wishes, and that's
22 why that particular map looks that way.

23 VICE CHAIRWOMAN WAVALENE ROMERO: So for the
24 proposed new one, how does, how does, how does it look for
25 Florence community?

1 Or does that not pertain?

2 VICE-CHAIR HERRERA: Ma'am, again, there's a
3 noncontiguous part of the reservation that is in Florence?

4 VICE CHAIRWOMAN WAVALENE ROMERO: Yes, Florence
5 community is part of the Tohono O'odham Nation.

6 VICE-CHAIR HERRERA: Currently all the -- both the
7 congressional and legislative maps are -- I think they're --
8 we try to keep them as contiguous as possible. That's one
9 of the criteria that we need to abide by, one of the six
10 criteria.

11 Now, we can definitely take your comments into
12 consideration when we are making changes to the draft map,
13 but, again, we have to respect all six criteria when looking
14 at making any proposed changes to these maps.

15 VICE CHAIRWOMAN WAVALENE ROMERO: That will be
16 greatly appreciated, at least for consideration, and
17 evaluating it, because when you say that the Tohono O'odham
18 Nation is in whole, really it isn't.

19 VICE-CHAIR HERRERA: Now, are you talking about
20 the entire town of Florence?

21 VICE CHAIRWOMAN WAVALENE ROMERO: The Florence
22 community. If you look at the maps, they are -- there's a
23 community. It's one of the villages of one of our eleven
24 districts.

25 Thank you.

1 VICE-CHAIR HERRERA: Thank you so much, ma'am.

2 JOSEPH KANEFIELD: Madam Vice Chair, I apologize
3 if I misspoke by suggesting that the whole nation was kept
4 together. I had not considered the noncontiguous portion of
5 the reservation when I made that comment.

6 VICE-CHAIR HERRERA: Well, thank you. That was
7 our last speaker.

8 Again, we'll be in Marana tonight at 6:00 p.m. if
9 you want to travel with us, or meet us there. We'd love to
10 have you there. And thank you for hosting us in this nice
11 facility. Thank you for purchasing food and water and
12 drinks. Thank you so much. And have a good rest of the
13 day. Take care.

14 The time is 10:48.

15 Thank you.

16 (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA)
)
2 COUNTY OF MARICOPA) ss.
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4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing 24 pages
7 constitute a true and accurate transcript of all proceedings
8 had upon the taking of said meeting, all done to the best of
9 my skill and ability.

10 DATED at Chandler, Arizona, this 14th day of
11 November, 2011.

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C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

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