October 17, 2011
10:09 a.m. (MDT)

Location
Moenkopi Legacy Inn & Suites
Junction Highway 160
Tuba City, Arizona 86045

Attending
Colleen C. Mathis, Chair
Linda C. McNulty, Commissioner

Kristina Gomez, Deputy Executive Director
Buck Forst, Information Technology Specialist
Kristin Windtberg, Counsel, Osborn Maledon

PREPARED BY:
AZ Litigation Support, LLC
Michelle D. Elam, CR
Certified Reporter
CR No. 50637
CHAIRPERSON MATHIS: Good morning.

This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Monday, October 17th. The time is 10:09 a.m. Mountain Daylight Time, 9:09 a.m. Mountain Standard Time.

Let's begin with the Pledge of Allegiance.

(Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Well, good morning. It's great to be here in Tuba City early on a Monday. It's very beautiful outside. Our first time here, and we're very happy to be here and good to see you here this morning.

Our purpose here today is to obtain your comments and input on the draft maps, the congressional draft map and the legislative draft map that have been approved by the Commission.

And we're in the midst of a 26 city tour across Arizona soliciting feedback from folks. So it's great to be in Tuba City and to see you here this morning.
I'll introduce the people here at the table.

I'll start with roll call.

Vice Chair Freeman.

Vice Chair Herrera.

Commissioner McNulty.

COMMISSIONER MCNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

So not all of the commissioners go to all of the meetings. We're dividing them up and taking turns. So two of the three commissioners are here today and the other three commissioner I'm sure are either watching the streaming that's occurring this morning or will watch the recording of it later.

So with that, I'll also introduce the other folks at the table today.

We have Kristin Windtberg, our legal counsel.

Our mapping consultant, Andrew Drechsler.

Our chief technology officer, Buck Forst.

We have a court reporter transcribing today's meeting, Michelle.

And in the back of the room, our deputy executive director, Kristina Gomez, Kristy Olson, and Lisa Schmelling as public outreach coordinators.
And feel free to ask anyone -- any of our staff if you need anything or would like to give us anything today. They will be happy to help you.

So with that, I want to make sure -- oh, if you are interested in addressing the Commission today, please fill out a request to speak form. They are the yellow form in the back, and I'll be calling names to have you come up and address the Commission when we get to that part of the hearing.

But be sure to fill one out so that we know that you would like to speak.

If you do not want to speak today at the microphone, you can also provide input to us by filling out the blue sheet, and the blue sheet will be entered into the record just the same as it would be if you stood at the microphone. So it's just for people who do not wish to stand at the podium.

So with that, I think we'll move to the next item on the agenda -- oh, we have translators.

Thank you, Mr. Drechsler. Sorry about that.

We have a Navajo translator today, Nora Jim. And if you would -- if Ms. Jim is here.

Oh, great. If you would come up to the microphone and just give a few words of welcome and...
offer your translation interpretive services, that would be great.

NORA JIM: (Speaking in native tongue.)

My name is Nora Jim and I am happy to help the commissioners, Scott Freeman, or whoever is representing him and ladies and gentlemen in the room. I'm just here to be of assistance if anyone wishes to ask any questions in Navajo or just to help along so they can understand.

My name is Nora Jim.

CHAIRPERSON MATHIS: Thank you very much. Our next translator today, here for Spanish, is Nancy Santiago.

NANCY SANTIAGO: (Speaking in native tongue.)

Welcome. My name is Nancy Santiago.
(Speaking in native tongue.)

I am here today for the Arizona Independent Redistricting Commission second round hearings for interpretation in Spanish.

CHAIRPERSON MATHIS: Thank you very much.

So with that, I think we can go to the next item on the agenda, and that is a presentation by our mapping consultant, Mr. Drechsler.

ANDREW DRECHSLER: Thank you very much.
Good morning.

We're here today to discuss the maps presented by the Arizona Independent Redistricting Commission.

The draft maps are currently under a 30-day review period, which is one of the main reasons we are here today. We want to hear your opinions on the maps.

Before we display the maps, we want to do a quick overview of the process in general.

Arizona's redistricting process is governed by the State Constitution as amended by voters in 2000 with the passage of Proposition 106.

It stipulates that the Arizona Independent Redistricting Commission redraw Arizona's congressional and Legislative districts to reflect the results of the most recent census.

Due to the 2010 census, Arizona gained a congressional seat. So they will be going from eight seats to nine seats and the legislative will remain the same, at 30 legislative seats.

What are the requirements of the State Constitution via Proposition 106?

The new district boundaries must, A, comply with the United States Constitution and the
Voting Rights Act.

B, the equal population.

And criteria A and B are federally mandated.

To the extent practicable, the district must be compact and contiguous; D, respect communities of interest; E, use visible geographic features, city, town, and county boundaries and under divided census tracts; F, favor competitive districts where no significant detriment to other goals.

We just wanted to do a quick overview of the Voting Rights Act.

Arizona's congressional and legislative districts must receive preclearance or approval from the Department of Justice or a federal court under Section 5 of the Voting Rights Act before they can take effect.

To get preclearance, Arizona must demonstrate that the new districts do not discriminate against minority voters in purpose or effect, which means there can be no intentional or accidental discrimination.

Under Section 5, Arizona's redistricting plans can be -- cannot be retrogressive. The plans
cannot weaken or reduce minority voters' rights.

The presence of discrimination can be determined by analyzing population data and election results.

We wanted to do a quick overview of how the Commission and the timeline for the Commission and the timeline for the redistricting process.

Step 1 was setting up the Commission.

Earlier this year commissioners were appointed through a thorough screening process. All of the commissioners serve in a voluntary role.

The commissioners are Scott Freeman, vice chair; Jose Herrera, vice chair; today with us is the Chairwoman, Colleen Mathis; Commissioner Linda McNulty is here today; and the final commissioner is Richard Stertz.

The second step is the first round of hearings.

Before drawing a single line, the Commission held 23 public hearings around the state in July and August to get input from members of the public about issues relevant to redistricting such as geography, communities of interest, minority voting rights, and competitiveness.

The third step was mapping.
Per Proposition 106, they needed to start with a clean slate.

The next step was dividing the state into equal population and compact grid-like districts. Per the proposition, we needed to start with this grid map, which was approved on August 18th.

Since adopting the grid map, the Commission has met more than 25 times to consider adjustments to the grid to accommodate all of the State Constitution criteria -- constitutional criteria.

During this time they received additional public comments and draft maps.

Approval of the draft maps.

On October 3rd, the Commission approved a draft congressional map that incorporated changes based on all of the constitutional criteria. And just last Monday approved the draft legislative map on October 10th.

The fourth step is the second round of hearings.

We are currently visiting 25 -- 26 towns and cities around the state to share how people -- have members of the public share their comments on the draft maps during the months of October and
November.

Step 5 is the final maps.

Upon completion of the public comment period, the Commission will adopt final maps.

And step 6 is preclearance.

Because Arizona is subject to Section 5 of the Voting Rights Act, the district maps must be approved by the federal Department of Justice or the federal -- or the federal court in Washington, D.C., before they can be used in the Arizona elections.

Before we show the current draft map, we just wanted to show the process of how we got there.

This is the last -- this is the congressional map that was adopted by the last Commission and most recently used in the 2010 elections.

As I stated before, we started with a clean slate and that brought us to the grid maps, which were approved on August 18th.

Again, there was only two criteria that was used in the grid maps; equal population and compactness.

Here, after 25 meetings, the Commission voted to approve the draft map that you see here.

Besides taking into consideration the six
criteria, the Commission also considered public comment via public meetings, round one of public hearings, comments that were mailed to the Commission, e-mailed, hand-delivered, faxed, or telephone.

Overall, there was almost 5,000 comments that helped develop this map.

As you see here, some of the highlights of the map include two predominantly rural districts, three border districts, two districts in the city of Tucson, five districts that are entirely in Maricopa County, it avoids splitting Arizona's Indian reservations and two districts where minority voters have the opportunity to elect a candidate of their choice.

The legislative map followed the very similar process.

This was the map that was adopted by the last Commission and most recently used in the 2010 elections.

We started with a clean slate per Proposition 106 and then developed a grid map.

Again, just like the congressional grid map, the legislative grid map needed to take in two considerations; equal population and compactness.
And finally that brought us to the legislative draft map that you see here. Similar to the congressional map, comments were given by the public via comments that were mailed in, that were e-mailed in, telephoned, faxed. So a number of comments coming into this. The draft legislative map includes -- we just wanted to show a couple of the highlights here. Population growth and reduction. The old districts that were last used in the 2010 election had a population of 155,000 to 378,000. The current map has approximately 207,000 to 215,000. To comply with the Voting Rights Act, the draft plan includes ten districts in which minority voters have the opportunity to elect the candidate of their choice. The draft map includes three districts wholly within Maricopa County and three additional districts in southern -- three additional Southern Arizona districts. There were seventeen districts primarily within Maricopa County and nine districts primarily rural. We want your input on these maps. You can fill out a request to speak form at the public hearing and provide your thoughts --
provide the Commission your input.

An example of input includes anything on -- any of the constitutional criteria, any thoughts on the draft legislative maps, or anything on the draft congressional maps.

The ways you can submit your input are either speak at today's hearing. There's a blue sheet that's in the back of your packet that you can fill out and also on it there's an address and the phone numbers so you can mail this in or you can call in your comments or you can visit us at www.azredistricting.org or call us at 602-542-5221 or you can call us toll free at 855-733-7478.

We want you to stay connected throughout the process.

Here's a screenshot of our home page. It does have a couple of arrows on it that highlights some areas of interest.

On the top left you'll see an arrow for maps. And if you click on that, you will see all of the variations and the what-if maps that went into the process.

You'll see an arrow for meetings. If you wanted to watch any of the meetings that -- where the commissioners deliberated on these draft maps,
you can view past meetings there or you can get information on future meetings.

And the public input, if you click on there, you can submit public input via our website.

Down below you'll see another section that has our maps. If you click on either of these to see the draft legislative map or the draft congressional map, it takes you to this screen.

This has the maps in a number of different formats, and one of the formats that the citizens and we've heard a lot of positive input on was the Google maps, circled in red here.

If you click on either of those, it will bring you to a screen that looks like this. And this is an example of the draft congressional map.

And one of the nice features about this is you can click on it and scroll in and really scroll down to see your boundaries or your districts.

There's additional information in the back on how to use the Google feature or you can give us a call if you have any questions on how to use that.

Finally, we want you to stay connected. This process is not over, and if you go to
www.azredistricting.org, you can find out where future meetings are, you can watch the past meetings, and there's also this ability to allow you to draw your own maps using an online mapping software.

You can follow us at Twitter at #AIRC or friend us on Facebook.

Thank you very much.

CHAIRPERSON MATHIS: Thank you, Mr. Drechsler.

I believe we have a Hopi translator here with us today as well, Elgean Joshevama.

ELGEAN JOSHEVAMA: Yes.

CHAIRPERSON MATHIS: Would you mind coming up to the podium and just saying a few words to see if anyone needs your translation or interpretive services?

ELGEAN JOSHEVAMA: Good morning. Thank you.

I am Elgean Joshevama, and I am Old Oraibi. I can speak both the Old Oraibi Hopi and the Samohopi (phonetic) Hopi. Samohopi is the village of my father, and I guess the only comment I could make right now that might be pertinent to this is that the numbers that you see, the Hopi really I
think can count only up to about 20 in the language. After that it's a matter of multiplying and dividing.

So when it gets to, like, a hundred thousand or above 20 or into the hundreds, we just say "a lot." (Speaking in native tongue.) That's about how we can describe the numbers.

So this is kind of an interesting place to try to translate if somebody needs translation.

Thank you.

CHAIRPERSON MATHIS: Thank you very much.

That takes us to the next part of our meeting, which is the public comment portion. And if anyone would like to address the Commission, please fill out a request to speak form.

Currently I don't have any, so if anyone would like to address us, you are welcome to do so at this time. Otherwise, the other thought -- I don't know if we're expecting other people, Ms. Gomez, to come by, because we could take a recess and see if others come.

KRISTINA GOMEZ: Could we?

CHAIRPERSON MATHIS: Should we do that?

Okay. So the time is -- let's take a brief recess. The time is 10:29 a.m. and we'll come
back shortly.

(A recess was taken from 10:29 a.m. to 11 a.m.)

CHAIRPERSON MATHIS: Okay. We'll conclude recess at this time. It's 11 a.m. Mountain Daylight Time, 10 a.m. Mountain Standard Time, and I have a request to speak form from LeRoy Shingoitewa, chairman of the Hopi Tribe.

LEROY SHINGOITEWA: Good morning and welcome to Hopi.

My name is LeRoy Shingoitewa, S-h-i-n-g-o-i-t-e-w-a.

We're really happy to be before you. Welcome to Moenkopi as well as Tuba City, as you say it two times. Only one in Arizona.

I just reiterate what I mentioned to you in Flagstaff hearing, that the map that has been given both for the congressional as well as for the legislative districts to Hopi, we feel comfortable with and we support what is there for the Hopi as put together our land base where we now own property both on the Hopi reservation around Winslow all the way down to Springerville. And so it encompasses everything there.

We also appreciate the fact that now in
both maps there's a consolidation of some of the tribes that would provide support for the legislative as well as the congressional area.

I understand that there -- in Flagstaff there was some concern or express about two partials, Doney Park as well as I think Timberland wanted to be part of Flagstaff.

I don't think the Hopi Tribe will have any problem with that, if that were to --

So I think overall we are happy with the way its been developed. We appreciate the fact, again, that the San Francisco Peaks has been put into our districts in both congressional as well as the legislative.

I just want to say that we appreciate the hard work that has been done. We've watched the process over time, and as I mentioned to your young lady here, that I appreciate the fact that you've taken on everything that's come to you, that you've done it in a fair and equitable manner.

And again, I look forward to seeing the final project.

I believe somebody said about three weeks that we'll, again, see what may be recommended to you as a final product.
So again, thank you very much.

CHAIRPERSON MATHIS: Thank you very much.

Is there anyone else who would like to address the Commission this morning?

Well, oh, I see a request to speak form coming.

Thank you.

Our next speaker is Leonard Gorman, Executive Director of Navajo Nation Human Rights Commission from Window Rock.

LEONARD GORMAN: Good morning, Madame Chair and Madame Chair Commissioner.

My name is Leonard Gorman, L-e-o-n-a-r-d, G-o-r-m-a-n.

And also good morning to the other commissioners that may be viewing this hearing via Internet.

Good morning to my white brother,

Mr. Stertz.

It is a privilege and honor to present to you a number of times, and I have had the opportunity to develop maps and submit them to the Commission over the course of several months. And the Commission has had the opportunity to review Navajo Nation's maps for the congress -- the
congressional district and also for the legislative
districts.

And we presented maps for the
congressional that included a number of Indigenous
nations, including the Gila River Indian Community,
and appreciate the Commission's decision to submit
for public comments the inclusion of the Gila River
in Congressional District 1.

And certainly having done that, it
increases the Native American voting-age population
from the current threshold to a 20.5 percent. That
is encouraging and also in the direction that the
Navajo Nation has requested time and time again.

With regard to the city of Flagstaff, the
Navajo Nation has supported the need to ensure that
the city of Flagstaff is a part of the congressional
district which the Navajo Nation is located.

There are several reasons why the Navajo
Nation has made that request repeatedly.

As an example, substantial number of
commerce, retail economy goods and services are
provided to the Navajo people, Navajo government
programs from the city of Flagstaff.

There are several communities and towns
that surround the Navajo Nation, and Flagstaff is
one of the major communities in the state of Arizona in which there are a lot of contributions coming from the Navajo people to that city.

So in light of those circumstances, the Navajo Nation has repeatedly requested that the city of Flagstaff remain in a district in which Navajo Nation is located. And that is based on the proposal of the Congressional District 1.

And we appreciate those opportunities that will continue as we progress into the next ten years.

With regard to the legislative district, the Navajo Nation has also submitted an iteration about two or three months ago and at that time we have had many meetings with folks around the area, namely the City of Flagstaff and also the Hopi Nation and then the White Mountain and San Carlos Apache representatives.

And the last meeting we had was on July 20th, 2011, at Window Rock, Navajo Nation, Arizona. And at that time there seemed to be a number of requests and a number of concerns that were raised, and those concerns and requests were incorporated into the map that was submitted thereafter.

And that map provided for an opportunity
in which the Native American voting-age population would be at 62.5 percent.

And since the Commission has been in meeting down in Phoenix and metropolitan area, Tucson metropolitan area, that over the course of the past couple of weeks, as you started to draw out the legislative map, Navajo Nation had an opportunity to meet with the City of Flagstaff to talk about opportunities that may exist with regards to satisfying the request that was submitted by the City of Flagstaff and the community in that area, which was to ensure the district in which they are located would be a competitive district.

And we realized that the first iteration that the Navajo Nation submitted takes up some of the population that may contribute to establishing a competitive district in which Flagstaff would be located. And that is a district -- legislative district as proposed as number 6.

So we've accomplished that task of coming together and presenting a new map, and that was submitted last week or two weeks ago. I can't recall right now.

And that is the map that is now labeled Legislative District 7. Legislative District 7 was
developed in the course of meeting with the City of Flagstaff and that provides for an opportunity in which the City of Flagstaff would take up the areas between Big Boquillas Ranch, which is owned by the Navajo Nation, and the City of Flagstaff and Espil Ranch.

So there would be the opportunities for Flagstaff to take up an area between those two ranches to the north up to the southern portion of the Grand Canyon.

Navajo Nation also provided for an opportunity to allow Flagstaff to include the Fort Valley and the Doney Park area to be in Legislative District 6.

Furthermore, the Navajo Nation adjusted its original proposal to allow the area south of the Navajo Nation along the Navajo and Apache County lines, Joseph City and also Holbrook to be included in the Legislative District 6. And also included the -- in our Legislative District 7, the communities of Pinetop, just north of the White Mountain Nation boundary line and included Greenlee County to the south.

So that became, in essence, a compromise proposal between Navajo Nation and the City of
Flagstaff.

Having said that, there are, I think, many, many more opportunities as you go through the process of listening to the public and getting more input on the draft maps that you developed, the congressional and legislative.

For the congressional, it is the Navajo Nation's request that the iteration that you approve as your draft map remain as a final map for submission to the U.S. Department of Justice for preclearance.

As to the legislative map, I think there could be opportunities to accomplish a higher Native American voting-age population in the Legislative District 7.

In our examination, of those maps -- of the boundary lines such as the request to Timberline area to be included in Legislative District 6, I think there could be opportunities to be unveiled for that request. And as the tweaking goes along, you could actually accomplish the 63-plus percent Native American voting-age population in Legislative District 7.

I think that would be, in essence, an accomplishment that you would have reached that
exceeds the Navajo Nation's original proposal of 62.5 percent Native American voting-age population. I think we welcome those type of opportunities as we go along in the process.

    So again, thank you for listening to me and having taken up a little bit more time, as we do have lines and lines of speakers behind me.

    Thank you very much.

    CHAIRPERSON MATHIS: Thank you, Mr. Gorman.

    Is there anyone else who would like to address the Commission this morning?

    Okay. Well, we appreciate those who did, and thank you all for being here this morning and coming out to see us.

    I'll see if my fellow commissioner, Ms. McNulty, has anything she would like to say.

    COMMISSIONER MCNULTY: Thank you for coming this morning and thank you for participating throughout the process.

    It's a privilege to have an excuse to come to Tuba City. And as I've said at earlier meetings, your participation with us in the process has helped the whole state and we really appreciate that.
CHAIRPERSON MATHIS: And I also echo those same comments. I very much appreciate being here and seeing all of you this morning. It's just a beautiful part of the world, frankly, and we're fortunate to be here.

With that, I believe that there's one item on the agenda, and that's adjournment.

So I declare this meeting adjourned at 11:13 a.m. Mountain Daylight Time, 10:13 Mountain Standard Time.

Thank you again.

(The meeting adjourned at 11:13 a.m. (MDT).)
I, MICHELLE D. ELAM, Certified Reporter No. 50637 for the State of Arizona, do hereby certify that the foregoing 26 printed pages constitute a full, true, and accurate transcript of the proceedings had in the foregoing matter, all done to the best of my skill and ability.

WITNESS my hand this 30th day of October, 2011.

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MICHELLE D. ELAM
Certified Reporter
Certificate No. 50637