STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC COMMENT SESSION EXCERPTED

Scottsdale, Arizona
June 14, 2001
7:00 p.m.

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

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Certified Court Reporter
Certificate No. 50349
THE STATE OF ARIZONA INDEPENDENT REDISTRICTING

COMMISSION convened in Public Session on June 14, 2001,
at 7:00 o’clock p.m. at Scottsdale Community College,
9000 East Chaparral Road, Scottsdale, Arizona, in the
presence of:

APPEARANCES:

VICE CHAIRMAN ANDI MINKOFF
COMMISSIONER JAMES R. HUNTWORK
LISA HAUSER, Commission Counsel
ALAN HESLOP, NDC Consultant
ENRIQUE MEDINA OCHOA, Executive Director
AUGUSTA KNIGHT, Outreach Staff
AMY REZZONICA, Outreach Staff
ALICIA NIETO JAC OBS, Spanish Interpreter
LISA A. NANCE, RPR, CCR, Court Reporter
PRESENTATION BY VICE CHAIRMAN ANDI MINKOFF

SPEAKERS FROM CALL TO THE PUBLIC:

Kyle Moore
Mark Osterloh
Jacob Moore
Steve Tully
Terry Krukemyer
John Mills
Mark Lewis
COMMISSIONER HUNTWORK: Thank you, Andi.

We hope this presentation has been interesting and informative to you.

Proposition 106, of course, is brand-new for all of us citizens of the State of Arizona. And in many ways it's a unique proposition across the entire country. Only 11 states have commissions of any sort that do this redistricting separately from the Legislature. And none of them is set up exactly as we've chosen to do it in Arizona.

The essence is citizen solicitation and input.

So without further ado, this is your opportunity to begin to provide information and input to this process.

I have here now I think a total of six
requests to speak. If any of you would like to speak or
decide as we go along you would like to speak, raise
your hand, give us some indication, and we'll make sure
to give you a chance.

I'd like to say microphones are here on
both sides, and they are live.

When you do speak, come forward to a
microphone. Speak into it. For the benefit of our
court reporter, please state your name clearly and spell
it for the court reporter before you begin speaking.

I want to apologize in advance if I
mispronounce any names.

Our first speaker is Kyle Moore.

MR. MOORE: I don't think I need the
microphone.

Good evening.

COMMISSIONER HUNTWORK: Please spell your
name.

THE REPORTER: I'd prefer if you'd go to
the microphone anyway.

MR. MOORE: Good evening, Commissioners.

I'm Kyle Moore.

I've been a 20-year resident of
Scottsdale. I'm very proud of my community and very
proud of the work your Commission has in front of you.
I attended the Commission meeting Tuesday at South Mountain Community College. At that meeting I witnessed a variety of special interest groups making their concerns known to the Board. They encouraged the Commission to consider very specific communities of interest. While communities are considered and outlined in 106 and statutes are very written in general terms, the suggestions they made were very specific and particular to their own communities.

I would encourage the Commission to build our districts upon fairness and impartial boundaries. The districts that the special interests often represent are seclusive and segregate populations of people within our communities. I encourage you to develop a plan that is fair, impartial, both for Congressional and Legislative Districts, and one that does not look to any specific single group but looks to all groups for consideration.

Thank you.

COMMISSIONER HUNTWORK: Thank you.

The next speaker is Mark Osterloh.

MR. OSTERLOH: Mark Osterloh,

I've been to quite a few of your meetings.

I like the grid you all came up with. As
I was talking to Mr. Heslop, I said it was very gridish,
G R I D I S H. It's beautiful in respect to being
random as far as its starting point. And in looking at
it, as you elucidated, certain things have to be
considered. It takes into consideration geographic
compactness, takes into consideration geography. In
fact, the initial grid met many criteria.

I think the only two other major criteria
at this point that haven't been taken into consideration
that are most important are going to be communities of
interest and competitiveness of the districts.

Now, when you do the final drawing of the
plans, one of the things the public will be looking at
is when you make these changes, what interest groups, as
a prior speaker said, have been taken into
consideration, balancing that people on both sides of
the issue, you favored that group, you favored that
group.

One of the difficulties of the Commission
is trying to balance that, trying to dance on a sword
without cutting yourself. It's very difficult.

The main thing I'm trying to do is ask the
Commission to make the minimum necessary changes to
accommodate communities of interest and competitiveness
of districts.
Districts have been drawn at this point very close in population for congressional districts; however, for legislative districts, the figure used was about 7.6 percent, plus or minus that point.

One thing I urge at this point, keep the changes you make as minimum as possible. I think the acceptance at that point would be higher because the less you manipulate, the less they feel interest groups have been excessively influential in the process.

You will have to sit down and decide what you will use as criteria when drawing and making changes. Somehow you have to have criteria important to you.

One thing I ask as one of the highest ones, minimize manipulation in current districts that are currently random. Acceptability to the public will be higher. And acceptability of special interest groups will not be as much of a problem.

COMMISSIONER HUNTWORK: Thank you.

Next speaker is Jacob Moore.

MR. MOORE: Good evening. My name is Jacob Moore, Special Assistant on Congressional Legislative Affairs for the Salt River Gila Indian Community.

First of all, I'd like to welcome the
Commissioners and guests and all individuals here this evening to our community. While we are on the Scottsdale Community Campus, we're also on the Scottsdale Pima Indian Reservation. I'm here also as a representative our president, Ivan Makil. He had another meeting to attend tonight.

This was something we were very interested in making sure we participated in.

Without being said, I think probably in all fairness, we'd probably start out with a question. My question is: Are there any minorities on the Commission?

COMMISSIONER MINKOFF: I'm the only woman. I guess in a sense that makes me a minority.

Ethnic, no.

MR. MOORE: I didn't want to make a statement, I guess, that was an issue early on. I think we're past that. But it's obvious it's still important, in all fairness, whether or not a nonminority Commission can advocate without an impaired understanding.

I'm not critical of the individuals on the Commission. On the other hand, I also recognize if I were in your shoes, it would be difficult for myself on behalf of a group I was not a member of in some ways. It would be nice if I were able to be able to speak on
behalf of another group. Obviously I could not, that's not the case.

Without being said, the statement I'd like to make, the Tohono O'odham Nations, the Ak-Chin Nations, which is really, the Gila River, Ak-Chin and Tohono O'odham are the same group, speak the same language, different dialect, were inhabitants, the earliest residents in this region, earliest residents, tribes settling, earliest formations of the state. Currently the Tohono Tribe is trying to resolve issues in Mexico. They do have relatives in Mexico with trouble going across the border. Previously the border was not there. There are issues the tribes have in general, whether districting, or boundaries in general. But with that being said, I'd echo the statement said, fairness, impartial fairness. I'm not speaking of special interest groups. There are 21 tribes in Arizona. Those tribes take in 30 percent of the Arizona land base. Until the advent of gaming tribes, we had very little exposure in terms of the larger community and its participation. Again, tribes have the major land loading of Arizona. Arizona Native population represent less than two percent of the population of Arizona.
With that being said, I encourage you to keep in mind as you do your redistricting you truly look not to dilute the minority vote but also to help increasing the minority vote, at least among the Native American population, which is already diluted.

COMMISSIONER HUNTWORK: Thank you. Thank you.

The next speaker is Steve Tully.

MR. TULLY: Hi. I'm Steve Tully, State Representative from District 24, which I guess is divided in this plan into four districts, which is all right.

I had a question about it, couldn't tell from the map, don't know if this is time to get specific or not.

It appeared to me, there's a community of interest. Is it time to make comments on that?

COMMISSIONER HUNTWORK: Yes, absolutely.

MR. TULLY: A portion of it, the district I'd be in, at least with the districts as you've drawn today would be enacted, Shea Boulevard is sort of a southern boundary. And there are communities, not very many people, really, in Phoenix south of Shea which abut the Phoenix preserve. I know one of the things you are concerned about in this is physical boundaries when you
draw new districts. It appears you've done a pretty
good of job creating a mountain park, Phoenix mountain
preserve district. Talking about one that leap frogs
the mountain preserve it's on, north of the mountain
preserve, foremost on the other side, Moon Valley, 19th
Avenue to looks about 56 Street, there's a new district
you're talking about --

COMMISSIONER HUNTWORK: Steve, you need to
understand that the grid that you have seen was
generated randomly. We saw it after we defined the
rules for creating a grid. It was created by
consultants. It was seen by on the members on the
Board. We saw it at the same time as the public. There
was no intent with any physical sense for any lines.

MR. TULLY: Well, it worked out pretty
good.

I'm a Claremont grad. Dr. Heslop is a
professor. He must be very bright to come up with this.
If that isn't in fact what you are
planning on doing, there is a community of interest.

That one worked out.

You need a couple precincts. They are
just a couple parks there. It is in Phoenix, the area
south of Shea up against the mountain preserve. The
rest of the district, I think all, the vast majority of
it, is also in Phoenix, as opposed to connecting it to
Paradise Valley. It's a community of interest, goes
with Phoenix. That's the best I can tell from your
grid. That's all I had to say.

COMMISSIONER HUNTWORK: Thank you.
The next speaker is John Feit.
MR. FEIT: My name is John Feit.
I had the opportunity earlier today to
hear your Chairman from your committee speak to the
Arizona Action Association. He represented you very
well, I might add, along with all the questions and
comments tonight, the one he was most besieged with was
the communities of interest. He was asked what a
community of interest is. And he said, "I don't really
know. To the best of my knowledge, Justice Sandra Day
O'Connor coined the expression but failed to define it."
I would suggest that this might be the most contentious
task you are faced with in your redistricting effort.
Several speakers have already alluded to
the fact our communities of interest, special interest
groups, are communities of interest, are communities.
Anything you can do, even if four pages of
definitions of what communities of interest are, would
shed a lot of light as I study the final redistricting
map you present to us.
I must thank you for your energy and attention you've set to the task. You've set a rigorous schedule and the people of Arizona are in your debt.

COMMISSIONER HUNTWORK: Thank you.

The next speaker is Terry Krukemyer.

MR. KRUKEMYER: Thank you, Commissioners, Dr. Heslop, and guests.

Before I start, my name is Terry K R U K E M Y E R. That was a good attempt. Everybody does screw it up.

My background and training is as an economist. I took a lot of statistics. One of the mathematical properties in redistricting before us can be done with a computer generated program, linear program specifically to minimize the total circumference of districts. And then when you get into community interests, you then use the very highly technical boundaries, tweaking boundaries, similar to forcing in formulas in the least cost rationing.

As an economist, my question is for Dr. Heslop and is was statistical programming used to develop the initial grid?

MR. HESLOP: No, sir, it was not.

We did discuss with the Commission the various computerized approaches to redistricting. And
the Commission was made aware of the various measures of
compactness that have been used on computer to draw
districts. But the intention of the grid was simply to
be, in Mr. Osterloh's terms, as gridish as possible, to
have the townships as a base, to aggregate townships as
necessary, to constitute equal population districts, and
in assessing population, to use Census geography. So
those were the means used to develop the grid.

MR. KRUKEMYER: Okay. With that, then, my
question is which will be more important, compactness
and squareness, if you will, of districts, or if they
are not, to have the deviation from being square include
these communities of interest? I add that question
because I noticed on the initial grid that there were
deviations from square districts and yet those
deviations purposely took into account noncommunity of
interest lines. I know it was an initial interest and
we don't want to delve into the initial product. But I
would like to add into that, if not square boundaries,
let's have communities of interest. If not communities
interest, let's have square, compact districts.

Thank you.

COMMISSIONER HUNTWORK: Thank you.
The last request to speak we have here is
from John Mills.
MR. MILLS: My name is John Mills, member and resident of Phoenix. I'm a member of a number of community groups, but I don't speak for them. I'm a member of a political party, but I don't speak for them. I'm also employed, but I don't speak for my employer.

What I come to you tonight for is the opportunity to discuss the grid map, the grids you've drawn and communities of interest. I've taken a long look at the grids you've done and only the most uninformed individual would say that those maps that you have drawn would be worthy of submitting to Justice, because they take into account none of the communities of interest that Justice will demand be satisfied.

My community of interest is an area bounded by roughly 32nd Street, 64th Street, Thomas Road, and the Camelback ridge line. This is my neighborhood. And that's the community that I'm most interested in.

There's been a lot of definitions of community of interest. Sandra Day O'Connor would have done a great service if she had defined them. I guess she's leaving them to Webster and Black.
Some things that defined community of interest would be where churches are, where shopping is, and other things of that nature. My community, one thing about it, the homes were all built in roughly 1958, '60ish, in that type of area. It's known as the Arcadia area for most people.

One of the things we have kind of unique in ours has to do with a big SRP canal that runs down Indian School Road. For a lot of times, canals are a natural dividing line between communities. This is not the case in my community. I hope you don't just take that Indian School Road with the canal as a dividing line. You would be dividing my community. There are schools in that area, the high school, two grade schools, and a middle school in that general area.

The grid map you have for the Legislative District actually divides us, splits off a couple of square miles east of -- I'm sorry, west of 40th Street, 40th, 32nd Street, and then divides those.

So I would hope that those would probably get back, get put back together with the district.

The area south of Thomas really could be in another district than the one north, and that's why my southern boundary was Thomas.

Thomas, we have a number of shopping
areas. The greatest boon to an older neighborhood is a
24-hour Home Depot. Walmart, Glendale didn't like it,
but we love Walmart. It's a great place to do
everything in your shopping. My church is just north of
Indian School on 52nd Street. That is a community of
interest.
I would hope that the Commission would
take that into account and look at keeping that together
in both the Legislative and Congressional District.
The Congressional District does have us
all together, but the southern boundary of one of the
Congressional areas is quite close.
So when you are having to move lines to
satisfy the Justice Department's minority interest
things, because according to the grids that you've
drawn, regression is extremely prevalent in the maps you
currently have, but in drawing the new maps, I would ask
you take again the area from 64th Street, 32nd Street,
Thomas Road, and the Camelback ridge line as one
community of interest. And I thank you for your time.
COMMISSIONER HUNTWORK: Thank you.
Augusta, do we have any other -- yes.
One late entry here.
Heidi Stine.
MS. STINE: Good evening, Commissioners.
Thank you for allowing me to speak. I'm Heidi Stine, S T I N E, representing myself.

My question, I saw regarding Legislative Districts, I saw the website, and I live in far north Scottsdale, East Pima, surrounded by 16,000 acres of what hopefully will be a preserve. In the 2000 Census statistics, Fountain Hills had a little over, I believe, 20,000 people. And if you take Carefree, Cave Creek, and the North Scottsdale area, you have 19,000 people with the three communities. With the way you have drawn now where it looks on the grid now, you said not to use the map, it looks like you're going straight up Pima Road and looks like you're going to split part of North Scottsdale, split Carefree, split Cave Creek. It doesn't make sense to me. It's my own community, maybe speaking of a community of interest. It looks like you're cutting us off at the knees.

I just wanted to make that comment. If you had any input of that? It doesn't make any sense going straight up Pima and split it into three communities.

Thank you very much.

COMMISSIONER MINKOFF: Ms. Stine, thank you for your input.

I just wanted to explain something that
may help you understand why that happened. The remarks you made tonight are exactly what we need to hear;
because as I explained to you, the only criterion National Demographics Corporation used in drawing the
grid was population.

We know that it splits neighborhoods. We know it doesn't take ethnic and racial minorities into consideration. We know that it doesn't include -- that it splits Indian Reservations. There are lots of things we know the grid does do and doesn't do. We knew going in that would happen.

Proposition 106 says the initial grid should consider only population.

One of the reasons for having these hearings is to have exactly the input you gave us so we understand what lines do work for people other than lines just based on population.

On behalf of the Commission, I thank you for the input. I hope the word gets out to other people to tell us the same other thing, what we didn't consider in the grid. That's why the grid is not a map. Now we want to consider those sort of things. We're happy to consider your comments.

We have a couple of additional speakers.

The next name is Steve Owens.
MR. OWENS: Thank you, Commissioner Huntwork, Commissioner Minkoff.

I attended a number of Commission meetings and appreciate the dedication and hard work the members of the Commission have dedicated. As someone that has run for office in the single most diverse Congressional District, at the time, Congressional District Four. I'm not sure what number it will have now. I can't tell you the number. It's very clear there are diverse communities of interest certainly within that district and even within a number of rural and urban, suburban areas.

I wanted to step forward. I had not planned to make comments tonight. There were a few things said I felt I needed to comment upon. The initial comment seemed to equate communities of interest and special interests. The Commission does not make that very clear. There are communities of interest out there that in my opinion, at least, in no way, by no means, should be considered special interests.

As Jacob Moore of the Salt River Gila River Indian Tribe said, I don't happen to think Native Americans in Arizona, certainly within District Six, I spent a great deal of time, they happen to be a special interest, very clear-cut special interest. You noted in
the draft grid, as have been represented, a number of reservations within that district are split down the middle or into pieces. In my view, they need to be reunited, if nothing else.

Above and beyond that, other changes need to be made as you go through the process.

As I indicated, there are clear communities of interest between rural interests and rural suburban areas.

Once again, every single community of interest is not dominated heavily in Phoenix and Tucson Metropolitan areas. I haven't done number crunching to add the numbers up. I don't know the single numbered district in this grid. The majority of the population is outside the Maricopa, Pima County. The majority of the population, might be one. Majority population, many people outside this room, Maricopa County will dominate the interests, not only Native American Indians outside the community, rural communities, sprawling, unwielding.

The grid in other respects is more sprawling, unwielding, all the way across the west side of the valley. Now, some neighbors on the west side of the valley may want there to be made some parts of districts here. Sun City, Scottsdale, who lives where, what interests are. People with interests in the west
side are different from those on the east side and need
to figure a way to reconcile those or make changes in
the grid.

Those that say there shouldn't be very
many changes made to the grid, I suggest there should be
some very significant changes to the grid as you go
through. Those that say communities within the grid are
special interests are wrong and need to spend more time
talking to people in the community.

And I appreciate your time. Thank you.

COMMISSIONER HUNTWORK: Thank you.

Mark Lewis.

MR. LEWIS: Good evening, members of the
Commission.

My name is Mark Lewis.

Thank you for your time.

I know this is a difficult and arduous
process, as you go through it. I just have two
comments. I represent all of Maricopa County, and
fortunately you are not moving my boundary lines around.

I can appreciate the diverse interests you
folks are going to have to navigate. The only comment I
have, I hope you settle on a map and get it in and get a
map settled as soon as possible so all of us that run
campaigns and run for office, that run for office, that
you can we settle on it, know what we're going to do.

Knowing what we're going to do would be helpful for the state; to get it done, get it done by the end of the year, the sooner the better.

You can never make everybody happy. And the sooner you make a decision, the better off we'll be.

I have one question for the Commission on the map I'm looking at now. If you have adjustments for diversity and communities of interest, are you going to adjust from this map here, redraw a map, get 30 different maps floating around and try to deal with version control, those kind of things? Do you know what we'll do there?

COMMISSIONER HUNTWORK: I'll try to explain that process, briefly.

Proposition 106 requires us to create the grid. Bear with me for repeating. There continues to be question about this, and justifiably so. The -- our consultants initially suggested to us we might want to wait before promulgating the grid until we had gone through initial hearings so we could take other factors into consideration and come up with a grid closer to a final product. On advice of counsel and to meet the meaning of Proposition 106, we decided we could not do that.
When you read it, to start the process we had to create a grid taking into consideration population only and making it grid-like. That was the process. And then it could be adjusted using other criteria. So we felt that we were legally compelled by the Constitution and the State of Arizona to start with a grid pattern that did not take these other factors into consideration.

We said we knew we would divide communities. We knew it would, did not know what communities would be divided or how. The only virtue of selecting a random process, this was bound to happen.

Now, I can assure you we do intend to adjust the grid.

But addressing your question specifically, the Proposition goes on to say that we are to make the -- go through this process by adjusting the grid. So we do start with that and adjust it. It changes shape, molds itself, and eventually transforms into a different product all together which will be a map we put forward to -- that represents our thinking and our attempt to actually take other factors into consideration.

MR. LEWIS: I really appreciate that. I'd make only one other suggestion. In looking for
comments, and the map, legislative map, I heard
comentors, various views, didn't see one, get one.
There wasn't one on the table. In fact, to be specific,
it would be helpful to have one with geography, if we
had a map to work off of to be on the same page.
Thank you for your hard work. You're just
beginning. I'm sure you'll be tired of this when you
are done.

COMMISSIONER HUNTWORK: Thank you.
First let me make sure there are no other
people here this evening that want to speak.
In that case, on behalf of the Commission,
I would like to thank you for coming here this evening
and sharing your valuable time with us as we citizens
together try to accomplish this important job for our
state.
Let me just give you a little bit more
information in conclusion about where we go from here.
This hearing tonight is the last of a series that we've
had this week. And we're going to have similar hearings
throughout the state for the next two weeks. Following
those hearings, we and our consultants will huddle
together for approximately three to four weeks. And at
the end of that, we will probably have intensive
hearings for maybe a week or so among ourselves before
promulgating our first set of real maps. The target for
doing that is toward the end of July, middle week in
July or last week in July.

Proposition 106 then provides for a 30-day
public comment period. During those 30 days we intend
to proactively go back out and hold additional public
hearings. And I'm sure we'll be coming back to this
venue at that time. And you will have another
opportunity to speak to us with a map in front of you
that really does represent our thinking and that
hopefully takes into consideration many of the concerns
that you've expressed here this evening.

Following that round of hearings, as Andi
explained at the beginning, we will promulgate what we
hope is our final map subject to a week or ten days of
additional public comment.

So, throughout this process, our intent is
to have an interactive process with the citizens of
Arizona, with you. We want to hear from you in any way
that you can communicate with us. Our website is always
available. You can communicate with us by mail. Our
addresses and phone numbers for that matter are public
record. So please give us your input.

We have created citizen kits to provide
focused input that is most helpful to our consideration.
With that, we thank you for giving us input this evening, and we'll see you again in about two months.

Thank you.

(Whereupon, the hearing concluded at approximately 8:42 p.m.)

* * * *
BE IT KNOWN that the foregoing hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 28 pages constitute a true and accurate excerpted transcript of proceedings had upon the taking of said hearing, all done to the best of my ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto, nor am I in any way interested in the outcome hereof.

DATED at Phoenix, Arizona, this 17th day of June, 2001.

LISA A. NANCE, RPR
Certified Court Reporter
Certificate Number 50349