MR. LYNN: My name is Steve Lynn, and I
Chair the Independent Redistricting Commission for the
State of Arizona. And this evening we're going to have
two parts to this meeting. The first is a presentation
by the Commission, which I will go through as rapidly
as is practical. And the conclusion of that
presentation, we would like to invite those of you who
wish to address the Commission to do so and give us
very critical input in terms of the task that we have
at hand. I will get into the specific input that we're
looking for in a moment, but let me first make some
introductions.

Why don't we start to my left. Myra
Parker is with the Commission staff, and she is in our
Outreach Department.

To my right, immediate right is Dan Elder.
Dan is a member of the Commission, also from Tucson,
and you will hear more about Dan and from Dan a little
bit later.

To Dan's right is Jose Jesus Rivera, one
of two counsel to the Commission. Jose is our
Democratic counsel. Our Republican counsel is Lisa
Hauser, and she is at a meeting which is taking
simultaneously this evening in Scottsdale. So we are
splitting tonight. We have commissioners -- two of
them are in Scottsdale as well this evening.

Let me -- do you want to introduce Tracy?

MR. ELDER: I think you were going to introduce Tracy.

MR. RIVERA: Tracy?

MS. RIGATELLO: Rigatello.

MR. LYNN: Tracy Rigatello who assists Jose in working for the Commission.

And on the end of the table is Dr. Ralph Rawson who is representing our consultants this evening, National Demographics Corporation.

And I wanted to ask, although I think I know the answer to this, is there anyone here tonight who would prefer to hear or see the presentation in Spanish?

(speaking in Spanish.)

MR. LYNN: Pretty good, Sal? I practiced all week. We were ready to do that but we don't need to. Oh, and let me also introduce Theresa Pulido, who is also with the Outreach staff and helped put the meeting on this evening. Thank you.

And Manuel Gutierrez, who is our translator, who, Manuel, I think you may want to stick around for a little while but at the moment no need at
Okay. Let me begin by going through a presentation which we've done in all the meetings. The reason for the presentation is to make sure that the public has a consistent picture of what the Commission is doing, how it's doing it, and how you can play a role.

The subject of the talk this evening or the subject of the meeting this evening is redistricting, which is the redrawing of new district lines for the State's legislative and congressional districts under the provisions of Proposition 106. And Proposition 106 is unique, whereas some states have gone to a commissioned system of drawing lines, drawing districts. Proposition 106 has some unique features. We'll talk about those.

Very important difference between the way Arizona is redistricting this year and the way it's done in the past is that the citizens play a very crucial and very different role in this process. First and foremost, prior redistricting from the time the state was a state in 1912 were done by the state legislature. And every year, every 10 years when the census comes out, the legislature would sit and redraw
lines and try to accomplish the redistricting task.

Proposition 106 takes that responsibility

from the legislature and transfers it to a five-person citizen panel who I will introduce to you in just a moment.

These public hearings are partly to educate you, but more importantly they're to educate us about the way you see your community and the way you would like us to see your community as we redistrict. We will be using these hearings to bring the redistricting process to all areas of the state. We're doing 26.3 meetings in approximately 17 days. And there will be two rounds of hearings which I will talk about later.

This first round is to gather input. The second round will be to have you review maps, which will have been drawn. We need to share our plans with you, but first we need to hear from you how to draw those maps and plans before we get to that part of the process.

We're determined to make this a fair process. The makeup of the Commission as you may know is two Republicans, two Democrats, and one Independent,
and all of have pledged at one time or another to make this the most fair and equitable process we can and to honestly represent the people of Arizona.

Now, in the past this process of drawing lines has been at times a very divisive process. It's raged charges of dirty politics, partisan power play, incumbent protection, all sorts of egregious acts in one form or another. The word for such abuse is often mispronounced. It's correctly pronounced Gerrymandering. Gerrymandering is named after the Federalist Governor of Massachusetts, Eldridge Gerry, who around 1810/1811 era was famous for drawing some pretty interesting-looking districts. Here is how a Boston Globe cartoonist pictured Governor Gerry's districts in the form of a salamander. And so it was Gerry salamander or Gerrymandering. That's how we got the name but here's what it means to those in a practical sense today.

Abusive political redistricting worked in a variety of ways. On your left you see a dispersal of minority blocks depicted by the pink blocks minority voters. This would be whatever party is in the minority. Through a process called dilution, we draw lines through the concentration of minority party
voters thereby splitting them into several districts
and diluting their ability to elect their candidate.

Conversely, another way to contain
minority party voting is to concentrate or pack them
into a single district, thereby allowing the other

three districts to be elected fully by the majority
party. Neither of these is acceptable. They are some
of the reasons why there is now a commission working to
redistrict the state.

The same thing could be said in a racial
sense. And here you see two examples of how an ethnic
district could be drawn in such a way that it would
help Republicans or how it could be drawn in a
different way to preserve a white Democratic incumbent
in a certain area by taking that district and either
packing it or splitting it in ways that would dilute
that minority vote.

Well, voters of Arizona wanted to change
things and clean up the process. And so they passed
Proposition 106. They created a brand new entity named
Independent Redistricting Commission, and we are
responsible for that process.

This is the Commission, and let me talk a
little bit first about how the Commission was selected. This was an affirmative selection process. It means that all of us who are on the Commission along with a number of other Arizonans, 311 people in all, affirmatively submitted applications. The applications were submitted to the Commission on Appellate Court Appointments. That's chaired by the Chief Justice of the Arizona Supreme Court.

They reduces the 311 applicants down to a list of 25, 10 Democrats, 10 Republicans, and 5 Independents. That list of 25 was then circulated among the leadership in the legislature. And each leader in turn made a selection. Now, they're not obligated to select from their party, but interestingly enough, after the first four picked, there were two Republicans and two Democrats.

The first person selected was James Huntwork. He is listed at the bottom of this screen. He was the first person selected. He was selected by Jim Wires, the Speaker of the House. He's a Republican attorney from Phoenix.

The second appointment turned out to be the vice chair person of this commission, Andrea Minkoff. She often goes by Andy and thereby gives the
misimpression that there are five men on the Commission. There are only four. Andy I can assure you is not male and keeps us in line absolutely at every meeting on that and other points. Andy was selected by the minority leader of the House of Representatives, Ken Chevron. And after Andy's selection, the second person, she's from Phoenix and is a community activist Democrat.

After those first two selections were made, it was impossible under the rules based on the list of 25 to have selected a minority representative for the Commission. In other words, most of the minority candidates would have been out of Maricopa County and must have been selected in the first two selections. So as the list then circulated through the third selected, Senator -- Senate President Randall Gnatt of Scottsdale, he then looked at the list and also the prohibition was that no more than two people from the same county could be selected out of the first four.

Maricopa had been selected twice, the first two selections, so Randall Gnatt had the opportunity to pick from another county. He selected
Dan Elder, who is a landscape architect and consultant from Tucson. And Dan became the third member of the Commission.

The fourth selection overall went to Jack Brown. He's not the minority leader because the Senate is split 15-15. He's the Democratic leader in the Senate. He selected Joshua Hall, who is in the land title business. He's northeastern Arizona. He's a resident of St. John. And since Mr. Brown is from Apache County his pick apparently was from Apache County as well.

So those first four Commissioners, two Republicans and two Democrats represented two from Maricopa, one from Pima, and one from Apache County. They then had the responsibility of interviewing the five Independents. By the time the interviews came around, there were only four candidates. Clearly, the fifth person had figured out how much time this was going to take and how much the pay was and decided that there was too much of one and not nearly enough of the other for him and he decided to drop out. There were only four candidates when the four sworn in members of the Commission did the interviewing.

They also did the interviews in a public
session. And if you've never sat through as a
candidate a public interview, I highly recommend that
you try to avoid it if at all possible.

But at any rate, that happened. There was
a selection. On the first ballot it was a unanimous
vote to select me the Chair. I'm Steve Lynn. I'm from
Tucson, and I am a registered Independent. Have been
for about 10 years. I used to be a Republican. I used
to be a Democrat. I used to be a lot of things, but
I've been Independent for a number of years, and so
then was eligible to chair the Commission. So that's

how we came to be.

Proposition 106 states that the Commission
shall establish both congressional and legislative
districts, and it shall begin that process with a
mapping process for both that creates districts of
equal population in a grid-like pattern across the
state.

It also provides that we do a number of
other things, and these coincide with requirements of
either the U.S. Constitution or the Voting Rights Act
and case law that has been made regarding that law. We
have to have districts that are as nearly equal in
population as possible.

If you will notice the state's official population is divisible by 8, exactly the number of congressional districts we will be drawing. So we may very well get down to exactly equal population in the congressional district.

In the legislative districts we have a little bit leeway but we still have to try to get them as nearly equal as possible. We also have to take into account that these districts need to be geographically compact and contiguous to the extent practicable.

Again, a number of these things sort of conflict or interact with one another in a way that we're going to have to make a number of judgments, but here are our goals.

We need these districts to respect boundaries of communities of interest. Now, that term that term of art was coined by Justice Sandra Day O'Connor in an opinion written some years ago. Unfortunately, she did not bother to define the term. She simply used it.

So we had two choices. One was that we would define the term ourselves and then move forward to make lines that complied with that definition. Or
we thought better we would ask the communities
themselves to define community of interest in terms
that they understand and that we would use that input
to draw lines based on what the community is telling
us. That's the purpose of this meeting tonight.

Also to the extent practicable, lines need
to use visible geographic features, city, town, and
county boundaries, an undivided census tract because
the census tracts are where we have the richness of
data for analysis and below the census tract level
we're not always able to analyze the data in a way that
would make these districts what we need them to be.

Finally, to the extent practicable, these
districts are supposed to be competitive. That means

that no one party or one group should have an advantage
to the extent that it would have Chillan effect on
candidates running in that district.

And those are many of the things that we
will be looking at along with what the communities tell
us they want us to look at as we develop maps. But
note something Proposition 106 does very specifically.
It reserves the use of party registration data and
voting history data to later phases of development.
Right now we are not using these kinds of data at all.
They're not relevant to the first part of the process.
They will only be used toward the end of the process to
gauge our compliance with federal law and with other
requirements of the justice department.

And the last statement in this section is extremely important. The places of residence of incumbent or candidate shall not be identified or considered. That means that we are redistricting without regard to where current incumbents live.

I will tell you tonight without fear of contradiction that one of the outcomes of this process not by design but by sheer happenstance will be that one or more incumbents will find themselves in a district running against other incumbents from another district. It's going to happen because we can't know where they live and therefore, can't take that into account. So everyone should be prepared for that.

In April of 2001 the Commission received the census data with which we need to begin the process. Now, note that we are using official census data. There are several communities who have made a protest to the Commerce Department and to the Census Bureau that they have been severely under counted. We
cannot take that into account. We cannot trend or otherwise use abrogations of population. We are using official census information and are bound to do so. If that information changes and the Census Bureau issues new information before our process is completed, we will certainly take that into account.

Here's a little review of what's happened in the state in the last 10 years. From 1990 to the year 2000, Arizona grew 40 percent. We now have 5.130 million people in the State of Arizona. I want you to take a good look, though, at the population of the state in 1990, 3.6 million people, because when I show you where growth has occurred in the state, if you look at the current population of Maricopa County, it's almost equal to the entire state's population 10 years ago.

Also note that counties grew at a faster rate than 40 percent of the state. These counties all grew in excess of 40 percent. Notice which county is noticed with absent. Pima County grew at a rate of 26 percent. It lagged behind the state's growth rate of 40 percent. And because of that, it is quite likely that Pima County will lose a district to the more
Populas areas of Maricopa County.

That’s a fact based on one person/one vote, which is the planned criteria for growing districts. Please understand that it is not our intent to do that. It's a result of the rules we must follow.

Well, the tasks of the Commissioner needs. First, we need to develop districts in a grid-like pattern. That's a requirement of Proposition 106.

Let's talk about what a grid is for a minute. It doesn't matter whether you use the Oxford Dictionary, Webster's, or Cambridge, they all talk about grids in the same way. They are uniform spaces on a horizontal and perpendicular plane that are used to divide up that plane in even ways. However you define them they basically look like squares or rectangles or octagons or pentagons or something that you can replicate on a map and cover space.

The Arizona Republic, and I'm just going to gloss over these, was kind enough to publish five

finished maps that they thought were just really spiffy before we had a chance to even draw the grid. I'm not going to spend a lot time on these but just to let you know that these among others have been submitted to the public in the form of a newspaper, but they all have
drawbacks that would make them unlikely to pass the Department of Justice review. And those drawbacks are even discussed in the article as to how these wouldn't work. Well, I'm going to talk a little more about the grid we did draw and did release in a minute.

The other task that the Commissioner needs. Hold series of public hearing. This is the first round of hearings where we're asking people to comment on communities of interest. We will have other public hearings later.

Understand that we're taking the place of the legislature. So the legislature and the public will have 30 days to review our maps when we create them later in the month of July. The 30 days will run concurrently, and we expect to get input and maps from the legislature as we would input and perhaps maps from the public as we go around the state in a second round of public meetings.

At the end of the 30-day review period, we will complete adjustments to the maps and produce final maps, one legislative and one congressional. We will have in all likelihood a brief final comment period, and at that point there will be a submission to the
Department of Justice. The Department of Justice has 60 days to review the maps, and assuming that they preclear them we are possibly in a position to have maps available to the Secretary of State by either the end of the year or very shortly after the end of this year. That's our goal because people who are running in the 2002 election need to know what the district boundaries look like and need to begin their campaigning accordingly.

To get information from people, we're using something called the citizen input form. They're available here tonight. There are a number of ways you can use them, but we're asking for very specific information.

First we would like to know who you are and we would like to know that because we want to communicate with you through this process. We also want to respond to your suggestion. We want to be sure that we understand, and if we have questions about what you told us, we want to know where to find you so that we can ask those questions and be clear on what you've asked us to consider.

We would like you to tell us what your major concern is as succinctly as possible. We would
like you to articulate what you believe is the biggest
problem that you see facing us in the redistricting
process based on your community and how you see it.

We would like you to tell us what boundary
lines you would like to see us use in your area, which
communities need to be kept together, which definitely
need to be separate, how we should consider your
community of interest. It's most important that you
not only tell us what you like but tell us why you want
it done. That will help us justify those kind of
changes to the grid as we go forward to the Department
of Justice and to those who ask the question.

Question four: what areas, groups, or
neighborhoods do you think should absolutely be
divided. There are several communities right now that
are divided by legislative districts and have more than
one legislative representative: Nogales, Casa Grande,
Apache Junction, others come to mind. But clearly in
urban areas, such as Tucson and Phoenix, this is not
quite as important except as we draw lines within the
community and may or may not take in entire parts of
neighborhoods before we move onto another district.
Those are the kinds of things you need to tell us and

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we need to keep straight and we will try to do that to the extent that we can.

What information would you like to see us take into account in drawing boundary lines in your area. This is a general, open-ended question so that you can tell us anything you think you would like to have us consider.

You can hand it in tonight. You can mail it to us. You can go to our website, which is available all the time. It's www.azredistricting.org. You can download that form fill it out on line, sent it back to us. Many have done that. They're coming in with more regularity as we get out and meeting people around the state. And we encourage you to do that.

If you would like to take a more active role in drawing specific lines, that is to say show us where you would like to draw lines yourself in your area, you can request a citizens kit which would include information about line drawing and a map of your area so that you could actually pencil in some lines and submit them to us and they too will be reviewed.

So the criteria for judging our plans are these: the federal mandates including equal population and all of the tenants of the Voting Rights Act, along
with Proposition 106 requirements which we've talked about previously. So we've begun the process. We've taken the steps necessary under Proposition 106 to get us to where we are tonight at the area of public hearing.

We ask that a grid be drawn that is solely based on equal population. We wanted that grid to be as random as possible. Random as possible. I'm going to say that a couple of times. There were not criteria used to draw that grid other than the rules that we set forth for the consultant to use. Here's what those rules basically were.

First, we picked a spot on the map to start drawing the grid. That spot was the Gila Salt River Baseline & Meridian. That is the point in the state which is the geographic center at which all townships emanate and every piece of property in the state is described legally by township.

So we picked that point to start. We also picked the township as the basic building block for our grid. A township is a 6-mile square. As you can imagine, if you are in an urban area, you can get quite a number of people in a 6-mile square township. As you move out into the urban or out into the rural areas, it takes more and more townships to accumulate
population. And so you have configurations of
townships that draw in numbers but in a very regular
fashion so that they are still grid-like in their
construction.

When you take those grids and overlay the
census data, you get the number of people in each of
those townships. And at the point where we had enough
people to make either a legislative or a congressional
district, as those townships were aggregated, we simply
stopped and went on to draw the next legislative or
congressional district.

Now, in order to make this truly random
from the point we selected on the map, we needed to go
in one of four directions to start aggregating
townships in one of the four quadrants. We simply put
the four quadrants in a hat and drew lots. Northwest
won. Therefore, we started in the northwest portion of
the state. It was a random choice.

We then had to figure out as we aggregated
into the western, northwestern quadrant where we would
go next when that quadrant was finished. So we flipped
a coin to decide whether we went clockwise or
counterclockwise. We simply did that as randomly as we
could. We decided by flip of the coin it was
counterclockwise. So we went northwest, southwest,
southeast, northeast. And that's the way the grid was assembled.

Any relationship that the grid bears to either current legislative or congressional district is purely coincidental and was designed that way because it is only a starting point. The final maps that we will draw based on input given by the public and by other information that we need to use to pass the Department of Justice review will determine the maps to look very different from those, and we will take a lot of other factors into account.

Now, it's interesting that as we travel the state, a number of people have been kind enough to comment on our grid in one way or the other by saying that, gee, that grid looks really good to us, why don't you leave it the way it is, or conversely, do you know that that grid has this kind of an effect and you really fouled up our neighborhood and cut us in half and did all kinds of terrible things.

We appreciate that, but the grid was intended only to meet the requirement of 106 in terms of equal population. It gives us a place to being, not a place to end.

So where are we in this process? We're in the first round of public hearings. We then will
develop real plans, real maps, real districts for you to review. And those will go back out to the public in a series of public hearings in late July. Once those hearings are completed and we get input on those maps, we will make final determinations on a set of legislative and set of congressional maps.

We will then send those to the Department of Justice and hopefully achieve preclearance, and then we will certify those to the Secretary of State and have the next 10 years covered in terms of redistricting.

My -- you can hear my computer applauding. It knows I'm finished and so should you.

So the question now is how can you help us. And the idea is for you to give us the input that we so desperately need to do this job well. Out on the table there are speaker slips. If you have filled one out and turned on in, we have them up front. We will use those tonight to call on speakers and we will collect others before we begin the testimony this evening.

Before we do that, I want to call on Dan Elder, the other member of the Commission, to say a few words and to emphasize a few points. Dan.

MR. ELDER: Is this to where everybody can hear me? I like to wander. Steve likes to be in one
What I would like to have from the public here this evening is there were about six goals up there that we need to respond to and to follow. As Commissioner, I need to know that as we start to have to move a line for one of the required either Section 2 or Section 5 criteria in the Voting Rights law, it's going to affect the line someplace else, and we would like to have the criteria of public clear in our minds so that we can go in there and say, well, if we do this here, this would make a logical modification and get us back into the one man/one vote era of the Voting Rights Act.

So as you make comment, if you can take a look at these, and we've got the community of interest in the middle, there's geographical areas, the boundaries, the roadways, it could be mountain ranges, it could be canyons, any of those types of thinks may affect how the voters and how you can be represented.

And I think what we would like to have to a great extent is what makes you have a sense of community. What makes you respond and say we're a part of this area. As Steve alluded or made the comment Sandra Day O'Connor did not define communities of
interest. Communities of interest do not need to be the ethnic, the racial, or the language minorities. It can be economic. It can be geographic. It could be ** border communities have a commonality. I was at Bullhead City the night before that with all the river communities have a commonality. We have the same problem.

So if you could address any of those when you speak to us and say, well, these are the things that make us whole or we want to divide these out because that's what different. It will help us as commissioners to be able to make those types of adjustments.

Yes, sir?

SPEAKER FROM THE AUDIENCE: Just a general question. Has this process using the grid system occurred anywhere else in any other state going through redistricting?

MR. ELDER: No, it hasn't. This is the first time through. When I first took my position as a Commissioner, I was looking at how the process evolved. And I asked -- matter of act, I asked the attorneys. I said, well, where do we stand with this. And they said, well, we've been precleared as far as the process
with the Department of Justice to where the grid in 106
was the first thing that we needed to do, and that was

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1 a one man/one vote type of issued.
    I asked the question, I said, well, did
2 that make any difference to the Department of Justice.
3 And one of the comments I got back was they don't care
4 specifically how we get there as long as we address the
5 issues in the Voting Rights Act and the Constitution.
6 So just because our state Constitution
7 said let's start with the grid, that's fine, that's
8 fair, but you've got to address the other things from a
9 federal level, too. I hope that answers your question.
10 As far as I know, there's no other grid-like system in
11 the country.
12 I will take some questions. We have a
13 court reporter, so anybody that wants to speak, if I
14 have read out the name first, would you please state
15 your name and spell the last name for the court
16 reporter, and we would appreciate it.
17 Do you have a general question or is this
18 your comment?
19 MS. BANKECOTT: This is a very general
20 point that I think is extremely important. My name is
Shirley Banecott. I'm a District Legislator 13.

We moved to Tucson nearly 6 years ago, and we were so impressed with the cultural traditions here. And of course, as you all know, we used to be Mexico.

We have a tremendous number of Hispanic, and that's what gives this community so much flavor I think. So in the first instance I think that cultural tradition of the Hispanic population is the most important thing that I know of that we need to keep in mind as you start your redistricting work.

MR. ELDER: Thank you. I think what we will do is we will take these in order that were submitted, and that makes it fair access. And then when we get done with this list of people, if there's other people that wish to be heard, we can do it the way we did here at the beginning. Just state your name and then fill one of these out later.

The first one I have here is Jed Prezelski.

MR. PREZELSKI: I guess you didn't really want comment necessarily on the grid map, but it's really the only thing we have to comment on.

There are a couple of problems. I was happy to hear that it was random because there are
things in there that didn't make much sense. There was a case where you had Sabino High School drawn into a district of southeastern Arizona and nothing else drawn into that district.

So what I would like to see with that, I understand the need to like pull that district into Pima County give, you know, the population hasn't been assessed but maybe looking south to I think the more rural communities, I think Vail and you know, looking at the Santa Cruz County going out to the agricultural communities there. That might make some sense.

And then there was another district that took in the northwest and part of which I, you know, I could bet -- I mean I think that their vote gets diluted. Their funding there -- it's a larger Democratic population. They can nominate Democratic candidate but because the district is so Republican, there they don't have that much of a chance to get representation.

So that northwest side district may be could be pulled into Tucson to take in the 014 that's in that area or maybe pull more further east into the...
Foothills or even take in some of the communities that
out in southern Pinal County. Most of those people,
they read Tucson newspapers, they watch Tucson
television. Folks in Saddle Brooke don't even think of
themselves as Pinal County people. You know, so that's
something that could be looked at, too.

And then there's ** be put into a district

with western Tucson, which is where has been for the
last 10 years, maybe to a lesser extent before that.
So that's just -- those were two things. The other
things also was Ajo had been ** district with Yuma,
which Ajo doesn't really have much contact with Yuma
and I don't think there's really the direct freeway
between the two, you know.

So that's something that maybe Ajo could
be put somewhere else, up into a district maybe with
Casa Grande.

So those are the three things I looked at.
The other district which is interesting is the Santa
Cruz Valley district although I didn't really have a
chance to look at the numbers, it looks like it would
be majority stacked, but I'm wondering if the voting
population is majority stacked in that district.

So I mean that's something that I would
think the justice department would have a real problem with, a district that was majority stacked with the voting population. Those were three things. Other than that, the district -- there was a central Tucson district I think is good. You know, right now we have 13, which is a swing district. I think only maybe one time have they had three people all in one party, and that's good because that's still looks to be a swing district, and that's -- I think that's important for Tucson, so. That's it.

MR. ELDER: Let me ask one question here. When you said Saddle Brooke thinks more like the, you know, the area to the south than the county boundary, you're saying that you prefer or you think that would be better grouped. Is that the community --

MR. PREZELSKI: Well, already I think 12 would be a proportion I believe of Arizona saying there's another southern -- but I talked to those who are active politically in Pinal County, and it's difficult to get the folks in Saddle Brooke active in Pinal County politics because they think of themselves as more like it ran out of Oro Valley.

MR. ELDER: Thank you. Richard Harding.
MR. HARDING: Good evening. I am Richard Harding. I work for the Pima County Election, and I'm currently working on reprecincting. You have a map which was submitted to the Board of Supervisors. And I would like to avail my services to the group. I have created a map which was based upon a lot of splits in precincts and growth that is occurring in different areas in our community. And our considerations, of course, are nonpolitical as well, how to conduct elections in these precincts which are over populated or in some instances the micro precincts that currently exist would like to get rid of all those. The map that I have created smooths all that out. There is some changes in the north as well.

And I also work with the Native-American community. I was in the chairman's office. Some information has come to me that you were having difficulty contacting the tribe. I give you names and numbers and so take those meetings with you, and generally speaking would like you to, you know, have some kind of input based upon what I'm doing with the precinct so that it's not taken back away from what you're doing. I have similar interests in what the division of election is doing in your purpose as well.
MR. ELDER: Okay. Thank you very much.

The next person is Mike Jenkins, I believe.

MR. JENKINS: Good evening. One concern I had by looking at the preliminary map is the parts of northeast Tucson, the community of Summerhaven up on Mount Lemmon and the community of Vail are all interlocked with both Tucson and Pima County. And yet by the preliminary map, they're going to be in the same district as Cochise County and Greenlee, the other one over there. And yet they're not -- they don't have anything of interest in Cochise or Sierra Vista or Douglas. They're interlocked both with the roads and the schools, everything in Tucson. So I would like to make the recommendation that you bring them back into the Tucson area, one of the districts in the Tucson area.

And the other -- I do have a question. You're talking about the justice department giving final approval in December, which is all well and good except for one problem. It's common accepted fact or knowledge that there's going to be litigation. According to Arizona law, nothing can be done to change the districts until litigation is fully completed.
Also according to Arizona law, all petitions for any candidate for an office have to be submitted by June. What do you think the estimate would be for all the litigation that we're going to have?

MR. ELDER: I can't answer the question for litigation. You know, we expect that there are going to be people no matter what we do, and Steve Lynn's comment probably four or five meetings ago was if we can offend everybody equally, we probably did our charge. So we're going to have some dissatisfied people out there. Whether they take action and then go toward the judicial process or avenue for change, whether they take time to get involved and let us know what it is that's the problem, you know, we don't know yet.

In the past historically we did not have districts until '92, was it -- June of '92 I believe it was, a year later than where we're at. And at that time there was still litigation going on in the courts on the challenges for the courts that these are the districts and the State of Arizona had to get approval to use those districts in that election. And we really didn't have final court-adjusted districts until the
'94 election, so.

SPEAKER FROM THE AUDIENCE: I was one of the lawyers in the 1990 litigation that occurred. And there was two different cases. There were two litigations going: congressional litigation and there was the legislative litigation. In the congressional litigation what happened is they didn't wait for the maps to be drawn up clearance to go to justice. There's always the right to go ahead and file lawsuit at any point in time, and the Republican party filed a lawsuit against the Arizona State Legislature, both the House and the Senate and asked the court to certify.

If you go that route, you don't have to go through justice department to certify if somebody files a lawsuit. So what happened in that litigation, it's

F_a_i_r_v_e_r_s_u_s_S_y_m_i_n_g_t_o_n. I don't have the citation in front of me but it's an Arizona District. It went in front of a three-judge panel, Judge MacNemë, Judge Marcus, and Judge -- I can't remember the third judge that came but he was from the 9th Circuit.

They heard testimony for about a week and a half, made a ruling in terms of which cannot be accepted, and then there was a direct appeal to the

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Supreme Court. The Supreme Court affirmed Judge MacNemi and the three-judge panel's ruling, and that was it.

In the legislative affairs, in the legislature what happened is they did come up with some maps. They went to justice for clearance. There was some complaints about it, and justice did not preclear it. They went into litigation. And what happened is the litigation didn't end in time. So the judge at that point in time used the boundaries that were used in the last election prior to redistricting.

But there is no requirement. Once this gets certified, that's it. It doesn't have to -- if there's litigation, it's up to the judge whether it stays in or whether he goes ahead with the districts if there are any. But there is no requirement in Arizona that there be litigation. As a lawyer I wish that was true, but no. There is no requirement that there be litigation in terms of this.

MR. JENKINS: What I believe the state law states is that the new district cannot take effect until the litigation is completed.

SPEAKER FROM THE AUDIENCE: Well, if it's
filed, if a litigation is filed and the judge puts a
stay on it and goes with the other districts, yes,
because there is that new district.

On the other hand, if it gets certified by
justice, there's no need for it to be litigated. If it
gets certified by justice, there's no litigation then
there's no reason to have a litigation. That the
judge's decision. It depends on which goes through.

MR. ELDER: Okay. I will apologize before
I try this. Shirley Banecott?

MS. BANECOTT: I already spoke.

MR. ELDER: Okay. We got that. Thank
you. The next one would be Emmet McLaughlin.

MR. MCLAUGHLIN: I'm Emmet McLaughlin, the
former state legislature and chairman of the Republican
party, Pima County. And I think this is a great
process, and I compliment you for what you're doing. I
think that this demonstrates openness. The people of

the State of Arizona wanted it and I think it's going
to be a benefit to the people of the state.

Now, the basis you're using is population
by district and not registered voters?

MR. ELDER: At this point that is correct.

MR. MCLAUGHLIN: Is that going to change?
MR. ELDER: We -- I've mentioned it to Jose. What we -- the first round we cannot take into account anything of registration.

MR. McLAUGHLIN: In regard to registration.

MR. ELDER: With regard to registration. In the second round as we go through and develop the maps, we need to go through and look at the minority, majority, the various voting patterns, and some of those things will come out as to registration.

MR. McLAUGHLIN: Is that because of the law that was passed by the people or because of the U.S. Government?

MR. ELDER: I believe that was the U.S. Government.

MR. McLAUGHLIN: Is that part of the law that was approved by the people?

MR. LYNN: There's a number of attorneys on the Commission. However, there's a number of factors that go into Proposition 106, and the answer to both your questions is both because Proposition 106 requires you to do the equal population by grid. But then when you go into the factors, it says that you
have to follow two tenants among other ones, but I mean
you have to follow the United States Constitution and
case law that follows pursuant to the United States
Constitution, and you've got to follow the Voting
Rights Act.

Irrespective, if it wasn't in there,
that's still the law of the land. Whatever plane you
have to pass, has to meet constitutional requirements
and in Arizona since we're a Section 5 state, it has to
meet Section 5 Voting Rights.

MR. MCLAUGHLIN: Okay. So that was number one.

MR. LYNN: No, one and two.

MR. MCLAUGHLIN: One and two. One man/one
vote. Our Declaration of Independence all people
recognized to be equal. And I would just say that at
the end of your process, there are going to be
pressures to maybe see existing certain minority
districts that would not be fully equal in population.
And it's important. I might even stand up and say I
think this is something to avoid that all men are

created equal and let's keep the districts as close as
possible and not fall to the serene calls because of
cultural diversity or something. We have to accept
less than equal districts.

This is what's happening in Pima County today where you're having five districts that have been cut up and the same serene calls being presented. So I put that on the record.

MR. ELDER: Thank you very much. I think I can read the letter. Pete Davis?

MR. DAVIS: Good evening. First of all, I would like to congratulate you on your presentation. It's absolutely excellent. Fifty-five or sixty hours ago, I had been in Rome, so I'm still kind of on the airplane.

But I wanted to get here. I'm from Green Valley, Arizona, and we took the flight up back late last night. The phone was ringing off the hook. I got about 70 phone messages. It all had to do with redistricting, and some of it was misinformation. So your program was excellent and I want to congratulate.

I did serve as chairman of the annexation and redistricting committee for the village of Lumbog, and I drew the short straw. So the mayor gave me the job, and I know what you're going through. And congratulations for doing a super job.
I want to acquaint you with the Green Valley area. This area was formed in the late '60s, early '70s as a retirement for teachers. We are just off of Sahuarita and there's 10 miles between us and South Tucson, which is the Indian Nation. So we have nothing beyond the Indian Nation in Tucson that we're involved with. And yet I saw the district map, thanks to the consultant, that's another suggestion I have is to put a map on the board so that the public can actually see. Oh, I'm sorry.

MR. ELDER: We snuck them in on you.

MR. DAVIS: Oh, you snuck it in later.

Okay. I'm still on the airplane.

Green Valley has very, very little in common with Tucson or Nogales and yet we're in that district. If there's some way that you could put us from a community level, we are a community of 50 homeowner's associations approximately of which 7, 5 to 7 are non age restricted. So it's not just a retirement community. We do have some children living within our community and we take great pride in that.

Because it was started by a teacher's union, I would say 20 percent of our population is retired teachers. But we have executives, IBM I've
run into them all there. And very volunteering town. They do a lot of volunteering up in Tucson. In fact, some of our people actually teach at the University of Arizona. We have more in common with Tucson proper than we do with anything south of us. Yet we're going all the way down to the Mexican border.

Well, I want you to take that into consideration. When we get the final map, I will probably have more to say.

I would like to have the people of Green Valley address you on this. Would a petition directly to you?

MR. ELDER: Just a request. We would be delighted -- I know I can speak for him.

MR. DAVIS: Okay.

MR. ELDER: We would be delighted to do this in Green Valley at the Green Valley Coordinating Council or any other venue that you would --

MR. DAVIS: I will see what I can arrange tomorrow and get in touch with you.

MR. ELDER: Actually I will give you a card and you can call me.

MR. DAVIS: Thank you. And keep up the good work. You're doing a great job.

MR. ELDER: Thank you. Kay Sutherland
Jones.

MS. JONES: Good evening. Kay Sutherland Jones.

I have comment on what I believe is criteria number 5 perhaps. The one on diversity developing and competition in the district. It's close to the last. And it seems to me that as important as community of interest is, and I hear it tonight being expressed, that if community of interest is carried very, very far then there would be very little diversity and very little chance of community padding or really competitive elections.

I do live in District -- I think it's 13, and I have seen firsthand a very stimulating practice and it brings out the best people. So I would like to put in a word for that principle and hope that it will be considered by the Commission in as far as it can be. Thank you.

MR. ELDER: Thank you. Do we have any other people who would like to speak this evening?

Let me go into my begging routine. We're going in for a second round of meetings here. It was Pete I believe you said you had 70 people on your answering machine. Well, if you can turn that around since we've got another meeting coming up I guess
it's Wednesday. Anyway, next week in the southern part of Tucson. It's down southwest campus or desert campus. Monday the 18th, there we go. So if other people would like to participate and come up to that meeting, we very would enjoy having any people coming in that would give us further input.

One of the questions on diversity. Let me give you what I have as being used by Senator Gnatt. He had six other Senators and Representatives there. And they asked me a hypothetical question. They said if you had two districts, and you were going to divide them up, would you divide it up as a very strong Republican and a strong Democrat community, or not community, district, or would you divide it up as a very equal district.

And I thought about it for a minute and I said, well, I'm not a politician but let me give you a politician's answer. I think there's two ways of looking at that.

One if you divide it up and you have a Republican district and Democratic district and they're so strong that the opposing or the minority party in the district feels that they can't field a candidate, it's over at the primaries and you don't get the discourse from the primary to the general election,

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don't get the public understanding and discussing
issues and we lose that part of our community.
I said if we do it equally, we have a
better chance. I said but there are some districts
that there's a reason why they're strongly Republican
or they're strongly Democratic is that it might be
because they've had a very strong charismatic leader
that's done very well for their district. But all in
all, I feel the need to come down on that fairness or
on that balance so that the discourse, the discussions,
the debates, all that stuff goes on in our community so
that we understand issues and we try and solve those
issues statewide, but I focused in on that end.

So that's sort of a way that the
Commission has been put together. We've had -- I don't
think there's been any acrimony. I don't think there's
been an partisanship. It's been a very good group to
work with, and we hope to continue that all the way
through.

So with that, are there any other
questions? And if not --

MS. SHURY: Good evening. I was at the
Saturday session that you had. I'm from Sun City and
also have connections with Saddle Brooke. So we would
like to see if you could have something there because
there are other common interest communities to us. So it's quite a voting block there, quite a number of citizens period, whether they vote or not, but can you arrange a meeting in that area?

MR. ELDER: We would need to have you give us a contact person and some group to contact.

MS. SHURY: I'm president of the Civic Association.

MR. ELDER: Okay. Do you have regular meetings?

MS. SHURY: Uh-huh.

MR. ELDER: Good. Then give Steve your name. No. We will be more than happy to --

MS. SHURY: We provide 1,500 members.

MR. ELDER: I understand. Right now in this 3-week window, the commissioners are spread pretty thin. We've got 23 meetings. We literally, I mean I almost had a four-corner run where I was supposed to be in Yuma on Monday, Bullhead City on Tuesday, Sierra Vista on Wednesday, and back to Tucson. I traded that for Window Rock. I said, well, I'd rather come to Tucson anyway. Let Joshua go up to Window Rock. I'm fairly conservative fiscally. I refuse to spend probably 6 million dollars on airplanes to get to those four corners. They maybe needed somebody, but in any
case we will try and do that.

MS. SHURY: Okay. My precinct has the highest voter turnout in the state of Arizona.

MS. RYAN: My name is Mary Judge Ryan. As I was looking at the goals of the redistricting, I believe that there is a high out as they should be called that the A, which does comply with the United States Constitution rights, is going to trump some of the other as you go down.

And the third one in this is the geographically compact nature of it all, which goes directly to the comment you just said. This is a large state. Some parts of it, which are very, very sparsely populated. The congressional districts, as they are currently drawn, are not geographically compact. And if you start in Apache County where part of that as drawn now, is also in the same district with Cochise County.

If you move that line down and then move and shift all of the district, you would creat more geographically compact districts so we would not have to be driving from St. John's to Bisbee or Ajo in order to effectively represent that district.

MR. ELDER: Thank you. Any further? Yes?
MR. DALTON: There was a dividing line between the Tucson central district and the Tucson west district that was not Campbell Avenue but sort of along Campbell Avenue. I think it was a series of streets 2 or 3 blocks west and it took the medical college, took paternity row away from the rest of the campus, and I was active in campus politics.

But anyway, it was just kind of a weird jog that split a lot of neighborhoods, and my understanding of the way this process works, we wanted to get away from doing that because I know that one of the frustration with redistricting 10 years ago was what we called the Starship Enterprise District, which is District 14, which cut up all kinds of neighborhoods into all kinds of weird shapes and it really frustrated people. The main thing I would like to make sure to get on the record we had gotten away from this process.

MR. ELDER: Would you prefer if they were in shapes of animals? We've got the Moosehead District. We've got the Spaceship Enterprise District. We've got a lot of unique, wonderful shapes there now.
Okay.

MR. DALTON: Thank you.
MR. ELDER: Thank you. Yes, sir?

MR. RYAN: My name is Tom Ryan. I just had a question about the data that you're using and its availability to of those who like to play with maps. Is the data, for example, the population data of Earth Township in the grid that you're working with available for people to look at and use?

MR. ELDER: I'm going to say the census had -- I guess we would need to go back into some of the rules of how we made our data because we took census tracts. Census tracts are not grids. Some of them they go off into a little irregular pattern. And there was a rule that we gave our consultant that says if the majority of the population of that census tract falls inside the township, then the little piece that goes outside is grabbed also.

So that's how a lot of these irregular shapes is that the precincts -- excuse me, not precincts. The census tract information gave us those irregular edges. All of those census tract data pieces are -- I believe the census is on the website. So you can get all of the, you know, the census data there.

MR. RYAN: It's on your website?

MR. ELDER: It's on the U.S. Census. And
then we have on our website at azredistricting.org site, we have, you know, those lines, and we have that grid on there. But I don't think we have an overlay of the census tract itself, but I think, you know, if you

were to do an overlay one from the other, you very easily see where those one go.

I think -- I was going to say if I was a citizen right now, if I had a whole lot of time on my hands, I might look at it. But because this is a one man/one vote grid in the way we entered everything, you know, we know that we have divided out, I say we know we divided out just like the previous comment, here's the University Med Center. It's separated from this. We're going diagonally across Campbell Avenue. This should go up center Campbell Avenue. I have no idea how it's going to fall out. If there is a reason of community interest that this site is in Amphi School District and this site is in Tucson District, that might be a reason why we would change a line to get the districts, the school districts together so we're not splitting up districts between congressional or legislative districts.

There's a lot of things we're going to be
looking at and doing and at the next run where you say, okay, now I see where the lines that we're proposing torment, that's why I would be investigating my energy and saying, oh, gosh, this precinct here, this precinct here, they changed this over here, there's a reason why we use those five or six reasons up there. If you say

this fits better this way because and we've got a rational, traceable, defensible reason why we moved that line, that makes our job a whole lot easier and that could be more fun for you when you get into it.

MR. RYAN: I just -- the question is -- comes down to if I want to consider a change in a district and I want to say move it 5 blocks to the west, what effect does that have on population and what does it mean on the other side of the district? What do I have to do look at it.

So, you know, I was just wondering if there was some relatively easy format of data that people can have available if they are interested in looking at those things?

MR. ELDER: Give us a shout and let's see what we can come up with there because we've got -- we call him the smart guy. Smart guy back at the officer who is a pretty good wizard at that, and if we can
integrate that into our website where there's another sidebar where we can say click on precincts or click on, you know, whatever, you know, let's see what we can come up with.

MR. RYAN: Thank you.

MR. COFIGLIO: My name is Jim Cofiglio.

MR. ELDER: You better spell that.

MR. COFIGLIO: I was curious when you mentioned census numbers whether you were talking about the numbers of U.S. Citizens or everybody and how do you differentiate pockets of folks that aren't yet citizens, for example, there may be folks here that are working in fields which are not in the census, and are you counting one man/one vote for that census?

MR. LYNN: We're counting this population is everybody. Everything that goes into census rules and census regulations, and that's what we count.

MR. COFIGLIO: So it can be folks that are not yet citizens?

MR. LYNN: If they were to come in and they came in under the census and they were registered in the census, they're in. And it also includes prisoners in prisons who are not citizens also. It
includes whoever the census counted in that district.

MR. ELDER: That's one of the things that we had early on and that's what Steve made a point of is that we have to use the 2000 census. There's been some challenges made and says, well, there's some under counts here and then than in two different areas, and we're not allowed to use that data. If the courts come up and say this is going to be revised and revise the census data, then we would take the new data. But

right now the 2000 census data, you know, the court have said is what we can use even though 30 seconds after the census was done there was, you know, another kid here, another kid there, somebody moved in, we can't take that into account.

MR. RYAN: I was just trying to differentiate whether -- let's say you got a flood of folks that are still wet.

MR. ELDER: Then they're counted.

MR. RYAN: I'm saying that there's a flood of people that come across and maybe are still wet and they're counted in census because they happen to be there even though they're not citizens? I'm sorry. This is an impression one gets from all the folks that have come across the border and whether they stay here.
or go onto Chicago, they're counted in the census. I was just wondering if we had to be a citizen to be counted.

MR. ELDER: In the census. Yes, ma'am?

SPEAKER FROM THE AUDIENCE: How do you get the citizens?

MR. ELDER: Right there. There's several ways. One of the ways that is available to everybody that we didn't mention early on is we understand that a lot of people don't have computers but the library, what do they call it, the Association or whatever, the library says we will help anybody who wants to come into the library and do the -- to get onto the azredistricting.org, and I've gotten hit more times than Steve did tonight. So maybe the website -- but you go into your library, and you can bring up that citizen kit and you can fill it out and say send and it goes back in and it counts the same as if you filled one out tonight. You mail it back to us. You request one. It's mailed to you. You can fax it to us. Any one of those four ways we will take and it counts the same as any other avenue.

SPEAKER FROM THE AUDIENCE: I would like
to get it.

MR. ELDER: Okay. We will see what we can do for you.

SPEAKER FROM THE AUDIENCE: Thank you.

MR. ELDER: And we don't have any maps. We have grids. I heard that rumbling back there. We have no maps. We have no bananas.

Anybody else? Well, if you don't want to do it formally, Steve and I will stay around for a few minutes. If you want to talk to us, ask us questions, I would be more than happy to do that.

Thank you for coming tonight. We hope to see you in another month or so.