ARIZONA INDEPENDENT REDISTRICTING COMMISSION

EXCERPT

Friday, November 4, 2011
6:08 p.m.

Location

Marana Municipal Complex
Auditorium
11555 West Civic Center Drive
Marana, Arizona 85653

Attending

Richard P. Stertz, Commissioner
Buck Forst, Information Technology Specialist
Kristina Gomez, Deputy Executive Director
Joe Kanefield, Legal Counsel

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

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COMMISSIONER STERTZ: Good evening, everyone. And welcome to the Friday, November 4th, Arizona Independent Redistricting Commission meeting.

The time is 6:10.

My name is Rick Stertz, and I will be the acting commissioner for this evening's hearing at which we'll be taking testimony from all of the folks that would like to give testimony tonight about the comments that they have on the draft maps that have been given to us -- given to you for review.

I'd like to give some quick introductions.

Our executive director is Kristina Gomez. She's in the back of the room waving her hand.

Please if there's anything that you would need from her, either if you have not filled out one of the yellow sheets for speaking or one of the blue sheets for giving testimony, please see Kristina Gomez, and she will be able to provide that for you.
Our audio visual tonight, and we are live streaming, so the other commissioners are watching us on live stream this evening, that is being managed by Buck Forst, who is our audio visual technician.

We also have Lisa Schmelling, who is our outreach coordinator, and Kristi Olson, who are in the back of the room that greeted you when you came in the door.

Each one of you should have received a packet that looks like this that contains information about the draft maps that are, that are being discussed and reviewed at this time.

To my left, from Strategic Telemetry, I have Andrew Drechsler.

To my right, with -- one of our legal counsel, Joe Kanefield.

And down on the floor here is who I called the iron man last night because he continuously took testimony for three hours without a break up in Scottsdale yesterday where we had a room of 250 people and he took testimony for almost 90 people in a two-and-a-half-hour period, Marty Herder.

So we want to first stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

COMMISSIONER STERTZ: Before we get started, we
have our translator, Carlos Reyes.

Carlos, if you would like to come join us at the podium.

CARLOS REYES: Good evening, Commissioner Stertz, ladies and gentlemen, commissioners.

In accordance with the Voting Rights Act, an interpreter will be available at the public hearings in order to provide interpreting services that might be needed for those citizens that need interpreting services. Please contact the interpreter present at this meeting so that he or she can assist you.

Now I will read the same script in Spanish for the Spanish speaking citizens.

And it says.

(Whereupon, the interpreter made a statement in Spanish.)

CARLOS REYES: Thank you very much.

COMMISSIONER STERTZ: Thank you very much, Mr. Reyes.

Just as a reminder, tomorrow we have another hearing scheduled for 9:00 o'clock tomorrow morning in Green Valley at the Desert Hills Social Center located at 2980 South Camino Del Sol, and tomorrow afternoon up the road in the city of Casa Grande, which will be at the city council chambers, 510 East Florence Boulevard, and that's
going to start at 3:30 tomorrow afternoon.

Folks, I know that it's been a week where a lot of emotions are moving around. It's been a difficult week and a challenging week.

So what we'd like to do tonight, we're going to -- we've got about 30 people that have given time to speak. We'll set the timer at three minutes. We'll be -- try to be considerate of the others that are speaking tonight.

And the goal of tonight is to capture as much information from each one of you as we possibly can to place into the record. So if you don't feel comfortable about placing -- or coming up to the microphone to speak, then please make sure that you fill out your thoughts on the blue cards, because the importance of the blue cards is equally important as the public testimony that you'll be giving at the microphone tonight.

Before we get started we have a presentation that will be provided by Andrew Drechsler on the process that we are currently going through.

Andrew.

ANDREW DRECHSLER: Thank you very much, Commissioner Stertz.

We just wanted to -- before we show you the draft maps tonight and hear what your thoughts are on the draft maps, just wanted to go through a presentation that talks
about the process and how it started and where we are right now.

So just wanted to get started with that.

Just 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 Arizona's Independent Redistricting Commission shall 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 you're going from eight congressional seats to nine congressional seats.

The number of seats in the senate will remain at 30. And then the house of representatives, that will remain 60 as well.

What are the requirements of the state constitution per Proposition 106?

These are really the guidelines that the commissioners and the Commission is using to draw the maps.

New district boundaries must, A, comply with the U.S. Constitution and the Voting Rights Act; B, be equal population.

Criteria A and B are federally mandated.
To the extent practicable the districts must be, C, compact and contiguous; D, respect communities of interest; E, use visible geographic features, city, town, and county boundaries, and undivided census tracts; F, favor competitive districts where no significant detriment to other goals.

So the remaining four requirements here are ones that were included into the Proposition 106 along with the other two that were federally mandated.

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 the new districts do not discriminate against minority voting -- voters in purpose or effect, which means there can be no intentional or accidental discrimination.

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

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

And we have a quick presentation from Bruce
Adelson, who was -- worked for the Department of Justice in 2000. (Whereupon, a video presentation of Bruce Adelson was shown.)

ANDREW DRECHSLER: Next we wanted to go over the timeline of the redistricting process.

First, it started earlier this year. Basically what was done is a whole new agency, state agency was created.

The commissioners were appointed following a thorough screening process, and each of the commissioners serve in a voluntary, unpaid role.

The second step was 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.

And then the mapping started.

Per Proposition 106 we started with a clean slate. And then the next step was we divided the state into equal population and compact-like grids -- compact-like districts, which was the grid map that was approved on August 18.

Proposition 106 requires us to do that. We cannot take into consideration any of the old lines or where any of
the incumbents live.

Since adopting the grid maps, the Commission has met more than 25 times during the months of -- over the months in August, September, and October, to take into consideration and make adjustments to the grid to accommodate all the state criteria.

Also during this time they received additional public comment and draft maps.

And approval of the draft maps. On October 3rd the congressional -- the Commission approved the draft congressional map that incorporated all the changes based on the constitutional criteria. And then on October 10th the legislative draft map was also approved.

Step four was the second round of hearings, which we are presently part of today.

We've started the second round on October 11th, and we're finishing up tomorrow.

We've visited over 25 towns and cities around the state to share the draft maps and to receive additional public comment throughout the months of October and November.

The next step is the final maps.

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

And then the final step in the redistricting
process is getting preclearance.

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

Just wanted to give you, before we show you the draft maps, just wanted to give you an overview of the process that has taken place.

This map that you see in front of you is the map -- the congressional map that was approved by the last Commission and was most recently used in the 2010 elections.

Per Proposition 106, we started with a clean slate, and then we created the grid map.

The grid map only takes into consideration two criteria.

It takes into consideration compactness and equal population.

So this is the grid map that was approved on August 18th.

And here in front of you after the 25 meetings where the commissioners met and the numerous public comments, we came up with the congressional draft map that you see in front of you.

Some features of this, it has two predominantly
rural districts, three border districts, three districts in the greater Tucson region, five districts that are entirely in Maricopa County, it avoids splitting Arizona’s Indian reservations, and has two districts where minority voters have the opportunity to elect a candidate of their choice.

The legislative map followed a very similar process.

You can see here this is the map that was approved by the last Commission. And, again, most recently used in the 2010 elections.

And, again, we started with a clean slate and then we went to the grid map.

The grid map has the -- so we took in two of the six criteria, equal population and compactness.

And finally the draft map that you see here was approved on October 10. And some features of the draft map -- the map that you just saw per -- the old map that was most recently used in the 2010 elections, because of the population changes in Arizona, some of the districts had as little as 155,000 people living in those districts and some had up to 378,000.

Under the draft map that you see here, the population is approximately 207,000 to 215,000.

To comply with the Voting Rights Act, the draft
map includes ten districts whereby minority voters should have the opportunity to elect the candidates of their choice. The draft map also includes three districts wholly within Pima County and three additional southern Arizona districts, 17 districts that are primarily within Maricopa County, and nine districts that are rural.

We want to hear your input, and that's a big reason why we're here today to show you the maps.

And there's a number of different ways that you can give us your input.

You can fill out a request to speak form, if you would like to speak tonight.

Examples of some of the input that you can give us, you can talk about any of the constitutional criteria, things that you might like about the congressional maps, things that you might not like about the congressional maps, and the same thing with the legislative maps.

And besides speaking here, you can also fill out one of these blue forms that are in the back of the packet. And you can either fill these out tonight and hand them in to Kristi or Lisa or Kristina in the back, or we have the address on the bottom, you can mail them in. Or the other way you can submit public comment is going to our website at www.azredistricting.org, and there's a public comment section where you can make public comment.
You can call us at, toll free, (855) 733-7478, if you have any comments.

Next is just a shot of our home page, and just wanted to highlight a couple of things to everybody who would like to go there.

A couple arrows on here.

You can see in the upper left-hand corner you see an arrow for maps.

What you find here is an online mapping software that you can draw your own maps.

You can see the grid maps to, if you -- you can see what any of the what-if maps on there that were considered by the Commission as they came through the final maps.

You can see the arrow for the meetings. While tomorrow is the last day for round two, there will be additional hearings to finalize the maps. And you can watch all of those live. And you can go view any of the past meetings as well.

So if you wanted to see the over 100 hours that went into drafting the maps, the draft maps that you saw tonight, all those meetings are online, and the transcripts are online, and you can review those if you like.

There's an area where you can do public input. If you click on that, it will ask you a couple questions and
you can fill that out and submit that.

And down on the bottom you'll see the two pictures of the draft maps.

If you click on either of those, it will take you to this page, which has a lot of information available for you on the draft maps.

It has a compactness report, competitiveness report, splits reports, which shows what counties and areas were split.

And then there's a number of different, there's a number of different maps and different formats that you can look at, that you can look at, and on top is the congressional and on the bottom is the legislative.

One of the features that people have really liked is the Google map. And that's circled in red. It's on the top.

If you click on that, you come to the screen that looks like this. And what it shows is the maps. And one of really nice features about the Google map is you're able to scroll in. People wanted to know where they live, where are their boundaries, where are boundaries for the neighboring districts. And this allows you to scroll in and zoom in so you're able to see that.

Here's an example. I think this is a shot from Maricopa County that sort of highlights the streets and the
boundaries and some of the geographic features there.

And finally we want you to stay connected.

As I mentioned there's a wealth of information on
our website that's available for everybody. You can draw
your own maps. You can get information on any of the past
meetings or current meetings coming up.

And you can also follow us on Twitter and
Facebook.

Just want to thank you for coming out tonight.
We really look forward to hearing your comments.
I will be around afterwards if anybody has any
questions. I will be more than happy to answer them, or any
of the staff. We want make sure that you understand the
process. And happy to be here to answer any of your
questions.

Thank you very much.

COMMISSIONER STERTZ: Thank you very much, Andrew.

Before we get started, I just wanted to thank the
town of Marana for providing these beautiful facilities for
us to be able to hold this meeting in tonight.

And I want to thank all of you for coming out
tonight to share your thoughts and your ideas about what
are -- what is unquestionably a difficult task that we have.
And we're looking forward to capturing all the comments that
you have.
So leading into that, we'd like to go ahead and begin with our first speaker, which is Mayor Ed of the town of Marana.

MAYOR ED HONEA: Thank you, Commissioner Stertz, and welcome to our humble abode.

Our council has been talking about these maps, both the legislative and the congressional parts of the map. And probably the one we have the biggest problem with is District 1, which we are part of. And it's not that we have a problem necessarily being with Pinal County or part of Cochise County and part of southern Arizona, but that district is about a third of the state and covers three fourths of the Utah border, all the way to Mexico.

The current representative there is Paul Gosar. He's 200 miles from my house.

The district, I don't think, meets the criteria of compact or trying to keep it more compact.

Don't have a problem with the southern part of the district, but the fact that I would have to drive for four or five hours to talk to my congressman as an elected official in Marana is a little disturbing to me.

Legislatively we would be in the new district 11, which is mainly Marana and Maricopa, part of Casa Grande, Eloy, and part of Coolidge.

We don't really have a problem with that. But,
the general legislative districts around Tucson, I think, are atrocious.

I really think what has happened -- I understand that you don't draw districts to keep people in a safe district or to look at people, but we're having four and five legislators thrown in the same district with the redistricting.

And I don't know if that's good for the state of Arizona.

I understand we want to be fair, but by doing some of those things, I would hope that you would seriously look at some of the southern Arizona legislative districts, and maybe look at the congressional district and realize that it's thousands and thousands of square miles.

And Page and Marana will be in the same district. And that's a long ways away.

I mean, that's a four- or five-hour drive or six-hour drive for me.

And we appreciate what you're doing. We know it's a tough job. I'm not here to say anything bad about you.

But if compactness is one of the two primary criteria, District 1 is not compact by any stretch of the imagination.

And it would be very difficult for a congress member to represent that district well because of how far
spread we are.

Thank you very much for coming to Marana, and thank you for the opportunity.

COMMISSIONER STERTZ: Thank you, Mayor Ed. Thank you for the hospitality.

(Applause.)

COMMISSIONER STERTZ: I'm going to do the best I can to take these in order as they came in, at least that's how the stack came. And what I'm going to do is I'm going to read off the first three names so that you can start getting your thoughts in your head about what you would like to present.

So first up is Mr. Pete Bengtson.

After that is Betty Bengtson and Ben Love.

PETE BENGTSON: I knew there was a penalty for coming early.

Commissioner Stertz, thank you for coming and representing the Commission tonight.

Appreciate your time. I know it's a lot of effort to get out here.

COMMISSIONER STERTZ: Mr. Bengtson, I forgot a little housekeeping for everyone.

For our reporter, Marty Herder --

PETE BENGTSON: I forgot Marty.

COMMISSIONER STERTZ: -- you need to spell your
first and your last name, please, for the reporter.

PETE BENGTSON: It's Peter, P-E-T-E-R, Bengtson, B-E-N-G-T-S-O-N.

I guess I got to put my glasses on.

As I've mentioned a number of times or at least once before I'm not -- I just started.

I'm just -- I'm really an environmentalist. I'm not really a Democrat, although I hang with those guys. The reason I do that, being an environmentalist is what gets me off, walking neighborhoods and making phone calls, and that's what I'm really interested in.

Environmentalism is sort of popular, but it's not a top issue.

If I had my way, I would come up here and talk to you to try and ask you to redraw the districts so that environmentalists could get elected.

You can't do that. I know it's not one of the six goals.

All I can do is encourage you to draw the districts so that we have more competitive districts.

I've been to something like 22 of these business meetings. I've kept the agendas. Scared me when I counted them up.

But I wanted to say that I've been really impressed with the commissioners, how hard they work,
discussing where they can draw the line here or there, to
try and meet all of the six conflicting goals that you have
to deal with.

    Plus I'm impressed with Strategic Telemetry. I
know they've gotten a lot of bad press, a lot of static, but
they -- their people have been very careful not to -- I hate
to say show any initiative, but that's what they're doing.
They're following the directions of the commissioners all
the way down the line. The lines are drawn right where the
commissioners wanted them.

    Finally I want to say that I'm very disappointed
with the state legislature and Governor Brewer for removing
Colleen Mathis.

    I think that's just terrible.

    (Applause.)

PETE BENGTSON: And I know the Commission
attorneys have appealed, and Colleen Mathis' attorney is
appealing, and I hope she's successful getting back on the
Commission.

    Thank you.

COMMISSIONER STERTZ: Thank you, Mr. Bengtson.

(END OF EXCERPT)