ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Public Hearing Held June 27, 2001

Globe, Arizona

Present:

Dan Elder, Commissioner
Lisa Hauser, Counsel for the Commission
Dr. Florence Adams, National Demographics Corporation
Manuel Gutierrez, Interpreter
Teresa Pulido, Commission Staff

Reported by:
Barbara Shepherd
Court Reporter
Cert. #50053
MR. ELDER: All right. Let's go ahead and get started this evening. My name is Dan Elder. I'm a commissioner to the Independent Redistricting Commission. This is a noticed meeting, so I'll go ahead and call the meeting to order.

We have a court reporter here that will be taking minutes so we will have a record of the proceedings, the comments that you make, the responses, the presentation, all the other stuff that goes along with the presentation this evening. I would appreciate it if you wish to speak that you would fill out speakers slips.

But I'm not very formal. I'm sort of, aw, shucks, kick the dirt and say, let's get on with it. But if you do wish to come speak, come on up. But please give us your first and last name and spell the last name if it is difficult so the reporter does get your name along with the comments process so we know it's John Doe.

So for this evening I'll make a short presentation on the Redistricting Commission. I'll give you a bit of insight to where we are at.

Wait just a moment. Manuel, would you like to ask if anyone prefers to have it interpreted in Spanish?

(Mr. Gutierrez asked the audience in Spanish if
anyone would like the meeting interpreted.)

Before we get started, let me introduce some of the people in the room. We have Teresa, wherever Teresa went. Teresa Gutierrez is staffed with the Commission. We have Manuel --

MS. HAUSER: Gutierrez.

MR. ELDER: It's Teresa Pulido. Manuel Gutierrez is our interpreter. We have Lisa Hauser, counsel for the Commission. We have two, and we'll go into that a little bit later why we ended up with two.

Dr. Adams, Florence Adams, with our demographics group. And we have the court reporter, Barbara Shepherd. So that's the group that will make the presentation to you this evening.

We appreciate you coming. When the Commission was formed one of the critical aspects of it, in our opinion, was we had to have citizen and public input. Without that there's no way the Commission would work.

With that, let me go ahead and start the presentation. I'll go through this then, and then we'll open it up to questions and comments from the public. We'll stay as long as we have got questions or we have got comments on it. So we'll go from there.
The subject of this evening's presentation is redistricting, how we are going to draw the Congressional and legislative districts within the state of Arizona. And it's based on the provisions in 106, a proposition that was passed by the public in the last election. It is now a Constitutional amendment, and it sets up the Commission.

It's very important that you notice the difference the citizen will play in 2001 as to what they played in years past. In past years the legislature of 90, 30 senators and 60 representatives, or legislators, met and drew a series of districts.

They then submitted those districts to the Justice Department, and the Justice Department either accepted or rejected it. In most cases, historically, they rejected the legislature's attempt at redistricting. We did not have nine districts until 1994, this last time around when it went out to a new election. It wasn't until we actually had the final election in the elections that there were nine districts in the state.

We are here this evening for us to be educated, because there's no way that five commissioners can know your community better than you can know it. If you can express what the glue is that holds your community, holds you together, what the entertainment things are, where you shop, what other communities you deal with, things that make sense,
make it a community to you, the Commission would really like
to know those things.

So when we go -- later on when we look at the
grid as a one man, one vote grid, that's what those factors
tell us, in just that aspect. So the reason we are here is we
can listen. We know we cannot satisfy everybody.

One of the sort of little catchphrases we have
looked at among the Commission, it's kind of like, well, if we
offend everybody just a bit, we probably did our job. Or
conversely, if we please everybody a little bit, then we might
have done our job. Without your assistance there's no way we
can succeed.

We use these hearings to bring the process to all
areas of Arizona. We are in the final week of 23 meetings,
was it, Lisa, 23 meetings across the state to do that. We had
split commissioners up to where two or more, sometimes more,
sometimes less often, you have just me. I'm sorry, but you
get only one shot at the commissioner this evening.

James Huntwork had a problem and could not drop
something, but he was the other commissioner that would have
been here. With that, I started in Bullhead City. I was
covering like the four corners. I got started off in Bullhead
City, went down to Tucson, the Sierra Vista area, and back to
Tucson, all through that area up to Holbrook, Window Rock.
I stayed out of that. I said, let me have at least a few days to relax, two days, but that hasn't happened. It came down to kind of running around the state to try to determine what the circumstances are in all of the areas, rural, urban, whether it be Hispanic, whether it be Native American, to give us a reason and rationale where we have to make a decision.

We have got to make a big decision, and we are determined to make this a fair process. I'll go a little bit backwards and give you a little bit of history. During the selection process -- well, let me even back up further. 106 directed that there would be four commissioners and that those four commissioners would then select the fifth, which would then be the chairman, and which was supposed to be an independent.

The State Judicial Commission reviewed approximately 300 and, I believe it was 31, applicants who made their applications to the board. They then thinned that down to where there were 10 Republicans, 10 Democrats, and five independents. From those the legislators had their choice to choose.

There was also some other caveats. One was that you couldn't have more than two representatives from the same county in the first four picks. The first person that was
chosen, I believe, was Jim Huntwork. He's a Republican from Maricopa County. He's an attorney in negotiations. I believe he calls it negotiation law. He works with boards and school districts and tries to come up with a compromise, if you will, between -- it might the be teachers union and the school board, or whoever. So he will work the other areas to gain a consensus. So he brings that to the Commission.

The second person chosen was Andrea Mnkoff. We have had thrown at us that, you know -- she goes by Andi -- you've got four male commissioners. Believe me, Andrea Mnkoff is able to hold her own with anybody. She's a community activist from Maricopa County. So with those two picks Maricopa County was off the table.

The third choice went to the House Leader, and the senator had chosen me. I'm from Pima County. I'm a Republican.

And the fourth choice came to I don't know who. A Democrat is what they needed, and they chose Joshua Hall of Apache County. Joshua is a title -- his business is a title company. He lives in St. Johns and works out of Pine Top, so he's a rural Commission Member. And he likes to be thought of as a rural Commission Member.

The four of us got together in late February, I
believe it was. We were sworn in, and then we interviewed the five independent people, or the independents that wished to be considered for the chairmanship. In effect, one of them dropped out, and we like to say he dropped out because he

found out how much we got paid, which was zero, and when he found out how much time it was going to take to do this job. In my interview, if you will, they said, "Do you have 1,000 hours to give?"

I said, "No, no, no, it's not going to take a thousand hours." I don't know if I was naive, but I went along with this thing.

"Well, how about 300?"

"300? No problem." I think I passed 300 hours probably two months ago. But that's the fun of it. We are having a good time.

The other question that was asked, that brought on this part of the presentation, was they asked -- they said, "If you have a district that's going to be divided into districts, or an area that's going to be divided into districts, you may have a choice of either dividing it this way towards where it becomes a very strong Republican and a strong Democratic district. You can divide it this way and it becomes a very balanced district, balanced between Republicans and balanced between Democrats. Which way would you go," if
And one of the other criteria is we could not be politicians, could not have run for office in the previous five years, I believe it was, and were forbidden from running for office five years after we finish our term on the Commission. I said, "Durn." I'm not in a political circumstance, but I gave a political answer in that case. The way I was questioned, I came back with, "If you're getting extremely good representation and they happen to be Republican, and the other district is getting extremely good representation and they happen to be Democrat, it may be that there's a reason why that representative is giving the citizens of the area good representation."

The other side of it is if it's a really strong Democratic area, or strong Republican area, it's over in the primary. The minority party does not run somebody against somebody they don't feel they have a -- don't have a chance of winning.

So there's no discourse, no discussion of the issues in the community after the primary. So between the primary and the general it's over. We don't get any value of discussing the issues in our community to find out what it is that our representative is supposed to be representing when he
goes to the State, or when he goes to Washington.

So I said, "I think if I have a choice it's going
to be coming down in a fair process. We want it balanced. We
want a competitive district. Never fear going out and
competing. Never fear going out and discussing the issues.
That's what we really need to have rather than having a
Republican or Democrat." So that's the way I answered that.

I don't know where the question came up for that,
but I almost got off track. But that's the last of the
soapbox for this evening.

Often in the past in the states the country has
gone through a redistricting process that has really gone
along either wrong, or it's gone along for the protection of
incumbents, etcetera, gone along really abusive policies and
practices. Those are called gerrymandering. Gerrymandering.
Some of our commissioners and some of our consultants, really
a consultant, listed the terms that go along with
gerrymandering.

Gerrymandering goes back to the 1800's when the
governor reshaped all the districts, I believe out of
Massachusetts, took an opportunity to Gary-mander, if you
will, a district. The Boston Globe, I think, was the
newspaper that drew a caricature and cartoon, and took his
alignment of the districts and said it looked kind of like a
The salamander was combined with Gerry, and in time was called gerrymandering. But that was the process that was identified where the term came from.

And we have several ways we can -- you can gerrymander, or Gary-mander, your own area. One is if, on the left-hand side you have a group of minority voters, and you draw the line so there are no minority voters, so they really don't have any effect in the district. Then up in -- they are too small a group. They are not concentrated, and they can't get in a position where they can make an elective decision or show their desire.

On the right-hand side we have a concept of a pack, where you take those minority areas, you take those farmers or whatever group you are trying to isolate, and let's put them all in one district. You give that district to them. And then we will have three other districts that are open, not controlled by the rural aspect, or not controlled by the farmers. And that's the comparison that I used so you would know the two distinctions. One is a dilution, one is packing.

We also have rural gerrymandering where you take and say, well, on the right-hand side we are going to take -- what we are going to do is gerrymander to help the Hispanics, and the Democratic incumbents, or protect the Republican
district. Or the Hispanics are put into one district, therefore the three other districts in this example, the one, two and three were not to where the Hispanic voter could make a difference. He doesn't have an opportunity in those districts to help somebody of his race.

On the right-hand side we have an example of where we may gerrymander a district to protect a white incumbent. The Democrat may say, gosh, I have to dilute the Hispanics, and has them to where they don't have the power to vote against this incumbent.

Or the incumbent in District One may decide to go after a section of the Hispanic votes, and they have to protect the incumbent. Both of them are objectionable. Both of them I can't say they are illegal, but they are something that the voters put in.

It says in 106, "We want to get rid of this process here if we possibly can." So there it is. We want to clean up the State's redistricting process. When the voters voted for Proposition 106 they created a new entity. That's this commission. It's to form a new kind of redistricting process.

I went over earlier who the people are. You heard the presentation of those prior, Andrea Minkoff, Jim Huntwork, myself, Joshua Hall and Steve Lynn. I didn't tell
you who Steve Lynn is. Steve Lynn is a public relations
director for Tucson Electric Power, which is the utility
source in Tucson. So we have two people from Pima County, one
person from Apache County, and two people from Maricopa.

Proposition 106 states, "The Independent
Redistricting Commission shall establish Congressional and
legislative districts -- they don't report to a Board of
Directors or anybody else -- Congressional and legislative
districts. The commencement of the mapping process for both
the Congressional and legislative districts shall be the
creation of districts of equal population in a grid-like

pattern across the state."

So that was our first charge is to develop a
grid-like pattern across the state that was equal population.
The other goals of Proposition 106 have to be taken into
effect. One is that we have to abide by the Constitution of
the United States, because the Justice Department will not
approve our redistricting if it violates the laws and the
Constitution of the United States.

Secondly, Congressional districts shall have
equal population to the extent practicable, and you'll notice
that's to the extent practicable, which is the intent for
about four or five of these goals.
Districts shall be geographically compact and contiguous to the extent practicable. Compact and contiguous. We can't say, hey, here is one district, and I have one over here that would be contiguous. They are not linked together. A good example is, I like to talk about Pima County because I know a little bit about that area. You have area one, and it looks like a foot and it's got a handle going up and heading back down. Well, if it looks like an animal, then it has to be Tucson.

Because we have areas that look like the Starship Enterprise which is combined with another large area. These are connected by a roadway that seems like about half a mile wide. I think that would be an example of not being compacted and not probably be functionally contiguous. If you have just a roadway linking you together, that does not make it contiguous, as they are two districts, two separate populations.

District boundaries shall respect communities of interest. Remember this one. This is probably one of the key things we like to find out from you, your community interests. Sandra Day O'Connor on the United States Supreme Court in one of her decisions wrote about the communities interest. That was all great and dandy, but she didn't define what communities interests were.
After reviewing 106 we knew we had an option. We could go in and try to define what the communities interests were around the state. The Commission said, we have absolutely no way of knowing what your communities interests are better than you do.

So we chose to go out and ask the question of you folks so we would better understand when we move lines why we are moving lines, so when we come back for the second round of meetings with actual district maps, there will be logic in them for how and why we moved them. So you may not like them and that's your prerogative.

We would like to hear from you as to why you don't like them. And when you say, well, it divides a school district, that's really a strong argument against that. As to dividing the community along the river, there's no bridges across the river and we can't get there from here, but we didn't know that so we didn't respond.

So as we have discussions, respond in reference to the facts, when we open it up at the end and you come up to speak. You can say, well, here's our community interests. We have got an edge. We can't get across the Salt River, and we can't get across the Gila, whatever the reason is. If there's things you want us to consider, let us know. Especially let
us know on these terms, because these are terms the Department of Justice will respond to.

I like to equate or compare it to, I guess, your taxes. You go in to protest your taxes, say they are too high, they are too high. The County Assessor looks at you and says, “So?”

If you go in there and say, “My taxes are too high, you didn’t calculate the square footage of my house or business correctly, you didn’t use the correct comparables, the other neighbors got a lot less on their houses, but I got credited at too high a square footage price,” if you go hit them with those facts, the protest of your taxes will go through. But if you just say they are too high, it won’t do you any good.

So if we get information back, “We don’t like your plan, it doesn’t look right,” so what? But if you come back and say, “We did not like the plan because it’s not good for our community, it’s not compact, we can’t cut it there, it’s not adjacent to the river, there are no roads,” whatever it might be, really does help us.

To the extent practicable, district lines shall use visible geographic features, city, town and county boundaries, and undivided census tracts. We tried to use the 2000 census as the data or format and adjustments of
development of districts. We can't use any other data. We know there are several other communities that say, "We were undercounted." It's in court right now. The courts rule, and the census modify the numbers. We are stuck with what we have got in the 2000 census. So it's my plan to be finished in two months -- my plan to be finished in six months. But right now those are the numbers we can use and nothing else.

The final one, to the extent practicable, competitive districts should be favored where it wouldn't create any significant detriment to the other goals above. That means if we are looking at competitive districts that might not be contiguous, that would mean, hey, we can't really use that as a factor because it would be detrimental to the goals above. So that is placed at the end because it is the last thing we consider.

We cannot know where the incumbents live. I can almost guarantee you when we go from six Congressional districts to eight, the odds that two incumbents end up in the same district are pretty good. We went in with a legislative district, and we came out with this grid, considering, one, it was one person, one vote. And we gave it a rule to consider.

It says there how we are going to aggregate, or
put together, the census tracts. And if no other reason, no
other background, no other information was used, we probably
would have ended up having more than one legislator that's an
incumbent in the same district as his competitor before. But
we are not allowed to use that information.

That's the one thing we are restricted from in
Proposition 106 is incumbency. There's a whole bunch of
tings we can do in the second round that we couldn't do in
the first round. And we cannot ever talk to an incumbent.

Partisanship and incumbency. That's what I was
talking about. Party registration and voting history data
shall be excluded from the initial phase of the mapping
process but may be used to test maps for compliance with the
above goals. The places of residence of incumbents shall
never be used as part of the redistricting process.

In April, 2000, the Commission received the facts
on Arizona's changing population as reported by the U. S.
Census. Take a look at the numbers here. In 1990 we had
approximately 3.66 million people in Arizona. In 2000 we had

5.13 million people in the state, a 40 percent increase.

Look at 1990. At 3.6 it's important because we
come up with what counties grew in the 2000 census. Here is
the counties, and there are six of them that grew faster than
40 percent, the state average. So these are the fastest
Of course, it becomes of greater importance to the state to know that Maricopa County is at 3.07, not quite, but almost the population of the entire state 10 years ago. So if we take these raw numbers, one person, one vote, it doesn't make any difference what we do. There's probably five-eighths or more, if we look at the way things divided out in the state as far as the one man, one vote.

Tasks of the Independent Redistricting Commission. We stated before, develop a grid-like pattern. We looked at definitions. Jim Huntwork went to the web and he found 17 different ways you could have a grid plane. I said, "Oh, my goodness, Jim, let's get back from that a little bit."

But most of the definitions had to do with series of equally spaced vertical, perpendicular linears. And from that generally were created a series of spaces or places on a grid, which is what these three definitions came down with.

On the 18th of May, just about a month ago, just a little over a month, the Commission voted to begin development of a grid. It's based on a series of townships.

We had chosen the township process, or the township grid, because there was no political unit where an area was, or where the government had landscaped it, or where the Salt
River was going to back up. Zero, zero.

You have townships from the west to the east. You have ranges north, ranges south. So that was the base meridian we started with, and the townships being six miles wide, or 36 square miles in a township grid. And you have a grid-like linear system. So we started off that way.

Our consultant said we need a couple of things then, and we need to know what quadrant to start in. So we put four pieces of paper into a hat, and we labeled them northwest, southwest, northeast, and southeast, and it came out northwest.

So that was the quadrant where we started from the Gila/Salt River as the baseline, the starting point. That really is about 107th Avenue and Baseline. I guess Baseline Road got its name for being the baseline in the state, because of it being in the perfect part of Phoenix.

And then they said we need to know if we don't get enough population in one direction, what direction do we go? Do we go right-hand or left-hand, or counterclockwise or clockwise? Again, we drew another paper as to whether it should be clockwise or counterclockwise and it turned out to be counterclockwise.

So we went around from the northeast, southeast, southwest, northwest, and on up to the four corners. So we
rotated counterclockwise through the state, and we saw the
same things as we were coming together, it will divide by
townships and grids. That's helped townships in your rural
areas.

There are some areas that don't have probably 50
people in 36 square miles. So we had to have a way we could
keep going until we could get approximately 71,000 for a
legislative district, and approximately 641,023 for a
Congressional district.

Finally we were able to pull together four
townships to make one township grid. We then went from
township grid to township, and then to intermediate township
grid, and finally to super township grid until we got 36
grids. We had a large area in some of the areas. One of the
rules is we started off with a grid and kept adding quadrants
to that township in a grid-like pattern.

The census geography checks for population. The
census tracts don't follow that grid, so we knew that the
preliminary grid would be some job. One of the rules with
most of the population townships is then you take the whole
census back to the township you're working around
counterclockwise until you meet another census tract.

And if the population is outside the tract, they
take one out and take one from the next township over until most of the population is in. If you still don't have enough population, you go to the next grid, or next quad of townships.

So, fortunately, with the rules we had, there's no political bias. I was a math major engineer when I was in college, and I had absolutely no way to figure out what was going to happen, much less the layperson saying there's political bias here. I think that's something we felt was fair and impartial, and took into account only one person, one vote, based on the census tract data we were using.

Now we are into the mode of public hearings. We want to find out what are those glues, what are those things in your community that hold you together. We will then be following that. Well, let's see.

Public review. The Independent Redistricting Commission shall then prepare a draft map. That's what we do after we get information from the communities around the state. We have 30 days to receive those comments and maps. We will be going around just like we did this time through, coming right back here in approximately a month, I imagine, and asking you to respond to the maps we have prepared after listening to the public hearing. After the first round, this, then -- I should have just gone ahead there, but the Independent Redistricting Commission will then
establish final district boundaries.

After we leave -- when we get back we are going
to take about two weeks to check the data, the reason why
people did or did not like specific districts, then make
adjustments to that. And then that map will go to you as the
final redistricting map which the Department of Justice will
review for clearance.

Besides your comments we get, there are multiple
ways of getting citizen input. That form that written input
form is both in Hispanic as well as in English. So if you
pick them up here, you can hand them back to us, or you can go
to our website, www.azredistricting.org. I had somebody tell
me you can also say .com and it will still get you through.
So either way.

You can go to your library. All of the public
libraries have a computer and likely will help you get on it
and fill out that form. And it still counts as much as
somebody handing it in this evening.

You can call our office and ask for it, and they
have that input form. We will mail it out, fax it out, and
you can mail it back to us, fax it, both ways. So a multiple
variety of ways of getting the form

We had real good ideas come out of, where was it,
Safford, or out of Sierra Vista. But somebody said, well, you
could publish these forms in the newspaper and let us cut it
out, fill it out, and send it back in. We are going to try to do that in areas where we haven't had good contact with the public, or where we feel the people are not going to respond, and we need a little more information as to the why and where the community stands.

If we can get it in a weekly or daily paper, we are going to try to do that also so you can get information back. We are going to have a series of questions. The first one of the questions will be your name and address. We'll try as best we can to respond to you in a short period of time. If you propose either a map, or you've answered a series of questions, we will go through and analyze them.

I say "we." Dr. Adams will go through and analyze them and try and categorize them to the way the law reads, both 106 and the Constitution Voter Rights Act, sections two and five of the Voter Rights Act, all the things that affect the preclearance of the plan, and will respond back to you and say, "Thank you for your comments, I think these issues are going to be right on target."

We are going to try to implement as many as we can. We are not going to get everybody's comment and say, yes, we can implement everything. It just depends, because there will be some that will be in conflict with other parties in your area or community.

But we will respond. So that's why we want your
name and address, not to get you on a mailing list, but so we can send out notices of the next meeting, and we can also respond to your concerns, major concerns. Let us know in as few words as you can what you think is the most important aspect in relation to the redistricting process.

What do you think is the one thing that will let us succeed or fail? Whatever it is in your community, if it's a community project that's going to be impacted by us, whatever it is, let us know what you think is your major concern in your community.

Secondly, what boundary lines would you like us to use, or would you like to see in your area? You will be responded to by the Commission as to the way we draw the lines. Some folks have said, well, we really have a strong school district, and having the line drawn a little bit in, a little bit outside, if the line went in and a little bit out, it divides out people that have gone through Cub Scouts together, or parent-teacher meetings together.

We will do our best not to divide the school district, but to have the school district honored a little bit more than it was in the past. There's a whole series of things you may think as important to your community that might not have been important in our community. Let us know what those are, what areas, groups or neighborhoods do you think absolutely should not be divided.
There might be a historic district, and you say there is absolutely no reason we would like to have that divided. That should be held intact. We look at proposition boundaries, a whole series of things that relates to that district. Keep it together, don't put a district line down there, it will affect that district. You have to let us know what these district boundaries are that should absolutely not be divided.

Darn it, there's nothing on this form.

MS. HAUSER: You just have to hit the button.

MR. ELDER: Hit the button then they'll scroll across. They revised it since last night. No.

What information would you like to see taken into account in drawing the boundary lines in your own place? Rank them in order, one being the most important. How come there's three or four lines at the bottom? If you haven't guessed, those are for the ones that are important to you. If you want to add in three or four more, you can put it in.

Any way we can get some sort of a value relationship out of you, because if we have to make a decision what do you think is the most important and what's the least important in a town, in your town, in fact, we will need a little bit of information on how your community works, keeping the community intact, bringing particular groups together such as neighborhood associations and minority group
concentrations, whether those boundaries should be manmade or natural boundaries, drawing Congressional and legislative districts that include whole cities or whole towns where equal population permits, using local government boundaries when drawing Congressional and legislative district lines.

In this area you have the lake, Roosevelt Lake area, and you never know whether you're voting in one or the other legislative districts. That's really important because half of the time we don't know what we are voting for. We get something this is a really half issue.

Like I heard in Safford last night the issue has been gerrymandering by the court. They go to the voting place and they say, but I'm not going to vote on this because it's not to that district. But because there is a law in the district, that may be important to you.

Keeping census tracts from being split. We have the census tracts laid out for us, separate census tracts laid out to try and determine what the visual impact is and what the population in any given area is. So the census tracts being split, if you've got giant census tracts, it may mean we have got to figure out a way of splitting that census tract.

But, in general, we are trying to keep them together. But if there's something in your community that says these aren't working because -- let us know
25 Using freeways and major transportation routes

1 for district boundaries wherever is possible. The town of
2 Cottonwood says, don't use that Main Street as our boundary.
3 We want the whole town. We don't want it split down in the
4 middle of the highway. It will halfway split our community,
5 and even if we tried to get a representative, if we wanted one
6 person responsible for our community, we would probably have
7 two people. Because then we can get nine or 10 percent of
8 this whole city on this side of the highway and we don't like
9 it that way.

10 Other people argue, yeah, but Sierra Vista
11 outvotes us, so if it's in the best interest of Sierra Vista,
12 we don't get representation. We want one powerful group,
13 maybe three. Why so if you do like being split? I have
14 heard, no, we don't want to be split. We want to be held
15 together. So let us know which way you think things should
16 be.

17 Drawing compact and contiguous shapes for
districts. I didn't make this up on my own. I'm just one
19 more. In your community if you find where there is a real
20 long linear noncompact district -- which it might work very
21 well. And here in the Globe-Miami area it is possible it
22 would probably work to develop that pattern.

23 That's probably fair for you because of the
geography of the land and the linear, because of the roadways, and maybe because of the mines that started the geography of your community. It might be that you have one end with very round, not grid-like patterns, and that comes down into Globe-Miami. But knowing that would help. I talked about this a little bit. You can hand it in now. You can use our website, go to the library. Hopefully we will have some in newspapers you can cut out and send in. You can call us, or fax, or mail, whatever it is you want us to be able to have input on.

Another thing I have said, and Florence will probably shoot me, if you fill one of these out and realize later on that you forgot something, fill out another one. Do it again. The multiple copies are okay from one person to get us the information. That is the most important thing in that criteria for plans.

Federal mandates: Equal population, Voting Rights Act, Department of Justice preclearance, Proposition 106. Here's where we are in the schedule. We are in the middle of public hearings this week. At the end of the public hearings we will be developing plans for probably the next month, hopefully.

We will also get, I don't care if you want to
call them "competitive plans," self-serving plans. They might be plans you folks like for your community. Your plan will count for just as much, yeah, if not more. I cannot say that Jack Brown's signature there is going to be more important to

The legislature -- I'm sure we'll have a Republican plan. We will. There is a Democratic plan. We will have a map of your own plan. I don't know where we are going to get it, but if you in your area want to draw a plan, you say, this looks good to us and here's why. We will take that into as much balance as we can. We don't want to redistrict the state as a political or cultural group or whatever it might be. So don't hesitate to draw a plan for us and send it in.

The public hearings, we will have more public hearings in about another month. They'll start in probably another three weeks. After that, at the end of that, we will propose final plans. We would like to try to have final plans complete by mid-September, ready to submit to the Department of Justice.

The submission to the Department of Justice lasts -- it's a 60 day process. 60 day process, ha. They could come back to us and say after 20 days, "We need more information here we don't have." And so now you calculate it.
Or they could come up with a decision. But the amount of time probably would -- you can correct me, but I think when we send it back to them they do start their 60 days all over. But the last time Joshua said, no, the time just stops, and when we send it back to them if it's day 20, then they have 40 days left.

**MS. HAUSER:** No, it starts over again.

**MR. ELDER:** It starts over again, says Lisa. And if they keep asking us questions, that 60 days can turn into 120 days. Then if that happens to us, we could have changes from any sector, any place in this state. It could be you, could be anything taken into account. You don't know. We were okay with those guys here, why did they put it in there and change it?

I think that anywhere there is a group that is changing how they are redistricting, like in some other areas I believe the Hopis are changing, I believe there's a Hispanic change going on in the Wilcox area, and they are coming out from their sector. Those changes go to the courts.

The court then says no, go ahead and use the existing districts for the next round of election. But it's a little bit difficult to go from six Congressional districts to eight and say, use the old ones. One solution is to say, use
the old ones. I said, if we were to select two at large, would that get us the eight then we are looking at? And your -- in your rural areas that's 60 or 70 percent of the election. In Maricopa -- we are going to have two more legislators from Maricopa County. If we have a legislator that doesn't really know what the courts can do, and does just about what anybody wants. And what it comes down to is that they do whatever they want.

So now we will open it up for questions. If you will come up and use the microphone so that both the court reporter as well as the other people in the room can hear what you have to say, we would appreciate it.

And these are -- I don't know whether these are in the correct order, or whatever. But, anyway, Leonard Miglorisi.

MR. MIGLORISI: Leonard Miglorisi.

MR. ELDER: Now if you would spell it for the record, we would appreciate it.

MR. MIGLORISI: Here's a breakdown, if you wanted to show it to her, she can copy it off. M-I-G-L-O-R-I-S-I, first name is Leonard.

I spoke to Dan earlier about, basically, it's number two, is what my major concern is. It's a wide issue. Although the census 2000 population figures are going to be...
used in terms of the Congressional and legislative districts, we have a state law that requires us to adopt the county records that are recorded. And their records are not accurate to decide this, as a recent committeeman explained at another meeting. And we tried to make a phone call to get out the vote. So many of the record sheets are out of date, deceased, moved away. That's just Gila County, that we are familiar with.

From looking at your figures on this, and that I don't want to contend with, they are going to have to face an issue of challenges if they don't take into consideration that they are going to have to update these lists to 2000, who was registered in 2000 exclusively and go from there. And this may take it to the legislature, and may take it to the courts, but there's going to be a lot of wrestling over these figures because of the inaccuracy, and they will be inaccurate statewide. Thank you.

MR. ELDER: Thank you. Jose Romanda -- or Aranda, excuse me. I apologize again. You can face me, or do whatever you feel most comfortable with.

MR. ARANDA: Shall I turn the podium around so I can face them?

MR. ELDER: You want to say it to these people?
Thank you very much.

MR. SANCHEZ: Turn it back.

MR. ARANDA: Yeah, that's what they say, it's better. But my name is Jose Aranda, A-R-A-N-D-A. I'm the Mayor of the town of Hayden, an area which is about 40 miles south of here. According to the census we dropped down to about 892. Now, we were right around 900, and somewhere we will protest that, or not. That's coming down -- coming down the line. Can you hear me?

MR. ELDER: Sure.

As far as the language, I just wanted to say, people tell me I can't speak in Spanish or English, and so it really does not matter if you can translate.

One of my concerns -- or our concerns there is regarding the Congressional district, where Gila County is grouped with Coconino County, Navajo County, and North Apache County, is that as far as the communities within those -- that huge district they are considering, it would dilute the minority representation, especially the Hispanic and the Native American population.

As it is, that district is even going to run into portions of north, northeastern, and northwestern Maricopa County. And what more than likely what's going to occur is
that a Congressional representative is going to come out of that portion of Maricopa County first, and then maybe a combination of Yavapai -- I mean, Coconino and Navajo County. As it is right now, we have one out of Scottsdale, you know. And I spoke to him and, you know, he's lost in space as far as what's occurring in south Gila County. And a person that lives in Happy Valley -- on Happy Valley Road, which is part of the Congressional district, or will be as it's proposed right now, is not going to know bananas about south Gila County mining, agriculture. He's going to be -- it's an urban person versus here we are in the rural part of the state.

We are going to be, especially the Hispanics, we are going to be diluted in the sense that we are going to have maybe some urban Hispanics versus us, or rural Hispanics here. And then there just isn't going to be any contiguosity. In a sense there is because it's going to become part of the whole district, as large, the whole legislative, Congressional district. But you are just not going to have the communities represented. And it's just not that feasible that somebody from the northern part of the state is going to be available to relate with us down here in the south. And then
conversely, somebody in urban Phoenix is not going to be available to relate to us in the south if they are up in the north. It's going to be one of the biggest districts that's proposed, as far as area goes. You go -- you are even going to get Navajo and the Hopi Nations. It's just something that is going to be of real interest.

And I know I will continue to have an interest in this process, because we have been lucky here in Gila County, and particularly in Hayden. We were represented by some good people. And I don't -- and Mr. Brown is here. He has a little portion of Eight. And I know he's been a good advocate for us down here because he is a rural legislator and he does understand some of our problems. So I'm very thankful for that.

We have had Ms. Rosenbaum Mr. Hart was here. We even had a governor from this area. Oh, I cannot think of her name. Oh, yeah, Rose Mofford. Hopefully she's not here. So as far as the legislative districts, they are stretching to all of Gila County with Coconino County.

While Coconino County does have some agricultural aspect to it, as does Gila County, there is really not that much mining in Coconino County that there is here in south Gila County and the Globe-Miami area down into Hayden.
Whereas before we were grouped into Pinal County and legislative District Seven, and we even -- we have a legislator, Senator Pete Rios from our area.

We have Mrs.-- Mr. Clark from Mammoth, which is about 40 miles -- I'm sorry, 20 miles to the southeast of Hayden. And we have another lady from Kearny, gosh, Chase, yeah, Chase. Oh, she's a bearcat. No, no, no, just kidding.

Anyway, we have some right now, we have some people that would understand our -- do understand our needs and our wants versus having kind of -- not really downgrading that, but somebody more like from here instead of from the north that's going to represent us here in Gila County.

And if more than likely that would occur, most of the population would be up there as a legislative district as opposed to here. We would not necessarily have a crack at that, especially back to the Congressional district. We probably would never have a crack at a representative from this part of the district, which would be Gila County.

And that needs to be taken into consideration as far as the represent -- our representation here for our needs and our wants. And particularly as a Hispanic myself, it's a real concern. But I need to look at the effect for all Hayden citizens, or Gila County, and for Arizona.
And we need to take all of that into consideration so that we can be well represented, well represented by qualified people. And I had better shut up. And thank you for your time.

MR. ELDER: Can I ask you a question?

MR. ARANDA: Yes, sir.

MR. ELDER: When you go outside of your community to shop, where do you go, or where do your people go?

MR. ARANDA: Now that Wal-Mart is in Globe, we have begun coming here, and then to the metro area.

MR. ELDER: So that's linking you to Globe. I have been to Hayden. Everything is in Globe, as well as you've got mining and agriculture as you go down the Gila River to keep you together. Is there that interaction between the ranching, the farming, the mining in the Morenci-Clifton area?

MR. ARANDA: Yeah. Currently our representatives understand that aspect as far as the mining and the agriculture.

MR. ELDER: If you had to choose one most important -- or health care, where do you going in the local -- I assume you have a clinic, or something like that. But where would the people go for health care?

MR. ARANDA: Most of them have to go to Tucson or
Phoenix or come up here, because we really don't have that in the Hayden area.

MR. ELDER: Okay. So that gives us an idea what the linkages are. All right, I appreciate that. Joe Rios.

MR. RIOS: Joe Rios. What I'm going to say is a little bit repetitive because I am from the same area that the Mayor is. My name is Joe Rios and I'm from Kearny and Pinal County, and I am here to talk about District Seven.

The only reason I had to come here is these guys gerrymandered us out of that area, because they only had meetings in the western part of Pinal County. They didn't have any in eastern Pinal County. So they took us out of the map. They did have the towns of our Winkelman, Kearny, Hayden, and all the communities in this area.

All the representatives, the senators, and the two state representatives are from east Pinal. So you guys from here gerrymandered us out. So I had to come up to Globe.

So I mostly will be talking about District Seven, but it also pertains to Hayden-Winkelman here in Gila County.

Going back to the term of community interest, as the gentleman said, Sandra Day O'Connor did coin the term or the phrase, and didn't fashion it in a relative notion. So I kind of have to go on that there's no real definition. And so
you are to try to find ways to define it.

First, I believe that as a District Seven -- as a community of interest, we look at the overall picture, and it would be the mining industry, and the agricultural, and then the Indian communities.

So in defining your grid, that map was made basically without any of these interests in mind. But, still, you know, I have to submit that you can't ignore that community of interest. Those that you've removed, Hayden, Winkelman, you know, the lower part of Gila County, and unless your grid map took Hayden-Winkelman in the same grid, I think it specifically ignores the community interest in District Seven.

I believe you have to take that into consideration, along with the Indian communities, or try to find other communities that have things in common with them. I hope in the end this doesn't come about.

You've added to District Seven portions of Pinal County that won't fit in. Those are basically some millionaire people, some people that have got a lot of money. Maybe not all minorities, but people that can afford to pay $250,000 for the lot they are going to put the house on. I don't see any community of interest between here and a retired farmer, or miner, or like that. I think a
person who looks at that sector of the state, unless they are
a farmer or works in the mine in Miami or works in the mine in
Ray, I don't see a whole big community interest there.

Even the companies that have the big trucks that
cost millions of dollars, I don't know what the community
interest is there. So I don't think you can justify merging
those types, because District Seven, I think, takes in Apache
Junction.

Because when you make that drive, the people that
come up to Miami and work at the mine, the people that go from
Miami to Superior and work on the road, work for the County,
those are the same kind of people that come in to Ray and work
for the mines.

I'm getting close to the end, but the answer is
not to say that we do have a community of interest with Gold
Canyon. We already have one in our own sector, in our
district, Saddlebrook. That's kind of -- basically, it's on
the edge. I cannot think of the word right now, but I look at
that as Gold Canyon would be. I believe Saddlebrook community
of interest would be more with Tucson, or more with Rancho

Vista, or more with those type of people. If you do anything
with District Seven, take Saddlebrook from them and put it a
little further down the road.
And going back to community of interest again, I don't know what the definition is. The definition, I guess, would be the ones that really matter to the Justice Department. One would be, I think, the people of color. By people of color I mean the Indian, the Hispanic, the black, the Asians, anyone else that would have their vote diluted.

Should you choose to ignore this and you just make Pinal County one total district, you're killing it. It's District Eight now, so there -- you won't have any confusion on the roads. What would be District Seven now on their grid map is District Eight, like Hayden-Winkelman.

The Hayden-Winkelman community of interest, again, is the Hispanic group. Everybody that goes to school in Hayden-Winkelman -- not everybody, because I had lots of the people that go to Hayden-Winkelman schools come from -- come from Dudleyville. Dudleyville is in Pinal County.

A lot of the people that are in Pinal County are people whose parents are either from the Dudleyville or Kearny areas. These are their kids, and they have gone to the same school district in Hayden-Winkelman, which is in our district right now. And so I think it should stay there.

One positive thing I saw come out on your grid was that you put Superior in with us, and I think Superior has all these communities of interest, especially the Hispanic
population. They used to have a lot of mining, but they still have a lot of people from Superior that work in the mine in Miami, in Kearny, or Ray.

I believe that all this is still -- still there. You know, I haven't talked to the people in Miami, but they might consider, you know, asking to be put in District Seven, because again, there's the other -- the community of interest, the mining and large Hispanic populations here in this area, too, again, another part of that big part of the community of interest.

And so is our Indian community. District Seven right now has the Gila River, Salt River, Ak Chin, Pascua Yaqui, and Fort McDowell, and I would like to see you take them away or do different things with them. I definitely disagree with the removing, again, as far as to, say, a member.

The solution is to specifically choose to be integrated by District Seven, keeping redistricting among the communities of interests. If our district wouldn't really want them, then they are to come into the -- into District Seven so it would be even a bigger community of interest.

In closing I say the definition of that is the votes where it would seal the deal, where it would be a
minority/majority district. I think it would still be almost a 50-50.

You know, one of the other things that District Seven did, it was one of the ones that people talk a lot about. It was one of the ones that said, this is an example of gerrymandering, because if the people draw the line here it puts the Hispanics on one side of the railroad tracks. This district has had to deal with that before with the Hispanics.

There is also gerrymandering by having the people in the reservations being left out. They have isolation in their votes when you have the lines between the tribes. I was looking at those lines and discovered it took 60 percent more Pascua Yaqui Indians than live in eastern Arizona, and that means that when they voted there would not be enough votes from them. It would be like a BB in a boxcar. Their vote would be nothing. It wouldn't count for anything because they wouldn't have any votes.

And I'm sure after you told us that the Justice Department was involved in this, we are only one of seven states in the whole United States that is a grid state. Only one of seven states. And we are in a group like Alabama, Louisiana, Georgia, that has residents which they have been discriminated. They diluted the votes of minorities. That's why we have to go through this process.

What the Justice Department has to do with it, I
don't know. We should be diluting the minority/majority districts. We have about seven of them right now, majority plans going on down south. I believe that's wrong since the minority groups in this state in the past 10 years, several of them have gone as much as 80 percent. I don't believe we should be diluting the minorities. We should be making more of them. They should be more because, you know, people of color have come to almost a representation of 40 percent of the population. So there's 40 percent of the population in the state of Arizona. It wouldn't be right to give them just five percent of representation. I think you need to take a good hard look at those maps, and especially not do them the way the grid has them put out. I don't have any comments on the Congressional because they are so difficult. Thank you.

MR. ELDER: Let me also ask you a question.

MR. RIOS: Absolutely.

MR. ELDER: And we answered this already, but if we had a legislative district of 140,000, and we needed to bring in some more to create the district, would you go to the east, west, south? Where would you think the most contiguous or the best communities of interest or whatever factor, which would you like to be in together with, if possible?

MR. RIOS: That's very difficult to answer without looking at a map, but I'd like to trade Globe-Mani
for Gold Canyon, or try it conversely, the Indian reservation
for Saddlebrook.

MR. ELDER: Okay.

MR. RIOS: Thank you.

MR. ELDER: All right. Roberta Johnson.

MS. JOHNSON: Thank you for turning the lectern around. I don't always relish speaking to the public, and I certainly don't want to speak showing my backside.

I'm Roberta Johnson, councilwoman for the City of Globe. We, too, are concerned in general about redistricting, and we have drawn up a resolution, Resolution 1332. I'm reading this into the record so that it's part of this hearing.

Resolution Number 1332. A resolution of the Mayor and Council of the City of Globe, Gila County, Arizona, signifying the City's position with respect to the statewide redistricting of the Congressional and legislative district boundaries and requesting the State to protect and enhance the long-term interest of the rural taxpayers throughout the state of Arizona.

Whereas, the City of Globe is one of the many rural municipalities within the state of Arizona, and Whereas, the state's significant increase in population, as a percentage of our national population over the last 10 years, has resulted in the state gaining two
addition Congressional districts, and

Whereas, Globe's Mayor and Council members have
been sincerely concerned about the declining consideration and
effective representation of all rural citizens throughout the
state as the state's population grows at a rate significantly
higher in two counties in comparison with the remaining
thirteen counties, and

Whereas, the governor has appointed an
Independent Redistricting Commission to seek public input and
consider all comments in delineation of the new boundaries of
the seven Congressional districts for our state, and

Whereas, it is critical and in the state's
long-term interest that all rural citizens throughout our
state receive fair, meaningful, effective, and equitable
representation at both state and national levels in all
matters affecting the public, and

Whereas, it is in the best interest of rural
Arizona that they be afforded the realistic opportunity to
elect representatives who reside in rural Arizona because such
representatives would understand more fully the issues and
problems of the constituency residing in the rural area.

Now, therefore, be it resolved that the City of
Globe Mayor and Council of the City of Globe hereby request
the chairman and all members of the Independent Redistricting
Commission and all decision-makers involved in the future
redistricting of our state's seven Congressional districts and
the 30 legislative districts to delineate the district's new
boundaries in a manner that will result in effective,
meaningful and equitable representation of all interests of
the rural citizens of Arizona by providing realistic
opportunities for residents of rural Arizona to be represented
by a person who also resides within rural Arizona. Thank you.

MR. ELDER: Roberta, could we have a copy of that
for the record?

MS. JOHNSON: Yes, you may.

MR. ELDER: Thank you. Ted Thayer.

MR. THAYER: I liked your presentation. It was
very good.

MR. ELDER: Thanks.

MR. THAYER: Ted Thayer, live in Wheatfields.

I'm here as the vice chairman of the Gila County Democratic
party. I have been participating in some of the things
involving Gila County's Redistricting Commission work, and I
found something is missing here tonight.

The state isn't quite bound to you publicly yet.

And also minority distribution. The Gila County Redistricting
Commission is tied to one of the major things, as minority
distribution has to remain the same within a very narrow
margin. This doesn't seem to be one of the driving factors at
the state level.
Communities of interest are a major concern in Gila County, driven by the requirements. It doesn't seem to be a driving requirement at the state level at this time. I think those two things should probably become major factors. So as we move into this process, first -- I want to speak about a couple of things. First, Gila County has always had a powerful representation in the Arizona legislature. We provided the first governor of this state, Rose Mofford. Another governor came from this area, Bill Hart, serving the legislature in legislative areas. He came from here. Actually, long service. Now, you remember Polly Rosenbaum, the legislator serving here. Gila County started out with one senator and two representatives, as did all the other counties in Arizona. Then there was a suit that was delayed, and it became one senator and two representatives representing the district, which changed over time.

What we are seeing now with this redistribution, the proposed plan, which consequently involves nothing but a county plan that somehow, if someone is placed up in the northeast part of the state, we end up with no senator and no representatives for a significant period of time until new ones are elected.

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25 representation. My good friend, Jack Brown, has represented

Gila County and these eastern counties very, very well. And
all of a sudden he's going to disappear. He's not going to be
able to serve us except through his good conscience.

And his two Republican counterparts that are in
the House have also served us very well, but they are going to
disappear, too. I don't believe their good conscience is
going to serve the Democrats in Gila County. We are a
majority here.

The other problem I have is with the
Congressional district. District Three completely divides our
Native American communities as it's being reconfigured. We
have two communities of interest in Gila County aside from the
Native Americans and the mining communities, and they include
the San Carlos and the White Mountain Apache tribes. They
have a difficult enough time right now trying to figure out
where they are supposed to go to vote.

But the way the lines are being drawn, it appears
that San Carlos is going to have to figure out which of three
polling places they will have to go to to vote. And the White
Mountain Apaches are going to have the same question, and with
two different problems.

The reservations can't get enough volunteers to
go man the polls. By dividing these communities of interest
24 even more severely than they are now, you are diluting the
25 voting power of people that have difficulties enough voting.

1 There are more Native Americans registered to
2 vote in Gila County as a percentage of bodies than anywhere
3 else in this state, but they don't vote anywhere else in the
4 state because it's too far to go to their one polling place in
5 Gila County. That's a problem that you guys need to look at
6 as far as making it even more difficult to find polling places
7 and to get to them. We need to accommodate those communities
8 of interest.

9 Another thing I thought of earlier was the
10 township grids versus county lines. In rural Arizona it just
11 appears that somehow the township grid system worked out where
12 somehow it was more convenient to say, all right. It was more
13 of a, let's make Gila County and Coconino County a district.
14 And that ain't right. I'm sorry. I would have thought you
15 could figure out a better way to do that. Thank you.
16 DR. ADAMS: Dan, would you like me to address
17 that, because I can explain that a little bit?
18 MR. ELDER: Yeah. And I was going to discuss a
19 little bit of the other items, because retrogression and
20 minority, that's going to be the same no matter what we do.
21 The second one, before we get going on how it
The grid. We have as much problem with our grids as every other grid that has been submitted. It was a starting point only.

MR. THAYER: I understand.

MR. ELDER: We didn't have intentions of continuing and saying, let's divide this group. That's why we are trying to find out who the groups are. And so with that, Dr. Adams.

DR. ADAMS: I'd just like to say that is indeed a starting point. It's a requirement under the proposition that all districts must start with equal population in a grid-like pattern. And the way the grid developed was explained earlier.

It was totally random and I can almost guarantee that what will result ultimately will not look like what you are seeing now. That's why we are here. That's why we want to know what the communities are, not necessarily though in relationship to that grid, which we understand is only the starting point.

But we want you to divide those communities, because the next step in the process is the new demographics, which has already had as its hallmark concerns about communities. We found out the best way to define those communities is to come out to you and find out how...
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21 self-defined the communities are.
22 That's why we are here to hear. We are hearing
23 an awful lot about, well, I don't like the way that line is,
24 or this line, these are not plans. This is what we are here
25 to find out now, where are these communities, so we can

superimpose those communities over the grid and then make
adjustments according to that.

The other thing you mentioned was where the
county lines fall, voting county lines. The census tracts, we
used that to develop the population within the grid, because
it's the only thing we are allowed to use under the law. To
aggregate the population don't cross county lines.

So the correspondence with counties has very much
to do with the fact that the census tracts don't cross county
lines, but no other factor. Okay.

MS. HAUSER: I think Dan wanted me to say
something about the retrogression issue. This kind of goes to
an earlier speaker as well. Arizona is covered, one of 11
states that is covered under the Voting Rights Act. And the
reason for that is that in an early '70's race when Arizona
became covered, we had registration of minority population.
That voter registration fell below 50 percent. So we became
covered for that particular reason.
And what the Department of Justice will be looking at is to determine whether or not whatever the plan the Commission comes up with on retrogression, with respect to minority groups, and then looking at the prior plan as a benchmark, and they look to see if you've gone forward or backwards or you stayed the same. If you stay the same or go forward, fine. If you go backwards, you have a problem. So that is something that is needed in order to comply with the Voting Rights Act.

And I'll say, one of the very top goals of redistricting that has to take place is the strict scrutiny that we have had since the last time redistricting was done. We have, I think, a law of the United States Supreme Court that says we cannot -- well, that says if we draw lines primarily based on race, those lines will be subject to strict scrutiny.

They are subject to challenge and under strict scrutiny, which you know is like getting out a real big magnifying glass and looking at things actually that are found to be unconstitutional, and looking at them with strict scrutiny. It's like that conclusion, foregone conclusion. If that test gets applied to you, you're subject to a fine line. A very fine line has to be walked this time between making new districts and complying with the Voting
Rights Act, but in doing so, in any way, don't subject ourselves to strict scrutiny and cause the plan to suffer in court.

So it's going to be really interesting. Tricky the first time, of course. It's happened statewide here to try redistricting with these two different rules to apply. So it should be -- it should be quite --

DR. ADAMS: A challenge.

MS. HAUSER: -- a challenge, yes. I hope that answers the question on retrogression.

MR. ELDER: This is probably a question Lisa is not going to want to have asked. She might not have the answer, but it's a question a couple of the commissioners have had.

If we have an area that, say, was divided a certain way, and it had 38 percent minority here and 10 percent minority there, and there was an irregular area, if we draw the line this way and it still has 38 percent but it took portions of the 10 percent here and a portion of the 38 percent and redivided them, as long as we still have the same number of representatives of their choice, even though we have divided them differently, does that cause a challenge or cause a problem in applying before the U. S. Supreme Court, or the
Department of Justice? The question is to me?

MR. ELDER: Yeah, I guess. Does it have to be the same people if we don't have the same community that says this community of interest is here? It's been divided a different way and is now a different community, but it has the same opportunity, the same percentages, but it did make a new district in the redistricting. And I don't know the answer myself.

MS. HAUSER: I'll try it. Currently speaking the

Department of Justice is going to look at the state overall and look at -- they are going to look at the number of districts. And, for example, right now there are pretty much seven majority/minority districts in the state.

They'll look to see if there are a senator, or more than that when all is said and done. But they'll also take a look at the populations and how they were grouped together before versus how they are grouped together now. And if something looks -- if something looks fishy to them they'll ask about it. That's the best way to answer.

So if any populations get moved around in different ways than it did before, they might want to know about that. But they also will understand. And they have, by the way, the Department of Justice has precleared Proposition
So it's rules we live by.

They have already said, do not violate the Voting Rights Act. And one of the things we have to do differently now than we did 10 years ago is we have to strive for compact and contiguous districts. So in some cases, depending on how the Commission draws the lines, an answer might be, well, this stick we have got may be two majority/minority districts next to some others, and this population used to be with some other population, but now they are over here because of the need for equal population and need for new Congressional districting, compact, contiguous.

But if it looks funny to them, simply put, we'll need to provide an explanation for every single thing we have done. Does that answer your question? It's a tough question.

MR. ELDER: I think it gets the gist of the question, that as we get input and they say, this is our community, really here is what we have. And if we put them together, are we in violation of any of the Voting Rights Act and retrogression marks? Are we fine if we are making the other part whole?

Also, we will learn, I'm sure, from both our counsels, one of the -- I said I'd address this later to you and I didn't. We chose to have two counsels. We found that
when we started interviewing or looking at attorneys that had experience in rights law, discrimination, that they usually gravitated to have done work for a Republican or done work for a Democrat. So we decided to have two, Jose Rivera (phonetic) being Democratic counsel, and Lisa Hauser being our Republican counsel.

MS. HAUSER: And who happens to be Republican, and who happens to be Democrat.

MR. ELDER: Excuse me.

MS. HAUSER: And I am not representing a party but I am representing the Commission.

MR. ELDER: Correct. And to further that comment right now, I have not seen on the Commission among the commissioners any bipartisan running. We have been very united in trying to develop for you a redistricting plan. And I would also say we have had -- I have asked Jose a question, and I asked Lisa questions, and the other commissioners who had the same questions, and we are getting the same counsel and the same response to guide us through this maze of trying to walk that fine line.

They have both had an occasion of saying, well, Jose said, Lisa said, and, yeah, we do think it's only them if we get in trouble. That is why I like to assume this is a maze. But they help me not to make any violations.
I violate the open publication law, and I violate it because I want to hear what the public has to say rather than being made to wait until a notice is posted. But I think we have gotten that squared around. But that's about the last time I was confronted by our counsel, and they said, you have to get in the room to hear this.

MR. THAYER: Dan, I'm sure you have answered my questions, and there's no reason to stand up here anymore. But I think you could also divide it diagonally.

MR. ELDER: Or in a star, or diamond, or fish.

Thank you. Jeff Leatherman.

MR. LEATHERMAN: I have to read my notes. My name is Jeff Leatherman. I'm a native Arizonian, as are a lot of people here. But I'm older than most people here. I have lived here a long time. In my career I have held positions with the Maricopa County government, and with two Indian tribes from rural areas, so I think I have both an urban and rural perspective.

I was born and raised in Tucson. But to me the two most important communities of interest are divided from Phoenix, in metro Phoenix, or do you live somewhere else.

That's the most important.

The second most important is whether you live in
metro Phoenix or metro Tucson and everywhere else. These
determine the amount of taxes you pay, your access to health
care, your access to jobs, educational opportunities, your
life expectancy.

The most important dividing line in Arizona is
not racial or anything else. It is simply Phoenix versus all
the rest of us. And, you know, to this end Globe has more in
common with Kingman or with Bisbee, even though it is quite a
distance away. And I think we have more in common with them
than we do with Phoenix.

I have done some work with the census figures,
and I can make some recommendations that are a little more
specific than you've heard. The way the population is now
distributed we have five Congressional districts in Maricopa
County.

If you add a little more, something more to it, I
would suggest that might be part of Pinal County. That's
Florence. And we'd head over to Gold Canyon and Apache
Junction, and really metro Phoenix, not rural Arizona. And
then perhaps the Payson area of Gila County. I think, to me,
Payson has more in common with Scottsdale than it does with
Globe.

If you do that, you can then put five
Congressional districts in that area. There's a lot of ways
you can do it. That doesn't cover your problems though, how you are going to cut those five districts within Arizona. But you can put five in there.

You can put one more district in central metro Tucson. And I think that would be a fabulous idea. Tucson has not had a Congressional district since Moe Udall, a long, long time. Tucson has been split into two Congressional districts, and it would be wonderful if they have Tucson in one.

That would then leave two districts left for rural Arizona that could be strictly a rural Arizona district and a representative. Some of the speakers you heard tonight say we just don't want to be represented by Phoenix. I used to live there. We just don't share the same areas or concerns. Our needs are not the same. They are not the same in Tucson.

If you did it this way, we could for once have
would be competitiveness. And competitiveness is likely one of your goals. But reality is mine. In a perfect world we could have our own Congressional representative and three more legislative districts. That cannot happen. You cannot do that without violating all the other criteria you have. Just wait. People district themselves. It's not going to work. You are not going to have a completely competitive district. May I suggest that being that fact you make a two Congressional district, strongly Republican. You can make a two Congressional district, strongly Independent, or strongly Democratic. That's four Congressional districts. And on the legislative side you could probably have 12 Republican, relatively strong Republican district sights, 10 really strong Democratic districts, and that's rather competitive. I think that's the only way you can achieve competitiveness. There's no other way. You are not going to make the City of Mesa, 400,000, a Congressional district -- I'm sorry, a legislative district that's going to be competitive. It's not going to happen. You are not going to take a certain area of the state and make a Congressional district. You have to have Republicans come who are willing to go along with your ideas or this business of contiguousness is moot. The last point is, one of the things that
occurred to me the night before is the idea that the Justice
Department is going to consider our present districting plan
as a benchmark. I think our present districting plan is a
total disaster, which I think results from Phoenix, the fact
that five of our six Congressional districts are controlled by
Phoenix and two of our legislative districts are somehow
touching Maricopa County.

God, if this is the benchmark, and this is the
idea we are somehow supposed to emulate, we are in deep
trouble. Thank you very much.

MR. ELDER: Jack Brown.

MR. BROWN: It's good to be here. I'm Jack Brown. I'm a member of the State Senate, have been for a long
time, 8th in the House or the Senate.

Up until now, you know, we in the legislature did
decide this ourselves. It didn't work out too badly because
we actually always had some pretty strong representatives in
our rural areas. Polly Rosenbaum and Bill Hart and myself
made a pretty good team, and we were able to get things done
just because we did work well together. And I used to be

known as the young man on the block. But with both of them
retired, times are changing and we don't even realize it.

Anyway, I'm not going to admit where I live
because that's against the rules and regulations here. And all I can say is I live in Arizona, and not in the big city either.

Anyway, I think what we want is the community interest. We want to be with people that are like us. We don't like to have a pie thing and go down there and have J. D. Hayworth in the Congressional district representing rural New Mexico. And we don't want to have the legislative district being represented down in the big city of Arizona, and the pie shape thing come and take us people just to make the numbers for dividing Gila and Maricopa County.

We want to be rural through and through. I'm not too interested in my own area because I only have one more term and that's my final term and I might or might not run. I don't even know. I'd be better off to stay home. I'd make more money with the retirement that I could get by staying home. But I enjoy it, so I stay there.

Anyway, I'm not trying to say that we carve out states and districts that would fit me. I'm trying to say that we carve out districts that fit our rural areas. We have what is known as the Eastern Arizona Counties Association. It includes five counties.

It just so happens that you take those five counties, you leave out the Navajo reservation because they
want to be in a big block all together, and those five counties would make a district, because they are about the right size, and we have pretty good commons in agriculture, in forestry, in mining, in trying to do better economically. We're all hurting pretty bad. We just need better economic development. And we can do that working together as a good strong legislative district in the state. I just hope the Commission will look favorably on making it so we can have these five counties make up one district. That's the southern half of Apache and Navajo County, then Greenlee, Graham and Gila. And I think that we work well together. I think it would just be all right. And that's what I'm wanting to see get accomplished.

I'd like to see them go around the rest of the state and make rural districts. We know we are not growing as fast as Maricopa. We know we are going to lose one set of seats. We know that we are going to have to work harder and harder to have proper representation down there. But, by golly, we want to do it.

So we are working diligent here tonight, because I'm real interested in this, to see that we don't have only one plan. I saw -- there are plans, and you are going to see more plans floating around you every time. I saw one just
this morning splitting Maricopa -- I mean, splitting Globe and Miami. Well, what kind of sense is that, you know? I mean, Jimminy, talk about community interest.

Right now we have something the court -- the court does some of these things, you know, like they split it right down the middle of the street. We have one district in Maricopa that has one side of the street in District Four, our district, and the other side is in our opposing district. Doesn't make much sense. But sometimes the court is not as perfect as they'd like to make us think they are.

That's why we need to try to work together. And I think we can stick together, by golly, so that rural Arizona can still stay rural Arizona. Thank you.

MR. ELDER: Jose Sanchez. While he's coming up, Jack, I will tell you that I heard an echo of what you said from the group last night in Safford. They were very vocal in that group also.

MR. SANCHEZ: I will just tell you that this wasn't planned, as far as the order of presentation. But I will just provide you a copy, if you don't have one, of the equal resolution that was passed on June 25th this year, and the recommendations. But they have put it in a resolution for that, and I don't know if you have that yet.

But I will give you this copy, and it basically addresses the thing we just heard from Senator Brown. Thank
you. Did I introduce myself?

MR. ELDER: No.

MR. SANCHEZ: Joe Sanchez. Jose Sanchez. I'm the District Two Supervisor for Gila County.

MR. ELDER: Thank you very much, sir. That is the last that I had of anybody that had signed to speak. Is there anybody that now that they heard some of the comments would like to add to it? I'm willing to hang around with maps when we get done. If you want to take your pens out and draw lines on it, I'll take it back to the Commission and we'll take a look at them too. Yes, sir?

MR. SANCHEZ: Thank you. My name is Felipe Sanchez. I'm with the vice chairmain's office of the San Carlos Apache Tribe. I'm not speaking for the tribe. I wasn't given that authority tonight. But speaking as a tribal member, I believe that item E on the goals of redistricting should have included Indian reservation boundaries.

I echo what Mr. Thayer said. Thank you very much for speaking for us. I could not have said it better. I think that the Commission needs to address communities of interest, and reservations are certainly communities of interest.

I know a representative from the Navajo Nation was here tonight, or is here, and the Navajo Nation has presented a proposal for -- their proposal for redistricting.
And they have gotten a report from a couple of -- from a few of the tribes already. I believe that the Yavapais and the White Mountain Apaches have forwarded the proposal. And we will have resolutions forthcoming from their tribal councils.

There is a letter contained in the packet the Navajos are presenting to the Commission. Contained therein is the report from the San Carlos Apache tribal chairman. The council has voted to take action on that, on the Navajo's proposal.

But as far as communities of interest are concerned, I know that San Carlos community, the Apache reservation, is part of the Globe-Miami community. Most of the people do their shopping in this area or go to Safford. I was at the county level in the last general election. I live on the reservation just east of Globe, so I'm in the precinct for voting that caused me to come from the reservation into Globe to the Gila Pueblo campus to do my voting.

Coming from Tucson, only living here for the last year or so, I was a little bit confused as to why I was living on the reservation but voting in Globe. These are the types of issues I think need to be addressed by the Commission when they are drawing these lines. And I think that's about it right now.

MR. ELDER: And thank you. Anybody else wishing
to speak? Our court reporter says she's got about another
seven minutes in her fingers before she needs to take a break.
And we can continue on after that, after we take a break, if
need be.

MR. HENRY: I have seven minutes. But first I
just ought to say I am an attorney, so it may take a little
longer than seven, maybe eight minutes.

My name is Levon Henry, L-E-V-O-N. I'm the
attorney general for the Navajo Nation. As Mr. Sanchez
stated, I believe it was, from San Carlos, the Navajo Nation
did propose a plan Monday night to the Commission. And I just
wanted to talk a little bit about that plan in the six minutes
I have left. But if anybody else is interested, I will be
here.

We also have another representative from the
Nation who's willing to talk to anybody about this proposal.
We have made a proposal of the Congressional district. The
proposal is based solely on population. We understand that
there was an ideal figure that was proposed, that ideal figure
being a 641,629 person district.

The Navajo Nation proposal for a Congressional
district coming out to 641,045, a deviation of .10 percent. I
agree with what the speaker says here tonight. The Navajo
Nation has taken great interest in keeping together the rural
communities as a community of interest.
And the proposal for the Congressional district covers northern Arizona. It takes in all of Mohave County, Yavapai County, Coconino, Navajo and Apache County, and also takes into consideration Payson and Tonto CCD's along with the San Carlos CCD's of Graham County, or essentially in this area. It takes into account both Fort Apache and the San Carlos reservations and brings them to the northern district.

As far as the legislative proposal, again, the Navajo Nation was looking at the population figures and looking at the community of interest in northeast Arizona. Like the proposal, the idea numbers, or population numbers for that particular district is 171,021 persons. The proposal for the Navajo Nation for the northeast district, for northeast Arizona, would include 172,852 persons, a deviation of 1.1 percent.

We have also taken a look at some of the criteria that has been stated, or as you've explained, in Proposition 106. We believe that the Navajo Nation's, both the Congressional and legislative proposal, meets that precursor on the Proposition 106, on the Voting Rights Act, and Constitutional criteria, and we have submitted that to the Commission. The proposed maps, along with the letter, suggest our position on each of those criteria.

The Navajo nation, as I said, is interested in representation for northern Arizona. And, again, I just
I wanted to say that the Navajo Nation looks to the community of interest for northern Arizona, and that's why we made this proposal.

MR. ELDER: Wow, five and a half minutes.

MR. HENRY: It can be done.

MR. ELDER: By an attorney. Would anybody else desire to speak this evening? All right. With that, I'll go ahead and close the meeting. But I will say --

UNIDENTIFIED SPEAKER: I have a question.

MR. ELDER: Yes?

UNIDENTIFIED SPEAKER: When do you think you will be back around?

MR. ELDER: All right, I think it's time to do my begging in the hopes you meet and then report or let us know what your community wants as far as all the things we talked about. We need, really need, your participation in this particular step.

We plan to be back through in approximately a month, maybe five weeks, with our proposed plans. During the next two weeks to three weeks we will be looking at trying to collect as many of the citizens' input forms as we can get. After we get that we will integrate it into the process, which takes a couple of weeks. In the next week we hope to get any comments back to us, questions, any information.
You need to be able to comment. And what we can do in a few weeks is prepare the redistricting plans, bring it back, do the same process we have here. We'll have maps on boards so we can talk about it and you can say, you just didn't listen, Dan. I'm a bit thick, and I try to listen as well as I can. But we'll try and make it work.

I think the comments we have heard here tonight I heard in Safford, I heard in Sierra Vista, I heard in Bullhead, in any of the rural city communities I have been in, that rural aspect, we have unique problems, unique to issues that develop in our communities. And it's been heard. We understand that part of the issue.

I think my fellow commissioners likely understand it, too. But I have not been at a hearing with Andrea Minkoff. I will tomorrow night, I believe. But I think so far I've been with all of the other commissioners at one time or another, and we have gotten together in two's so I don't violate the open meeting law. I'm going to get killed with that yet.

But we said, what are you hearing? Are you hearing the same thing I'm hearing? And we have pretty much had that same thing said all the way through our hearings in rural areas. So we will be responding.

I want to reiterate again that our grid is no
more than a starting point, and that we knew we'd have problems because of the one vote, one person grid that we came up with. We did indeed divide the Indian nation in several instances, not just the San Carlos, not just the White Mountain, not just the Navajo.

We have lines that don't match up with any community of interest. We don't have any lines that match up with any rural issue. That may be part of the next round of deliberations and next round of plans. So we know we have got a lot of work to do. So we hope we'll get as much participation as we possibly can from you folks and from Democrats and from Republicans.

We have had both Democratic and local representatives. We have had Republican, Democrat, all the way throughout all our hearings. We have, luckily, I think, heard from the majority of time from citizens, from people representing themselves, not from a particular, you know -- I guess one of the terms was, well, you'll hear from the politicos, I think, Jack Henton (phonetic), J. D. Hayworth, will be coming in trying to represent a rural area.

And it -- really, the Scottsdale, and whatever other area he's got, it's just not -- it doesn't really work. I was told that J. D. Hayworth would become our next best
We haven't had that, and that's been appreciated by the Commission. And it's helped us to be able to listen to you as a community and try to develop a plan that represents the wishes of the citizens of the state. So with that, I appreciate your time.

MR. ARANDA: Maybe I was neglectful. I apologize. I just wanted to pass along, as far as I'm concerned, from my area of Hayden, and some of the comments I received from them, that is to express my gratitude for your efforts, along with the other members of the Commission and staff for your time and efforts that's gone beyond 300 now.

But it's important that us, the citizens, as the local persons, get to have our input into this process. And I appreciate that, and I applaud you guys, ladies and guys, you know, as far as listening to us, as well as the politicals.

MR. ELDER: This is where the begging comes in. Bring a buddy with you, everybody. If we can get more people here, get more discussion here, it just helps us.

MR. ARANDA: But because the rural area is, in the end, they are part of Arizona, it isn't just the, it's an
urban area or rural area, but it is all part of Arizona.

MR. ELDER: Outstanding. Again, thank you all for coming.

UNIDENTIFIED SPEAKER: Will the maps be available to us before we have the hearing to take a look at, do you think?

MR. ELDER: As soon as the Commission has even a preliminary map or redistricting plan, it will be posted on our website, and we will be trying to get them out. If you leave us a comment slip that says, please mail, email, whatever it is, we'll drop it to those as soon as we can so you can have some prior information before coming to the meeting.

And we just thank you. So we'll get you those as soon as we have got something. I don't know whether it will be in our newspaper or local, from that standpoint. But I know we can get it on the website, and we can get it mailed to you, you know, those types of things we can do. So we will attempt to do that at the earliest date, but I don't know when that date will be.

MS. HAUSER: One last statement, if anyone just heard me a moment ago while the Mayor was speaking say something about being quiet, it was because my computer

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started shutting down and making the noises it makes as it
shuts down. I apologize.

MR. ELDER: Once I think it started making noises
another time. This Commission has no disrespect for the
citizens. If we can't have fun while we're doing this and
keep our sense of humor, it isn't worth doing it. So we kid
each other and play back and forth, and I'll tell hush, or

Whatever it might be, to her computer.

MS. HAUSER: Well, when I said be quiet to the
noise, it looked like I was saying be quiet to whoever was
speaking.

MR. ELDER: Anyway, I'll close the formal
meeting. And as I said, I'll stay around and answer
questions. If you didn't want to speak, or don't feel
comfortable speaking in public, you can pull me over to the
side and talk to me.

Thank you for coming this evening, and we look
forward to seeing you here in probably another three or four
weeks.

(Whereupon the meeting was adjourned.)
I, Barbara Shepherd, do hereby certify that the foregoing pages constitute a full, accurate typewritten record of my stenographic notes taken at said time and place, all done to the best of my skill and ability.

DATED this 30th day of June, 2001.