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ARIZONA' S INDEPENDENT
REDISTRICTING COMMISSION
PUBLIC MEETING

Safford, Arizona
Tuesday, June 26, 2001

THERESA AGUILAR
Certified Court Reporter No. 50531
800 Main Street
Safford, Arizona 85546
(520) 428-3310

1 COMMISSIONER HALL: Ladies and gentlemen, my name
2 is Joshua Hall, and I'm one of the Commission members of
3 the Independent Redistricting Commission. And as you can
4 see by all this surrounding me, this is a public meeting,
5 and I'd like to call that meeting to order. All of your
6 input will be recorded, and that's why we're here is to
7 receive your input.

8 I'm grateful to be here amongst you. Nothing
9 more pleasant than for me, as a fellow who lives in Apache
10 County, to see freshly irrigated fields and the beautiful
11 green farm ground that I just witnessed as I drove in just
12 this evening. I -- I appreciate that. Saturday I was
13 branding calves, and I still have battle scars from that
14 project. So I have some empathy with some of you that also
15 be involved in that.

16 We're grateful for the opportunity to be with
17 you and we appreciate to be here and we welcome your input.
18 I'll kind of give you an overview of how this meeting will
19 proceed, and then I'll do some introductions of those that
20 are here with us, and then we will go ahead and proceed as
21 rapidly as possible.

22 We want to give you a little bit of
23 information and Mr. Elder, one of my fellow commissioners,
24 Dan Elder, will make that presentation. Following that
25 presentation we then will allow for public comment. For

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1 those of you that had not had an opportunity to fill out a

2 little yellow speaker slip, we would invite you to do so,
3 if you so choose to public -- to provide public comment.
4 You can come here to this microphone and do that. And in
5 the event, if you feel so inspired, in the course of the
6 meeting and want a speaker slip, just raise your hand and a
7 member of our staff Theresa will provide that to you.
8 Following the public comment then, we will allow for any
9 additional questions that are relevant to what we're
10 talking about today and then this meeting will be
11 adjourned.

12 With your permission, sometimes throughout
13 your public comment, if we need clarification, I hope it
14 would be appropriate we may want to ask you some questions
15 in order that we completely understand what you're trying
16 to convey to us.

17 With that, Manuel and Theresa, do you mind
18 coming up so we can introduce you. We have two members of
19 our staff back here, Theresa and Manuel. And, Manuel, I
20 need you definitely to come forward so you can make a
21 statement here in a minute. And then we also have our
22 court reporter. And we have our attorney, Jose Rivera, one
23 of the members -- one of our two members of legal counsel.
24 We have Ralph Rassum, who is a member of our consultant,
25 National Demographics Corporation. Again, I'm Joshua Hall.

4

1 And my fellow commissioner, Daniel Elder, who resides in
2 Tucson.

3 Are there any questions before we proceed

4 with this meeting with respect to what you need to do? You
5 have --

6 Manuel, you mind coming forward and insuring
7 that there's no one here that requires an interpretation?

8 MR. GUTIERREZ: My name is Manuel Gutierrez, and
9 I'm here to translate from English to Spanish. So if
10 anybody needs Spanish translation, please raise your hand.

11 MR. RIVERA: Manuel.

12 (Mr. Gutierrez speaking in Spanish.)

13 COMMISSIONER ELDER: Manuel, you got the easiest
14 job on this deal.

15 You know, it's kind of a -- you know, is
16 there any -- here's the irony, are there any other
17 language -- people that may need translation in another
18 language? Of course, they wouldn't understand what I'm
19 saying, so how would they know? But without any further
20 ado, we'll go ahead and proceed with the meeting.

21 You can tell from my dress that I'm a little
22 bit less formal than Joshua is, but I had an excuse. I
23 just flew in from Vancouver and got into Tucson and I was
24 behind about 45 minutes. I said, Well, I'd rather be here
25 than go by and get my sportscoat and tie and all the other

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1 things that Joshua brought along with him from the high
2 country.

3 This will be a presentation of the Arizona
4 Independent Redistricting Commission. The subject of
5 tonight's presentation is the redistricting or the drawing

6 of new districts for both congressional --

7 Yes, sir.

8 MALE VOICE: Could you raise it up a little bit?
9 It's kind of behind the podium there. Any way to raise it?

10 COMMISSIONER HALL: Yes, sir. Thank you.

11 COMMISSIONER ELDER: That or maybe we can pull the
12 table back some and get and get a bigger handout. Would
13 that help?

14 All right. We'll try that for a while.

15 To redraw the redistricts -- or the districts
16 for both congressional and legislative districts per the
17 provisions of Proposition 106.

18 It's very important to note the difference
19 between previous redistricting efforts and redistricting
20 that we are going through in 1999 through 2001. Anyway,
21 the 2000 census.

22 The citizens play a crucial role in this. In
23 the past legislators -- legislators have gone into caucus.
24 They've drawn the lines. They've gone through a whole
25 series of exercises to try and redistrict the state, and in

6

1 the past I think historically we've never had a
2 redistricting fly with the judicial system, and the courts
3 have redrawn our district lines for us.

4 So this is an attempt for the citizens to
5 play the process as opposed to the legislators. And we're
6 here really to have you tell us. We're in the
7 fact-finding. We want the information from you so that we

8 will know when we adjust the line why we're adjusting the
9 line. It's also helpful for our standpoint that when we do
10 submit the final plan to the Department of Justice, that
11 they see that this is what the public wanted, this is why
12 they wanted it and we've got a defensible position. We
13 moved it and here's the documentation as to why.

14 The subject -- went the wrong direction.

15 We'll be using these hearings to bring the
16 redistricting process to the state. We're holding
17 approximately 23 meetings across the state. There's
18 usually two meetings going on at any one time, so it's not
19 that Josh and I were the only two that were willing to come
20 to Safford. It's that there's another meeting going on at
21 the same time in another part of the state. So the balance
22 of the Commission is at their location.

23 We need to share our plans with you, and we
24 need to hear from you the reaction. And that's the second
25 phase. So once we get the information from you, we will go

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1 back and prepare plans and then we're going to have another
2 second round of public meetings so that you can respond to
3 those plans and let us know what you liked about them, what
4 you didn't like about them, and then we will go back and
5 take another shot at the plan and then submit that for
6 review. And there's a 30-day comment period in there for
7 your input as well as I'm sure we'll get the legislature,
8 we'll get other interested parties wanting to submit a plan
9 for review.

10 We're determined to make this a fair process.
11 We want to derive and generate districts that are balanced
12 enough that the people of Arizona will think that in effect
13 we did a good job.

14 I'll diverge a little bit. In one of the --
15 I want to say -- meetings when I was going through the
16 selection process, they asked the question if you had a
17 choice between two districts that were one strongly
18 democrat, one strongly republican, would you do that and
19 leave it as such or would you try and make it a balanced
20 district -- two balanced districts? And I made the
21 comment, at that time I said, Here all the commissioners
22 were selected not being politicians. As a matter of fact,
23 we can't run, we could not have run for public office, both
24 in the past or in the foreseeable future. But I gave a
25 political answer. You can have it two ways. The one way

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1 would be that you leave it as a very strong republican and
2 strong democratic district because it might be that they
3 were getting excellent representation from those people.

4 The other side of it is is that if we have a
5 very unbalanced district, if the opposition or the
6 minority party in that district doesn't run credible
7 candidates, it's over in the primaries. Then we don't have
8 the discourse, we don't have the discussion of issues in
9 our communities between the primary and the general
10 elections.

11 So I said, you know, if I had -- had to do

12 it, I would go for the fair districts so that we generate
13 that education, we generate the discourse, the discussion
14 among the public so that the issues in our communities come
15 to the top and we can start to -- to try and solve them.
16 So I think that the balanced aspects of the Commission and
17 the people that are on it, so far we have gone through this
18 thing and I have to believe we're going to come up with a
19 very balanced, very fair. It has not been partisan
20 politics raised its heads yet, and I don't anticipate that
21 it will.

22 Often in the past and in states all around
23 the country redistricting has been very divisive. We've
24 had incumbents wanting to protect their territory, and
25 they've used processes that have been abusive and it's

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1 called gerrymandering. That's my terminology.

2 Back in -- in, I don't know, the 1800s a
3 Governor Aldridge, I believe it was, in Massachusetts came
4 up and he developed a -- a set of districts that I believe
5 it was the Boston Herald, Boston Post, whatever the
6 newspaper --

7 COMMISSIONER HALL: Boston Globe.

8 COMMISSIONER ELDER: Boston Globe.

9 Thank you, Joshua.

10 -- had caricature and it looked like a
11 salamander. So they put it together and it was Governor
12 Gary and mander for salamander. So it's garymandering as
13 opposed to gerrymandering, but call it what you will, it

14 was still divisive among the communities.

15 Here's how gerrymandering works. On the left
16 we can dilute a majority area or a minority area by
17 dispersing. We can take this and by splitting it down the
18 middle and down the other side here, we can dilute the
19 strength that that specific group, whether it be
20 agricultural, whether it be Hispanic, whether it be Native
21 American, whatever the issue may be, you could draw lines
22 to separate them enough that they would have no power with
23 any one of the four districts.

24 On the right-hand side, the other way of
25 doing it is to draw the lines to where you put --

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1 I told you I wandered.

2 -- where you put all of the group in one area
3 and you leave the other three areas untouched, so that they
4 have the power in one district, but the other three
5 districts could go on this as before.

6 Here we have an example of racial
7 gerrymandering. We have an area where there was a large
8 group of Hispanics, and they were put all in one district,
9 leaving the republican districts to -- to be free in this
10 instance.

11 On the right-hand side you were using the
12 dilution where we had a democratic, say a white incumbent,
13 and by dividing this out they didn't have enough power at
14 that point to be able to control what their representation
15 was. So that's the two methods that come about in racial

16 gerrymandering.

17 The voters of Arizona wanted this process
18 cleaned up. That's why they voted for and passed a state
19 constitutional proposition. And they voted in -- in the
20 Proposition 106 to create a new entity. That entity is the
21 Independent Redistricting Commission. It's responsible for
22 the process that we're in right now.

23 Let me give you a little bit of history about
24 the Independent Redistricting Commission. The way the
25 process was set up is that the House majority leader in

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1 effect got the first choice. He chose James Huntwork from
2 Phoenix, a republican. Then it went to the other side.
3 And the democrat chose Andrea Minkoff.

4 Let me give you, I suppose, a little bit of
5 background. James Huntwork is an attorney in Phoenix.
6 Andrea Minkoff, one person calls her a community activist.
7 Others say she's extremely organized and involved in the
8 community.

9 Then the Senate president had the third
10 choice, and he chose myself. And I'm from Pima County.
11 And the reason he went to the Pima County was is that the
12 proposition said that out of the first four people chosen,
13 you could have no more than two people from one county or
14 two people from the same party. So there's two from
15 Maricopa County, a republican and a democrat. I was then
16 the third person chosen. I'm a republican from Pima
17 County.

18 The fourth person chosen was -- was Joshua
19 Hall. He's from St. Johns and has businesses, I think, all
20 over the White Mountains, if he let it be known, but, no,
21 he runs a title company out of Pinetop. There we go.

22 The four of us got together after we were
23 sworn in by the state -- what is it? It wasn't the supreme
24 court -- Betsey Bayless.

25 MR. RIVERA: Secretary of state.

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1 COMMISSIONER ELDER: Secretary of state.

2 We got sworn in. And at that open meeting we
3 then interviewed for the chairman. The chairman was an
4 independent. The process of the numbers game was that
5 there was 300 and I believe it was 31 people that filed an
6 application with the appellate courts for doing this --
7 this job. We get paid exactly zero for. Steve Lynn, our
8 chairman that we chose, likes to tell the story that he
9 said by the time it got down to it, the state supreme court
10 had chosen eight or ten republicans, ten democrats and five
11 independents. By the time we were chosen, it was down to
12 only four independents because the fifth one understood how
13 much time it was going to take and how we were going to get
14 paid.

15 So we went through an open process that we
16 interviewed all four of the candidates in an open meeting.
17 We then selected and it was a unanimous vote for Steve
18 Lynn. And the independent was then appointed as the
19 chairman. And he's with Unisource Corporation. It's with

20 Tucson Electric Power in Tucson.

21 So the way it comes down is we have two from
22 Maricopa County, two from Pima County, and one from Apache
23 County.

24 Proposition 106 states that the Commission
25 shall establish legislative and congressional districts.

13

1 The commencement of the process -- for the
2 process for both of these types of districts is the
3 creation of an equal population grid.

4 Now, we started this gathering of information
5 about two weeks ago. And I said right at the beginning I
6 said, boy, I think we messed up in reverse here because the
7 first four meetings we went to, they said, We love the
8 grid. All of the river communities are together. You
9 know, just went on and on. Wait a minute. Time out. This
10 grid that we have done is only based on population alone.
11 It takes into no account communities, school districts,
12 ethnic-racial backgrounds and voting history. It has none
13 of the things of the community's interest that we would
14 like to find out about tonight from the standpoint of what
15 is the glue in your community that holds you together?
16 Where do you shop? Where do you work? What is the
17 economic basis for -- for the area that we're in now? So
18 we have a better understanding of if we move a line, if so,
19 why so.

20 So we put this together. And the other part
21 of the Proposition 106 relates to the Voting Rights Act.

22 So we started off with the districts shall comply with the
23 United States Constitution and the Voting Rights Act. That
24 was the first thing in 106.

25 The second was we start with a grid I just

14

1 discussed.

2 And then we go into districts are
3 geographically compact and contiguous. You know, meaning
4 that you -- I think in the Pima County we've got areas that
5 look like mooses or meece or whatever you want to call. We
6 have the Star Trek, you know, district. There's all kinds
7 of weird shaped districts. That the only reason they could
8 possibly be there is maybe for some political reason.
9 There just doesn't make sense. You can't get there from
10 here type of vote issues.

11 The district boundaries shall respect
12 communities of interest. Back in the -- I guess it was,
13 what, ten years ago, Jose, twelve years ago, Sandra Day
14 O'Connor, in -- in a decision on the supreme court, wrote
15 the and used the term "communities of interest." That was
16 all well and good, but she failed or did not continue on
17 and define communities of interest. So rather than the
18 Commission getting together and saying, Well, these are the
19 communities of interest we're going to use to define
20 districts, we wanted to come back and find out what those
21 communities of interests are from you.

22 And you'll notice that the ends of the first
23 four or five it says to the extent practicable. We know

24 we're not going to be able to not draw a line that's not
25 going to split somebody off from somebody that they've

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1 traditionally been with. We know that we're not going to
2 be able to, you know, change from six congressional
3 districts to eight congressional districts and potentially
4 not have two incumbents in the same district. We're not
5 allowed to know where the incumbents live. We --

6 You know, that's one of the things Jose was
7 going, nah, nah, nah, nah, nah, at a meeting because
8 somebody wanted to give us an address of where their
9 representative lived. We don't want to know that because
10 we want to try to make this as fair as possible.

11 Then to the extent practicable, the district
12 lines shall follow geographic features, city, town
13 boundaries, undivided census tracts.

14 We're using the 2000 census as our database
15 and that's all we're allowed to use. There are some
16 communities that have filed protests because there has been
17 undercounts. Well, appellate courts go through all of
18 this. The only thing we are allowed to use is the 2000
19 census.

20 To the extent practicable, competitive
21 districts shall be favored where they do not create any
22 significant detriment to the other goals preceding this.

23 So these are the things that we use. And
24 when you make your comments this evening, if you could tie
25 it into some of these aspects and say, Well, the community

1 of interest is agriculture. Community of interest is
2 mining. Community of interest is, you know, the school
3 district.

4 You know, do we have anybody here from
5 Willcox? I officiated football. It seemed like there was
6 a pretty good rally between Safford and Thatcher and
7 Willcox. So there's some things that tie you together as a
8 community.

9 Partisanship and incumbency. The party
10 registration and voting history is excluded in the first or
11 the initial phase. We know not where the republicans are.
12 We know not where the democrats are. We know the counts.
13 We know the racial backgrounds, but we don't have anything
14 with the party affiliation.

15 In the second round, after we've drawn these
16 lines, then we'll be able to consider or identify those
17 factors.

18 In April of 2001 the Commission received the
19 2000 census. So that was when we first got data that we
20 could work with.

21 Take a look at these numbers here. We've got
22 a state population of approximately 3.6 million in 1990.
23 Remember this one because now we have 5.1 million in the
24 state.

25 But when we take a look at this, we take a

1 look at the fastest-growing counties. And we look at
2 Maricopa County and that number there is almost or it's
3 approaching what the entire state was in 1990. So that
4 growth there ends up making it very difficult to say, oh,
5 yeah, we'll just spread all the congressional districts
6 around the state and leave Maricopa County where it is.
7 Not going to happen on the one man/one vote, so we've got
8 some issues there that Maricopa County grew phenomenally in
9 relation to the rest of the state.

10 Percentages though, look at Mohave. There's
11 some amazing growth in those. You know, so you take a look
12 at these and that's where the state's grown. Pima County,
13 on the other hand, I think we're at 26 and some change.
14 Inevitably they're going to lose legislative district.
15 There just isn't any way around it.

16 COMMISSIONER HALL: Graham County too.

17 COMMISSIONER ELDER: Yeah, Graham County was
18 approximately 25 percent. So we all grew, but we didn't
19 grow as fast as the other parts of the state.

20 So the task of the Redistricting Commission
21 was to develop the districts in a grid-like pattern.

22 "Grid" -- you know, one of our commissioners,
23 as a matter of fact I think it was Mr. Huntwork, went to
24 the web site, said, Yeah, I found 17 different ways you can
25 grid a plain. Oh, my goodness, Jim, you know. So we went

1 to the dictionary and we took a look. And it's really any
2 system that is somewhat rectilinear. And, you know, the
3 grid is a plain, and that's -- that's what we're looking at
4 here. And you can take your choice of which definition you
5 really like.

6 Steps toward equal population grid. On the
7 28th of May, which is approximately a month ago, we voted
8 to begin to develop the grid based on Arizona's townships.
9 May 25th the Commission received the progress -- progress
10 report from the consultant.

11 We chose the townships and range because of
12 one of -- really three or four different reasons. One, it
13 was nonpolitical. There wasn't a republican or a democrat
14 or a wig or anybody else that said this is where we're
15 going to start because it divided the state for an
16 advantage.

17 The other thing is most of the maps that you
18 get you have one page for a township. Township being six
19 miles wide, six miles high. So it was already somewhat of
20 a grid to begin with.

21 To assure complete neutrality in the gridding
22 process, the starting point we chose by lottery at the Salt
23 River Gila Base Meridian. We threw out the quarters:
24 Northwest, southwest, northeast, southeast. And we had one
25 of the members pull out and it turned out to be the

19

1 northwest. So we started in the northwest portion of the
2 state.

3 We then were asked by the consultant, he
4 said, well, after we amalgamate or -- or aggregate enough
5 population for the various census tracts, you know,
6 accumulations into legislative districts and congressional
7 districts, which way do we go from there? So we flipped a
8 coin. Heads was counter -- was clockwise. Tails was
9 counterclockwise. Came up counterclockwise. So we went
10 from the northwest to the southwest to the southeast to the
11 northeast. And we took -- each time we went to the
12 township. And then just think about your area and think
13 about Phoenix. In a 36 square miles you darn near have
14 enough for one legislative district in a township. And you
15 take a township out here and you may need to take eight,
16 ten, twelve townships together to get enough people for a
17 congressional district or a legislative district.

18 So this is what we ended up doing. We ended
19 up taking a township and then we made it into four
20 townships. So we have four square miles. And each time we
21 went counterclockwise within the -- the grid. And then we
22 made the super townships. We still didn't have enough
23 population. And we continued counterclockwise in that. So
24 it was mathematically pure I guess from the standpoint that
25 any time the consultant came up and says, I don't quite

20

1 have enough, where do I go next, there was a rule in place
2 that said this is the way you go, not looking for a
3 precinct that was -- or not a precinct -- a census tract
4 that was the right size that might have biased the way we

5 approached this.

6 Townships provide a grid -- yeah, okay,
7 townships do provide a grid-like pattern.

8 We're now down to the public hearings. We're
9 coming back at this stage to try and define what
10 communities of interest are. We're trying to find out from
11 the grid what things about the grid, you know, might appeal
12 to you as -- as a way of starting to generate a dialog,
13 knowing that the grid was only one factor out of six that
14 we've got to consider. But it will give us a position to
15 at least be able to start getting some answers and some
16 questions out on the table.

17 Public review process. You know, after we
18 develop these plans, after we get this information, we will
19 develop a set of plans. There's a 30-day review process,
20 which you can come back and you can fill out a Citizen
21 Input Form and say, I was looking at the plan and I don't
22 like the line such and such. Or I would like to see these
23 two communities held together. We don't want to be
24 divided. No, we want to be together. Whatever the issues
25 and comments are, we have 30 days or more to -- to go in

21

1 and -- and do the review process.

2 Then we come together and we make a revision
3 to that plan. And we're going to have, I think, about two
4 weeks, maybe more, to have further comment and modify that
5 second set of plans.

6 Citizen Input Form. In your package that you

7 picked up there should be a Citizen Input Form. You can
8 fill it out tonight. Theresa or Theresa is holding up a
9 package back there, but you can fill it out tonight. You
10 can mail it to us. Address is on there. Our web site is
11 www -- whatever the little sign is -- slash
12 azredistricting.org. And I found out a couple of weeks ago
13 that if you say dot com it will come through also. We've
14 got it linked together. But azredistricting.com

15 Your library. They said that they would make
16 sure that their librarians were trained to where they could
17 bring it up, you could fill out the form and have it fly
18 just fine from the library. So you can do that. You can
19 ask for a copy of this to be mailed to you, so that you can
20 fill it in and send it back.

21 But the best way of getting to us is -- is
22 talking with us. And don't hesitate to give us a call if
23 there is other information that you want to get in even
24 after tonight. If you fill out a form, oh, I forgot, this
25 is a pretty important. You know, fill out another one.

22

1 You know, just give us as much information as we possibly
2 can get.

3 First thing we want is we'd like to have your
4 questions giving us your name and address so we can get
5 back to you. We can tell you that we received your
6 comments. The National Demographics Corporation said that
7 if we have a plan drawn, they will review it, look at it to
8 see how it conforms to the -- to the law, how it conforms

9 to the one man/one vote, how it affected the community and
10 say, thank you, here's what we found, here's what we can
11 do, and hopefully we'll be able to integrate those comments
12 into our planning process.

13 But if -- and as I said, I'm a little bit
14 less formal than Josh. If you'd like to speak or make a
15 comment and don't want to give us your name, that's fine
16 too. You know, at the end of these things, you know, say,
17 I'd like to -- to add this to -- to the mix and we'll sit
18 here and listen to you as long as we can.

19 Your major concern. The second part -- the
20 number two is let us know what, in as few words as
21 possible, what the most important aspect of the
22 redistricting process is to you. What boundary lines would
23 you like to see used in your area? Is it the river up
24 here? Oh, we want the north part of the river separated
25 from the south part of the river. The Graham Mountains,

23

1 you know, that's a barrier. People on the other side, we
2 don't relate to. It's hard to represent if you're a
3 representative. It's hard to go canvass if you're trying
4 to become elected. And it's harder to get roads over there
5 if you're coming over here and saying, Hey, we need some
6 roads or whatever the issue might be. If you can't get
7 there, it's hard to be a part of the community.

8 Also what areas, groups, neighborhood do you
9 want divided out? Say, they don't relate to us at all.
10 Let us know what those are too.

11 Questions on Citizen Input Form What
12 information would you like to see taken into account in
13 drawing the boundary lines? Please rank them in order.
14 There's about six or eight. There's some other things at
15 the bottom as far as just some blank lines. If we haven't
16 hit the six or eight best areas, go ahead and write in a
17 couple. Say this is my number one priority. This is
18 number two. We want to get some value. You know, what's
19 the most valuable to us? What's the least value. So we
20 start getting some relationships.

21 Keep the community intact. Bring it
22 together. Such groups together: Neighborhood
23 associations, minority group concerns, school districts.
24 How did we vote in the last prop -- set of propositions?
25 Was there one area that said, Oh, we voted very strongly

24

1 for this proposition, but another area of the community
2 didn't. You know, we like -- we think we're more alike
3 because of these factors or concerns.

4 Using manmade or natural bounds. We talked
5 about the river, the mountains.

6 Drawing congressional legislative district
7 lines include whole cities as much as possible in the equal
8 population.

9 We had a comment from Chandler that the last
10 time that they were in the redistricting process about 95
11 percent of their community was in one district and here
12 this one piece of 5 percent inside the city limits was

13 outside the district and they said that they really never
14 got really good representation from the people probably out
15 of Globe, for all I know, but they said, you know, if you
16 can include whole communities.

17 Other areas, like when I went to Nogales,
18 they said, we like having nine representatives. You know,
19 we like being divided because then we got three senators
20 and six legislators we can go to and lobby and say, We
21 really need help up here in -- in Phoenix. Others said,
22 no, we want three strong ones that are only ours. So
23 that's the kind of thing we need here from you folks. You
24 want to be together or you want to be tied to other
25 communities?

25

1 Using local government boundaries when
2 drawing congressional and legislative districts. Local
3 governmental boundaries like the county, school district
4 lines, things along those lanes.

5 Keeping census tracts from being split. If
6 we can, we want to keep the census tracts together because
7 we've got data that works well for us from that respect.
8 But if there's some reason why you say, Oh, no, this one
9 census tract is giant, divide this thing because we don't
10 get representation because of the mountain, we don't get
11 whatever, you know, that we want out of it. So it would be
12 helpful if we know when we've got a problem. Let us know
13 what that might be.

14 And then here it doesn't affect you as much

15 using freeways and major transportation routes. But you do
16 have the State Highway and Federal, what is it, 40 through
17 here?

18 FEMALE VOICE: 70.

19 COMMISSIONER ELDER: 70 through here. 40 down --
20 all right. We have 10 down through Tucson.

21 Drawing compact and contiguous shapes for
22 districts. That's coming right out of the Voter Rights
23 Act.

24 Complete it, mail it. Here we've got
25 azredistricting.org. And, as I said, Tim Johnson, at our

26

1 office, does have it to where dot com will work. The dot
2 org is the one that will get you in, get you the fastest
3 access.

4 Citizen kits -- kits. If you wish to provide
5 geographic information, these kits will be available, are
6 available on the web site. You can download them, draw a
7 line on it, send it back to us and that's as good as if you
8 handed it to us this evening.

9 Federal mandates: Equal population, voting
10 rights, Proposition 106. We have to send this back in to
11 the Department of Justice, Washington, DC. They're going
12 to look at it from these factors.

13 I sense, when I first started this, that 106
14 they didn't care how we approached it as long as the
15 Federal Voting Rights Act were followed. So the grid
16 didn't affect them at all. They said, If that's how you

17 guys want to start in Arizona, that's fine with us, as long
18 as you make sure that it's fair and make sure that it's not
19 biased.

20 Public meetings. That's what we're doing
21 now. We're going to develop the plans. This is coming in
22 late July. We should be back to you for the second round
23 with plans. We then will be having those public hearings.
24 We will then spend two to three weeks developing final
25 plans after we've received comments and then we have the

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1 submission to the U. S. Department of Justice.

2 And Steve left in his applause. So with
3 that, I'd like to turn it over to Joshua. As a matter of
4 fact, we'll probably put this microphone here so that as
5 you speak it will be recorded. And if any of you that did
6 not fill out any of the yellow forms, if you want to speak,
7 come up and either spell your name or pronounce it clearly
8 so that the court reporter will get that and it will become
9 part of the record also. Thank you.

10 COMMISSIONER HALL: Thank you, Mr. Elder.
11 Appreciate that.

12 As a reminder, for those of you that may have
13 folks that were unable to make --

14 Can you hold this far? Close?

15 -- were unable to make this meeting, we will
16 also be in Globe tomorrow evening. Commissioner Elder will
17 be at that meeting. I will be unable to attend the meeting
18 in Globe because I will be in Holbrook, but for those of

19 you who had folks that were unable to come here, it's not
20 too far a drive to Globe. I just made it. And that
21 meeting will be at 6:00 p.m. at 150 North Pine Street.
22 Wherever that is, I have no idea. But you're more than
23 welcome to go, if you didn't -- if you failed this evening.
24 What we'd like to do now is turn the time
25 over for public comment.

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1 THERESA: I was trying to reduce the feedback. I
2 think that's just it.

3 COMMISSIONER HALL: Again, for those of you who
4 may have come late and did not have an opportunity to fill
5 out a yellow speaker slip, you're more than welcome to do
6 so if you'd like to make public comment to this Commission.
7 You can ask Theresa. She will provide you with one of
8 these and deliver it up front. And so I have a stack of
9 these. I'm going to call these, just go down the list of
10 them, and we appreciate the opportunity to hear from you.

11 The first one I have is Mr. Jim Palmer.

12 MR. PALMER: Thank you. Appreciate the
13 opportunity to address you here this evening. Appreciate
14 the efforts that this Commission has made and your staff to
15 be here and to -- to hear from all of us.

16 I represent the Graham County Board of
17 Supervisors. I am a member of the board of supervisors,
18 and we have several concerns that we hope would be
19 addressed as you consider this process.

20 One of the things that we are deeply

21 concerned about is the fact that for many years now Graham
22 County has been divided into two legislative districts, and
23 we feel like it has to a great extent neutralized our
24 ability to influence the outcome of elections.

25 We're a very small county, something just

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1 over 30,000 people. And when you divide that between
2 legislative districts it makes it very difficult for us to
3 have very much influence. So we very much like to see the
4 county united into one -- one district.

5 We believe very strongly in the concept of
6 communities of interest. We think it's very, very
7 important to our county, to our surrounding areas. We have
8 many rural areas around us that we feel like share those
9 communities of interest, be they mining, agriculture,
10 forest issues, endangered species issues, many things that
11 combine us as a community of interest with some of our
12 rural neighbors. And we feel very strongly that we need
13 rural -- rural representation that will represent that
14 community of interest in state government for us.

15 Graham County belongs to an organization
16 known as the Eastern Arizona Counties Organization. It's
17 comprised of Graham, Greenlee, Gila, Navajo and Apache
18 Counties. And we would very much support a move that would
19 make those eastern counties -- that Eastern Counties
20 Organization one legislative district. We think we would
21 be very well served by that. We feel like we have very
22 strong ties with those counties. We meet regularly with

23 them and -- and have a lot in common with many of the
24 issues and concerns that we share.

25 And while I know that there is some sentiment

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1 in Graham County to align us with the southern part of the
2 state, in Cochise County, and certainly we do share some --
3 some interest with those areas, a concern that we have I
4 think is that perhaps some large population centers in --
5 in Cochise County, such as Sierra Vista, would -- would
6 dominate us. And we would have a very difficult time being
7 heard.

8 And in the eastern counties that I mentioned
9 earlier their -- we are comprised of counties that have all
10 communities of about the same size. Where I think we all
11 have a equal chance to be heard and -- and would be equally
12 represented in state government.

13 Both Graham County and the Eastern Counties
14 Organization have passed resolutions. The Graham County
15 Board of Supervisors and the Eastern Arizona Counties
16 Organization have passed resolutions that I would like to
17 submit into the record. If you'd like me to read those, I
18 would, or one of them or would you rather I just submit the
19 written?

20 COMMISSIONER HALL: How long are they?

21 MR. PALMER: Very short.

22 COMMISSIONER HALL: Read one.

23 MR. PALMER: I'll read one.

24 "Whereas, Graham County is a member

25

of the Eastern Arizona Counties

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1 Organization, which is comprised of
2 Apache, Gila, Graham, Greenlee, and Navajo
3 Counties, and has been in existence for
4 many years; and

5 Whereas, Graham County has economic,
6 geographic, cultural and legislative
7 interests in common with the other ECO
8 counties; which form the basis of a strong
9 and unique community of interests; and

10 Whereas, similar issues within ECO
11 counties include mining, agriculture,
12 forest health, endangered species, open
13 spaces, ranching, recreation,
14 transportation, water and healthcare,
15 which are all unique in some way to the
16 ECO counties; and

17 Whereas, representation of rural
18 Arizona is in the best interest of Graham
19 County, as well as the other ECO counties,
20 and the state of Arizona.

21 Be it therefore resolved, that the
22 Graham County Board of Supervisors
23 recommends that a rural legislative
24 district include southern Apache and
25 Navajo Counties and Greenlee, Graham and

1 Gila Counties.

2 Be it further resolved, that the
3 Graham County Board of Supervisors
4 recommends that the new congressional
5 districts be formed in a manner that
6 optimizes rural Arizona representation and
7 includes the entire ECO area in one
8 district. "

9 And -- and the ECO resolution is very similar
10 to that, and it was passed last Thursday at an ECO board
11 meeting.

12 And I'll submit those to you.

13 We feel like this -- this very well serves
14 our community of interest. A group of small communities,
15 all about the same size, all geographically --
16 geographically continuous, very good little block there. I
17 think they could be well represented and well served.

18 Also would like to speak just very briefly on
19 the need to have a rural congressional district. We feel
20 like this would be very important and -- and would hope
21 that there would be some way to find enough folks in rural
22 Arizona that we could have at least one rural congressman
23 from Arizona who would -- who would represent us, who would
24 understand our needs and our concerns. We have been well
25 represented by Congressman Kolbe back in Washington, but I

1 also --

2 MR. RIVERA: You cannot mention -- excuse me. You
3 cannot mention who you're being represented by. Sorry.

4 MR. PALMER: Okay. I'm sorry.

5 We have been well represented in Washington,
6 but I have also -- I have also been there at times when --
7 when I have been told quite frankly that when it comes --
8 push comes to shove that person was elected in Tucson and
9 not in Graham County. And -- and we feel like rural
10 Arizona would be well served by having a rural congressman.
11 If we -- if that could be worked out.

12 I thank you for your time this evening and
13 appreciate the opportunity to be heard.

14 COMMISSIONER HALL: Thank you, Mr. Palmer.
15 Appreciate that.

16 COMMISSIONER ELDER: Mr. Palmer, would you --

17 MR. PALMER: Yes.

18 COMMISSIONER HALL: Our next speaker is Don
19 Stacey.

20 MR. STACEY: Thank you very much, and we deeply
21 appreciate you coming out to rural areas to receive our
22 input.

23 My name is Don Stacey. I'm Chairman of the
24 Board of Supervisors for Greenlee County. And Jim here, he
25 kind of paved the way for me because we're very much in

1 line with what Graham County has just said.

2 The intent of this testimony is to convey
3 Greenlee County's wishes to remain in a totally rural
4 district to the extent possible given the population
5 changes in the state. We believe that the voice of rural
6 Arizona will not be heard if broken up and attached in
7 large metropolitan areas.

8 Furthermore, because of issues such as
9 mining, large tracts of public lands, ranching, farming,
10 recreation, transportation, water and healthcare, it is our
11 recommendation that Greenlee County be included in a rural
12 legislative district that includes Apache, Navajo, Graham
13 and Gila Counties.

14 It's not that we don't have a lot in common
15 with our neighbors to the south, but I think the big issue
16 with us is the use of public lands, and -- and the large
17 amounts of forest in all of our counties. And this I think
18 ties us because we have such a small amount of private land
19 in each of these counties.

20 We feel that both state and congressional
21 districts formed, which include the above-mentioned
22 counties, would best serve the interest of the region.

23 And you'll -- of course, I'm not speaking for
24 the other board members, but you may receive a similar
25 resolution from Greenlee County's supporting such a

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1 combination.

2 COMMISSIONER HALL: Thank you.

3 MR. STACEY: Thank you very much.

4 COMMISSIONER HALL: Thank you, Mr. Stacey.

5 Our next speaker is Terry Cooper.

6 MR. COOPER: Members of the Commission, for the
7 record, my name is Terry Cooper, and I too wish to welcome
8 you to Graham County. I'm here as Graham County manager
9 tonight. And quite frankly only a fool would go against
10 what his boss just said a few minutes ago, but I would like
11 to say that I too support a community of like interest with
12 our neighbors to the north. We've worked very effectively
13 as an ECO county organization and would continue to do so,
14 representing and request that we be represented in rural
15 Arizona.

16 I did want to make one other comment,
17 however, and that is that today I had an opportunity to
18 review the submittal from the Navajo Nation, which was
19 submitted to you folks just the other day. Quite frankly,
20 I think if you wish to change your slide for
21 gerrymandering, that does it very nicely as it includes the
22 entire reservation, comes down through Apache and then
23 takes the White Mountains, San Carlos Reservations as well.
24 So I'd certainly urge you to look more at community --
25 communities of interest as opposed to recommendation such

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1 as that. Thank you.

2 COMMISSIONER HALL: Thank you, Mr. Cooper.

3 The next speaker is Ed Sawyer.

4 MR. SAWYER: Thank you, Mr. Chairman.

5 My name is Ed Sawyer, and I want to say that
6 I am -- spent three different times going through this
7 gerrymandering and I guess I'm part of it, so that picture
8 up there might have looked like me as a matter of fact.

9 I wanted to take this opportunity though to
10 compliment you on taking this job. It's a challenging job.
11 It's a good step -- first step, but I'm not so sure when
12 you get through you're going to wish you had done it or
13 not, because I'm not sure how many friends you're going to
14 have and how many enemies you're going to have when it's
15 over, but I want to assure you that -- that when it's over
16 with, no matter what you do, I'm going to appreciate it
17 because this has been coming for a long time. It should
18 have been -- happened.

19 The only thing I'd like to say in this is
20 that I know how difficult it is when you get numbers and
21 federal government telling you how you have to do it, but I
22 would hope that you would consider in this -- in your
23 deliberation that you keep at least the Gila Valley
24 together. Now, there's a point here where they want to go
25 up into the north. That's fine. Go to the south. That

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1 doesn't make any difference. But at the present time, as
2 you probably know, we split the Gila -- Gila Valley, which
3 I think is ridiculous.

4 I didn't do it in my time. When I got out
5 they did it. But anyhow, it split. What they did is they
6 took Safford and put it in one district, took half of

7 Thatcher and put it in the other district along with Pima
8 and Fort Thomas. This is all an agricultural community.
9 These people all are together here. They do all their
10 shopping in Thatcher and Safford. Ninety-nine percent of
11 it. So it's sort of funny to have them split it in this
12 instant. And also this -- and I would hope that you would
13 remember that, the Graham County needs to be back together
14 the way it should be.

15 I know it's very difficult. And this doesn't
16 have anything to do with the way you -- you can do this,
17 but if you just think back and the people should think here
18 that in the state when it gets through with redistricting,
19 no matter how it goes, about 10 percent of the vote in the
20 legislature is going to control about 85 percent of the
21 land in the state of Arizona. In other words, the majority
22 of the people are in Phoenix. Let's face it. The others
23 in Tucson. Very small areas land wise. Which doesn't make
24 any difference in your figuring, but just consider that.

25 And -- and I would have hope that in the

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1 redistricting of the congressional districts, if you could
2 possibly, some way, I don't know how you're going to do it,
3 get -- go a horseshoe and go around Maricopa and, I'm
4 sorry, Tucson, and give us a district -- congressional
5 district outside of those two areas.

6 And I do -- and I do want to thank you so
7 much for your taking this opportunity, and I hope that when
8 you're through that you don't get mad at Arizona and leave

9 the state of Arizona. Thank you so much.

10 COMMISSIONER ELDER: Thank you.

11 I will say that we feel it's a them against
12 us many times also. That Maricopa controls Pima, controls
13 the rest of the state. We also have a little saying that
14 says: If we offend everybody just a little bit, we
15 probably did our job, or if we pleased everybody just a
16 little bit, we did our job. But there is no way we please
17 everybody all the time so.

18 We have Mark Tregaskes.

19 MR. TREGASKES: You say it almost as well as I do.

20 COMMISSIONER ELDER: Oh, boy, I got close. I
21 should have left this to Joshua so he'd have the privilege
22 of mispronouncing and butchering your name. I apologize.
23 Thank you.

24 MR. TREGASKES: Thank you for being with us
25 tonight. My name is Mark Tregaskes.

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1 MR. RIVERA: Excuse me. Could you spell it for
2 the court reporter and for me?

3 MR. TREGASKES: T-R-E-G-A-S-K-E-S. M-A-R-K.

4 Thank you again for being with us tonight.

5 Rather than repeat everything that's been
6 said, I would just add that I concur with all that has been
7 presented already tonight.

8 I'm also superintendent of Safford Schools,
9 which is located here in Graham County. A big concern that
10 we have certainly is not being split up as a district or as

11 a community or as a county. We feel very strongly that in
12 order to really meet the needs of our students and our
13 community it takes all of us working together, and that
14 includes having people work for us at the legislature. We
15 heartily endorse being all one piece as far as the
16 redistricting continues.

17 Something else for your interest. Even
18 though it wasn't by design, some of the comments that has
19 been made in order to join us with the northern counties.
20 In our district we have more common interests with the
21 districts that are to the north of us than we do to those
22 that are from the south. And, again, it wasn't by design.
23 It is just something that has happened over the years and
24 we see that continuing.

25 Now I notice that you say now your questions.

40

1 So some questions that I have, if we -- if you want to go
2 back to the six goals that have been established, I have
3 some questions regarding those.

4 COMMISSIONER HALL: Please.

5 MR. TREGASKES: The testimony that you've heard
6 tonight I think is covered by all of the goals that you've
7 mentioned. I think the question that really comes into --
8 into play is what priority do those goals have? If the
9 goals cannot all be met, is there one or two goals that
10 have greater priority over others at this time? And if
11 they don't at this time, my guess is that some time they
12 will, and I want to know what process would be used in

13 order to determine what priorities those goals would have
14 in making the redistricting.

15 COMMISSIONER HALL: Well, I'm going to give you a
16 general answer to that question and then if you want
17 something more technical, I'll pass the microphone to legal
18 counsel. How's that?

19 MR. TREGASKES: That would be great.

20 COMMISSIONER HALL: But generally there is some
21 prepotency -- that's my word -- with respect to the order
22 of these. Obviously, the United States Voting Right Act
23 and the United States Constitution in complying with the
24 State Constitution, Proposition 106, are predominant. And
25 there -- if you can see with respect to, for example,

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1 competitiveness, that, and especially as stated within the
2 proposition, cannot even be considered in the first round
3 and is less significant than communities of interest. And
4 I don't know if "significant" is the word to use, but I --
5 probably a lesser priority than contiguity, compactness,
6 the Voting Rights Act, communities of interest and those
7 that are stated further. So our counsel has told us that
8 there is some prepotency in the way that they're ordered,
9 but obviously there's also some fluidity with respect to
10 those because it's not lock, stock, the way it flows.

11 Does that answer your question or do you want
12 more detail?

13 MR. TREGASKES: I think we get lost in the detail
14 sometimes.

15 COMMISSIONER HALL: Okay.

16 MR. TREGASKES: What I understood is that
17 certainly by the law and regulations that are there, those
18 are going to take priority. Those that do not fit the law
19 and regulations are going to take lesser priority. Of
20 those, which are the most important at this time?

21 COMMISSIONER HALL: Well, I think there's another
22 factor also. Realize that Arizona is subject to what's
23 called Section 5. We're under the provisions of Section 5.
24 Meaning that we have an obligation to insure by law that we
25 do not minimize in any degree and that we properly preserve

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1 the voting capability of minorities in the state of
2 Arizona, and specifically Hispanics and Native Americans.
3 That issue there, in light of the fact that we're under
4 Section 5, our plan must be precleared by the Department of
5 Justice. And unless they stamp -- give us their stamp of
6 approval as to what we do, then this plan cannot become
7 efficacious. That is one of the issues that is very, very
8 important, not only because it's required by law, because
9 it's the right thing to do.

10 So it wouldn't matter if a district was
11 contiguous, compact and identified community of interest.
12 If it violates Section 5 requirements with respect to
13 minorities, that particular issue would take precedence
14 over a lot of those other issues.

15 MR. TREGASKES: That taken into account, as we
16 take a look at the six goals that you have there, would you

17 say that that's a fairly good representation of the
18 priority ranking that you're going to be working with? The
19 order in which they're presented.

20 COMMISSIONER HALL: Mr. Rivera, did you have
21 anything you want to add to that or --

22 MR. RIVERA: No. I think that aside from A and B,
23 it's the individual Commissioners in terms of their thought
24 pattern and what they see and the way that the evidence is
25 presented and it's really more the public in terms of

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1 what -- what they think is more important now the C, D and
2 F and testimony.

3 MR. TREGASKES: Which -- which was my final
4 question. Then some of the public input that you're
5 receiving, for those that their -- the ranking can't
6 change, that's going to be based on public input you
7 receive?

8 MR. RIVERA: Right. You know, but supreme court
9 decisions and the testimony, community interest is a big,
10 big, big factor.

11 MR. TREGASKES: Thank you.

12 COMMISSIONER ELDER: That's what I was going to
13 make mention. That the C, D could easily be flipped. You
14 know, where communities of interest would take priority
15 over geographical boundaries and that. And that's really
16 one of the questions I've had is to -- we've got an area
17 in -- I hate to keep saying this -- in Pima County, where
18 Sabino High School is attached to Pinal. And I think when

19 I was a little bit under the weather in college I might
20 have been able to make it down the road on the backside of
21 the Catalina Mountains, but there is no way that that one
22 little area gets fair representation if we left it as the
23 grid shows now. So geography, access, compactness,
24 compactness that, yes, I can get there. It might on a map
25 look it's only two miles away, but if you have to go around

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1 Navajo Bridge to the other side of the Grand Canyon it
2 doesn't make a whole lot of sense.

3 So there are areas where I can see that
4 geography and the geographic, the land form the rivers, the
5 edges that we have in our state might take priority over
6 communities of interest, but not very often. Community
7 interest, at least through one commissioner's position is,
8 is that community interest is probably the thing we want to
9 find out the most about. What is the glue that holds you
10 together? How do you live? How do you socialize? How do
11 you vote? How do you have a dialog among each other to --
12 to make the republic or the democratic process work?

13 MR. TREGASKES: Thank you for your clarification.

14 COMMISSIONER HALL: Thank you, Mr. Mark.

15 I appreciate the prelude because I have no --
16 I'm having a hard time here. And I'm sure it's not this
17 handwriting. It has to be my eyes. George.

18 MR. LEMEN: Lemen.

19 COMMISSIONER HALL: Lemen. I apologize, George.
20 Thank you.

21 MR. LEMEN: That's okay. I don't write well with
22 my left hand, and I don't -- I only have one.

23 COMMISSIONER HALL: Is that L-E-M --

24 MR. LEMEN: E-N.

25 COMMISSIONER HALL: L-E-M-E-N. Thank you.

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1 MR. LEMEN: Gentlemen, thank you very much for
2 coming here tonight.

3 Mr. Hall, you've got to be in trouble here
4 because you're with two guys from -- from Maricopa -- the
5 state of Maricopa, two guys from Pima. I live in Pima,
6 which my state representative didn't know where Pima was
7 for the first couple of years he was -- after the last
8 gerrymandering thing, and you got two lawyers to work with.
9 You're in deep, deep trouble. You're the only guy
10 that's -- that's --

11 COMMISSIONER HALL: You want to repeat that for
12 the record one more time?

13 Did you get that? Okay.

14 MR. LEMEN: You're in deep, deep trouble.

15 MR. RIVERA: He wants a copy of that.

16 MR. LEMEN: We sure appreciate you being here.

17 When we see a commission like yours, as all
18 commissions like yours are made primarily out of the state
19 of Maricopa and Pima County, we all say, Well, we're done.
20 But maybe we're not.

21 You mentioned three or four times tonight the
22 community of interest. In the congressional district that

23 we now have, our congressional -- our congressperson comes
24 out here like once a quarter and he sits down and he talks
25 to us and he listens to us and he nods his head, but he

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1 really doesn't hear what's being said. Or he hears what's
2 being said, but when he goes back to where he lives and
3 gets on that airplane and he looks down on the ground and
4 sees how many of those people there are versus how many of
5 us there are, guess what he does. He does exactly what
6 they want him to do.

7 This idea of a rural district is wonderful.
8 If we could get that -- every district that you have on
9 your legislative map touches or takes a part of one of the
10 major metropolitan areas. Those major metropolitan areas
11 get everything they want, and we get what's left. That's
12 not right. It's just not right. But it is right because
13 after all the most people are -- have the most say. But
14 it's time for the rural Arizona, especially rural Arizona
15 to have some say in how we're governed. And not just give
16 it up and give it to the other guys. And that's what we
17 essentially have to do today. Thank you.

18 COMMISSIONER HALL: Mr. Lemen, thank you for your
19 comments.

20 Let me just say a little bit in defense of my
21 fellow commissioners however.

22 When I first was appointed to this
23 commission, I had some of the similar concerns. And I can
24 assure you folks that my four fellow commissioners are four

25 of the five -- four of the fair-mindedness folks I ever

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1 met. And I -- I can assure you that -- for example,
2 yesterday evening the chairman of our commission and I flew
3 to Window Rock. And I think he was kind of impressed with
4 our culture and was presented with a bola tie -- a
5 turquoise bola tie as a gift and -- and along with myself,
6 yeah, see.

7 MR. SAWYER: We missed out.

8 COMMISSIONER HALL: And I think that he really
9 began to appreciate the Native American culture, for
10 example, in northeastern Arizona.

11 And I can assure you that Mr. Huntwork and I
12 were in Flagstaff together wherein we listened to the Hopi
13 tribe, for example. And where we received a cob of corn
14 for a gift and -- one of those dry cobs of corn. And --
15 and my fellow commissioners, I can assure you, have a
16 vested interest also in -- in rural Arizona too.

17 Our next speaker is Walter Mayors.

18 MR. MARES: Walt -- excuse me. It's Walter Mares.

19 COMMISSIONER HALL: Sorry.

20 MR. MARES: It's all right. No problem.

21 M-A-R-E-S.

22 COMMISSIONER HALL: I'm a bona fide gringo. I
23 apologize.

24 MR. MARES: No problema.

25 As I've written on my sheet there, I'm

1 chairman of the Greenlee County Democratic Party. I'm not
2 here on any political agenda. The only ugly head that will
3 be raised will be this one.

4 I have a very good rapport with -- with the
5 chairman of the other party in Greenlee County. We keep in
6 touch. We feel that we may have some differences, but
7 basically we're in the same boat. I've spoken at length
8 with many from both parties, major parties and a few who
9 don't belong to either party, and the view I've seen so far
10 is people would like to stay -- people I have spoken with,
11 a cross-section, would like to stay -- Greenlee County to
12 stay in District 8. I know it's contrary to what -- what
13 the board of supervisors is -- is -- is wishing to, and I'm
14 not here to say whether they're right or wrong.

15 But the bottom line is this, we feel we have
16 a great more common ground with Graham, Cochise and Santa
17 Cruz County. We have an organization -- governor's
18 organization or SEAGO, called Southeastern Arizona
19 Governor's Organization, that includes the counties
20 currently in District 8. We have very strong historical
21 ties certainly with Graham County. While we do share ties
22 of interest, some environmental issues, whether it's
23 spotted owl, coyotes, agriculture with Navajo and Apache
24 Counties, we also share some of those with Cochise and
25 Graham Counties and certainly issues in Santa Cruz.

1 Another strong tie -- District 8 strong tie
2 is something known as SEABHS, Southeastern Arizona
3 Behavioral Health Services, whose board I happen to sit.
4 It covers the same areas as SEAGO. There has been a great
5 deal of investment and hard work that has gone into
6 providing behavioral health in rural Arizona, which is --
7 sometimes seems next to impossible. We built, own and
8 operate a nonprofit psychiatric hospital in Benson to serve
9 the region. Used to be that Greenlee County law
10 enforcement officers had to drive all the way up to Pinetop
11 in the middle of the winter, no fun, if not impossible, to
12 acquire services.

13 We also have strong ties, again besides
14 behavioral health, medical services with Graham County, on
15 down through Cochise County and, of course, ultimately
16 Tucson. But there -- there are far more issues. We
17 strongly support stand on having to deal with environmental
18 issues that affect the livelihood of so many. There are
19 other issues I believe that also need to be addressed
20 besides the environmental issues.

21 Clifton and Duncan. Clifton is the county
22 seat of Greenlee County, and Duncan is the only other
23 incorporated town. Both are designated colonies by U. S.
24 Department of Agriculture and Department of Commerce.
25 Duncan's may -- Duncan may only have one of the two

1 designations, but meaning that we're close enough to the

2 border to qualify for certain grants and other -- other
3 activities and programs and so forth. Certainly that's
4 something we don't have in common with Apache, Navajo
5 County. Try getting to Apache and Navajo County in the
6 winter. It's not that easy. It's not that accessible for
7 the common person.

8 Certainly another tie that we have with
9 Graham County that filters on down south is we had a
10 devastating flood in 1983. A great many people relocated
11 in Graham County, and also many retirees have located here
12 because there is far more extensive medical facility here
13 than elsewhere.

14 When -- when District 8 was created, yes,
15 part of that was gerrymandering and -- or garymandering.
16 And I remember resenting that very strongly why it was
17 done. It might have been by mistake, but I feel that it
18 has worked out. Again, it -- it also includes the SEAGO
19 region. And every county, every town, in those four
20 counties Graham, Greenlee, Santa Cruz and Cochise, belongs
21 to SEAGO.

22 Certainly one factor is representation of the
23 Hispanic population. I don't see how going with Navajo and
24 Apache Counties can in any way be beneficial. I am not
25 talking about favoritism for any particular minority group

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1 whatever. I'm talking about fair and equitable
2 representation. The chances of electing a Hispanic
3 representative from Apache and Navajo about nil.

4 Anyway, in conclusion, I certainly have to
5 agree with -- with what has been said here. Hopefully
6 see -- hopefully we'll see Graham County brought together.
7 That's certainly was unfair to the folks here. And as far
8 as keeping it rural, please, there -- there are two -- two
9 rurals -- two definitions of rural I believe in Arizona.
10 One is the Flagstaffs, the Casa Grandes, and to a point
11 Sierra Vista, but it is not anywhere near the -- the animal
12 that either Casa Grande or Flagstaff and some of the larger
13 cities are in. And, yes, they can be dealt with
14 politically. They don't have that kind of power yet or
15 that kind of population that they can be dealt with.

16 And certainly thank you for -- for being
17 here. It's nice to have some input, as compared to the
18 partisan situation that occurred before when the
19 redistricting was done somewhat ten years ago and so forth,
20 but thank you very much.

21 COMMISSIONER HALL: Thank you, Mr. Mares. How did
22 I do?

23 MR. MARES: Muy bien. Thank you.

24 COMMISSIONER HALL: Our next speaker is Gale
25 Barney.

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1 MS. BARNEY: That's Gale, G-A-L-E, Barney,
2 B-A-R-N-E-Y. I'm the Graham County Democratic chairman.
3 Very happy to meet you.

4 MR. MARES: You too.

5 MS. BARNEY: We talk on the telephone.

6 The plan that I have in my hand was given to
7 me by Marsha Arzberger as a Cochise County plan. I believe
8 you may have already been introduced to this plan; is that
9 correct? Okay. Do you want me to list it or just discuss
10 it?

11 COMMISSIONER HALL: Whatever your preference is.

12 MS. BARNEY: Okay. Under this particular plan
13 would include Cochise County, only part of Graham County,
14 keeping the present boundary that goes between Thatcher and
15 Safford along 20th Avenue, as I understood from her
16 description. The maps are not very clear. Greenlee
17 County, and again looking at the map, I had hoped that
18 Clifton and Morenci were in this plan, but I look at it, I
19 can't tell if that little square puts it in or out. But it
20 should have been in, according to her description on the
21 phone. I'm only looking at a electronically transmitted
22 thing. Would also include Cochise County, a little piece
23 of Santa Cruz that would go over to Nogales. As much as I
24 can tell, Patagonia is not in it or is in it. It's just
25 very, very hard to read the map and see what it is.

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1 There's some good things and some -- some
2 strengths and weaknesses here. For Graham County we had
3 hoped, you know, in considering as has been stated that it
4 would be nice to have all of Graham County put into one
5 district. That the county was a complete county.
6 Advantages, as you have pointed out here before, would be
7 splitting -- we would have representation for -- from two

8 different representatives if the split stays, and there
9 are -- there's some merit to that, as you stated. So I
10 won't negate it by stating it.

11 In addition to this, I'd understood that
12 there was also a plan of some kind that the Commission had
13 tentatively or someone has discussed last evening at the
14 Safford City Council. I was not there and no one has
15 addressed that. I had hoped that somebody would present
16 these various plans before we started discussing on them,
17 so we could hear more completely what the options were
18 before we had an opinion on something we didn't know. I
19 find myself very illy and very lately informed, although I
20 have had my ear to the State democrats for, you know, quite
21 sometime. And nothing -- why was nothing given to us?
22 That's all. Just, you know, not that we're trying to go
23 out and do your job for us. It's just that if you think
24 ahead -- things ahead of time and really knew if -- like
25 you said, we can come back and present in July, but I still

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1 do not have a clear idea of what the options are and
2 certainly would like to have them

3 COMMISSIONER HALL: Neither do we.

4 MS. BARNEY: Okay. Okay.

5 COMMISSIONER HALL: You can rest assured that when
6 we come back we will have draft plans.

7 MS. BARNEY: Okay.

8 COMMISSIONER HALL: And we'll post maps and we'll
9 have them on our Power Point presentation.

10 I think that you were alluding to our grid
11 which has already been produced.

12 MS. BARNEY: And that is only the grid?

13 COMMISSIONER HALL: That's correct. That is a
14 grid. And you're more than welcome to provide input
15 relative to it. But my suggestion is is that what we're
16 looking for are the suggestions we've been receiving this
17 evening in an effort to identify communities of interest to
18 help us adjust the grid to accommodate communities of
19 interest and then come back with draft maps and then allow
20 us -- allow you folks to more accurately place us in your
21 gun sights so that we can then respond again.

22 MS. BARNEY: And has been stated, I don't envy
23 your position at all. And I can see you're working very
24 hard at it.

25 COMMISSIONER ELDER: Let me add to that that as

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1 soon as we get, even if it's a preliminary plan we're still
2 working on, we plan on posting that on our web site so we
3 start receiving comments on that as we're going through the
4 sort of evolutionary process. So give us about three,
5 maybe four weeks. Because we'll finish up here this week,
6 and then it's going to take two to three weeks for just the
7 statisticians to -- to give us the sort of next step and to
8 evaluate what's been recorded, read it, categorize it, do
9 all the -- the ranking that they will do for us to where we
10 then will start preparing plans, but the first shot most
11 likely will be on the web site before they're actually

12 brought to meetings.

13 MS. BARNEY: Okay. Thank you.

14 I would also like to comment I recognize with
15 the supervisors that we do have interest of commonality
16 concerning the watershed particularly. And as they've said
17 the rural communities, as has been stated by Mr. Mares here
18 so well. We also do have commonalities with our border
19 towns and people because of our Hispanic population. And
20 as Mrs. Arzberger pointed out, there is some problem with
21 concerns that justice might come and mess everything up.

22 And just to illustrate what happens when
23 justice messes things up, I brought the map of our county
24 after they got through with it. So that's just to refresh
25 your memory. That's what justice did. And the unfortunate

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1 thing is is they were doing it trying to create a strong
2 Hispanic vote -- voting district and in essence what they
3 did was disenfranchise them. And I'd like that to go on
4 the record because campaigning, even the county manager
5 when he retired could not find the constituents because
6 the -- the -- the lines were so fuzzy. So I really hope
7 that you keep as a priority this geographically compact
8 contiguous highways straight lines.

9 We even found the -- the local school was
10 gerrymandered out because there were no Hispanic names on
11 that block here. You know, that was the kind of thing that
12 justice did with the computer, and it's really unfortunate
13 that they did not allow the input that had been so

14 graciously given.

15 I'd like to state this comment, that I would
16 hope that in considering if it went to considering trying
17 to make an area of interest based on say Hispanic or what,
18 that we consider that a fine candidate is always electable
19 by a majority of people, not just a particular race. And I
20 would like to speak that in our own situation my husband
21 was well supported greatly by the Hispanic community, which
22 we much appreciated. And that if we had a Hispanic
23 resident -- we worked ourselves trying to get a Hispanic
24 person to run and they were a little reluctant to, but I'm
25 sure that if we came with someone who's qualified and the

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1 people would have confidence you would find that -- that
2 racism and things like that really wouldn't matter.
3 It's -- it's qualifications in what you're able to do.

4 The border concerns are a real concern. And
5 also with the Arzberger plan has been mentioned, we do have
6 some concerns that Sierra Vista and the population there do
7 overpower our vote sometimes. And that's a consideration.

8 Another consideration was that if we were put
9 into part of Pima -- I had heard that if it went into Pima
10 it would go into the Vail area, which would really be rural
11 people, moving towards Benson eastward there. But if it
12 went on in say to the center of Tucson, into the city, we
13 would have great concerns with losing rural representation.
14 Keeping the communities of interest as the rural
15 communities of interest.

16 So have I covered everything I hope. Anyway,
17 really appreciate you. And we hope that in the final
18 outcome that the very best is done. Thank you.

19 COMMISSIONER HALL: Thank you, Ms. Barney.
20 Appreciate that. You certainly heard more -- about more
21 plans than I have so.

22 Our next speaker is Curtis Ward.

23 MR. WARD: Hello. I'm chairman of the Graham
24 County Republican Party, and if I haven't ruined my
25 credibility already I'll try a little harder. I voted

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1 against Proposition 106. I didn't think that the -- I
2 thought the legislature could -- could do a better job than
3 a commission could do, but so far I am impressed with the
4 job that has been done.

5 I like your grid. It was just -- sounded
6 like it was completely rural -- I mean -- arbitrary and
7 happenstance how you did it, but I like it.

8 Gale Barney showed up -- held up the last one
9 of the state -- I mean, of the -- of Safford area. This is
10 of the state. You see it's been -- it is worked around
11 quite a bit.

12 I want to second some of the things that have
13 been said tonight. I really like the idea of a rural
14 congressional district. I think that would do our state
15 well.

16 I also like the idea of Graham County being
17 left as a whole and also joining with Greenlee County.

18 We're sister counties. I think Greenlee County was carved
19 off of Graham County.

20 If we need to divide, I -- my vote is to go
21 with a southern area. To go with legislative District 8.

22 I just want to say I love everybody here, and
23 we're -- we're not fighting each other. What we're doing
24 is fighting ignorance. And what happens is when those
25 lines are drawn, cutting up our community in a really odd

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1 form, it's very difficult to reach people. And that was
2 mentioned by some of the people here from the political
3 parties. It's very difficult to get people interested in
4 the political system because no one knows where they --
5 what precinct they're in, what legislative district they're
6 in, and so forth. So if you can keep us together, we
7 really appreciate that.

8 And that's all I have to say. Thank you.
9 Appreciate the job you're doing.

10 COMMISSIONER HALL: Thank you, Mr. Ward.

11 Our next speaker is John Rhoads.

12 MR. RHOADS: My name is John Rhodes. It's
13 R-H-O-A-D-S. And in response to the obvious question is
14 this black eye of mine was not the result of a barroom
15 brawl. It was the result of the dumb accident.

16 So anyway, a few months ago -- firstly,
17 welcome to Safford. A few months ago I sat in a meeting
18 and listened to the governor of Arizona address a fairly
19 large group of political people. And in -- in that

20 presentation she made a comment that -- that I was given
21 great hope through. She said that the State of Arizona was
22 acquiring a computer program that would help in an
23 equitable solution to redistricting problem. And the
24 reason I felt such great hope was because I had become a
25 precinct committeeman some couple years before that, and

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1 the first thing I recognized was the fact that there were
2 three different sets of maps and they were all extremely
3 confusing.

4 For example, my own precinct there's three
5 separate areas in that precinct. Now, I didn't -- I was
6 too naive to think that that was the result of political
7 prowess on the part of somebody sometime for somebody
8 else's ends. But today I realize that gerrymandering is a
9 real fact of life.

10 When I first saw the grid map that came out
11 from -- from this Commission, which I -- I believe the grid
12 as such is good, I really do, but I had hopes of seeing
13 something a little bit different. And -- and before I tell
14 you exactly what I was thinking, I'd like to ask you a
15 question. Your -- your -- you asked your questions.

16 When the Proposition 106 was -- was passed,
17 was there a mandate to this Commission to start at the
18 legislative district level as compared to a congressional
19 district level? Because I -- I -- I think we've got things
20 exactly backwards. If we started with congressional
21 district and we drew some equitable maps in the state of

22 Arizona, and then within those districts -- those
23 congressional districts we drew some legislative districts,
24 I think we could find a degree of equity for rural Arizona.
25 That's my concern.

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1 And -- and I'm -- I -- when I heard Governor
2 Hull mention this computer program, I envisioned something
3 that would be along the lines of drawing a line from the
4 exact population center in the state of Arizona, somewhere
5 across to the border and then taking equal increments of a
6 pie and -- and dividing it into legislative districts. Now
7 that's the kind of thinking I think most computers operate
8 on. All right. That's the simplicity of a computer.
9 And -- and I admire your -- your grid system because I do
10 recognize the fact that the effort was made to -- to -- to
11 address communities of interest, which a computer, without
12 direction, cannot do.

13 But I believe in this case we need to address
14 not just communities of interest, but communities of
15 disinterest. What is it that separates a cowboy from his
16 horse? There's a burr under the saddle. And it -- quite
17 often a burr can be in the form of -- of animosity from one
18 group to another or from litigation or whatever it is. I
19 believe there is a burr under the saddle in this area that
20 needs to be addressed when it comes to redistricting. And
21 I would simply ask that that burr be considered. It's a
22 very real situation at this point involving money in my
23 humble opinion. And not mining, not agriculture, not

24 anything but money. And we all have interest in money.
25 But I haven't heard that said yet, and I just felt that it

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1 really needed to be addressed.

2 I would like to see an answer to the question
3 though or hear one if you have one regarding the sequence
4 of redistricting.

5 COMMISSIONER HALL: Thank you for the question.
6 It's an excellent question. Let me -- you -- you really
7 asked three or four. I'll try and hit all of those, and if
8 I don't do so, please -- please correct me.

9 Your question was do we start with
10 legislative first and then go to congressional? And, no,
11 we didn't start with either one because really those are
12 two parallel processes. Realize that an ideal -- pursuant
13 to the new population figures of 5.1 approximately, the new
14 legislative district is about a hundred and seventy-one
15 thousand and twenty-one people. The law requires that
16 every district is equal population. With that same figure,
17 the equal population figure, that 5.1 divisible by eight,
18 is five point -- I'm sorry -- 641,329 people.

19 So basically in the aggregation process, as
20 Commissioner Elder explained, we started in the northwest
21 corner and aggregate townships which are square. You
22 alluded to why don't we just draw a square lines? Well,
23 that was my understanding as -- until I began to understand
24 really the process. You need to understand that the
25 fundamental population basis of the census is a census

1 tract or block. And that's why when you aggregate
2 townships you -- you have to overlay the census tracts or
3 blocks. Because it's very difficult to divide those -- in
4 fact, it's somewhat of an act of Congress to divide
5 those -- and we have to utilize those basic population
6 building blocks in an effort to aggregate only considering
7 population.

8 Let me correct. In one of your statements
9 you said, I don't think the grid should have considered
10 communities of interest. It did not consider community of
11 interest. The only consideration for the grid was
12 arbitrary rules that were established by the Commission.
13 And, in fact, by reason of adoption of those rules, the map
14 was an automatic by-product of the adoption of the rules.
15 And all the rules said was, we need to aggregate townships
16 with the overlay of census tracts and we accommodate --
17 other accommodating rules as problems occurred as we tried
18 to do this arbitrary process.

19 Therefore, if you look at the map and analyze
20 it in that respect, and given a copy of our rules, anyone
21 with the same software could reproduce this grid like that.
22 It aggregates and then you could see there's overflow. But
23 there had to be some rules with relation to overflow or
24 undercount of certain issues as they aggregated. And
25 that's really what the rules do.

1 Consequently, for example, one of the
2 congression -- congressional districts in the grid is
3 aggregating to Tucson, after it picks up the rest of
4 Tucson, and then goes clear up and takes in Window Rock
5 before it runs out of population 621,329 and then starts
6 aggregating the rest of the northeast quadrant.

7 Did that sufficiently answer your question or
8 did I --

9 MR. RHOADS: Obviously.

10 COMMISSIONER HALL: Perfect.

11 MR. RHOADS: Thank you.

12 COMMISSIONER HALL: Thank you.

13 Our next presenter is Mr. Phil Martin.

14 MR. MARTIN: I'd also like to thank you gentlemen
15 for being here with us tonight, giving us your time and
16 talents and abilities.

17 District number 4 right now is kind of a
18 nightmare. You've got a strip in Greenlee County called
19 York Valley that's part of District 4 and then the rest of
20 the county is District 8. Across the highway here -- here
21 in Thatcher is District 4, and on the south side of the
22 highway is District 8. All of Safford is District 8. So
23 our community is split here in Graham County.

24 You go on over to the west, goes clear into
25 Apache Junction, Pinal County. Then it jumps -- District 4

1 jumps Coolidge -- not Coolidge, excuse me -- Florence and
2 takes in a northeast corner of Casa Grande. You go into
3 Hayden. On the north side of the highway in Hayden you're
4 in District 4 and on the south side of the highway you're
5 in District 7. So it's -- it's a nightmare trying to keep
6 up with where -- where do you jump the road and where
7 you're not -- who you skip over and -- in District 4.

8 So my main interest would be to follow this
9 proposal that Mr. Palmer made with the Graham County
10 Supervisors. Pull us all together with the ECO group so
11 that it would be a lot easier or a lot -- a lot more
12 workable solution rather than wondering which road do you
13 turn on to be in a district and which one you don't turn on
14 to be in a district.

15 For example, some -- some of the politicians
16 in Phoenix, they can go up 20-block area and they've got a
17 district, but out here we've got to travel many, many miles
18 to cover one district. And then when you cover that
19 district, you wonder whether you're in the right one or the
20 wrong one.

21 Pinal County really is a nightmare for any
22 politician to try and figure out because you go into Apache
23 Junction. If you get to the Old Grand Hotel there in
24 Apache Junction, then you go north to the county line and
25 all of Gold Canyon is in District 4. Now if those people

1 wake up and find out how many people there are out there in

2 Gold Canyon, how are we going to get representation over on
3 this side of the state to support us?

4 So I'd like to go on record as saying that I
5 support the issue that was brought up by Mr. Palmer.

6 COMMISSIONER HALL: Thank you, Mr. Martin.

7 Our next speaker is Joe Chapin. Is that
8 C-H-A-P-I-N?

9 MR. CHAPIN: Close. It's Chapin.

10 COMMISSIONER HALL: Okay. I apologize.

11 MR. CHAPIN: My name is Joe Chapin, C-H-A-P-I-N.

12 And I'm from the other side of the mountain.
13 Whether or not it's a barrier, we're still part of Graham
14 County and we'll still claim Safford.

15 We have raised many of the same issues that
16 you did when you were standing up here talking, but they're
17 still not resolved.

18 A couple of questions. Do you have a pretty
19 good handle -- or does the Commission have a pretty good
20 handle on the court requirements and criteria for
21 redistricting?

22 COMMISSIONER HALL: Do we have a very good handle
23 on it?

24 MR. CHAPIN: Yeah.

25 COMMISSIONER HALL: We have a perfect handle on it

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1 because we hired two attorneys that have been through this
2 process several times.

3 MR. CHAPIN: The second part of that question is,

4 if you can do it in less than a year, why can't the
5 legislature do it?

6 COMMISSIONER HALL: Well, I can't speak on their
7 behalf.

8 MR. CHAPIN: I didn't think so.

9 Also, we've heard some -- some rumors and
10 some discussion about a request or proposal from the
11 Indians -- now I don't know exactly what that means -- but
12 for their own legislative district. Is that accurate?

13 COMMISSIONER HALL: That's correct. And that is
14 public record I might add. Last evening at Window Rock the
15 Navajo Nation made a presentation of two proposals, a
16 congressional map and a legislative map, which would be
17 their preference.

18 And I assume, Jose, that if anyone wants a
19 copy of that they can have a copy of that, correct?

20 MR. RIVERA: Right. It's public record.

21 COMMISSIONER HALL: In fact, I think some of your
22 representatives already have received copies of that via
23 their -- their own network.

24 COMMISSIONER ELDER: I might add also that that
25 map, although I have not seen it yet either, carries no

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1 more weight than a map that you folks here would produce
2 and say we would like to see our district be this a way and
3 here's why. The Navajo and Hopi and the Tohono O'odham,
4 they've all come out and -- and described their areas of
5 concern, their areas of interest, communities of interest,

6 and given us a basis for why they want their tribal grounds
7 or lands to be managed in one direction or another. But
8 that's not to say, you know, that that's going to be the
9 end all. It's not. We have to take all citizens of the
10 state into -- into account. So we'll draw more maps.

11 MR. CHAPIN: Also it's my understanding -- and
12 again I'm not absolutely sure -- it's my understanding that
13 a single race may not be the basis of a -- of a legislative
14 district. Is that correct?

15 COMMISSIONER HALL: Well, if I understand your
16 question correctly, and help me, are you saying that could
17 one legislative district constitute one single race?

18 MR. CHAPIN: Yeah.

19 COMMISSIONER HALL: Well, I assume that that could
20 potentially be the case, depending on the demographics of a
21 certain area. I mean, that's really a hard question to
22 answer.

23 Jose, did you have anything you want to add?

24 MR. RIVERA: It's difficult. If you go back to
25 the presentation that they originally made about packing

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1 and dilution of -- of voting districts. If you create a
2 district that was just a single race, it would be difficult
3 to get around the packing constitutional prohibition
4 against that.

5 The case you're talking about is a case
6 called Reno vs. Shaw, where the supreme court said that
7 race cannot be used solely as a criteria for drawing a

8 district.

9 MR. CHAPIN: So it's a little bit the other way
10 around? A single race could be a legislative district, but
11 race alone cannot be the basis for the district.

12 MR. RIVERA: Theoretically that probably could be
13 right, but it would be very difficult to meet
14 constitutional mustard because, one, it would be difficult
15 to demonstrate that race was not the sole criteria to
16 create that one district; and, two, it would be difficult
17 to meet Section 5 criteria where you're packing minorities
18 in one district to dilute their vote elsewhere.

19 MR. CHAPIN: Sure. Thank you.

20 Also my main concern is that the
21 redistricting does not create a state of Phoenix or
22 Maricopa County. Now, I realize that the greater
23 population is in Phoenix and Maricopa County, and there
24 are -- are naturally less votes in rural Arizona. If you
25 want to make me happy, pretty simple: That you don't

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1 create a state of Phoenix or Maricopa County; that you
2 create the districts that are fair to all the people of the
3 state, all of the people of the state; and that you give a
4 fair voice to rural Arizona. Thank you.

5 COMMISSIONER HALL: Thank you, Mr. Chapin.

6 Mr. Van Talley.

7 MR. TALLEY: Thank you very much. My name is Van
8 Talley.

9 While I believe it's probably all been said,

10 we haven't all said it yet, so. You know, as I listened to
11 some of the proposals that have been kicked around a little
12 bit this evening, and especially with a lot of interest to
13 the proposal that Graham County has -- has proposed, I want
14 to emphasize one thing, it's somebody else's turn to be
15 split up, not ours. We've been split up way too long.
16 It's very divisive in the area. It's very hard to get fair
17 representation. Graham County, and especially the Gila
18 Valley, needs to be one district. And I think that if you
19 go across this valley that's one message you're going to
20 find very strongly.

21 As far as whether or not to create a district
22 that moves further north or a district that goes down into
23 Cochise County, as I think about that, I wonder what are
24 the factors there? And one of the things that keeps coming
25 up are communities of interest. And I look down at Sierra

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1 Vista and I wonder what are the communities of interest
2 that we have with Sierra Vista. And one thing sticks out
3 pretty strongly with me and that's a military base down
4 there. And I have to believe that their community of
5 interest to a large degree is different than our community
6 of interest which is basically an agricultural-based
7 economy, as well as mining. And so as you take a look at
8 that, I think those are the communities of interest that --
9 that need to be emphasized. But more importantly and most
10 importantly is don't split us up. We need to remain one
11 voice so that we will have a voice. Thank you.

12 COMMISSIONER HALL: Thank you.

13 Ms. Lois Claridge.

14 MS. CLARIDGE: My last name is spelled

15 C-L-A-R-I-D-G-E. My first name is Lois.

16 Leave it to a woman to have the last word
17 maybe, but --

18 COMMISSIONER ELDER: No chance.

19 MS. CLARIDGE: Anyway, I just wanted to put my
20 thoughts into this.

21 I've lived here for 55 years. I came here
22 from Illinois as a registered nurses. There was hardly a
23 hospital here. It was not very much. But, at any rate,
24 I -- I have practiced nursing for 25 years. I had been
25 teaching medical and surgical nursing at Northwestern

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1 University when I came here, so you can imagine that it was
2 a bit of a shock, although I had been raised in a rural
3 community in Illinois.

4 I met and married my husband, who's family
5 came here in 1883. And he was a cattle rancher. And so my
6 concern basically is, although I worked this entire
7 community later, 18 and a half years of social work, and I
8 had part of the reservations, all of Graham County, and all
9 of northern Cochise, and so I have a little concern about
10 the area over between Bowie or around eastern -- the
11 northern part of Cochise County because it is industrial --
12 it is rural and many of the ranches are actually half in
13 one county -- in Graham County and some then extend over

14 into Cochise. And I do know that they -- they come here to
15 shop. They come here for their medical center that we now
16 have, which is really the finest that one could expect and
17 very new and still improving. Whereas, before we had very
18 little and they didn't either, but -- so they come over
19 here to shop and that. And in my worry about that I do not
20 object to being included in the district that has been
21 mentioned, but I think some thought should be given to that
22 little section of the -- of Cochise County.

23 COMMISSIONER ELDER: Bowie you mentioned, and what
24 else?

25 MS. CLARIDGE: Well, Willcox. Actually District 6

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1 for the Department of Economic Security includes Benson as
2 well. We're -- that's one of the things that -- where I
3 worked that whole area because of that. And I don't know
4 if anyone had thought about that or not.

5 And really I think that many of those folk
6 come over here to shop because it's the closest largest
7 city. So those are a little thought for you. Just
8 thoughts.

9 COMMISSIONER HALL: Thank you for that input.

10 MS. CLARIDGE: I wanted to say that I also have
11 branded calves, Mr. Hall.

12 COMMISSIONER HALL: Well, where were you Saturday?

13 MS. CLARIDGE: I was on the State Community
14 College Board and I was in Phoenix.

15 COMMISSIONER HALL: Thank you.

16

We needed lunch bad.

17

Our next speaker is Paul Brierley.

18

You'll definitely need to spell that.

19

MR. BRIERLEY: You pronounced it perfectly. I appreciate that. It's B-R-I-E-R-L-E-Y.

21

I just want to make a couple of quick points.

22

When I first heard about your commission was in an

23

editorial in the paper when it was being formed or the

24

proposition was being formed. And I got very excited about

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it. Mainly because I think here in Graham County,

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especially in what we call the Gila Valley, we had the

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exact prototypical case of what your commission was

3

designed to correct. We're split down the middle.

4

And besides representation problems, the

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other problem I see is -- is we wanted an informed

6

electorate, but we -- being sort of an isolated single

7

community here, we have two sets of candidates coming into

8

campaign. And people get excited about a particular

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candidate, and then they go to the polls, they're not --

10

they're not on their ballot. Nobody knows what district

11

they're in. So I would just like to add to everybody

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else's voice that I think that should be your strongest --

13

I think you will have failed as a commission if that split

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remains intact.

15

COMMISSIONER ELDER: The line has been drawn in

16

the sand.

17

COMMISSIONER HALL: Now we know.

18 MR. BRIERLEY: And the other issue I don't really
19 have a solution for, but at least to make you aware. It's
20 been brought up maybe in a little gentler terms, but
21 regarding the Native Americans, in particular the San
22 Carlos Reservation, a part of it -- I think a small part,
23 but anyways a part of it is in Graham County. And when I
24 look at your concerns about communities of interest, it
25 seems to me that an Indian reservation is certainly a

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1 community of interest that you'd want to keep together.

2 And the other concern that comes with that is
3 many of us as individual citizens in different
4 organizations here are being sued by the San Carlos Indians
5 for our water rights. And I look at how a representative
6 could represent both them and us with this kind of thing
7 going on. That would be very difficult. So, like I say, I
8 don't have a solution, but I want to bring that to your
9 attention. Thank you for taking our input.

10 COMMISSIONER HALL: Thank you.

11 Next speaker is Bill.

12 MR. KONOPNICKI: Konopnicki.

13 COMMISSIONER HALL: Thanks, Bill.

14 MR. KONOPNICKI: I'm sure you want me to spell it,
15 right?

16 COMMISSIONER HALL: Yes, sir.

17 MR. KONOPNICKI: I'm Bill Konopnicki,
18 K-O-N-O-P-N-I-C-K-I. I think I got it right. Let me
19 check.

20 Thank you for coming along with everyone else
21 who said that tonight. As I sit here and watched you, I
22 keep thinking you're going to do this a number of times and
23 then you're going to come back and do it again. I really
24 admire you. It's hard to sit through one let alone how
25 many you're going to be sitting through.

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1 I do business in both of the northern
2 counties. I do business in Gila County, as well as Graham
3 County and in Cochise County. It kind of gives me a little
4 different perspective. And I want to talk about that for
5 just one minute. I have lived here 30 years. And being
6 married with Cochise County has not been a good thing for
7 us in Graham County. It's a very, very difficult working
8 situation. If you take the land mass of Cochise County,
9 and particularly as mentioned by Mr. Talley Sierra Vista,
10 it puts us in a tremendous disadvantage.

11 Somebody talked about driving north, but if
12 you try to get to here -- from here to Sierra Vista is not
13 exactly an easy drive or Bisbee or Nogales, which are all
14 part of that legislative district, makes it a -- a literal
15 impossibility. So I would very much endorse the plan
16 that's been proposed by the board of supervisors and again
17 for the reason that they stated it, it puts communities of
18 relative -- relatively the same size and interest together,
19 and I think it would be a big asset to us.

20 Also I'd like to support the idea of a rural
21 legislative -- federal legislative district. I think that

22 would be an important thing if we could do that.

23 I also am the president of the hospital
24 operating board. And I can tell you that in terms of where
25 we are and what we would like to do, our -- our -- we

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1 basically serve Graham and Greenlee County. We get very
2 little from Cochise County. It's almost as easy for
3 them -- in fact, it's easier for them to go either to
4 Sierra Vista or go to Tucson. But in terms of a hospital
5 board, it would be a huge advantage for us if we could be
6 associated with the northern group of folks.

7 And, again, thank you for coming. We
8 appreciate all your help.

9 COMMISSIONER HALL: Thank you, Bill.

10 I have mercifully run out of yellow sheets.

11 Are there -- is there anyone else who wishes
12 to speak to this Commission that has not had an opportunity
13 to fill out a sheet?

14 With that is there anyone else that would
15 like to -- would have any additional questions that may
16 have come to mind while some of the speakers made comments?
17 Please.

18 MR. WARD: Can you go over the time frame again?
19 I sort of forgot that already.

20 COMMISSIONER HALL: Appreciate that.

21 And I may say that our time frame is ever
22 evolving. I was on the phone this morning with our chair,
23 with one of our attorneys, just trying to coordinate five

24 schedules plus our staff, plus our attorneys, and our
25 consultant trying to assimilate all the information we've

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1 had. As Mr. Elder indicated, we have folks that are in
2 Phoenix the same evening gathering information, but in
3 general our goal is to somehow meet several times over the
4 next few weeks and hopefully by let's say the third week of
5 July have draft maps and then with those draft maps and
6 maybe even simultaneously go back out for a second round of
7 hearings and, as indicated in the presentation, allow for
8 the 30-day review also by the legislature and anyone else
9 who would like to provide input relative to our first draft
10 map.

11 Subsequent to that then, our desire is then
12 to garner all of that information, come back and develop
13 final maps. And hopefully sometime in September hand that
14 to our -- first part of September, late August, hand that
15 to our counsel -- legal counsel who then will prepare
16 the -- all of the documentation to go with those maps and
17 submit that to Department of Justice for clearance.

18 Realize that Department of Justice has 60
19 days to review our proposal. And in the event that we're
20 missing a paper clip or something and they determine that
21 they need more information or have a question, they can
22 send that back. And when they do, the clock stops. And
23 until we respond to any questions or concerns they have,
24 the clock doesn't start again. And so realizing that
25 60-day period, we're wanting to get in there early, if you

1 will, assuming, of course, there are no lawsuits. And then
2 hopefully by the end of the year we have a precleared plan
3 wherein candidates under the Clean Elections Act at the
4 first of the year could go ahead and, one, know who their
5 constituents were that they need to collect money from;
6 and, two, where they were going to run. So that's kind of
7 our general goal, and hopefully we can achieve that.

8 MR. RIVERA: You know --

9 COMMISSIONER HALL: Please.

10 MR. RIVERA: Keeping in mind that when you go for
11 preclearance with Justice, all they preclear is for Section
12 5. They don't preclear for Section 2, and they don't
13 preclear for constitutional one man/one vote issues.

14 COMMISSIONER HALL: Thank you.

15 Please.

16 MR. BRIERLEY: What if you're not done, if it's
17 delayed by lawsuits or whatever, just for the next election
18 stay with the existing district?

19 COMMISSIONER HALL: If we're pushed that far down
20 the line, I believe that's correct, is it not?

21 MR. RIVERA: You can do that -- it depends on the
22 judge. And there's an Arizona law that says basically you
23 do that for state legislators. The problem is you have two
24 additional congressional seats. So you can't go back and
25 only elect six people. You have to elect eight. And there

1 has been a variety of innovative ways that courts have done
2 it in the past, including like if you can't do it in a
3 congressional, electing two at large until -- until the
4 plan gets approved. But it's -- it's a good guess what
5 happens when you can't do the congressional.

6 But the good thing is that I went through
7 this litigation in 1990 on the congressional district side
8 of it. The courts will put this on a fast track. The --
9 there's a three-judge panel that goes through it. That's
10 chosen by the Ninth Circuit. The three-judge panel last
11 time made us try the case in one week. And we started
12 really early in the morning and we went until almost
13 midnight and included Saturdays and Sundays. And then from
14 that there's a direct appeal to the Supreme Court. You
15 don't go through the Ninth Circuit. And Supreme Court acts
16 fairly quickly. Last time the litigation started in March
17 or April. We were done by May.

18 COMMISSIONER HALL: Thank you.

19 Any other questions?

20 Please.

21 MR. BRYCE: What I was wondering, on your input
22 where you've got the citizens' input and then people who
23 have input of a voice here, as far as the Commission how --
24 I mean, how are you able to assimilate all of that
25 information? I mean --

1 COMMISSIONER HALL: I won't even -- I won't even
2 tell you how much money we've spent on consultants because
3 you'll be depressed, but we -- we have -- we have hired
4 some high-dollar consultants who will take this information
5 with their extensive staff and they're going to develop
6 what is called Arizona units of representation.

7 For example, we've heard some very
8 significant comment this evening with respect to what can
9 be considered in your area a unit of representation. Then
10 the Commission will analyze that input relative to it as
11 they try and determine -- as we analyze what they've said,
12 this is a unit of representation, is that's their
13 terminology, and then develop some rules with respect to
14 how to handle those rules of -- units of representation for
15 the actual drafting of the maps.

16 Did that answer your question?

17 Anything else?

18 Folks, it's a pleasure to be with you this
19 evening. We appreciate the opportunity to be with you
20 again. And we're grateful to have the opportunity to hear
21 your input. And I think Dan needs to talk one more time.

22 COMMISSIONER ELDER: I'm the beggar of the group.
23 Really, without your participation, as was stated by one
24 gentleman up here, we'll fail. This next time through
25 we're going to have maps. And if you can bring your

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1 neighbors, you know, attend again because you heard the
2 first part, we really would appreciate it. We'll be

3 getting the information out as to when and the where. I
4 assume it will probably be in the same location, but we
5 really would like to have you out. And also visit our web
6 site. Pick up the slips in the back. Mail them in. Any
7 way you can get us information will be very helpful.
8 Again, thank you for coming this evening, and we appreciate
9 it.

10 (Adjourned: 9:00 p.m.)

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I, THERESA AGUILAR, Certified Court Reporter herein, do hereby certify that the foregoing 82 pages are a true and accurate transcription of all the proceedings had in the above matter, all done to the best of my skill and ability.

DATED this 27th day of June, 2001.

Theresa Aguilar
Certified Court Reporter No. 50531