ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Friday, November 4, 2011
10:14 a.m.

Location
Tohono O’odham Legislative Chambers
Main Tribal Business Loop
Sells, Arizona 85634

Attending
Jose M. Herrera, Vice Chair
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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Sells, Arizona
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10:14 a.m.

PROCEEDINGS

(Whereupon, the public session commences.)

VICE-CHAIR HERRERA: Good morning. Let's get started. The meeting will be starting at 10:14.

Thank you for being here. My name is Jose Herrera, co-vice chair of the IRC.

And before we get started, let's start with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

VICE-CHAIR HERRERA: I think that that was the quietest Pledge of Allegiance I've ever heard, but that's okay.

There's a couple of people in the audience that I wanted to mention. We have IRC staff Kristina Gomez, deputy executive director, eating a doughnut back there.

And then we have Buck Forst, our chief technology officer.

Lisa Schmelling, our community outreach representative.

As well as Kristi Olson.
And then we have our legal counsel, Joe Kanefield.
We have Andrew Drechsler from Strategic Telemetry.
Marty Herder, our court reporter.
So we only -- currently only have one filled out sheet to speak.
If you wish to speak, you can do two things. You can fill out this form.
And if you want to make your comments but not speak, you can submit a blue form. And those become part of the public record.
Now, since there's hardly anybody here, what we'll do is we'll do five minutes for each speaker, unless we have 100 people that come in at the last minute.
Again, this is an opportunity for us to listen to your concerns about the maps, things that you want us to change, things that you want us to keep in these maps.
So, again, this is your opportunity to speak to us.
Typically we have an interpreter at these meetings. I don't think there is one today.
Does anybody need any interpreting services?
(No oral response.)
VICE-CHAIR HERRERA: I will take that as a no.
Let's start with Andrew.
Are you ready for your presentation?
Thank you.

ANDREW DRECHSLER: Thank you very much.

Good morning.

We're going to give a presentation of and show you the draft maps that were presented by the Commission and approved by the Commission in October.

And before we do that, we just want to do a quick overview of the process and timeline, and then show you the maps.

And so as the Vice-Chair Herrera said, this is your opportunity to give us comments on the maps, tell us things that you like, tell us things that you don't like, changes that we would make, that you'd want to see made.

So this is really your opportunity. We're here for you, to hear what your thoughts are before we go into the next step of finalizing maps.

Quick overview, Arizona's redistricting process is governed by the state constitution as amended by the voters in 2000 with the passage of Proposition 106.

It stipulates that Arizona's 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 go from eight
congressional seats to nine congressional seats.

The number of state senate seats will remain at 30, as will the number of house seats will remain at 60.

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

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

Criteria A and B are federally mandated.

The other four are parts specific to the state of Arizona. And 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; and F, favor competitive districts where no significant detriment to other goals.

So 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 cannot be retrogressive. The plans cannot weaken or reduce minority voting rights.

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

We wanted to do a quick presentation from Bruce Adelson on the voting rights.

(Whereupon, a video presentation of Bruce Adelson was shown.)

ANDREW DRECHSLER: All right. So next we just wanted to go over a timeline for the redistricting process.

So the first step was setting up the Commission.

Earlier this year essentially a new agency was created because the last Commission was -- the term expired, so five brand-new commissioners were appointed to the Commission.

The commissioners were appointed after a thorough process, screening process. And each of them serve as a voluntary -- unpaid voluntary role on the Commission.

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 public -- 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 the mapping.

Per Proposition 106, we started with a clean slate. We did not take in consideration where any current incumbents live or any of the current district lines.

The next step is dividing -- we divided the stated into equal population and compact grid-like districts, which was the grid map approved on August 18th.

Since adopting the grid map, the Commission has met more than 25 times in August and September and October to consider adjustments to the grid to accommodate all state constitutional criteria.

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

The approval of the maps, for the congressional map. On October 3rd the Commission approved the congressional draft map that incorporated the changes based on all the constitutional criteria. And it approved the legislative map on October 10th.

We're currently in step four, which is the second round of hearings.

We have visited -- we're closing in on the end of this. Tomorrow's the last day of public hearings.

We visited over 25 towns and cities to share the draft maps and receive additional public input during the
months of October and November.

Step five is the final maps. Upon completion of the public comment period, the AIRC will adopt the final maps.

Step six is the preclearance.

As we discussed, 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 a federal court in Washington, D.C., before they can be used for Arizona elections.

Before we show you the draft map, I just wanted to go through the progression of maps.

The map you see here is the map that was approved by the last Commission and most recently used in the 2010 elections.

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

Again the grid map only took into two considerations. It took into consideration compactness and equal population.

And from here the commissioners as I mentioned met over 25 times to come up with the map that you see here.

And also incorporated in this map is a lot of public comment. I think we had over 5,000 public comments that were incorporated into this map.
So some highlights of the congressional draft map include two predominantly rural districts, three border districts, three districts in greater Tucson region, five districts that are entirely within Maricopa County, it avoids splitting Arizona's Indian reservations, two districts where minority voters have the opportunity to elect a candidate of their choice.

The legislative map followed a very similar process.

Again, this is the legislative map that was approved by the last Commission and was most recently used in the 2010 elections.

And, again, we started with a blank slate.

And we went -- per Proposition 106, we created the grid map.

Again, the grid map took into consideration of the constitutional criteria. It took into consideration compactness and equal population.

And then on October 10th the Commission approved this draft map that you see here.

Some highlights of the draft map.

So under the old map, the one I just showed you that was used in the 2010 election, the districts ranged in population from 155,000 to 378,000. Hence one of the big reasons we have to redraw these lines is to make sure that
one person equals one vote.

The current draft map has roughly 207 to 215,000.

To comply with the Voting Rights Act, the draft map plan includes ten districts which 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, seventeen districts primarily within Maricopa County, and nine districts that are primarily rural.

Again, one of the big reasons we're here today is we want to get your input.

You can fill out a request to speak form at today's public hearing and provide the Commission with your input.

Examples of input could include comments on any of the constitutional criteria, comments on anything that you like or dislike about the current congressional draft map or anything that you like or don't like on the draft legislative map.

There's a number different ways you can submit your comments. As I mentioned, you can speak here today. You can fill out one of the yellow request to speak forms that you can find in the back.

You can fill out the public input form. In the back of your packets that you receive, you should have
received a -- there's a blue form that you can write your comments.

You can either hand those in today. Otherwise at the bottom of that is the address that you can mail your comments -- mail that in to the Commission office.

Or you can call into the Commission. The phone number is on there.

And another way you can give us, give us your comments is going on to our website www.azredistricting.org. And there's a public comment section there where you can fill that out and submit it to us.

You can also give us a call at (602)542-5221. Or you can call us toll free at (855)733-7478.

This is just a screen shot of our home page, and just wanted to highlight a couple things.

Again, this is at azredistricting.org.

On the top left you will see a number of different options, and one is the maps. If you click on there you can find the draft maps that were presented today. You can see the grid maps. You can see all the what-if scenarios.

And the other option under maps is the online mapping program where you can draw your own map.

Under meeting information you can track us. Again, we're closing in on the end of the second round of hearings.
But, if you wanted to watch any of the -- how the
draft maps were made, all of the meetings are up on our
website. So you -- there's a video stream of them, so you
can go watch and watch all 25 of those meetings to see how
the maps were developed. And it has information on future
meetings as well.

Public comment area, as I mentioned before, you
can enter public comment there.

And down on the bottom is another way to get to
the draft maps. If you click on either of the two maps that
you see at the bottom of the screen, it will take you to a
page that looks like this.

On this page you will find maps in a variety of
different formats. You will find reports, different -- on
population. You will find competitiveness tables. You will
find compactness tables. Splits reports to show you --
shows you how the counties were split and other features
were split.

And then any data, the raw data is also available
on our website for the maps.

One of the things we wanted to highlight and
circle here is the ability to look at the Google maps.

The Google maps has been a very popular feature by
many citizens around the state. If you click on that, it
will take you to a page that looks like this. This is the
example of the congressional map. And what you see is you -- what you have is the ability to really zoom in and see what the boundaries of your district are.

You can scroll in and see exactly where your neighbors, your neighboring districts are or anything else.

So by scrolling in, this is just a screen shot, where you can zoom in and really have the ability to see the exact geographic features that define your area.

Finally, we want to make sure that you stay connected as we go into that next step of doing the final maps.

You can find a bunch of information on our website, again www.azredistricting.org.

As I mentioned before you can draw your own maps, watch current meetings or past meetings, and get updates on future meetings.

You can also follow us at Twitter and Facebook.

Thank you very much. I will be around after the meeting. If anybody has any questions, feel free to come up and ask me. I'd be happy to answer those questions.

Thank you very much.

VICE-CHAIR HERRERA: Thank you, Mr. Drechsler.

Now, the -- I think this is the 28th, the second visit that we've done during the second public round. I think we'll be doing a total of I think 31.
Tonight will be at Marana at 6:00 p.m., followed by -- on Saturday we will be at the town of Green Valley at 9:00 a.m. and then Casa Grande at 3:30 p.m.

In case you still would like to speak to the Commission, those are the last public hearings that are left on the second round.

So let's go ahead and get started.

But before we do, again, I only have one speaker form.

If anybody else would like to speak, I really do need another -- well, you need to submit one.

So this is the only one.

And we have -- as I mentioned our court reporter. If you can speak clearly, spell your first name and last name, and spell any areas that we are probably going to be unfamiliar with. So if there's any areas that have an unusual spelling, unusual name, just make sure you spell it for us, make it as easiest as possible. We're trying to keep a record of these public hearings, so it will make sense. If there's some things that you think we would need some clarification, please clarify as much as you'd like.

Our next speaker, and I think I'm pronouncing your name correctly, Wavalene Romero, Vice Chairwoman Tohono O'dham Nation.

VICE CHAIRWOMAN WAVALENE ROMERO: Good morning.

I'm the vice chairwoman for the Tohono O'odham Nation.

First of all, thank you for coming out to our nation to present this information. It's very important to our nation to understand and to comprehend what redistricting is all about and to know that what the census -- what the difference from the census count brought this about.

And so I know that, you know, for the Nation we've -- I know that this is the second public hearing that's being held on the Tohono O'odham nation. However, for the record, the first public hearing was not -- I think there was lack of communication there, and so, therefore, we did not have any -- the attendance at that first public hearing was, was very poor.

But nonetheless we've attempted to let our membership know about today's public hearing.

And also that we do have a local radio station, but because this is a political item, that we were unable to air this.

And so therefore those that are in attendance, I hope that they take this information and, you know, try to get familiar with what exactly the proposals are and what
redistricting is all about.

But my question for clarification as a tribal leader, if someone can please explain how this directly impacts us on the Tohono O'odham Nation.

I know that it's public comment, but you weren't clear on whether we could ask questions or not.

VICE-CHAIR HERRERA: Madam Chair, normally we don't entertain questions, but I would like to see if our general counsel, legal counsel, would write that -- would you be happy to answer that question?

JOSEPH KANEFIELD: What's the question?

VICE CHAIRWOMAN WAVALENE ROMERO: More so for membership that's here, what does this mean to us, the voter members of the Tohono O'odham Nation?

Like, kind of the layman's terms, what does it, what does it mean to us?

I think it's really important.

VICE-CHAIR HERRERA: The whole purpose of the --

JOSEPH KANEFIELD: Madam Vice Chair, can you hear me?

Just very generally perhaps we can talk more later. Can everyone hear me okay?

Okay. Can you hear me okay now?

Sorry.

These maps are obviously important to the tribe
and tribal members because they establish the -- who will be the congressional and legislative representatives for this area, for the reservation.

So the tribe and its leadership as well as the community will want to studies these maps as they have been proposed to determine how they will impact the tribe.

One of the issues that the Commission started with when they began this process was to assure that no reservation was split in any way.

And as I understand, the Tohono O'odham Nation remains whole in both the congressional draft map and the legislative map.

But it probably would make sense perhaps for us to sit down with -- I'm sure we would be happy to sit down with tribal leadership to walk through the maps as they have been proposed so you can see exactly how the nation is impacted, at least in the proposed maps, and the nation can get its comments back to the Commission as it sees appropriate.

VICE CHAIRWOMAN WAWALENE ROMERO: So that can be done through who?

JOSEPH KANEFIELD: Why don't you get in touch with Kristina Gomez, the Commission's deputy chief of staff, deputy director.

She's in the back. You can arrange for a meeting with whatever tribal official representatives you would like
VICE CHAIRWOMAN WAVALENE ROMERO: All right.

Thank you. And, again, I appreciate the information.

Because we are a very big part of that census count as Tohono O'odham members. So thank you.

VICE-CHAIR HERRERA: Thank you, Vice Chair Romero.

I think that's our last speaker for the day. Usually we have more than one. That's fine. I really thank you.

I'm a little thrown off I didn't expect to end that early. But I thank you for being here.

Again, as I mentioned we -- excuse me.

What we'll do, we'll show the maps, especially the maps around this area that will be pertinent to you guys, and I'll have Mr. Drechsler come explain the map. Would you like to do that?

ANDREW DRECHSLER: Sure.

VICE-CHAIR HERRERA: And give as much information as possible on the proposed -- both the proposed legislative and proposed congressional map.

ANDREW DRECHSLER: All right. Again, we're to the website, and live demonstration on how to get to the maps. Again, you can get to them by going to the map section tab at the top, or you can click on either of these
dots here. It brings you up to this web page.

And what we'll do is just scroll in and look at the Google map and see what it looks like.

I know for sure that the -- you're in Congressional District 3 and Legislative District 4, I believe.

So just zooming in a little bit to Sells. It just gives you an example, shows you where the borders are for the district.

Sells is right here. And the district runs over to Yuma and down to Nogales.

And goes up to the Phoenix area.

VICE-CHAIR HERRERA: Mr. Drechsler, that is a -- currently the way it's drawn is a majority-minority district, one of two?

ANDREW DRECHSLER: Yes, that is correct. Just going over and looking at the legislative map.

You click on here. You can see District 4, that it is District 4, and then just demonstrates the map here as well.

Again, it goes over to Yuma, goes south of Tucson, and goes up into Maricopa County.

VICE-CHAIR HERRERA: Mr. Drechsler, how far into
Maricopa County does it go into?

ANDREW DRECHSLER: Roughly -- let me see if we can get one more map that shows the county boundaries.

You can see that the Maricopa boundary border property goes right here.

So it goes up just south of Phoenix.

And the area highlighted is -- right here is the Tohono O'odham tribe.

VICE-CHAIR HERRERA: What we will do is we will show what the maps currently look like now and give you a comparison of what they would look like if these draft maps are adopted.

ANDREW DRECHSLER: Sure. We can go back to -- so this is the current congressional map.

Currently you're in Congressional District 7.

And the new congressional district is currently labeled as three.

So you see that takes less of Yuma and Yuma County.

And then for the legislative map, you're currently in Legislative District 25, that goes south of -- goes over to Cochise County, takes the southern part of Pima County.

And one big difference in the current map is that it does not go over to Cochise County. Rather it goes over to Yuma.
VICE-CHAIR HERRERA: Thank you, Mr. Drechsler.

I think that will give you an idea of what these current proposed maps look like compared to what they currently look like.

Again, these are draft maps. And we're still, as you know, we're touring the state getting comments from the public to see what areas you would like us to see changed or kept. And we plan to finish our second round of public hearings tomorrow and then start working on any changes that we'll be making.

So I think that is it.

Unless people -- yes, ma'am?

VICE-CHAIR HERRERA: This is Wavalene Romero, vice chairwoman of the Tohono O'odham Nation.

VICE CHAIRWOMAN WAVALENE ROMERO: I have a comment, kind of a question, but a comment.

I know that you mentioned that the Tohono O'odham Nation is all intact. It's all still remains under the same. But we actually have I notice on your congressional map that you use, that was used for 2010, for one of the other tribes, well, my concern is -- my comment is that we have one community, Florence community, who is not adjacent to the reservation, but is a part of the reservation.

Is there a way that you could consider including them with the Tohono O'odham Nation?
Because right now they're not on the representation.

And on the congressional map that's used for the 2010, the purple, the number two, what tribe is that where you're able to -- you look at how it's separated and the green is probably another -- how is this divided? Because you're able to still capture two to be the same as two and can we do that with that one community?

That would be a proposal.

VICE-CHAIR HERRERA: Madam Chair, that was done in 2010.

That was our old map. That was the old map.

And what they ended up doing is they ended up getting the tribes on the -- I think the Hopi, and putting them in, putting them -- taking them away from the Navajo Nation, which they were in District 1, and putting them in with the -- in District No. 2.

If you remember, ten years ago when we did redistricting last time the Hopi Tribe didn't want to be in the same district with the Navajos. And we ended up -- that particular Commission did respect their wishes, and that's why that particular map looks that way.

VICE CHAIRWOMAN WAVALENE ROMERO: So for the proposed new one, how does, how does, how does it look for Florence community?
Or does that not pertain?

VICE-CHAIR HERRERA: Ma'am, again, there's a noncontiguous part of the reservation that is in Florence?

VICE CHAIRWOMAN WAVALENE ROMERO: Yes, Florence community is part of the Tohono O'odham Nation.

VICE-CHAIR HERRERA: Currently all the -- both the congressional and legislative maps are -- I think they're -- we try to keep them as contiguous as possible. That's one of the criteria that we need to abide by, one of the six criteria.

Now, we can definitely take your comments into consideration when we are making changes to the draft map, but, again, we have to respect all six criteria when looking at making any proposed changes to these maps.

VICE CHAIRWOMAN WAVALENE ROMERO: That will be greatly appreciated, at least for consideration, and evaluating it, because when you say that the Tohono O'odham Nation is in whole, really it isn't.

VICE-CHAIR HERRERA: Now, are you talking about the entire town of Florence?

VICE CHAIRWOMAN WAVALENE ROMERO: The Florence community. If you look at the maps, they are -- there's a community. It's one of the villages of one of our eleven districts.

Thank you.
VICE-CHAIR HERRERA: Thank you so much, ma'am.

JOSEPH KANEFIELD: Madam Vice Chair, I apologize if I misspoke by suggesting that the whole nation was kept together. I had not considered the noncontiguous portion of the reservation when I made that comment.

VICE-CHAIR HERRERA: Well, thank you. That was our last speaker.

Again, we'll be in Marana tonight at 6:00 p.m. if you want to travel with us, or meet us there. We'd love to have you there. And thank you for hosting us in this nice facility. Thank you for purchasing food and water and drinks. Thank you so much. And have a good rest of the day. Take care.

The time is 10:48.

Thank you.

(Whereupon, the meeting 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 24 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 14th day of November, 2011.

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