ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Monday, January 9, 2012
5:26 p.m.

Location

Fiesta Inn (Fiesta Ballroom I - Conference Center)
2100 South Priest Drive
Tempe, Arizona 85282

Attending

Colleen C. Mathis, Chair
Jose M. Herrera, Vice Chair
Linda C. McNulty, Commissioner

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist
Kristina Gomez, Deputy Executive Director
Stu Robinson, Public Information Officer

Mary O'Grady, Legal Counsel
Joe Kanefield, Legal Counsel
Bruce Adelson, Legal Counsel
Dr. Gary King (via teleconference)

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

(Whereupon, the public session commences.)

CHAIRPERSON MATHIS: Good afternoon -- evening.
This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Monday, January 9th. Happy New Year, everyone. And the time is 5:26 p.m.

Let's start with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Let's start with roll call.

Vice-Chair Freeman.

(No oral response.)

CHAIRPERSON MATHIS: Vice-Chair Herrera.

VICE-CHAIR HERRERA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

(No oral response.)

CHAIRPERSON MATHIS: We have a quorum.

And we know that Commissioner Stertz can't make it
tonight, but we think that Commissioner Freeman may be able
to dial in for a portion, so we'll be listening in for him
to dial in.

Other folks at the table today include our legal
counsel, Bruce Adelson, Joe Kanefield, and Mary O'Grady.

Our mapping consultant, Willie Desmond and Ken
Strasma.

Marty Herder is taking an accurate transcript of
tonight's proceedings.

Our chief technology officer, Buck Forst, is in
the room, as is our executive director, Ray Bladine, and
executive deputy director, Kristina Gomez.

I think that's it for everybody.

And then we have a couple folks on the line. And
that gets us to our next agenda item actually.

We have Dr. Gary King and Ben, I believe, who have
dialed in and will be providing a report to us regarding the
voting rights analysis of proposed legislative and
congressional districts.

And it sounds like there's a big delay on the
phone, so I apologize for that.

But, Dr. King and Ben, can you hear us well?

DR. GARY KING: I'm here. Hello. We can -- it's
a little easier to hear through the, through the website
than the phone, but we just went.
CHAIRPERSON MATHIS: Great.

So was the idea then that Dr. King would be presenting their results of his report first, or did legal counsel have something to say first, or Ken?

MARY O'GRADY: I think we're going to start with the presentation, unless Ken has something he'd like to add.

But there were written slides or written materials that we've distributed to the Commission.

Since this was all prepared at direction of counsel, it would be work product, but our recommendation is that be provided to the public as well, as staff is now doing.

So we wanted to make sure the Commission authorizes that distribution as they have previously.

So if you could just agree that that should be made public, the materials that we're going to be reviewing.

CHAIRPERSON MATHIS: Yes, I would agree that they should be made public.

Ray is wiping his brow.

And I should also note Dr. King is from the Institute for Quantitative Social Science at Harvard University.

And, Ben, if you wouldn't mind saying your last name. I don't have that in front of me. I would --

BEN SCHNEER: Sure. My name is Benjamin Schneer.
I'm a graduate student at Harvard University.

CHAIRPERSON MATHIS: Great. Thank you.

Okay. With that, I think, Dr. King, if you're ready to roll, we're ready.

DR. GARY KING: Sure.

Okay.

Can you hear me now?

CHAIRPERSON MATHIS: We can.

DR. GARY KING: Maybe if somebody could move the -- where the speaker is somewhere close to somebody in case I ask questions, because it's pretty difficult to hear unless I have the video on, and the video has got a delay. So I don't know where -- I don't know -- I can see you, but I don't know where the, where the telephone is.

Is that feasible?

CHAIRPERSON MATHIS: Yeah. Our chief technology officer is moving the table closer. We'll see if that makes a difference.

Can you hear me well?

Dr. King, just testing.

DR. GARY KING: That sounds a little better.

CHAIRPERSON MATHIS: Okay.

DR. GARY KING: Is that me in that little box that moved closer?

RAY BLADINE: That's right.
CHAIRPERSON MATHIS: So we're ready.

DR. GARY KING: Are you ready to talk about this?

CHAIRPERSON MATHIS: Yes, please.

DR. GARY KING: Great. Terrific.

So, everybody has a copy of presentation in front
of them; is that right?

CHAIRPERSON MATHIS: Yes.

DR. GARY KING: Okay. All right. So, we'll
basically go through this -- these five pages.

The first one, I think, is self-explanatory, the
first five pages of the draft.

And we're going to do -- we'll do congress first.
And there will be two pages of congress, and then we'll have
the same two pages, same types of analyses for the
legislature. And then there will be another page for the
legislature a little more complicated.

If anybody has any questions, please stop me, and
make this a discussion, that would be really terrific.

Okay. So overall what we're going to do for
congress is first I'm going to -- we're going to talk about
racially polarized, the degree of racially polarized voting.

And then we're going to talk about the candidate of choice
and electability of candidate of choice.

So the first page is an analysis of racially
polarized voting. Supports do not -- if it turned out there
was no -- there were no racially -- there was no racially polarized voting at all, then we wouldn't really have much of a, much of an issue with the Department of Justice. That's sort of a condition of going forward.

So, let's look at what the results are here. On this page, as on all of the pages and the graphs that I'm going to show you, there's five separate graphs, one for each, one for each of the statewide offices that we analyzed. And the sixth in the bottom right-hand corner, which is basically just an average of the other five graphs.

As you'll see on this page and on the other pages the results for the different analyses, which I'm going to explain. I haven't done that yet. From the different statewide elections are going to be similar. Not the same of course. They're different elections. But they're going to be pretty similar, and therefore the average is similar to all the five separations.

So, let me explain the first one to give you a feel for it.

So, let's start with the top left-hand corner. So the graph in the top left-hand corner, which we've mine inspector 2010, just so you're oriented. This is Page 2. Page number's at the bottom right-hand corner. And the title is racially polarized voting in CDs or congressional
districts. And in parentheses it says CVAP or citizens voting age population.

So let's start with the mine inspector graph at the top left.

And what this shows is two variables, one on the horizontal axis and one on the vertical axis.

On the vertical axis, it's the main minority group, which in this case congress is Hispanic, population proportion, so you can see that number goes from zero on up to one. One is 100 percent.

And you can see there are four numbers there. There is two numbers in orange squares. And that's the previous districts. What we call baseline districts.

And then there's two numbers that don't have squares around them, and those are the new districts.

And as you can see if you project them over to the left, it's about 40 percent Hispanic for the new district, the two new districts and the two old districts.

So the height of those four numbers is -- are all at about .4 on the vertical axis. You can see it's about 40 percent.

So, in other words, no change there.

If we take the statewide votes for mine inspector and break it down into the old two -- the two old congressional districts that were minority districts and the
two new minority districts, so the same thing on that vertical axis, pretty much the same thing.

On the horizontal axis, we have degree of racially polarized voting, which is, which is in this case a specific measure of racially polarized voting, which is the vote for the minority -- excuse me, the minority vote that is the Hispanic vote for the Hispanic candidate of choice.

And there's the majority vote for the Hispanic candidate of choice.

If everybody was -- if both the majority and minority were voting in the same way for this candidate, in this case the Democratic candidate, then this would be zero.

But instead we find that the numbers are between about .3 and about .6. So that's a reasonable -- reasonably high level of racially polarized voting, not at all unexpected, not at all very different from other kinds of states in the United States.

So, so that's the mine inspector graph.

Before I go into the others, does anybody have any questions?

Any questions from anyone?

(No oral response.)

CHAIRPERSON MATHIS: You can go ahead.

DR. GARY KING: Okay. So, so that just gives us a
sense that the four districts it's about 40 percent Hispanic and the degree of racially polarized voting is 30 percent.

The next thing is we can go over to the right. And you can see the height of these four, these old two districts and the two new districts, which indicates that a Hispanic proportion is going to be about the same because it's not going to change at all when we only change the statewide election that we're going to evaluate.

So the degree of racially polarized voting in this election, that is for U.S. president in 2004, is -- you know, it's a little different than the one on the left. Now it's around .2 or .3.

So it's similar.

If we go to the -- to the U.S. president, 2008, at the middle left, you can see that it looks very similar to the mine inspector election.

If we go over to the right it looks very similar. If we go to the bottom left it looks very similar. I think you're getting the, getting the pattern.

And you -- and we can average all these together at the bottom right graph, and you'll see, you know, pretty much the same thing.

So we presented this graph first because it was simple and straightforward, and we're getting pretty of the same kind of message. No matter how we analyze it, from
whichever statewide offices it was a measure of the voting strength of those legislative districts we use.

So if everybody's okay with it, I'll go on to the next page.

Unfortunately if you shake your heads, it's going to be about 30 -- it's going to be about a minute and a half before I see you shake your heads. So if somebody could go uh-huh, that would be great, or unless you have any questions.

CHAIRPERSON MATHIS: Any questions?

(No oral response.)

CHAIRPERSON MATHIS: Nope, I think we're ready.

DR. GARY KING: Okay. Great.

So if we turn the page to Page 3, it should say electability of candidate of choice by congressional district.

This is in a sense the key, the key graph.

I mean, all of the things are essential components, but this is the one that everybody is focusing on.

So, so, let me explain what this is.

I should mention, by the way, that these graphs that we're showing you now are areal summaries basically of tens of thousands of individual analyses that we've run.

We have detailed analyses of how uncertain each of
the estimates are.

   We have, we have extensive reanalyses based upon every -- on all the different proposed plans.
   We have evaluated it in many, many different ways. So this is basically a broad summary.
   Okay.

So, on Page 3, we have -- let's look again at the top left corner graph. Just give us a feel for it. So this should say mine inspector 2010.

   And along the horizontal axis, we'll have the estimated main minority vote, which is in this case Hispanic, for what we're -- what we believe is the candidate of choice of, of the minorities, of that minority group, which is Hispanic.

   As you can see, the placement of the two districts for mine inspector both to the old districts, which are the ones in the squares, and the new districts, which are the ones not in the squares but almost on top of the squares. It's hard to see the difference.

   Are both on the horizontal axis at about .9. So that means about 90 percent of Hispanics are voting for the Democratic or Hispanic candidate in that district.

   So, we see -- in that case we're quite confident in being able to say that the Hispanic candidate, or the
Democrat candidate in that case is the candidate of choice of the minority community.

So that's one, that's one judgment that's an important judgment that we need to make, that who is actually the candidate of choice.

Secondly, we want to figure out how well they do, and that's the vertical axis.

So the vertical axis here is just the total vote with the vote proportion for that candidate.

So you can see both of these candidates are above a horizontal dashed line.

And so that indicates that both candidates won. They got more than 50 percent of the vote. One of them got about 60 percent. One of them got about 65 or 70 percent.

And so both, both, both districts, both under the old plan and under the new plan, fall in the top right quadrant.

So they're to the right of the vertical dashed line, which means, again, that the candidate -- that it is the candidate of choice.

And above the horizontal dashed line, which means that that candidate is actually winning.

So candidate of choice and the candidate is winning.
So that's, that's an analysis of those two, those two questions for these, for these districts, using the mine inspector election in 2010 as the -- as a measure of the voting strength in the legislative district.

We can do the same thing if we go to the right, which is the vote for U.S. president. And you can see again that all four of those numbers fall -- fall in the same spot, in the top right quadrant.

Same thing for secretary of state 2006.
Same thing for secretary of state 2010.
And you can see in the bottom right corner, it's an average over all the elections. And no surprise, of course, they, they -- the averages also fall in the top right quadrant.

So, again, overall here, the old districts and the new districts, it appears that we have correctly identified the candidate of choice of the Hispanic community and also their winning.

Okay.

So everybody follow this graph?

COMMISSIONER McNULTY: Yes.

Dr. King, there is Linda McNulty. I just have one minor question.

At the bottom of the graphs where we say
estimate --

DR. GARY KING: I'm sorry. I can't, I can't quite hear you. Maybe somebody -- whoever is asking the question could go a little closer to the microphone or check that there or something?

COMMISSIONER McNULTY: Is that better?

DR. GARY KING: I just hear echoing.

COMMISSIONER McNULTY: Is that better?

DR. GARY KING: Yeah, that's great.

COMMISSIONER McNULTY: Okay. I'll hold it farther away.

The bottom note in each graph says estimated main minority, by main minority we just mean the principal minority which in the case of the congressional districts is Hispanic; is that correct?

DR. GARY KING: Yes, exactly.

COMMISSIONER McNULTY: Thank you.

CHAIRPERSON MATHIS: And, Dr. King --

DR. GARY KING: We're going to use exactly the same setup for the legislative districts, and that -- you know, that more generic terminology will make more sense since some of the districts are non-Hispanic.

But, anyway, go ahead.

CHAIRPERSON MATHIS: Dr. King, this is Colleen. Just a question.
How -- can you comment on why these particular races were chosen?

DR. GARY KING: They are the ones that the Commission has designated as the majority-minority districts.

So we -- we've actually done most of these analyses for every district in the, in the plan.

So we're showing you the ones that we've met that the Commission when it eventually passes the plan would go to the Department of Justice and they would end up focusing on.

CHAIRPERSON MATHIS: Right. These particular districts.

Maybe I misspoke.

I mean why these particular races were chosen.

DR. GARY KING: Oh, I see.

Well, we wanted -- we don't mean to narrow the races.

So our theory with respect to the Department of Justice is if they have a different way of looking at the things or therefore if we can think of a different way of looking at things, we'll just do that also.

So if you can think of a relevant statewide election that we haven't looked at that's not, you know, unanimous or one candidate, that doesn't -- that isn't
complicated by maybe, you know, a very strong third party, you know, that is very unusual.

You know, we'll use, we'll use that also.

So, and sometimes more -- the more the better.

CHAIRPERSON MATHIS: And, Madam Chair, I'll --

DR. GARY KING: We'll give you a summary of the many, many analyses we've done.

CHAIRPERSON MATHIS: Thank you.

Mr. Strasma.

KENNETH STRASMA: Just to clarify further, we did look at a number of different elections. We wanted one statewide election with minority candidate for each year the plan has been in effect.

We need statewide elections because obviously the lines have changed, so we can't just look at past legislative elections.

And we prefer to look at races where there was a minority candidate, which we were able to find in every year except 2004, statewide or a candidate.

So there we used president '04, where it indicates that Grant Woods was the candidate of choice of the minority.

CHAIRPERSON MATHIS: Thank you.

DR. GARY KING: That was a really good question.

We don't want to be cherrypicking our basis of
analysis, based upon what our results are. We want to use all of the results.

As you can see, at least in these five, these five statewide elections, again very similar kinds of results.

Which is not really a surprise. That's the kind of thing that happens in most states.

But, you know, it can be different, and so it's important that we cast a broad net and look very wide.

CHAIRPERSON MATHIS: Thank you.

DR. GARY KING: I should, I should mention also there's some of the analyses, these what we're showing you here is a draft. It's the best we have right at the moment. But things change.

There's a few numbers that even changed from this morning.

So some others may change as well as we, as we improve the analysis.

CHAIRPERSON MATHIS: Okay.

Ms. O'Grady.

MARY O'GRADY: Professor King, this is Mary. And it may be clear to everyone based on what's been said so far --

DR. GARY KING: Sorry, I can only -- I just hear echoing.
MARY O'GRADY: Okay. Let me try it again.

Is this better?

DR. GARY KING: Yes, a small amount.

MARY O'GRADY: Okay.

The mission that we sent -- that we assigned to Dr. King was to give us the analysis that was necessary under Section 5 to analyze the performance of the districts and answer the question do minority voters have the ability to elect the candidate of their choice in at least the same number of districts in the proposed map that we're considering as they do in the benchmark districts.

In other words, is it retrogressive.

So, Dr. King, I wanted you to comment on the answer to that question based on the charts that you've presented, the analysis that you've completed on the congressional districts.

DR. GARY KING: Okay.

Shall we, shall we turn to the legislative districts?

MARY O'GRADY: I was hoping you could just sort of answer that question just based on the charts, just reiterate your conclusion with regard to whether the congressional maps are retrogressive based on the analysis that you've done and presented.

DR. GARY KING: I'm only getting about half --
half of the words, but I think I, I think I know what it is that you're asking for.

So the Justice Department will ask is, is -- has there been any retrogression; that is, have we gone backwards in any sense in order -- in terms of the probability of electing candidates of choice on average over the -- across the state.

And, you know, I can't predict what the Department of Justice would do. But if you look at these numbers, it seems fairly evident that, that this situation is fair -- is pretty much the same from what it was under the last redistricting plan. So I think it would be pretty hard to argue that there was retrogression in any way.

And I don't see how you would argue it at all from these numbers, so...

Does that answer your questionnaire?

MARY O'GRADY: Yes, it does. Thank you.

DR. GARY KING: Okay.

CHAIRPERSON MATHIS: Any other questions?

Okay. Feel free to go ahead.

DR. GARY KING: Okay. I think you said to go ahead, so that's what I'm going to do.

Okay. So, we're going to switch now from the congressional races to the legislative seats.

And so if you turn to Page 4, we're now going to
do the same two kinds of analyses, and then one more, for the legislative seats.

And so on Page 4, there's, there's more districts, because there's more, there's more potentially majority-minority districts.

But the basic heuristics are the same. We have the same statewide offices in the six places of this graph. And, and the same axes as the first draft I showed you.

So let's, let's go -- let's start with mine inspector 2010 in the top left-hand corner again.

And we'll get a feel for what this is.

So, again, along the horizontal axis, this is a degree of racially polarized voting.

So, the farther to the right, the more polarized the racially polarized voting is. That is the more the Hispanics voted differently from the majority, or in one case the more the Native Americans voted differently than the rest of the district.

On the vertical axis is the main minority population proportion. So for most of those it's Hispanic population.

Again, the squares designate the old districts and the blue numbers designate the new districts.

So overall in the mine inspector election, you can see that for most of the districts there's a fair degree of
racially polarized voting.

For a couple of them, 15 under the old plan, the 26 under the new plan, 26 being an important district that we'll go back to, there's relatively low levels of racially polarized voting.

So in that -- for that one race.

Everybody follow me so far?

CHAIRPERSON MATHIS: I think so, yes.

DR. GARY KING: Okay.

So, so the main message from the top left graph is that the degree of racially polarized voting is, is, is reasonable -- reasonably substantial.

You can see it, but in a couple of the districts it's relatively low.

If you go to the right, under U.S. president 2004, you see a fairly similar picture.

The degree of racially polarized voting now for about four of the districts, two old and two new -- or actually three new, are pretty close to zero. And the others, the others are higher.

It's not, it's not a surprise that there would be some variance across the state. There's some -- this happens in most states.

There's some areas -- most areas where there's a fairly healthy degree -- a fairly large degree of racially
polarized voting, and in other areas -- in some other areas it would be lower.

It appears that in some -- around District 26 in particular, there's a lower degree of racially polarized voting.


Then we can just summarize it by going to the bottom right graph, which is the average over all the elections. It's just another way, another way of looking at it.

Again, the degree of racially polarized voting for most of the districts is between about .2 or -- to .6.

.6 is very high.

That's -- that means that Hispanics or Native Americans are getting 60 percent more of the -- or giving 60 percent more of their vote for the Hispanic or the minority candidate of choice than the non-minorities are.

And then in some areas it's lower.

So, 26 is, as I mentioned, and as you all know of course, is an issue. The question is whether it's really a valid majority-minority district.

Well, one reason you're having trouble making it
an unambiguous majority-minority district is that the degree
of racially polarized voting there is very low.

    So it's, as you can see in the next graph, it's
going to be a little difficult to figure out what the
candidate of choice is, because, because the Hispanics in
that district are not really voting differently from Whites.

    So if that it were true across the whole state, it
really wouldn't be a Voting Rights Act issue at all.

    But there is a -- you know, this is a distinct
area of the state.

Anybody have any questions on this page?

CHAIRPERSON MATHIS: No questions.

DR. GARY KING: Okay.

So that's racially polarized voting.

As we turn the page, we'll now go to the
electability of the candidate of choice by legislative
district. This is Page 5.

    This, again, parallels what we did in congress.
Now applies to the legislative, legislative districts.

    If we -- to get a feel for it, let's start in the
top left-hand corner. So this is, again, mine inspector
2010.

    On the horizontal axis, we used a horizontal axis
to figure out whether we've correctly identified the
candidate of choice and it's the estimated main minority
vote for the candidate of choice.

So most of these is, is the estimated Hispanic vote for the Hispanic candidate.

Okay.

Now, one thing I didn't mention, but just to make it clear, we're estimating how Hispanics are voting.

Okay?

So there's a law in the United States, it's the rule, which is the secret ballot. So the secret ballot says you may not know how a particular people vote, but there's another rule that says -- that the Justice Department says, or the Voting Rights Act says, that we have to actually figure out how they vote.

So there's a degree of uncertainty in figuring out how any group votes, because of the secret ballot. If it, if it weren't -- if you -- if it weren't for the secret ballot, that would make our job a lot easier, at least one aspect of our job easier.

So these are estimates.

They're using the best estimates possible, but it was worth -- it's worth inserting in there that there's uncertainty, of course, in estimating the -- it's something that's not knowable for sure.

And I can describe that in more detail.

But in any event, most of these districts fall to
the -- in fact, all of the districts for the mine inspector 2010 fall to the right of the vertical dashed line, which means that a majority of the vote for -- from the, from the Hispanics or Native Americans are going to the candidate, to the -- to their candidate of choice.

The vertical axis is the total vote for that candidate, which is are they winning.

And most of the districts are above the horizontal dashed line.

Now let's just look a little closer at the specific districts.

So, again, the squares are the old districts. Three of them fall below the line.

That's an interesting, an interesting point.

So three of the districts that previously had been designated as Voting Rights Act districts under the old plan are not electing according to -- at least according to the statewide vote for that district.

So when we judge the grief partisan vote for one candidate or another, three of the baseline districts are, are not performing. They're not electing for the candidate -- they're not producing votes for the candidate of choice.

Even though those districts are very far to the right of the vertical line, so that -- so the candidate of
choice is correctly designated, but they're just not -- they're not getting elected.

So, there's enough strength in the voting strength of the district to elect.

So that's the baseline.

For the proposed districts, which are in blue, so they're blue numbers with no squares around, those are all above the line, which means they're being -- you know, there's enough strength so that they can be elected.

Some of them are, you know, close to the line, but they're all -- they're clearly all above the line.

And they're all to the right of the, of the dashed vertical lines. So they're all in the top right quadrant.

It's worth mentioning two districts here, in particular.

One is 26 again. So 26 is the closest to the -- to that -- that cross of the two dashed lines.

And we also have drawn on here District 8, which is -- which -- in which we've clearly -- District 8 clearly has the right candidate of choice, because 80 percent of the -- 80 percent of Hispanics are voting for -- are voting for the Hispanic candidate.

But, but District 8 is not above the dashed line.

So District 8 I realize you don't have it designated a majority-minority district, but at least it's
And it's -- it looks even a little better than the three previous districts.

So that's just evaluating according to that one election.

If we, if we go to the right, you'll see the fairly similar pattern.

District 26 now jumps a little bit to the left, so now it looks like, you know, we have really identified the candidate of choice. But whatever candidate that is, it's being elected or it's being elected because it's slightly above the horizontal line.

District 8, again, is a little below all three of -- 23, 24, 25, in the old plan, are all below the line.

And if you go -- if you look at the other elections, you're going to find a fairly similar pattern. Twenty-six, it's weak because it's -- it's not always clear what the candidates -- who the candidate of choice really is of the minority community.

In part because they're giving an answer as we saw from the -- they're giving their preferences as we saw from the previous graph in a similar way to what the non-parties are.

So it's not quite clear that they've designated a -- they have a self-identified candidate of choice that's
distinct from other groups.

And, again, eight is sort of just designated in each of these cases.

If you look at the average in the bottom right-hand corner, again, 26 is right there, right there in the corner.

Eight is covered in the graph by 25. It's basically in the same place.

So, so I think that's the basic setup here.

If you, if you -- I know Mary will ask me the retrogression question, so let me answer that at the moment.

How would, how would I answer the retrogression question?

Well, you look at the mass of the scatter of the squares, and you look how close they are to the top right-hand corner. And then compare that to the scatter of blue numbers and how close they are to the top right-hand corner.

And they're fairly similar.

Twenty-six is clearly weaker in one dimension.

In the -- under the old plan, 23, 24, and 25 are weaker in a different dimension.

So, eight -- eight, remember again is sort of an extra district. So, so if you count it with the others, it's -- or if you -- if -- or -- and I guess overall,
there's -- it appears that there's the same kind of general pattern as there was previously.

And, so, you know, is there retrogression? I don't think there is overall.

Is it possible to make a case against the plan based upon that?

You know, it's always possible to make an argument.

And we can find out what the weak, what the weak points in the, in the plan are.

There's a way to shore that up on the next page, which I'll get to in one second. But why don't we just -- why don't I pause for a second and just see if anybody has any questions.

CHAIRPERSON MATHIS: Thank you. Any questions?

(No oral response.)

CHAIRPERSON MATHIS: No, go ahead.

DR. GARY KING: Okay.

So let's, let's turn to the next page.

So, the next page is a new analysis. We did this for congress also, but it just wasn't very interesting, so we, so we are not presenting it to you.

But let me explain what this, what this is.

So, one of the things I imagined the Justice Department will do, and actually the regulations say fairly
clearly that they will do, is look at alternative plans, alternative maps, that have been proposed. And they may draw their own maps to see what, what would be proposed. And you all have -- you all have drawn a lot of maps. And you've, you know, considered other possibilities.

Well, one thing that they may, they may wonder about is who could there be another map that would be better on their dimensions than this map.

And so, so, you know, we don't know that until we actually draw the, draw the districts.

And, of course, even if there is one better than this map on this dimension, it may violate other principles that we would like to achieve. And that's, that's one of the things that that the Justice Department pays attention to.

And so really it's still worth asking the question, what would happen if you were relatively unconstrained in drawing the districts. How far could you go in shoring up these districts.

Okay.

And so, so what we did is we conducted the following kind of hypothetical analysis, or counterfactual analysis.

We took each of the actual legislative districts,
and we, and we estimated, as I showed you at the previous
graphs, how Hispanics vote, how Whites vote, et cetera.

And then what we did is we took the district and
we said, well, how could we change the voting, the -- excuse
me. How could we change the number of Hispanics and the
number of Whites in each district in order to produce a vote
of 55 percent for the, for the candidate of choice.

Fifty-five percent is arbitrary. And we've done
this for other percentages as well. But just as a way to
start and a summary of the kinds of things that we've seen,
we can use 55 percent, because that would, that would
probably be considered a reasonable -- reasonable district.

And I want more, but that's a, that's a -- that's
the way to start.

So, so, in this -- in some districts in which
they're getting more than 55 percent of the vote, in which
the candidate of choice is getting more than 55 percent of
the vote, we would, we would remove Hispanics from the
district.

In other districts in which the Hispanic candidate
is not getting as many as 55 percent of the vote, we would
add Hispanics to the district.

So what we were able to do is we were able to do
that without actually drawing a map.

Okay.
So what we do is we go through the following procedure.

If there are too many -- if the vote for the Hispanic candidate of choice is below 55 percent, we take an Hispanic from the neighboring districts, that is the ones that are contiguous to the district that we're considering, but not the Voting Rights Act district, and we imagine that we're going to move that Hispanic -- we're going to draw that Hispanic into the present district, and we're going to take one of the Whites or non-Hispanics and move them out of the district.

So we're going to make that change.

We do that for one voter and then the next voter and then the next voter.

And we're going to keep doing that until we -- until we end up with 55 percent of the, of the vote for the, for the Hispanic candidate of choice.

And we don't know actually how people will really vote in the real election. So when we talk about 55 percent of the vote, we're talking about the voting strength based upon one of these statewide offices.

Everybody see what we're shooting for before I show you what we actually found?

CHAIRPERSON MATHIS: We think so.

DR. GARY KING: Okay.
Well, let's go one more step.

So, so, let's look at the -- let's take the top right graph, which is U.S. president in 2004.

Okay.

So the top right graph, there's two axes.

The horizontal axis is the Hispanic population change required to meet this 55 percent threshold.

So, in districts that received fewer than 55 percent of the vote for the Hispanic candidate of choice, which is the Democrats, we're going to add, we're going to add Hispanics.

Okay.

So how many Hispanics do we need to add until the vote -- until we estimate the vote would be 55 percent.

So if you look at District 29, which is, which is there sort of in the middle, that's to the right of zero, to the right of the vertical bar -- the vertical dashed line.

What that means is we have to add about 25 percent more Hispanics in order for District 29 to have a 55 percent vote share of U.S. presidential vote in that, in that district.

So that -- so -- and that's a fairly sizable change in that district.

And could you, could you achieve it?

Yes, you could, you could achieve it, at least in
principle.

You may, however, be violating other kinds of criteria.

So if you want -- so the actual vote in District 29 according to, according to U.S. president 2004 isn't as high, isn't as high as this.

And, and we could achieve a 55 percent vote for the candidate of choice, but you would have to move 25 percent more Hispanics into the district.

Now, we know it's possible to move 25 percent more Hispanics into the district, because there are enough Hispanics in the neighboring districts.

However, a 25 percent change in that district is quite substantial.

And so it seems likely that you would -- but not for sure, but it seems likely that you would be violating other kinds of redistricting criteria, like you'd have to draw some crazy lines or violate communities of interest or possibly one person, one vote. None of which need to be violated in order to satisfy these particular criteria.

And so this gives you a feel of how much change in the Hispanic vote you would need to do and then how big it, how big it is and whether it's worth doing.

Another way of evaluating that same thing is we --
is to look at the vertical axis.

So the vertical axis is the ratio of the population change that we looked at on the horizontal axis to the vote share change.

So if we were up at one, up at one, what that means is that if you move one Hispanic into the district, there's one more vote for the Hispanics.

But that's not what typically happens.

With District 29, that's at about .2. .2 is 20 percent.

So what that means is if you moved 100 more Hispanics into the district, you'd only get 20 more votes for the Hispanic candidate.

This is citizen voting age population.

So when we move people, we move them based upon people, not based upon votes for a particular candidate.

And so the leverage here in terms of producing an outcome is relatively low. And it's low on the vertical axis.

That means that in order to effect a change, if you're low on the vertical axis, that the map would have to be fairly massively changed.

And the more massively changed -- the more you have to change the map, the more likely it is that you have to make other changes.
So a key district here is District 26. So if you see, for U.S. president 2004, District 26 is actually in red.

Red here means something different. What red here means is that, first of all, we're way over on the right, which means you'd have to -- you have to find almost, you know, 85 percent of the vote -- excuse me, you have to find almost 85 percent more Hispanics to stick in that district before they ended up with 55 percent vote share in the 2004 election.

But moreover it's red, which means that you wouldn't even get to 55 percent.

And I mean there aren't enough Hispanics. There aren't enough Hispanics in the districts that neighbor 26, other than -- that are not Voting Rights Act districts, in order to make the vote for the Democrat 55 percent. That is impossible to do that, at least with those neighboring districts.

So that means that it doesn't matter how long you jiggle those lines, as long as you're starting with that, District 26, you're not going to get there.

So that seems like a relevant, a relevant fact if you're trying to defend District 26, that you know, District 26 has an interesting characteristic. There isn't much racially polarized voting.
In order to move -- in order to increase the vote
for -- for the, for the Hispanic candidate of choice, it is
actually their candidate of choice, which is not so clear,
you'd have to massively change things.

And, and the neighboring districts don't even make
it possible, at least according to the U.S. president 2004
votes standard, for you to even get there.

So you see similar stuff in the other elections.
So, although not exactly the same.

So, you know, this is for, for mine inspector
2010, in, in, in that election, it looks like 26 is right at
zero, which means they got about 55 percent of the vote.

In secretary of state 2006, you couldn't move
enough Hispanics into the district. It's still red. It's
over on the right-hand side.

So there's a little bit of variability around,
around 26.

It's not following standard patterns.

You know, it's not clear -- it's not a clear,
standard, classic case of a Voting Rights Act district.
It's just operating a little differently.

So this -- the point of this graph is to see how
much effort you could -- you would have to go through to
change things and what the likelihood is of, of violating
other constitutional criteria as a result.
Anybody have any questions?

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: I have a hundred questions.

DR. GARY KING: Let's start with number 63.

COMMISSIONER McNULTY: So the first question is when the Department of Justice looks at this graph, what -- do they draw a conclusion? Do they draw many conclusions? What conclusions do they draw?

And I guess the second question is how do we use this, this -- these graphs in our submittal? Do we do a narrative? And is that a district-based narrative, based on what this information shows, or is it a more global narrative about the difficulty of shoring up the districts?

DR. GARY KING: Okay.

So, the -- what conclusions does DOJ draw. And so I think your two questions, if I heard them right, is what conclusions -- what kind of conclusions does the Department of Justice draw, and secondly what do we put in the report to the Department of Justice.

Is that right?

COMMISSIONER McNULTY: Yes, that's, that's correct.

DR. GARY KING: Okay.

So, so they, of course, get to make the decisions so they can draw whatever conclusion they like.
We hope to narrow down the possible choices that they have by giving them all the facts and narrowing, you know, narrowing it down that way.

They ask for facts. And we try to take legal questions and make them factual questions.

You know, in a sense, in a sense there's three types of interests here.

There's, there's the folks like me who are supposed -- who think that they're just doing the facts, the empirical facts.

Then there's folks that are just doing, just doing the legal questions.

And then there's the folks who are just doing the political questions.

But, of course, everybody is really doing everything.

And in the end the Justice Department will have to make a decision among these.

We hope -- we all hope that we can take the political and legal questions and turn them into straightforward, factual questions. So as much as possible just try to answer every question that they have.

So the Commission will have to decide what goes in the report.

My recommendation would be to put everything in
there, to make this the best report that they've ever seen.

To analyze every contingency. To consider --
consider every possible alternative plan. So that they
don't think to themselves, you know what, we don't trust
these guys, we're going to, we're going to, we're going to
go and draw some maps ourselves.

We want every thought that they would have had to
have been considered.

At least that's a -- that would be my, that would
be my suggestion.

What do they conclude at the end?

You know, we hope that they conclude at the end
that they approve the plan, but they have the authority to
do a lot of things as well.

COMMISSIONER McNULTY: Madam Chair, Dr. King,
thank you. That helps me refine my question a little bit.

If you're at the Department of Justice and you
look at this graph, just in simple terms, is your
conclusion, yes, I see it would be difficult for them to
have drawn something in which the majority performance
percentage was higher?

Or is your perspective, looking at this graph,
well, they could have -- they might have been able to do
this or that or this or that, I think I want to draw my own
map?
But I'm just asking your perspective.

Or, or is that --

DR. GARY KING: The thing about this is the vertical axis here is how hard you have to try.

And, you know, we've been following of course the plans all along. And, you know, as you, as you strengthen the district, the efforts that you would have to go through to prove to them even further according to our measures drop, or increase. Basically they visually drop on the graph.

So, in other words, as you improve the districts and make them harder and harder to find other ways of improving them.

So we think we can shore up some of the conclusions that you have.

In some sense this analysis -- or this analysis on the last -- this last page here hasn't been done before.

It is, however, a direct answer to the question that I think that the Justice Department is asking in their regulations.

They want to know what would happen if we drew a different plan.

Well, you've drawn a lot of plans. You can draw more. You should draw as many as you possibly can draw.

Citizens can draw others.
The Commission can consider all of those.

And then when you're done with that, there is almost an infinite number of other possible things you can consider.

So we have here one way of considering a very, very large number of possible alternatives. And that should give them some confidence that we looked much more widely than one could look if you were only sitting and physically drawing maps.

Because it takes such longer -- it takes a much longer time to draw a map than it does through this kind of hypothetical for us.

So in some sense we've -- so what we want to show the Department of Justice is that we've gone, you know, way beyond the extra mile. We've gone way farther than anybody else has.

So what will they globally conclude substantively, which I think also what you're asking, as a procedural question, I think, I think they'll conclude, or at least for somebody familiar with these districts, most of these districts, that, that according to the previous graphs, the districts meet their criteria, and according to this one, it would be very difficult to make the districts -- to strengthen the districts and to also meet other essential redistricting criteria.
VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Dr. King, this is Jose. Can you hear me?

DR. GARY KING: I'm sorry, I know you're talking, but I don't know what it is you're saying.

VICE-CHAIR HERRERA: Can you hear me now?

DR. GARY KING: Yeah, that's better.

VICE-CHAIR HERRERA: I think you have to put the microphone a way -- a certain angle.

Glad it works.

I have a question. We've had a -- you know, obviously a couple states that have gone through redistricting, they submitted the plans to the Department of Justice. Some have not been approved.

Have we learned anything from those states, the mistakes that have been made or things they have done well that are similar to what we're going to be facing?

DR. GARY KING: Is that a question for me, or --

VICE-CHAIR HERRERA: Well, actually that question is for anyone who wants to answer.

MARY O'GRADY: Yeah, Madam Chair,

Commissioner Herrera, that is not a question that we had asked Dr. King to focus on.

We had him focus on the analysis, statistical
analysis of our districts.

DR. GARY KING: Yeah, I'm sorry, I can't --

MARY O'GRADY: Oh, I'm sorry.

DR. GARY KING: I can only hear, I can only hear an echo.

I think it's because of the massive temperature differential in the two cities that we're in. Sound waves just stop when they come here, and they fall to the floor.

MARY O'GRADY: I was trying to explain -- this is Mary -- that that wasn't a question that -- we really have not asked you to focus on that issue, Dr. King, but if you like --

DR. GARY KING: I see. Okay.

We -- so I haven't followed exactly what the DOJ has done, you know, in the last few months, but as far as the analysis we're doing are the kinds of things that they look for, and, you know, when I've -- when I've worked in other states, when I've helped out the Department of Justice specifically, these are the kinds of things that they're interested in.

I think they'll be specifically interested in the kind of analysis we've done here, because I think it's pushing the state of the art a little beyond what, what other states will, will have had the opportunity to present to them.
So, they seem to be interested in, in those kinds of, you know, advances.

JOSEPH KANEFIELD: Madam Chair.

CHAIRPERSON MATHIS: Go ahead.

JOSEPH KANEFIELD: Madam Chair, Commissioner Herrera, to answer your question with respect to counsel, we have been monitoring what the Department of Justice has been doing in other states. Specifically the Texas redistricting process has been very informative in terms of learning about the Department of Justice's approach to this round of redistricting specifically in light of the reauthorization of the Voting Rights Act about six.

So we have been -- obviously why I brought Bruce Adelson on board my team to tap into his expertise to keep track of these developments, not only with statewide redistricting, but with the thousands of other redistricting commissions that Department of Justice has been considering.

So to answer your question, yes, we have been monitoring developments.

MARY O'GRADY: And in terms of what those developments are, some of them -- they have not yet objected to a statewide plan that I'm aware of.

They've reviewed 11 and have no objection to 11.

They have objected to other things that states have done. They objected, for example, recently to
South Carolina's voter ID act.

My understanding in the last decade, and I apologize, Dr. King, if I'm messing up the mic again, they -- reports I've heard that they had three objections last calendar year, one of which was the South Carolina voting issue.

But they still have a lot in process in terms of redistricting plans, both statewide and local.

And I don't know, Bruce, if you have things to add in terms of any objections to redistricting.

I know they have done requests for information to -- on redistricting plans, and so if states can't satisfy them or counties can't satisfy them, they may draw an objection.

It's all a work in progress at this point.

BRUCE ADELSON: Madam Chair, in picking up on what Ms. O'Grady said, one of the interesting developments in this redistricting round is that in the last month the Department of Justice issued ten requests for additional information to counties or cities.

When during my Justice Department career, we never issued that many in one month.

If you read the letters, the department is asking very pointed questions, clearly within its jurisdiction. Many of them going beyond some of the things that we were
looking at previously.

So I think that the -- that's an important consideration in moving forward.

I also think that where we are in the process now is about where things were ten years ago.

There was an objection ten years ago in Arizona. There was an objection ten years ago in Texas. And there was an objection ten years ago in Georgia.

But at this point in the process ten years ago, nothing else had occurred.

There have been no objections in January, 2002.

So, the process now, as far as objections basic -- the state of things, now, compared to ten years ago, is about the same given the calendar.

The change, which is a significant one, is these requests for additional information.

Because, as you know, when those are sent, a 60-day review clock that the department operates on stops and it's flipped to the jurisdiction, which has 60 days.

If the jurisdiction doesn't satisfy Justice within those 60 days, Justice can object.

So if there is a change in the sense as far as where the process is, that's a significant one.

Plus also, as Ms. O'Grady said, the objection to South Carolina's voter ID law, that's the first department
objection to a Section 5 state's voter ID law.

So I think that that's also part of the equation.

I also wanted to comment briefly when Dr. King was talking about the counterfactual analysis and the ability to change districts.

I think it's important to emphasize that in his analysis, as he said, his analysis does not include removing minority population or moving minority population from the benchmark majority-minority districts.

Those are the strongest districts as far as where minority population is.

So I think that's important too.

And as far as how the department would view this, as Dr. King knows, we had talked about this earlier, we didn't see anything like this ten years ago.

The department is always interested in additional analysis, additional explanations.

But what is important as far as the alternative plan piece, unless you're going to argue unavoidable retrogression, the department holds jurisdictions to a very high standard as far as coming up with an alternative that fixes a problem as the department finds a problem.

So unless you argue unavoidable retrogression, which is a very high standard, the jurisdiction essentially is going to have to come up with a map that addresses the
department's concerns and fixes the problem.

    So, with Section 5 the standard is very high.

    There's really not much give there, unless you can prove unavoidable retrogression.

    And that's something -- I've never seen that done successfully.

    So the ability to do that, that's a very high standard to meet.

    Thank you.

    COMMISSIONER McNULTY:  Dr. King.

    Dr. King, can you hear me?

    Dr. King?

    Dr. King?

    DR. GARY KING:  Yes.

    COMMISSIONER McNULTY:  Can you hear me?

    DR. GARY KING:  Yeah.  I was just switching to the website.  There was a little delay.

    I can hear you.

    COMMISSIONER McNULTY:  If it were, if it were the case that it would be easy to improve the districts, where would the numbers cluster on these graphs?

    DR. GARY KING:  If it were, if it were easy to improve the districts, they would, they would be higher, because then every, every -- if they were way up at one, then that would mean that you move one more Hispanic into
the district and you get one more vote.

In addition, you would want the Hispanic population change required to meet the threshold that is a horizontal axis to not be that far from zero.

If it were at zero, there wouldn't be -- it wouldn't have changed at all.

But if it were just a little bit off zero and it was pretty high, then that would mean that without doing -- without using much effort you could produce that 55 percent votes for the candidate of choice.

So, you know, when somebody looks at the highest one of these is secretary of state 2006, District 27.

Okay.

So, so that one they're already getting 55 percent of the vote. So you actually have to take some out.

That doesn't seem like that would be an important thing to do.

You can see that, that what happens here is that districts that are to the left of the line, like if you look at the mine inspector 2010, they also follow an L shape.

So, so, there's a lot of districts clustered just to the left of that line.

And when you see District 8, which it's, it's, it's lower. So the same thing, just lower for U.S. president, 2008.
There's a bunch of districts just to the left of the line. That's not -- B is to the left of the line is sort of not a surprise. It's not unintentional. I'm sure it's intentional when you drew up the districts. So you want to get that, you know, at least that much of the vote. And keeping it away from the right.

So, so, I think, Mary, to answer your question, you would see them high, closest, closest to zero, but to the right of zero.

We don't really see any in that region.

That doesn't mean that you shouldn't try to improve some of these other districts. You might.

There's some, there's some obvious ones where you might want to see what you could do. You know, some kinds of things you can do by adjusting -- adjusting the districts.

We were only -- our hypothetical is that, I think as Ken mentioned, we're, we're not, we're not moving from one minority-majority district to another. Hypothetically.

We're also only moving from the adjacent districts. So we're not redrawing larger, larger pieces of the map.

But, you know, if you, if you suspect that it might be possible to do that, and, you know, then I -- you know, then it's all -- it's highly likely that the Justice
Department will suspect the same thing and wonder why you didn't do it.

So if there's some area where you think it might be possible to, to redraw the maps to improve one of these districts, particularly if they're not meeting the threshold at the moment, then you should probably do it before they get there.

COMMISSIONER McNULTY: And if we don't think there is?

DR. GARY KING: I'm sorry?

COMMISSIONER McNULTY: And if we don't suspect that there's something that we should redraw based, for example, on the prior chart that shows everything in the upper right quadrant.

DR. GARY KING: Well, let's -- let me -- if it's all right, all right with you, let me rephrase that.

So it's not only if you don't suspect, but if you actually conclude that there's nothing else you can do, then that's a very strong -- and that's what they want to know.

Right.

They want to know that if they went to the extra effort of drawing a map themselves -- I mean, I'm guessing what they want to know. All right?

So, but this is what they say. I don't mean to say guessing.
But, all right, based on what they say, it appears that, that what you want to do is make it so that they don't think that if they put the effort into drawing districts themselves that they would do any better.

And so, so how you do that?

Obviously they can do anybody they want once they get the districts.

But you do that by making sure, not only, not only not suspecting that there isn't anything there, but actually actively concluding that you couldn't improve the districts.

So I think that's, that's really what you have to actively conclude.

Is that helpful?

COMMISSIONER McNULTY: Thank you.

CHAIRPERSON MATHIS: Any other questions for Dr. King?

(No oral response.)

CHAIRPERSON MATHIS: Anything from legal counsel? Or mapping?

(No oral response.)

CHAIRPERSON MATHIS: Okay. Well, Dr. King and Benjamin, thank you very much for all the hard work on this. And we appreciate this, that you were able to participate this evening, and give us this update during a meeting.
MARY O'GRADY: Madam Chair, if we could keep them on the line, if we have time to, just for a little longer to the extent that we continue the discussion of the districts.

CHAIRPERSON MATHIS: Great. It's fine by me.

Can you two stay on for a little while?

DR. GARY KING: Yeah. I'll be listening online, if that's okay.

I will stay online.

CHAIRPERSON MATHIS: Great.

Thank you.

DR. GARY KING: Okay.

CHAIRPERSON MATHIS: How are we on time?

It's 6:30.

Marty, do you need a little break or anything?

Okay.

We'll keep rolling then, to number three on the agenda, which is discussion, direction to mapping consultant and possible action regarding adjustments to the approved final tentative legislative districts map to address technical or legal issues. Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice and providing direction to counsel in regard to mapping legal issues.

JOSEPH KANEFIELD: Madam Chair.

CHAIRPERSON MATHIS: Mr. Kanefield.
JOSEPH KANEFIELD: At this point counsel would recommend that the Commission go into executive session to receive legal advice with respect to the voting rights analysis and legal recommendations.

CHAIRPERSON MATHIS: Okay. We would need a motion to do that, if others have anything to discuss first.

COMMISSIONER McNULTY: I'll move that we go into executive session to receive and discuss legal advice and give direction to counsel.

VICE-CHAIR HERRERA: I second that motion.

CHAIRPERSON MATHIS: And just a point of clarification, would this be for legislative and congressional, or just --

JOSEPH KANEFIELD: Madam Chair, we would recommend that you go into executive session to receive legal advice for both congressional and legislative tentative draft map.

CHAIRPERSON MATHIS: Thank you.

Any discussion?

(No oral response.)

CHAIRPERSON MATHIS: All in favor?

COMMISSIONER McNULTY: Aye.

VICE-CHAIR HERRERA: Aye.

CHAIRPERSON MATHIS: Aye.

Any opposed?

(No oral response.)
CHAIRPERSON MATHIS: Okay. The time is 6:34 p.m. We'll go ahead and enter out of public session and enter back into executive session once the public has cleared the room.

Thank you.

(whereupon, the public session recesses.)

* * * * *

(whereupon, the public session resumes.)

CHAIRPERSON MATHIS: Okay. We'll enter back into public session.

The time is 10:00 p.m.

Thank you all for your patience, those of you are who are still here.

The Commission just was in executive session getting legal advice on -- and providing direction to counsel regarding mapping legal issues for both the congressional and legislative maps, items three and four on the agenda.

Is there anything else on these two agenda items, either for congressional or legislative, that we want to cover?

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.
COMMISSIONER McNULTY: I would ask Strategic Telemetry to look at LD 8, draft LD 8, and look at whether it would be possible to move San Tan Valley, Gold Canyon, the highly racially polarized voting areas in the northeast part of that district, north perhaps into 23. And then equalize the population in the north Phoenix districts with minimal changes to the districts.

Move the Gila River Indian community, the portion that's in Maricopa County, into eight.

And then move, to the extent we can do it without diluting 19, a couple of high performing precincts down into eight, again with the goal towards improving the performance index on -- of the Cruz index for eight, up to 50 percent, but not in excess of 50 percent, with as few splits as possible, and with as few changes to -- with changes to as few districts as possible.

Thank you.

CHAIRPERSON MATHIS: Did you get that, mapping consultants?

WILLIE DESMOND: Yes.

CHAIRPERSON MATHIS: Okay.

Any other direction for our mapping consultants?

(No oral response.)

CHAIRPERSON MATHIS: Okay. We still have a number of items left on the agenda, but it's late.
So -- and we're meeting tomorrow. I believe we start at 4:30 p.m.

And it's in the Fiesta Inn again. So we could -- and this is the same agenda tomorrow as it was today, so all of these items can be carried over tomorrow.

Is there anything anyone wanted to cover tonight? And I don't know, is there -- I should also see if there's any public comment.

I don't have any request to speak forms, but -- none. Okay.

No one wants to speak to us tonight.

So, any other agenda item anyone felt strongly about in terms of wanting to cover tonight?

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: Just quickly I notice that there's a map on that screen. Is there -- are we going to discuss it? Is there a reason why it's up?

CHAIRPERSON MATHIS: Yeah, we don't have to leave items three and four on the agenda if given what Ms. McNulty just directed the mapping consultant to explore, I don't know if you wanted to do anything here tonight, we can do that, or they can do that in their own free time.

Any preferences from anybody? I'm happy either way.
COMMISSIONER McNULTY: I have an 8:00 a.m. meeting in Tucson, and I think I would like to get home pretty soon.

CHAIRPERSON MATHIS: Mr. Herrera?

Okay. Well, given that, if you guys are comfortable with the direction Ms. McNulty gave, you can work on that, and we can talk about it tomorrow when we get to that agenda item, that would be great.

Okay. Anything from legal counsel for us tonight?

MARY O'GRADY: No.

CHAIRPERSON MATHIS: Okay.

I think with that, we'll cover all the agenda items that we didn't cover tonight tomorrow. And, again, we start at 4:30 p.m.

The time is 10:05 p.m., and this meeting is adjourned.

Thank you, everyone.

(Whereupon, the public session adjourned.)

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BE IT KNOWN that the foregoing proceeding was
taken before me, Marty Herder, a Certified Court Reporter,
CCR No. 50162, State of Arizona; that the foregoing 60 pages
constitute a true and accurate transcript of all proceedings
had upon the taking of said meeting, all done to the best of
my skill and ability.

DATED at Chandler, Arizona, this 19th day of

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