

**ARIZONA INDEPENDENT REDISTRICTING COMMISSION**

Thursday, September 15, 2011  
12:21 p.m.

**Location**

**Heard Museum  
Steele Auditorium  
2301 North Central Avenue  
Phoenix, Arizona 85004**

**Attending**

Colleen C. Mathis, Chair  
Jose M. Herrera, Vice Chair  
Scott Day Freeman, Vice Chair  
Linda C. McNulty, Commissioner  
Richard P. Stertz, Commissioner

Ray Bladine, Executive Director  
Buck Forst, Information Technology Specialist  
Stuart Robinson, Public Information Officer

Mary O'Grady, Legal Counsel  
Joe Kanefield, Legal Counsel

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

1 Phoenix, Arizona  
2 September 15, 2011  
3 12:21 p.m.

4  
5 P R O C E E D I N G S

6  
7 (Whereupon, the public session commences.)

8 CHAIRPERSON MATHIS: Good afternoon. This meeting  
9 of the Arizona Independent Redistricting Commission will now  
10 come to order.

11 The time is 12:21 p.m. Today is Thursday,  
12 September 15th.

13 Let's begin with the pledge of allegiance.

14 (Whereupon, the Pledge of Allegiance was recited.)

15 CHAIRPERSON MATHIS: Well, it's great to be  
16 back -- well, our first time actually here in the Heard  
17 Museum, but I've been to the Heard Museum before. It's a  
18 lovely facility, and we appreciate the opportunity to meet  
19 here.

20 We have a number of guests around the table that  
21 I'll introduce.

22 First our legal counsel, Joe Kanefield and Mary  
23 O'Grady.

24 Our mapping consultant, Willie Desmond.

25 We have a court reporter today, Marty Herder.

1           Our chief technology officer, Buck Forst.

2           Kristina Gomez is our deputy executive director.

3 She's moving around the room.

4           And we have two public outreach coordinators with  
5 us today, Kristi Olson and Lisa Schmelling in the back. So  
6 feel free to talk with them if you need any assistance  
7 throughout today.

8           We'll go ahead and do the call for order now.

9           Vice-Chair Freeman.

10          VICE-CHAIR FREEMAN: Here.

11          CHAIRPERSON MATHIS: Vice-Chair Herrera.

12          VICE-CHAIR HERRERA: Here.

13          CHAIRPERSON MATHIS: Commissioner McNulty.

14          COMMISSIONER McNULTY: Here.

15          CHAIRPERSON MATHIS: Commissioner Stertz.

16          COMMISSIONER STERTZ: Here.

17          CHAIRPERSON MATHIS: We have a quorum.

18           And our next item on the agenda is map  
19 presentations.

20           If there is any member of the public who has a map  
21 to present today, feel free. This would be your opportunity  
22 to do so.

23           We do expect to be receiving some input from some  
24 of the Inter Tribal Council members today, but I am of the  
25 understanding that their meeting was running a little bit

1 late, so they'll be coming in later to the meeting, so we  
2 may be coming back to this agenda item.

3 But I thought for now if there was anybody in the  
4 public present who would like to come up to the podium, they  
5 are welcome to do so.

6 Okay. And seeing, hearing none, we will go ahead  
7 and move to agenda item three, and we'll come back to map  
8 presentations later.

9 Review, discussion and direction to mapping  
10 consultant regarding ideas for possible adjustments to  
11 congressional grid map based upon constitutional criteria.

12 I think commissioners will be moving to this table  
13 since it will be projecting up here, and that way we can see  
14 the screen better.

15 I think our mapping consultant has left the room.

16 WILLIE DESMOND: Turning the lights down.

17 CHAIRPERSON MATHIS: Oh, great. He's turning the  
18 lights down for us. Great.

19 Okay. So we're starting with congressional maps  
20 as per usual.

21 And Mr. Desmond, it looks like he provided some  
22 new maps for us to all look at.

23 These are the what-if scenarios that we've all  
24 been talking about.

25 Where would it make sense to start? We could do

1 the whole counties or the river district. Anybody have a  
2 preference?

3 VICE-CHAIR FREEMAN: No.

4 CHAIRPERSON MATHIS: Okay. So let's start with  
5 whole counties.

6 WILLIE DESMOND: Okay. There's two whole county  
7 maps, version 6B and 6C, that don't vary too wildly from  
8 what we presented yesterday. There was just a small change  
9 in moving Apache Junction into the unassigned area.

10 Just to kind of go through the -- how these maps  
11 came to be, I'll start with whole counties map was first to  
12 take the grid map and adjust it in order to minimize the  
13 number of counties that are split by congressional  
14 districts.

15 The second iteration was to respect reservation  
16 land.

17 The third was to adopt the Hispanic Coalition For  
18 Good Government's lines for CDs 3 and 7.

19 The fourth was then to make some changes dealing  
20 primarily around Maricopa County.

21 The fifth was, again, to kind of do those.

22 And at this point it was split into 5B and 5C.

23 5B leaves the non-voting rights district that are  
24 wholly contained or nearly wholly contained in Maricopa  
25 County unassigned. Kind of leave it as a blank slate.

1           5C, I was asked to take just a first pass at  
2 dividing those up based on principles of compactness and as  
3 few splits to minor civil divisions and others like city  
4 boundaries.

5           So, again, for today, version 6B is very similar  
6 to yesterday. However, the unassigned area was about  
7 40,000 -- 48,000 people short of being able to comprise for  
8 whole congressional districts.

9           In order to make up that population, we did reach  
10 out and grab a little bit from Pinal County in the  
11 Apache Junction area.

12           So, I will open that up, and then we can go  
13 through some of those changes.

14           Okay. So the real change from yesterday to today  
15 was that this area, Apache Junction, was now incorporated in  
16 this unassigned area.

17           We were able to capture all of it and then make up  
18 a little bit more population with some of the more densely  
19 populated areas that aren't part -- that are just part of  
20 the county though.

21           Do commissioners have particular questions or  
22 things they want to highlight or me to show them on this  
23 map?

24           VICE-CHAIR FREEMAN: Madam Chair.

25           CHAIRPERSON MATHIS: Mr. Freeman.

1           VICE-CHAIR FREEMAN: I guess what I would have is  
2 a request with respect to the whole counties, so-called  
3 whole counties version 6C.

4           WILLIE DESMOND: Okay.

5           VICE-CHAIR FREEMAN: Maybe we should bring that  
6 one up, the way we built those districts.

7           WILLIE DESMOND: And, again, this is the same map.  
8 It just has a -- I took a crack at assigning that unassigned  
9 area.

10           For today, I did number them in order that I drew  
11 them, so it went five, six, eight, and then nine.

12           Which was the same order I went in yesterday, but  
13 the numbering convention is slightly different.

14           Buck, can you turn up the volume so they can hear  
15 in the back a little better?

16           All right. I'll turn on the census place layer  
17 again to make that clear.

18           So, which changes did you have right away or  
19 things that you wanted to look at right away?

20           VICE-CHAIR FREEMAN: Well, in moving the lines to  
21 construct these districts in the urban Maricopa County area,  
22 it's my understanding you started from the southeast corner,  
23 basically, and that's why you numbered them that way, so you  
24 constructed five and six.

25           And did you construct nine and eight, or did you

1 construct eight and go back and construct nine?

2 WILLIE DESMOND: I did eight first.

3 VICE-CHAIR FREEMAN: Could you zoom out, please?

4 WILLIE DESMOND: Sure.

5 And my thinking was the reason I jumped over to  
6 eight first was to try to keep as many of those communities  
7 not split as possible.

8 I was afraid that if I drew nine first I would  
9 have population -- but, again, I could redo it in a  
10 different order if you like.

11 VICE-CHAIR FREEMAN: Well, that might be my  
12 request.

13 Do you think if you started from the west valley  
14 and worked your way around to the southeast valley do you  
15 think you would have a different looking map?

16 WILLIE DESMOND: Potentially, yes.

17 What I would probably do is -- it's not that hard  
18 to do this. We can walk through it right now. You can see  
19 my rough move.

20 But what I would probably start with is assign all  
21 of these areas first the new district.

22 I would come straight across over, and then I  
23 would have to decide whether -- whether or not to grab  
24 central Phoenix or to take the northern areas.

25 I would want to make sure that I left these areas

1 whole, and. . .

2           The reason I did it this way also is just that I  
3 was only doing two splits through Phoenix. I didn't want to  
4 have it, like, pieces of all three, or possibly four, going  
5 into it.

6           But that would be an easy what-if map for me to  
7 do.

8           VICE-CHAIR FREEMAN: Then that would be my  
9 request, that you go ahead and rebuild them, I guess, to  
10 keep the nomenclature assist, I don't know what you would  
11 suggest, maybe version 6D perhaps.

12           WILLIE DESMOND: Excuse me?

13           VICE-CHAIR FREEMAN: Maybe make it version 6D.

14           WILLIE DESMOND: That makes sense.

15           Are there particular considerations you'd like to  
16 see?

17           VICE-CHAIR FREEMAN: I think the consideration at  
18 this point in the game, for this iteration, would still be  
19 the same, which is to try to construct compact districts  
20 that minimize splits, municipal lines, to the extent  
21 practical.

22           WILLIE DESMOND: Okay.

23           VICE-CHAIR FREEMAN: Equal population as well.

24           WILLIE DESMOND: And I think we -- the unassigned  
25 area was very close to the magic number, so I think the

1 population deviation is very slight on these.

2           Yeah.

3           Are there other considerations that you would like  
4 to see on this map?

5           COMMISSIONER McNULTY: Madam Chair.

6           CHAIRPERSON MATHIS: Ms. McNulty.

7           COMMISSIONER McNULTY: Mr. Desmond, I'm looking at  
8 the splits analysis on this map and the one that goes with  
9 version 7A.

10          WILLIE DESMOND: Uh-hmm.

11          COMMISSIONER McNULTY: And I'm noticing that  
12 they're almost all identical. That on the whole counties  
13 split analysis, there are two counties that -- two less  
14 splits, but other than that these are almost the same.

15                 Is the best way to -- for us to understand the  
16 distinctions in terms of communities between these maps to  
17 look at the plans that's attached to each of them, would  
18 that -- or is there a way to compare them to one another,  
19 not, not in a narrative way, but in the sense of a map?

20          WILLIE DESMOND: I mean, I could over -- I  
21 could have two sets of lines, one that would be colored  
22 from the whole counties and one that would be from the river  
23 7A.

24          COMMISSIONER McNULTY: I would like you to do  
25 that, not right now, but in a way that we can study it.

1 WILLIE DESMOND: Okay.

2 COMMISSIONER McNULTY: I also think it's the case  
3 that we haven't yet -- on the central part of the state, my  
4 goal is to create two competitive districts in that central  
5 part of the state.

6 And when I mean competitive, I don't mean  
7 seven points or ten points. I mean that there are  
8 districts in which, all other things being equal, the  
9 outcome of an election, of a congressional election would  
10 not be certain.

11 So, and I had asked Mr. Strasma to be looking at  
12 competitiveness. And I know you guys have a lot on your  
13 plate, but that's still foremost in my mind. And I would  
14 like to be thinking both about how these maps are different  
15 and asking you to help us understand that and about how we  
16 can achieve that on either map.

17 WILLIE DESMOND: Okay.

18 I guess just initially to help you study it, I  
19 have a couple ideas that might work.

20 COMMISSIONER McNULTY: Okay.

21 WILLIE DESMOND: The first would be I could help  
22 you load up both plans into one common map on your computers  
23 so you can look at your computers.

24 The other thing we might be able to do is just  
25 make a big, like, wall-size layout and have those printed up

1 tonight so you could each take one home tomorrow, I guess,  
2 and that would have both sets of lines and you could study  
3 it.

4 COMMISSIONER McNULTY: I'd like you to do both of  
5 those things.

6 WILLIE DESMOND: Okay.

7 COMMISSIONER McNULTY: That would be helpful to  
8 me, seeing as we both seem to be either proceeding on each  
9 of these, I'd like to understand how they relate to one  
10 another. And I think we've reached a point where it's time  
11 to gain that understanding.

12 WILLIE DESMOND: Okay.

13 And then as far as the different measures of  
14 competitiveness go, I'm not sure if we'll have the '04 and  
15 '06 ready for next week, Thursday's meeting.

16 We're working away on it.

17 COMMISSIONER McNULTY: I understand that. We've  
18 got a thumbnail right now.

19 I'm not asking you to do that any more quickly  
20 than you can do it.

21 I'm just saying that that's what I'm going to be  
22 looking for in the central part of both of these maps.

23 WILLIE DESMOND: The one thing I can say we will  
24 have ready for next week Thursday's meeting, and I know Ken  
25 is planning on being here so maybe this is something that he

1 could present on, would be kind of similar to his last  
2 competitiveness, but just kind of different ways of weighing  
3 the different races and the registration data that's now  
4 ready to go.

5           And I'm not sure if this is possible, but I know  
6 we had talked a little bit about using different  
7 correlations to check different combinations of results and  
8 registration to see how they correlate elections that went  
9 both ways in the last, last cycles.

10           So, so if it's all right, I think we can try to  
11 have some sort of presentation about different ways of  
12 blending election results and registration for next Thursday  
13 or next Friday of next week.

14           Would that be helpful?

15           COMMISSIONER McNULTY: I think it would be.

16           I don't think -- I think we're all going to have  
17 different ways of looking at that data, but I think one  
18 thing that we probably all agree on is that we want to have  
19 all that data so we can each do our own assessment. And  
20 then the five of us just have to, you know, work through how  
21 we reach agreement on the best way to approach all these  
22 criteria in terms of each district.

23           But you presenting us with those alternative ways  
24 of looking at it I think is essential.

25           WILLIE DESMOND: There's, like, an infinite number

1 of ways you can --

2 COMMISSIONER McNULTY: Doesn't have to be  
3 infinite.

4 WILLIE DESMOND: That'll be --

5 COMMISSIONER McNULTY: You do have to choose,  
6 like, the four or five most illuminating.

7 WILLIE DESMOND: Yeah.

8 So I think there's some very -- and one thing that  
9 might be helpful with those is also just to note, like, the  
10 statewide percent Republican and statewide percent Democrat  
11 under each.

12 You might find that they're a lot closer than you  
13 think they would be, different blending. You might find  
14 there's some wide variation --

15 COMMISSIONER McNULTY: You can explain all this  
16 during your presentation.

17 WILLIE DESMOND: Okay.

18 COMMISSIONER McNULTY: Yeah, we'll look forward to  
19 hearing that.

20 But I just am -- I'm trying to get -- I think  
21 we're all, you know, moving ahead, and I think at some point  
22 we need to really be clear about what our objectives are in  
23 order for us to get to a result. And so I'm just, I'm just  
24 offering that.

25 COMMISSIONER STERTZ: Madam Chair.

1           CHAIRPERSON MATHIS: Mr. Stertz.

2           COMMISSIONER STERTZ: Mr. Desmond, do you, in the  
3 current datasets that you have, do you currently have  
4 registration data for each one of the districts as you  
5 currently have them outlined?

6           WILLIE DESMOND: I do not have that currently.

7           We have the registration data matched to base  
8 files.

9           I have not had a chance yet to go through and  
10 update the data on my personal machine and create a report  
11 to give you.

12           That's something we could have for starting next  
13 week going forward for all of them, if that would be  
14 helpful.

15           COMMISSIONER STERTZ: A couple of things I would  
16 like to have you do is to go back to the last two three  
17 border district maps, the one that was the combo and then  
18 version three, and prepare all of the same support data that  
19 you've already created for the current river district and  
20 whole county maps.

21           The second is, I've got a -- some -- after we go  
22 through the maps that you're currently presenting, some  
23 commentary and some thoughts on the three border districts  
24 that I'd like you to explore.

25           And lastly I'd really like to see registration

1 data broken out outside of anything else, just pure  
2 registration, per congressional district and per legislative  
3 district, as we're making these analyses as well.

4 WILLIE DESMOND: Okay.

5 That will make sense. And I think for the  
6 registration, what we would have would be, I guess,  
7 five columns for that. One that would be, Democrat,  
8 Republican, and Independent percentage, and then one that  
9 would be just Democrat and Republican percentage as a  
10 two-way percentage.

11 Does that make sense?

12 A two-way percentage would be -- both cases they  
13 would add up to 100.

14 So the Democrat, Republican, and the Independent  
15 percentages would add up to 100 one set and the Democrat and  
16 Republican percentages would add up to 100 percent in the  
17 other set.

18 COMMISSIONER STERTZ: The Democrat and Republican  
19 you have to make some assumptions because you'd be excluding  
20 31 percent of the registered -- registrants in the other  
21 category, which is Independent and other.

22 And what I'm looking for is to -- if I look at a  
23 district in the river district version 7A, District 4, I'd  
24 like to see how many currently, as far as the 2010 data,  
25 current Republicans, current Democrats, overall population

1 we know because that's constitutionally driven, and then  
2 Independents.

3           And we have to make the assumption that there are  
4 subgroups in the Independents, as far as Green Party or  
5 other parties, those could be contained into an other  
6 outside of the Independent, because there is Independent  
7 registration and then the Greens and others would be  
8 combined in an other category.

9           Unless the commissioners could see that they would  
10 like to see that data spread further than that.

11           But that is one of our testing criteria as  
12 Commissioner McNulty has alluded to. Not only are we  
13 looking at results, broaden -- getting the broadest amount  
14 of datasets possible for us to look at this to then drilling  
15 it down to the next level is important, but also just pure  
16 registration is very important as well.

17           WILLIE DESMOND: Okay.

18           Just to clarify, we'll go back and look at the  
19 last two three border district maps. There's two different  
20 types. We'll take the latest version of each.

21           On the split plans components reports that you're  
22 getting now for those, and also create a registration report  
23 and have that ready to overlay.

24           COMMISSIONER STERTZ: Perfect. Thank you.

25           WILLIE DESMOND: And then can I just ask one more

1 question about comparing the river 7A and most recent whole  
2 counties?

3           Would you prefer the whole counties that has an  
4 unassigned area or the one that has me taking chunks in  
5 Maricopa and creating districts?

6           COMMISSIONER McNULTY: The chunks one.

7           WILLIE DESMOND: Okay.

8           Okay. So for that one, I'll use, if it's all  
9 right, I'll use 6C, the one that you have today.

10           COMMISSIONER McNULTY: The one that we were  
11 looking at, the one that we were looking at with the  
12 districts in Maricopa County.

13           The other thing, Mr. Desmond, that I would like to  
14 understand with regard to the three border district maps is  
15 the impact of gathering up all of that HVAP in the center of  
16 the state and how that affects what's, what's happening in  
17 is central Phoenix.

18           I'd like to see the changes between -- well, I'm  
19 not sure we're far enough along the process to understand  
20 the differences in the various maps.

21           But I'd like you to -- I'd like to be able to see  
22 clearly the difference between -- the impact on doing it  
23 that way in Maricopa County, versus the river district  
24 configuration, versus the Hispanic Coalition For Good  
25 Government configuration.

1 WILLIE DESMOND: Why don't I -- I'm not sure what  
2 I can have ready for tomorrow.

3 COMMISSIONER McNULTY: It doesn't need to be  
4 tomorrow.

5 WILLIE DESMOND: If -- why don't we do a similar  
6 thing that we're doing for the river and the whole counties  
7 and print out a wall-size map where we have multiple layers  
8 of the different what-if maps. And then that would be a  
9 static thing, and you'd have varying levels of how much you  
10 can read down to the street level, because it's just going  
11 to be a wall-size printout.

12 But I think the big picture thing -- and I can  
13 show you how to load those all up on your computers so you  
14 can compare them in Maptitude also.

15 COMMISSIONER McNULTY: You raise a good point  
16 because I don't think a wall map is going to be helpful.  
17 What we're looking for there is detail. What we're looking  
18 for is street level.

19 WILLIE DESMOND: Okay. I'll play around with that  
20 making sure that it's as detailed as I can. If it's doable  
21 on the wall size, I will have those -- I will do a wall-size  
22 just so you can see like an overall snapshot of the state  
23 and some rough areas in Maricopa and the Tucson area with  
24 the cutouts.

25 And I'll -- we'll see how that looks and go from

1 there.

2 But I will also load those up in the  
3 commissioners' computers or help you get them loaded up so  
4 you can compare and contrast different plans.

5 COMMISSIONER McNULTY: To the extent that the wall  
6 size helps us focus on where to look, I think that's useful.  
7 But we've got to be able to go street level on all of this  
8 now.

9 COMMISSIONER STERTZ: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Stertz.

11 COMMISSIONER STERTZ: Can I ask a question about  
12 where we are on the -- when we see in our -- over the next  
13 couple of weeks some analysis going back on the voting  
14 polarization work, the data -- that other set of data that  
15 we've now engaged a consultant for --

16 CHAIRPERSON MATHIS: Good question.

17 Does legal counsel have any guidance on that in  
18 terms of Dr. King and what kind of results we're going to  
19 get from him and when?

20 Is he already started, or how is that work coming  
21 along?

22 JOSEPH KANEFIELD: Madam Chair, we are working  
23 with Professor King.

24 We hope to have some guidance for him and get back  
25 to the Commission next week.

1           We've asked -- we have been speaking with the  
2 mapping consultants and counsel, and of what issues we want  
3 him to focus on, and we hope to have some of that  
4 information, hope to have him begin researching and looking  
5 into that information by next week.

6           CHAIRPERSON MATHIS: That would be great.

7           Yeah, it's a good question, because I was  
8 concerned -- I was wondering how this works with him, if he  
9 is going to be acting as kind of the third-party independent  
10 verification of the analysis that Strategic is already  
11 doing, and if so, if he's kind of looking at if he's going  
12 to be giving him these what-if scenarios, or if his role  
13 really comes in to play when we actually have draft map  
14 ideas that we're -- you know, that are beyond  
15 what-if scenarios, that are, you know, more fully fledged,  
16 so to speak.

17           JOSEPH KANEFIELD: Madam Chair, that's our  
18 understanding of how he can be best utilized.

19           At this point there is some analysis that he can  
20 do to help and provide some guidance to the Commission  
21 before you get too far into the final map. This map-making  
22 decisions.

23           But, of course, after the decisions are made then  
24 he will be reviewing those maps in more detail during public  
25 commentary by more input for the Commission before the

1 Commission adopts them as final maps.

2 CHAIRPERSON MATHIS: And will he also be looking  
3 at the maps that are getting submitted by the public in  
4 terms of just analyzing them? Or how does that work?

5 JOSEPH KANEFIELD: Madam Chair, that would be at  
6 the discretion of the Commission.

7 There is analysis that we would -- if the  
8 Commission would like him to perform, he can do that.

9 But, of course, we want to use his services  
10 judicially so he's focusing on analysis that's going to be  
11 helpful to the Commission.

12 Obviously he can't analyze every map or else -- so  
13 that's, I think, the best way to do it.

14 If we -- the Commission gets down the road of fine  
15 tuning some of these maps, and we can have him start looking  
16 more carefully at some of the areas and do the analysis.

17 CHAIRPERSON MATHIS: Okay. Thank you.

18 Mr. Freeman.

19 VICE-CHAIR FREEMAN: Just sort of building on  
20 that, we -- over the weekend we had a submittal from the  
21 public of a congressional map that ostensibly created three  
22 minority-majority districts or at least three coalition  
23 districts.

24 And is that, look to the advice of counsel,  
25 is that the kind of thing that we should be having analyzed?

1           JOSEPH KANEFIELD: Madam Chair,  
2 Commissioner Freeman, I'm not sure I caught all of that.

3           Were you asking if we should have him look at  
4 making the determination of how many majority-minority  
5 districts are required under the current numbers?

6           VICE-CHAIR FREEMAN: Should it be tested? Is that  
7 something that we need to put in our record that would  
8 ultimately go up to show that, you know, this map was  
9 presented by someone from the public, and I don't know if he  
10 represents a group, but we did analyze it and made a  
11 determination that in order that the two minority-majority  
12 district proposals are the ones that we need to go with to  
13 comply with the Voting Rights Act.

14           JOSEPH KANEFIELD: Madam Chair,  
15 Commissioner Freeman, I think that would be appropriate so  
16 that we would get on record that our expert has reviewed the  
17 maps for compliance with the Voting Rights Act and believes  
18 that they do comply.

19           CHAIRPERSON MATHIS: Any other comments or  
20 questions?

21           (No oral response.)

22           CHAIRPERSON MATHIS: Okay. So, Mr. Desmond, you  
23 have everything you need in terms of the whole counties  
24 version and the steps that we've asked you to take?

25           WILLIE DESMOND: I believe so.

1 CHAIRPERSON MATHIS: Okay.

2 Should we look at river district 7A?

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE-CHAIR HERRERA: Before we do that, are the  
6 maps online?

7 WILLIE DESMOND: Oh, Buck.

8 I think he's telling me ten minutes. They're  
9 being transferred right now.

10 VICE-CHAIR HERRERA: Thank you.

11 WILLIE DESMOND: And, again, the maps are online  
12 and there's also, if you look at some of the Microsoft Word  
13 documents, there are the splits reports, the Excel  
14 documents, the splits reports, the plan components reports,  
15 the racial breakdown, compactness, competitiveness, all  
16 those supporting materials are also available online in  
17 addition to the maps in various forms.

18 VICE-CHAIR HERRERA: Okay.

19 WILLIE DESMOND: So this is the river district  
20 version 7A.

21 The changes that have been made since last week --  
22 or this week Monday, are just the ones we discussed at  
23 yesterday's meeting.

24 So, it's harder for me to do this too.

25 We started with river district 6A, used

1 Stapley Drive, not Mesa Drive, as the border between east  
2 and west Mesa.

3 CD 6, all of Paradise Valley, and all of  
4 Scottsdale up into Cactus Road.

5 In order to eliminate some population, we removed  
6 some of Gilbert.

7 We went back to the Hispanic Coalition For Good  
8 Government's proposed District 7, for CD 7.

9 Kept CD 9 within Highway 101.

10 CD 4, we removed from Mesa and made as rural as  
11 possible.

12 CD 6, we gave south Chandler, south of Pecos Road,  
13 and Sun Lakes into CD 3.

14 Gave areas of CD 3 and Pinal County to CD 4.

15 And we used the San Tan area to balance population  
16 where needed.

17 So, would you like to zoom into Maricopa or is  
18 there some other thing that you would like to look at?

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: Mr. Desmond, if you don't  
22 mind going through the changes.

23 WILLIE DESMOND: Sure.

24 So I believe District 4, where we left off  
25 yesterday, was underpopulated.

1           In order to remedy that, you had me include this  
2 area of Pinal County, the San Tan Valley, and some others.  
3 And in order to do that, I had to extend down from  
4 Apache Junction.

5           I think -- and then it also -- you had three take  
6 a little bit more of six -- or six take a little bit more of  
7 three, so that six was then overpopulated by the same amount  
8 that four was underpopulated.

9           And that's where we grabbed this. And even  
10 then -- evened out the population.

11           CD No. 7 is also taken directly from the Hispanic  
12 Coalition's proposed District 7.

13           And if I turn on the streets layer and zoom in a  
14 little bit, you'll see that District 9 I was able to keep  
15 within the 101 as you had requested.

16           So, it's a little hard to see, but it does run  
17 right along the 101.

18           Are there questions?

19           VICE-CHAIR HERRERA: Mr. Desmond, if you can zoom  
20 in on the Maricopa County districts and just look -- if we  
21 can look around the border areas.

22           WILLIE DESMOND: Sure.

23           VICE-CHAIR HERRERA: On there.

24           WILLIE DESMOND: Okay.

25           I'll start with District No. 7. That's the one we

1 took from the Hispanic Coalition.

2 Basically it has all of downtown Phoenix, I think,  
3 or the lower part of Phoenix, except for Ahwatukee, down  
4 here.

5 It goes over and grabs Guadalupe, and then comes  
6 up into Glendale a little bit.

7 I'm not sure what street that would be.

8 Okay. So it goes straight up along the border  
9 with Tempe.

10 It runs up South 48th Street then, until it hits,  
11 what, 89.

12 Then it continues up 143, until it hits McDowell  
13 Road. And then goes west until it hits 40th Street, and  
14 goes north until Thomas Road.

15 And goes west again, all the way across, until it  
16 hits Central Avenue, where it goes north again to Camelback,  
17 and north on 24th -- I'm sorry, or North Seventh Street.

18 West on Betham Home -- Bethany Home Road. West  
19 until it hits North 43rd Avenue, then north until  
20 Northern Avenue. West -- it does have a little detour here.  
21 I believe that's probably to equalize population or  
22 something.

23 West on Northern Avenue, and starts to go back  
24 down along 71st Avenue, Orangewood Avenue over, and then  
25 south down 75th Avenue.

1           Then it goes further west again on Bethany Home  
2 Road, to 99th Avenue, where it goes south.

3           And for anyone watching the live stream, the maps  
4 are online.

5           Continues along 99 Avenue. Incorporates all of  
6 Tolleson.

7           It goes west on Van Buren until it hits  
8 102nd Avenue.

9           And then it goes back east on 85, down 99th Avenue  
10 to Lower Buckeye Road, south on 107th Avenue until it  
11 hits -- I think that's South Mountain.

12           And then finally it follows -- it's not really --  
13 it follows Carver Road.

14           VICE-CHAIR HERRERA: That is District 7?

15           WILLIE DESMOND: That is District 7.

16           I'll just zoom out again so you kind of get your  
17 bearings.

18           District 7. That's the majority-minority  
19 district.

20           I guess next we can go through District No. 6.

21           VICE-CHAIR HERRERA: Okay.

22           WILLIE DESMOND: Is that the level of detail you  
23 were hoping for.

24           VICE-CHAIR HERRERA: Exactly. Thank you.

25           WILLIE DESMOND: So, again, that shares its

1 northeastern -- or northwestern boundary with  
2 District No. 7.

3 I won't necessarily go through all of those areas  
4 again.

5 But then starting over here -- let's see.

6 I think that's not really a road. It's just the  
7 border between Avondale and the unincorporated area to the  
8 east of it.

9 So it runs south until it -- just kind of another  
10 unincorporated area. A street there. Goes south at the  
11 Pinal County line, all the way down to -- there is the top  
12 of Maricopa the city.

13 Runs right along there. Again, it's not really  
14 following a major road or anything, just more of a boundary  
15 that's reflected in the census place.

16 And it follows the outline of the Maricopa area.  
17 Over -- goes north of Casa Grande. Goes -- dips south right  
18 here where there's really no population, and then follows  
19 kind of the border above Coolidge, and incorporated area of  
20 Blackwater.

21 Starts to go north then around the edge of  
22 Blackwater, staying -- keeping Florence in District 5.

23 It goes up into the San Tan Valley, and then goes  
24 back west just below that.

25 Then it goes north along the -- a portion of

1 Queen Creek Road -- or Queen Creek. That's currently  
2 divided because it happens to be partly inside, inside Pinal  
3 County and partly inside Maricopa County.

4 I've looked, and I think there's not a very large  
5 population that lives right here.

6 And then it goes, goes back west right along the  
7 Maricopa, Pinal County border, so below Gilbert, below  
8 Chandler, below Sun Lakes, above Goodyear Village, so  
9 Goodyear Village is included.

10 It goes north right along those areas again.

11 And aside from the municipal boundaries, I'm sure  
12 there is a road here.

13 It's 88th -- it goes along 88th Street.

14 All along Chandler, north until it hits  
15 Pecos Road.

16 And then it goes east again.

17 So it incorporates the area of Chandler that's  
18 north of Pecos Road, until it hits 87th, up to Chandler.  
19 And then it follows Union Pacific Road up to Ray Road, and  
20 goes east on Ray Road until it hits Maricopa Road. Goes  
21 north, kind of following the border between Chandler and  
22 Gilbert.

23 Goes north until it -- I don't know if this is a  
24 major road here. It's more of a boundary between the two  
25 cities.

1           Continuing north again, not along really a main  
2 road, but more just along the border of the two  
3 municipalities.

4           And then, again, up 87 along the border.

5           Now, Mesa and Gilbert, over so in it incorporates  
6 the Mesa area.

7           I think at one point you asked to use  
8 Stapley Drive. This little area right here was probably  
9 just to balance population.

10           So there was one block of six that does not go --  
11 a block group, I'm sorry, that does not go to Stapley Drive.

12           But it's north in Mesa, up to Stapley Drive, all  
13 the way until it hits Phillips or Stapley kind of ends for a  
14 portion right here.

15           And then goes north on Hornes -- Horne northeast,  
16 or Horne northeast, over to McDowell.

17           This is where when you zoom out you'll see it  
18 follows the border on north Mesa. It does have a little  
19 portion of north Mesa. And that's because it has the  
20 Salt River reservation wholly contained, and that portion  
21 does cross the border into east Mesa.

22           It includes all of Salt River, all of the  
23 Fort McDowell area. It goes north following along the  
24 reservation line, excluding Fountain Hills.

25           It goes along the reservation until it hits

1 Scottsdale.

2 I'll go through those borders with you.

3 In Scottsdale it follows -- I don't know which  
4 road this is.

5 Oh, it's this road. I don't think that's actually  
6 a road.

7 I believe that's like a river or something there,  
8 a natural, a natural boundary that runs through, until it  
9 hits Cactus Road, goes west on Cactus, all the way -- see it  
10 goes from eight and nine go along the 101 there, so it goes  
11 past the 101 there, now bordering with nine.

12 It goes west on Cactus Road until it hits  
13 Scottsdale Road.

14 Goes south on Scottsdale Road to Cholla Street,  
15 and then, again, south at 64th Street.

16 And then west along the border with  
17 Paradise Valley. Follows the border with Paradise Valley.

18 Just runs all along Paradise Valley, until it goes  
19 over here, and this is Lincoln Drive, but more importantly  
20 Paradise Valley.

21 And then once it leaves Paradise Valley, it  
22 follows 40th Street south until that hits McDowell Road.  
23 And then District 7 to the west of it.

24 We kind of already went through that, that  
25 portion.

1           So I believe at some point you had asked me to  
2 draw Paradise Valley and then the Arcadia area, which is  
3 kind of right here too.

4           So, again, I'll just -- I'll zoom out so you can  
5 get your bearings a little bit.

6           So, we started over here.

7           We started over here, in District 6. Went all the  
8 way down, following the reservation, up Queen Creek, back up  
9 around Mesa.

10          Oh, that's three, I'm sorry.

11          Below Sun Lakes, Chandler, through Mesa, along the  
12 border with Gilbert, take the Fort McDowell up, and then  
13 down to south Scottsdale, Arcadia area, and then back down  
14 on the border.

15          So I guess next would be District 9.

16          This one should be pretty easy.

17          So if I turn on the streets layer again -- just a  
18 second, I'll move this individual streets and highways.

19          You can see the entire northern border of nine  
20 runs right along the 101, as you had asked. The eastern  
21 border follows right along six, so along Paradise Valley  
22 through Scottsdale.

23          I can go through those borders again, although we  
24 did see those.

25          And then along the border with seven here, which

1 I'd be happy to go through again.

2           The one portion we haven't looked at would be the  
3 border it has with eight on the western side, so I'll zoom  
4 in there, and we can look at that.

5           So it diverges from the 101 just north of where  
6 Peoria ends on Bell Road, and goes east on Bell Road until  
7 it hits 75th Avenue, goes south there, all the way down to  
8 pretty much where it hits 73rd.

9           And there's a little border here. That's probably  
10 to balance population. And follows that down -- I'm not  
11 sure what road this is.

12           And then it follows Olive Avenue west. Drops down  
13 south on 83rd Avenue. Goes back east on Northern Avenue.  
14 Drops back down on 75th.

15           And then again it follows the border with seven  
16 that we've already looked at, to Orangewood, 71st, and then  
17 Northern Avenue by and large for a lot of it.

18           Back down on 43rd Avenue. Back east on Bethany  
19 Home Road.

20           Back down on Seventh Street. East on Camelback,  
21 down on Central, until Thomas.

22           And then it runs along Thomas until it goes back  
23 north on 40th Street, you know, Paradise Valley. We just  
24 looked at along Paradise Valley.

25           On Paradise Valley.

1           Along Paradise Valley, then along Scottsdale.  
2 Then it takes portions of northern Scottsdale, up on  
3 Scottsdale Road over on Cactus, until it hits the 101. Then  
4 it does the 101 all the way up and over.

5           We could do the same thing for the whole river  
6 district, but that might take a while.

7           Are there other things to look at right away in  
8 Maricopa County?

9           VICE-CHAIR HERRERA: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Herrera.

11          VICE-CHAIR HERRERA: The particular version of  
12 river district 7A, in looking at competitive based on the  
13 information we currently have, which is the 2008, 2010  
14 information, so it creates three districts that are 60 or  
15 more percent Republican and, one, two, three that are 52 to  
16 56.48 Republican.

17          And then not receiving minority-majority districts  
18 solidly Democratic.

19          So I guess what I'm getting at is we're getting it  
20 closer to competitiveness based on the current information  
21 we have.

22          And I think that Commissioner McNulty made a good  
23 point on the issue of the unplits and the districts.

24          Even though we didn't -- we have the keeping  
25 counties whole in the back of our mind, we were still able

1 to get pretty close to the old districts, so that, I mean,  
2 it's, again, I hope of pleases Commissioner Freeman, because  
3 this wasn't, you know, the -- although it's one criteria  
4 within another criteria to get the -- it's an important  
5 thing to consider, but, again, I think we did a pretty good  
6 job of keeping it pretty close to the whole districts.

7 I want to reaffirm what Commissioner McNulty had  
8 pointed out.

9 I think that's it for me, unless anybody has any  
10 questions on 7A.

11 WILLIE DESMOND: Are there --

12 CHAIRPERSON MATHIS: Mr. Stertz.

13 COMMISSIONER STERTZ: I do have a question on --  
14 in District 5, where are the population centers that are  
15 loading District 5?

16 WILLIE DESMOND: I guess the best way to answer  
17 that would be the, the components report.

18 COMMISSIONER STERTZ: So if I'm reading this  
19 right, you've got 15 percent of the voting age population  
20 for District 5 is in Casa Grande.

21 WILLIE DESMOND: Yep.

22 COMMISSIONER STERTZ: Fifteen percent is the  
23 Casas Adobes district of Pima County.

24 11.62 percent is in Oro Valley of Pima County.

25 10.7 percent is in Marana of Pima County.

1           And we've got 12.58 percent in Pinal County in the  
2 town of Maricopa.

3           And we're connecting -- so we're connecting -- out  
4 of Pima County, we've got close to 38 percent of Pima County  
5 is actually in a district connected to the northeast corner  
6 of the state.

7           Am I reading that right?

8           WILLIE DESMOND: Yeah. Yes. That's correct.

9           COMMISSIONER STERTZ: Okay.

10          WILLIE DESMOND: So just looking at this, the  
11 district is comprised of, I think, 11 counties.

12           Of those, it's 100 percent of Coconino,  
13 100 percent of Navajo, 100 percent of Apache, 100 percent of  
14 Gila County.

15           It's about 56 percent of Pinal, about 13 percent  
16 of Pima, about 5.4 percent of Yavapai.

17           It's 10 percent of Graham County. It's 35 percent  
18 of Greenlee. And then just a tiny fraction of Mohave  
19 County.

20           And it must be in Maricopa, but that's probably  
21 like a little hanging block or something, since zero percent  
22 of Maricopa population, that's zero percent of the  
23 district's population.

24           I guess for this one and the whole counties, some  
25 of these small splits probably would be the result of

1 reservation lands.

2 But then, you're correct, I guess the main -- so  
3 Coconino represents about 20 -- or 19 percent of the  
4 district, Navajo is about 14 percent the district, Apache is  
5 about 9 percent of the district.

6 So that's 42 percent in those three counties.

7 And then Pima and Pinal have 28 -- 29 percent, and  
8 then 18 percent of the district.

9 COMMISSIONER STERTZ: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Stertz.

11 COMMISSIONER STERTZ: Obviously there's a, there  
12 is a result orientation to the design of that district that  
13 I can't get my arms around.

14 And maybe someone can explain to me how I'm going  
15 to be able to talk to people in Oro Valley and tell them  
16 that their Casas Adobes, which is in urban Tucson, is  
17 connected somehow to Window Rock and how representation for  
18 that district would work.

19 I can't get my arms around it.

20 So maybe I can -- we can have some dialogue about  
21 how that works.

22 VICE-CHAIR HERRERA: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Herrera.

24 VICE-CHAIR HERRERA: Now, we -- what we wanted to  
25 do is create two rural districts in District 4 and

1 District 5.

2           The district -- rural District 4 was created based  
3 on the testimony that we heard in public hearings,  
4 Bullhead City and also in Yuma, and then so we wanted to do  
5 District 5 -- created the District 5 based on the testimony  
6 we heard, again, in the public hearings where we wanted to  
7 keep District 5 as rural as possible and stay out of  
8 Maricopa County.

9           So, again, this is based on public testimony that  
10 we heard throughout that area.

11           So, again, doing everything possible to keep four  
12 as rural as possible and five as rural as possible.

13           And making five -- the western rural district is  
14 solidly Republican, and what we wanted to do was make the  
15 District 5 as competitive as possible, based on the data we  
16 have.

17           So hopefully that kind of helps.

18           COMMISSIONER STERTZ: Mr. Desmond -- Madam Chair,  
19 Mr. Desmond, could you go back to the connection of  
20 District 5 to, I guess, District 4, as it sort of loops in  
21 and touches District 3 in Maricopa County?

22           WILLIE DESMOND: Yes.

23           I can -- so, I don't know which is easier to see.  
24 So five comes in and has Gold Canyon, and then --

25           COMMISSIONER STERTZ: Splitting Apache Junction.

1 WILLIE DESMOND: Yes.

2 Although I'm not sure --

3 COMMISSIONER STERTZ: And as you're driving, and  
4 as you're driving out to Gold Canyon, you're actually  
5 going -- you've got three congressional districts that are  
6 literally within miles of each other.

7 I'm just trying to understand how that -- what  
8 that connective issue is that makes, other than looking at  
9 trying to get -- I understand Commissioner Herrera's concept  
10 of hearing testimony about rural districts.

11 The -- I still need to have an understanding about  
12 how Oro Valley connects to Window Rock, how that, how that,  
13 from a representation point of view, how that works.

14 It looks like we're trying to create a district  
15 here that is doing something that is trying to get to a  
16 result.

17 And I don't think that that's what our goal is.

18 VICE-CHAIR HERRERA: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE-CHAIR HERRERA: I guess I'm not understanding  
21 that last comment you made. Can you explain what you mean  
22 by that?

23 COMMISSIONER STERTZ: Well, we're creeping and  
24 creating these jagged lines and picking up voter blocks and  
25 areas that don't really have any relevance to each other

1 from communities of interest.

2           So, the communities of interest discussion seems  
3 to be taking a significant back seat in where we're moving  
4 towards in this particular iteration.

5           COMMISSIONER McNULTY: Mr. Stertz, if I could, if  
6 I could make a comment on that.

7           I think what we're trying to do is pull together a  
8 whole lot of criteria and look at different ways of doing  
9 that.

10           And I don't think any district comprises a  
11 community of interest.

12           Each district will comprise a number of  
13 communities of interest. And the hope is that each  
14 community of interest has an opportunity to express its  
15 voice with other communities of interest, and that, as a  
16 whole, we try to find a constellation of districts that best  
17 satisfy all of the criteria.

18           So, I don't think that there's going to be a case  
19 where -- I don't think it's necessary or would make sense  
20 that Oro Valley is in a community of interest with  
21 Window Rock.

22           They may each be their own communities of  
23 interest, and they would each get to, you know, have their  
24 voice in a district which serves -- which addresses all of  
25 the criteria.

1           So, you know, I guess if your comment is that it's  
2 result driven, I'm sure a lot of what, you know, everyone is  
3 working on is designed to achieve a certain result which in  
4 their minds is important.

5           And that's what we're all working towards is to  
6 try to find something that addresses all the criteria that  
7 we can all eventually support.

8           That doesn't mean that each district is going to  
9 be made up of like communities.

10          I don't think that's possible to do and still  
11 achieve what we've been assigned with achieving.

12          VICE-CHAIR HERRERA: Madam Chair.

13          CHAIRPERSON MATHIS: Mr. Herrera.

14          Now, let me explain further. The -- you know,  
15 we're trying to create nine congressional districts of  
16 710,000 roughly population.

17          So not all the areas within the district are going  
18 to look the same.

19          Now, what we're trying to do is keep as many of  
20 the communities of interest together.

21          Now Saddlebrooke, Marana, Oro Valley is a  
22 community of interest. And they all -- if I remember  
23 correctly in public hearings, they wanted to stay together.

24          They are together in District 5.

25          Now, to be -- I think that's more important

1 keeping communities of interest, not breaking them up,  
2 as opposed to keeping communities of interest like minded --  
3 excuse me, not breaking them up is probably more important.

4           So if Oro Valley, Marana, and Saddlebrooke were  
5 cut in half or they were in a couple districts, I think that  
6 would be not respecting communities of interest.

7           I think what we did here in District 5 was  
8 definitely respect communities of interest by keeping them  
9 together.

10           They may not have a lot of in common with some of  
11 the areas that are within District 5, but, again, that's,  
12 trying to create nine districts with 710,000 population,  
13 it's going to be impossible not to go into Pima County in  
14 District 5. It's going to impossible not to go into  
15 Maricopa County.

16           So we're doing everything we can to keep it as  
17 rural as possible and keep communities of interest whole  
18 within the community -- within the district.

19           CHAIRPERSON MATHIS: Mr. Desmond, how -- what is  
20 the population of that piece that dips into Pima County?  
21 The Marana, Oro Valley, Casas Adobes?

22           It looks like it's not all of Casas Adobes.

23           Is there an easy way to --

24           WILLIE DESMOND: Yes.

25           CHAIRPERSON MATHIS: -- grab that?

1           And I guess add Saddlebrooke too to that, if you  
2 don't mind.

3           Sorry.

4           WILLIE DESMOND: That's 127,000 people there.

5           CHAIRPERSON MATHIS: Okay. Plus Saddlebrooke.

6           WILLIE DESMOND: 137,000.

7           CHAIRPERSON MATHIS: 10,000. Okay. Thank you.

8           VICE-CHAIR HERRERA: Madam Chair.

9           CHAIRPERSON MATHIS: Mr. Herrera.

10          VICE-CHAIR HERRERA: If you look at the -- if you  
11 look at the map, again, the public comments were taken into  
12 that report when we put this together.

13           I mean, you look at the river district that we  
14 created, and I think we're the only what-if scenario that  
15 was praised by the tri city, tri city leaders in the area.

16           People in Yuma, again, are well represented in  
17 four, with the communities of interest intact.

18           And the border districts, again, based on public  
19 input, and you look at five, based upon the input, people in  
20 the Coconino, Flagstaff area wanted to be together with the  
21 tribes, and the people in Saddlebrooke, Marana, Oro Valley,  
22 wanted to be together, and that was public testimony.

23           So I think we're doing a good job on this version  
24 of the map putting communities of interest and public  
25 comments into the work we're doing.

1           So I think we're headed in the right direction.

2           VICE-CHAIR FREEMAN: Madam Chair.

3           CHAIRPERSON MATHIS: Mr. Freeman.

4           Yeah, it's not an easy problem, because we heard a  
5 lot of public comment.

6           We heard a lot of public comment about Marana,  
7 Oro Valley, Saddlebrooke.

8           We heard a lot of comments about don't put us with  
9 Pinal County, keep us with Pima County, that's where our  
10 interests align, that's what our community of interest is.

11          So it's not a very easy problem to solve.

12          Also with respect to how we respect or disrespect  
13 the communities of interest, obviously if you divide a  
14 community of interest, I think you've disrespected it in  
15 some sense in that sort of policy behind -- one of the  
16 policies, I think, behind respecting communities of interest  
17 is that when you divide a community, you put those two or  
18 three or four, whatever, segments of that community into  
19 various different districts, that community becomes a very  
20 small percentage of that overall district, and you  
21 effectively lessen, diminish their voice.

22          The representative might not be as responsive to  
23 the interest of that community if they're only a tiny  
24 portion of their district.

25          Well, similarly there's another problem, I think,

1 that -- or another concern, consideration to take into  
2 account with respect to putting -- you may keep the  
3 community of interest whole, but if you put it with another  
4 population that has -- so dominates them and has such a  
5 different interest, the same problem arises.

6 Those people are less -- perhaps less likely to be  
7 heard by their representative.

8 And I think that's -- I don't know for sure what  
9 was motivating the people in Saddlebrooke and Marana to make  
10 the comments they did, a lot of them, on that issue, is they  
11 perhaps felt like, you know, they would be dominated by  
12 Pinal County and the other districts that would be included  
13 in this proposed district, and their voice would be so tiny  
14 that it would not be heard.

15 They felt more comfortable, I believe, being  
16 included with Pima County and Tucson. That's where they're  
17 connected with. That's what they're engaged with.

18 And they're more likely to be heard in that kind  
19 of scenario.

20 Just going back to the whole counties what-if  
21 scenario, I mean, every -- you know, basically the thought  
22 process I had was sort of start with the outside and work  
23 our way in.

24 And perhaps one of the toughest nuts to crack  
25 would be the urban Maricopa County area.

1           And every instruction as to the initial adjustment  
2 of the grid map given to the mapping consultant was based on  
3 a constitutional criteria. That was the instruction. It  
4 was to apply this constitutional criteria.

5           And we got to a point where we got this sort of  
6 island, this enclave within the state, the urban Maricopa  
7 County area, that then needed to be divided up.

8           Maricopa County cannot help but to be divided up.

9           And what my point with Mr. Desmond today had asked  
10 him to create a 6D is there might be various ways it can be  
11 divided up, and there are communities of interest to be  
12 taken into account.

13           I have not asked him to account for that right  
14 now, although I'll note that in taking the whole counties  
15 approach, I think as a corollary benefit we ended up in  
16 large part respecting the urban, rural community of interest  
17 that we heard a lot about from public comment.

18           But I wanted to see how different ways those  
19 pieces of Maricopa County could be assembled, because my  
20 thought was the next step would be to then drill down on the  
21 communities of interest and make instructions based upon  
22 those recognized communities of interest, see how the puzzle  
23 could be fit together in different ways, because then  
24 another important constitutional criteria that we must  
25 satisfy is to favor the map that yields the greatest number

1 of communities of interest.

2 So that was my thought process there.

3 So I did not begin, you know, with the  
4 instructions to the mapping consultant with street level  
5 changes to the map.

6 It was apply this constitutional criteria, this  
7 one, this one, this one, trying to be somewhat systematic to  
8 try to chip away at a very complicated problem and boil it  
9 down to something that we can work with.

10 VICE-CHAIR HERRERA: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE-CHAIR HERRERA: You know, the issue that  
13 diluting voters' rights is a good one, and I think  
14 Mr. Freeman made the point for me when I was talking about  
15 the three river district.

16 When you break up the border -- excuse me, the  
17 three, the three border districts, that loses strength.  
18 And that's -- you know, Mr. Freeman said it better than I  
19 could.

20 And so my argument is, you know, you put Cochise  
21 with Window Rock, you know, you have two areas that don't  
22 really have anything in common, you dilute the voting  
23 experience.

24 So, I'm going to go back to talking about the  
25 river districts, and comparing it to the three border

1 districts, and see where some of the -- what the differences  
2 might be.

3 But I think Mr. Freeman made the point for me of  
4 why the river -- the three border district scenario is --  
5 there's something -- you know, there's some flaws with it.

6 And, again, Mr. Freeman made the point for me, and  
7 I thank him for that.

8 VICE-CHAIR FREEMAN: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: Equally important then would  
11 be putting Cochise with Tucson that there might be an issue  
12 there. Because we have a rural area of the state that  
13 conceivably could be dominated by an urban area.

14 So I agree. That's a consideration that we should  
15 be looking at.

16 CHAIRPERSON MATHIS: I'm curious, would it be  
17 possible to draw District 5 without dipping into Pima County  
18 and also excluding Saddlebrooke?

19 Is there a way to pick up that 137,000 by going  
20 further in west on the line up, you know, further on up  
21 towards Maricopa land? Just wondering.

22 Would that work at all? Would you be open to  
23 that?

24 VICE-CHAIR HERRERA: You know, um, Madam Chair,  
25 the -- I -- it would be a completely different scenario, a

1 version obviously based on 7A.

2 And I wouldn't be opposed to it.

3 The only, the only thing that I want to stress is  
4 that we want to make District 5 as competitive as possible  
5 in the district.

6 Rural District 4 is highly Republican, and you  
7 should, you know, help us out a little bit, the Republicans,  
8 the Democrats, a little bit of a treat, by making it  
9 somewhat competitive, and that's what we're trying to do.

10 I really do think that competition is important.  
11 It's one of the six criteria. And as long as it doesn't  
12 dilute the competitiveness of the district based on the  
13 information that we currently have.

14 So I would be -- love to see that scenario.

15 CHAIRPERSON MATHIS: So, Mr. Desmond, could we  
16 do -- would that be a 7B or an 8A?

17 WILLIE DESMOND: It would be a 7B.

18 CHAIRPERSON MATHIS: Oh, is there. . .

19 VICE-CHAIR FREEMAN: Buck, I need some help with  
20 batteries.

21 A few hearings ago, I set up I think it was a 6B,  
22 to the river district. Just so we keep it clear, maybe if I  
23 make further modifications, I'll just keep calling it B to  
24 whatever version we're at, and you would be C.

25 So we won't have a 7B right now. That might be

1 confusing. But we'll have a 7A and perhaps a 7C.

2 COMMISSIONER McNULTY: I'm sorry, I didn't --

3 CHAIRPERSON MATHIS: Go ahead, Ms. McNulty.

4 COMMISSIONER McNULTY: I didn't follow that. Are  
5 we each going to get our own letter? Is that what you're  
6 suggesting?

7 I just want to understand.

8 CHAIRPERSON MATHIS: We're trying to where the  
9 letters are different commissioners' versions of whatever  
10 version we're talking about.

11 COMMISSIONER McNULTY: So do we each get our own  
12 letter -- I just want to know what the naming convention is  
13 so I understand going further. I didn't quite understand  
14 what you just said.

15 CHAIRPERSON MATHIS: Mr. Desmond can explain the  
16 naming convention.

17 WILLIE DESMOND: As I understand it, it goes up in  
18 a number when it's a later version of the same general,  
19 like, idea.

20 When there's a split, in this case a split to keep  
21 Oro Valley and Saddlebrooke and the rest of areas in Pima  
22 County, out of five, that's like a split, so that would be a  
23 different letter.

24 COMMISSIONER McNULTY: Okay. I understand that  
25 part.

1           So going forward, if we have five different  
2 iterations of seven, for example --

3           WILLIE DESMOND:   Yes.

4           COMMISSIONER McNULTY:  -- is Scott going to be B  
5 and Colleen is going to be C and Jose is going to be D and I  
6 am going to be E and Rick is going to be F, is that --

7           WILLIE DESMOND:   I would --

8           COMMISSIONER McNULTY:  -- that how you're going to  
9 do it?

10          WILLIE DESMOND:  -- prefer not because for whole  
11 counties Commissioner Freeman has B, C, and D.

12          COMMISSIONER McNULTY:  Well, just think about  
13 that.

14          WILLIE DESMOND:   Okay.

15          COMMISSIONER McNULTY:  We're going to need some  
16 coherent way to do that that we understand.

17          WILLIE DESMOND:   Okay.

18                 If I could just show a map and ask for a little  
19 clarification on that.

20          COMMISSIONER STERTZ:  Madam Chair.

21                 I don't mean to interrupt you, Mr. Desmond, but I  
22 do have a question for Mr. -- Commissioner Herrera.  I think  
23 he just left.

24                 I'm trying to get an understanding about the  
25 overall general design criteria that there is a desire from

1 public comment in Bullhead City and others of a continuous  
2 rural river district, commentary from Flagstaff and the  
3 Verde Valley that they maintain a continuity with the  
4 northeastern Arizona tribes, and maintain a, and maintain a  
5 rural district, so two truly rural districts is what you are  
6 overriding design criteria.

7 I'm trying to, trying to get the bigger pieces.

8 Am I correct in that?

9 VICE-CHAIR HERRERA: I apologize. I was getting  
10 cookies.

11 COMMISSIONER STERTZ: Okay. In public interview  
12 and in commentary, you said numerous times about that -- of  
13 two rural districts, one on the western border and one --  
14 one going from the northwestern corner and one from the  
15 northeastern corner, moving down, some iteration thereof,  
16 where you've got two rural districts, make that primarily  
17 rural districts; correct?

18 VICE-CHAIR HERRERA: Yeah, that's correct.

19 COMMISSIONER STERTZ: And the Bullhead -- and the  
20 public comment that you heard in Bullhead City, which I  
21 witnessed via online streaming, you were there personally,  
22 and then you got subsequent accolades in the Tri-Valley News  
23 for the two, for the two that were there representing that  
24 the concept of a river district was really popular.

25 Because I read the article. In fact, I read it

1 again this morning just to make sure I knew what I was  
2 reading.

3 Because you keep saying that they gave you  
4 accolades. It was about --

5 VICE-CHAIR HERRERA: Not just me. It was also  
6 Commissioner McNulty.

7 COMMISSIONER STERTZ: Exactly, the two that were  
8 attending in person.

9 So that the river district was real important.  
10 And so you're designing around two rural districts, one from  
11 the northwest, one in the northeast, that Flagstaff and the  
12 Verde Valley wants to be in the northeast district, and --  
13 am I correct?

14 VICE-CHAIR HERRERA: Yes.

15 COMMISSIONER STERTZ: And Prescott wants to be  
16 with the northwest; correct?

17 VICE-CHAIR HERRERA: Correct.

18 COMMISSIONER STERTZ: Okay.

19 And your view is that connecting the northeast to  
20 the southeast corner may be too large of a district to  
21 maintain itself.

22 A lot of the other comments that we got was that  
23 the idea of a spoke design, which is that a series of rural  
24 districts that needed to touch large, large population  
25 centers to balance their population was something that we

1 should try to work against.

2           Because the representatives end up coming from the  
3 large concentration of population and serve their  
4 constituents' needs more highly, especially where there is a  
5 larger volume of political contributions that may not  
6 becoming from the rural sides.

7           Is that -- would that be -- am I contemporaneously  
8 outlining what you've heard?

9           VICE-CHAIR HERRERA: Commissioner McNulty.

10          COMMISSIONER McNULTY: I'm sorry, go ahead.

11          VICE-CHAIR HERRERA: No, go ahead.

12          COMMISSIONER McNULTY: I lost track of that. I'm  
13 sorry.

14          I -- we've heard a lot of things, I think. And  
15 we've got three volumes of binders of stuff.

16          COMMISSIONER STERTZ: Well, actually we now have  
17 seven binders according to last report.

18          I'm trying -- what I'm trying to do is that you  
19 had -- we have been talking about these overlying design  
20 criteria that you have from the 30,000 foot macro view.

21          And I am trying to say if those are needing to be  
22 achieved, let's work towards those.

23          Because there's a bunch of different ways to be  
24 able to achieve the same goal.

25          Thank you.

1           CHAIRPERSON MATHIS:   Okay.

2           COMMISSIONER McNULTY:   May I ask a couple  
3 questions?

4           WILLIE DESMOND:   Can I just clarify one thing  
5 first about the change to the Oro Valley, the rest of Pima  
6 County?

7           CHAIRPERSON MATHIS:   Uh-hmm.

8           WILLIE DESMOND:   So, if I zoom out, I just need to  
9 know.

10           So if I take that out of District 5, I think I'll  
11 probably have to give it to District No. 1 in order to keep  
12 District No. 2 a voting rights district.

13           So in that case, District 1 will be overpopulated  
14 by about 140,000 people.

15           Would it be okay to take different parts of  
16 Pima County, or would you rather I start with Graham,  
17 District 1, and then drop down into Cochise as far as I need  
18 to, in District 1?

19           CHAIRPERSON MATHIS:   It would be okay to take  
20 other parts of Pima, just to see.

21           I'm flexible.   I don't have any agenda here.

22           And it was just to see if there's another way to  
23 accomplish those 140,000 people, putting them in with  
24 District 1, and is there a way to bring the population back  
25 up that's needed.

1 WILLIE DESMOND: I mean, it might be possible to  
2 make District 5 the border district, I guess.

3 I think off the top of my head we lose that  
4 137,000, I think that's close to what it is in Cochise, but  
5 I could be wrong.

6 So I will, I will remove those areas of Pima from,  
7 from five, and I'll give them to District 1. And then I'll  
8 make District 1 smaller, going through, through other areas  
9 I guess.

10 I just wanted to know if you wanted no part of  
11 five to be Pima or not.

12 CHAIRPERSON MATHIS: If you see multiple ways of  
13 accomplishing this, I'd be open -- I would be interested in  
14 seeing what, you know, a couple different versions might  
15 even be.

16 But the idea was to, you know, just take care of  
17 that bump as well as Saddlebrooke and try to include them  
18 with the rest of whatever is in Pima.

19 Because Pima is split already, it looks like.

20 WILLIE DESMOND: We could do that fairly quickly  
21 right now or together.

22 I don't know how many options --

23 CHAIRPERSON MATHIS: No, we'll go ahead and --

24 WILLIE DESMOND: Okay. I will play with that and  
25 let you know.

1 CHAIRPERSON MATHIS: Thank you.

2 WILLIE DESMOND: Go ahead. Sorry,  
3 Commissioner McNulty. I didn't mean to interrupt you.

4 COMMISSIONER McNULTY: No, that's all right.  
5 That's kind -- I have a similar question.

6 What's the population of Graham and Greenlee right  
7 there?

8 WILLIE DESMOND: Of Graham?

9 COMMISSIONER McNULTY: Of Graham and Greenlee  
10 County that are within one.

11 WILLIE DESMOND: That are within one?

12 37,000 people.

13 COMMISSIONER McNULTY: So essentially if you  
14 were to move those into one, and move Oro Valley out of --  
15 in that area out of one, you'd need to take another  
16 100,000 people out of Pima and Cochise County and put them  
17 where?

18 WILLIE DESMOND: Into District 5.

19 So if District 5 gives up the area it has in  
20 Pima County and Saddlebrooke -- and then if I just, just  
21 briefly if I show you this. This is 169,000. If we take  
22 Cochise, that would be I think about 30,000 over.

23 So District 1 would then be underpopulated. It  
24 would need to either -- it would only be this one little  
25 chunk of Pima County and then Saddlebrooke, so it would need

1 to grow into five then, either, either taking some of, like,  
2 I think it's Gold Canyon here.

3 No, I'm sorry.

4 So I would have to take Oracle and San Manuel and  
5 things, scroll up, to make up that population.

6 Or else it could, it could not give up all of  
7 Cochise County.

8 So I could take, you know, just a portion of  
9 Cochise that would, that would then keep one the --

10 COMMISSIONER McNULTY: So you're saying you would  
11 put all of Cochise County and all of Graham County and all  
12 of Greenlee County and half of Pima County in District 5.

13 WILLIE DESMOND: I would say, if we remove those  
14 areas, we need to make up that population.

15 It takes all of Graham and all of Greenlee and  
16 still needs to make up 100,000.

17 And that can either come in a portion of one  
18 that's in Pima, kind of coming down the -- so if I just  
19 cancel this.

20 So it would, it would -- well, let me -- it will  
21 just take a second, and we can play with this.

22 So it would either -- I guess, it would either  
23 come down here in Pima and then grab parts of Tucson, I  
24 guess, coming from the back.

25 Though then one would have like a long finger

1 sticking down into it from five.

2 Or it would take all of Graham, all of Greenlee,  
3 and then parts of Cochise, and that would, that would allow  
4 you to equalize the population you're going to lose when you  
5 give up Catalina, Oro Valley, Saddlebrooke.

6 COMMISSIONER McNULTY: How many people are in  
7 Cochise County?

8 WILLIE DESMOND: 131.

9 COMMISSIONER McNULTY: 131,000 people in Cochise  
10 County.

11 WILLIE DESMOND: Yeah, voting age -- not voting  
12 age. Total population.

13 COMMISSIONER STERTZ: Madam Chair.

14 CHAIRPERSON MATHIS: Mr. Stertz.

15 COMMISSIONER STERTZ: What's the population of  
16 Santa Cruz?

17 WILLIE DESMOND: Forty-seven.

18 COMMISSIONER STERTZ: Thank you.

19 CHAIRPERSON MATHIS: I'm open to other  
20 commissioners if you have thoughts on how we might do that.

21 It's not my personal version. I just wanted to  
22 see what we might accomplish.

23 COMMISSIONER STERTZ: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: If you would take -- you

1 would be able to combine Greenlee, Graham, and Cochise and  
2 put those into five, pick up the populations going from  
3 Oracle in and pick those up into a new District 1, and  
4 connect to Santa Cruz.

5 I know that you're going to lose HVAP that you  
6 need in two.

7 Will you be able to pick up that in western  
8 Maricopa?

9 WILLIE DESMOND: Western Maricopa.

10 COMMISSIONER STERTZ: Western Phoenix.

11 WILLIE DESMOND: I'm not sure if that would -- how  
12 much, how much HVAP you lose by losing Santa Cruz.

13 I believe this line was from the Hispanic  
14 Coalition, so then -- you would have to take it probably  
15 from seven, and then you're kind of moving everything.

16 It would, it would have a ripple effect, I guess,  
17 on how things go.

18 I would be happy to explore that as 7D, to make --

19 COMMISSIONER STERTZ: I think I'm F, in my --  
20 however you want to.

21 COMMISSIONER McNULTY: Mr. Stertz is F in our new  
22 nomenclature.

23 WILLIE DESMOND: So I will make 7F that would  
24 have -- that would create then, again, three border -- no.

25 COMMISSIONER STERTZ: Yes.

1 WILLIE DESMOND: Three border districts.

2 I think we have something very similar to that.

3 COMMISSIONER STERTZ: You do.

4 WILLIE DESMOND: Would you like to go back and see  
5 that one quickly or. . .

6 COMMISSIONER STERTZ: No, because I think that  
7 the -- Commissioners Herrera and McNulty have spent an  
8 enormous amount of time on, on four -- three, four, seven --  
9 six, seven, and eight up -- and nine up in Maricopa.  
10 Instead of moving those around at this time, I'd just as  
11 soon see what we can do to make that a rural district, which  
12 I think makes sense, and to get Pima County and its  
13 relationships together.

14 WILLIE DESMOND: Okay.

15 I guess my question then is that District 2 is  
16 going to have to grab from District 7, 8, or 9.

17 COMMISSIONER STERTZ: That's correct.

18 WILLIE DESMOND: And then where would you like  
19 those to make up population going forward? Because then  
20 those will be underpopulated.

21 I'll take a crack at it trying to keep seven,  
22 eight, and nine as they've laid it out, I mean, to minimize  
23 the changes to those, I guess.

24 If that's all right.

25 COMMISSIONER STERTZ: Thank you.

1 WILLIE DESMOND: Okay.

2 CHAIRPERSON MATHIS: Any other comments?

3 So it sounds like you're going to create a 7C and  
4 a 7F.

5 WILLIE DESMOND: I guess if we're giving you guys  
6 letters, it would make more sense just to use your initial,  
7 last initial, so it would be a 7M and a 7S.

8 No, there's two Ms. Never mind.

9 COMMISSIONER McNULTY: I'm sorry, we were joking  
10 about our letters.

11 CHAIRPERSON MATHIS: We could do first initials,  
12 first name initial.

13 WILLIE DESMOND: If it's all right, I'm just going  
14 to not give you guys letters.

15 Just every split will get the next letter that's  
16 available.

17 So I'll make it a 7C and a 7D.

18 CHAIRPERSON MATHIS: Sounds good.

19 Okay. Any other -- go ahead, Ms. McNulty.

20 COMMISSIONER McNULTY: Mr. Desmond, the -- what's  
21 the population of the little -- see where it says Pinal, and  
22 there's a little cul-de-sac there? What is that area? What  
23 is the population there?

24 WILLIE DESMOND: Is this the area, like the  
25 Casa Grande area?

1           COMMISSIONER McNULTY: You know, I know we're all  
2 trying to figure stuff out, but I really think taking a huge  
3 arbitrary hunk out of Pima County is just a blind alley.  
4 And I'll just say that.

5           I don't think it works. I don't think it makes  
6 any sense.

7           You know, we can have Mr. Desmond spend time on it  
8 if he wants to but --

9           WILLIE DESMOND: Which population? I'm sorry, I  
10 didn't --

11          COMMISSIONER McNULTY: You're there. You're  
12 there. That little cul-de-sac, what is -- so that's  
13 Casa Grande and part of Coolidge.

14          If you drew a line -- well, what's the population  
15 of Coolidge in that? What's that census place population  
16 there?

17          WILLIE DESMOND: There's 11,000 people from  
18 District 5 and Coolidge.

19          COMMISSIONER McNULTY: And what's the population  
20 of Eloy below it?

21          WILLIE DESMOND: Eloy is 16,000.

22          Of that, 24 people are in District 5, that little,  
23 this little part right here.

24          COMMISSIONER McNULTY: Okay. Thanks.

25          CHAIRPERSON MATHIS: Any other comments or

1 questions on congressional? This version?

2 COMMISSIONER McNULTY: No.

3 CHAIRPERSON MATHIS: Okay. Did anyone have any  
4 other ideas they want to give to Mr. Desmond for homework?

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: I do have some, but I have  
8 to excuse myself, take care of some personal -- I mean, no,  
9 my mother was just taken to the hospital. So I need to call  
10 my sister.

11 CHAIRPERSON MATHIS: Okay. We will take -- it's a  
12 good time for a break, a 15-minute recess.

13 The time is 1:56 p.m.

14 Thank you.

15 (Brief recess taken.)

16 CHAIRPERSON MATHIS: We'll enter back into public  
17 session. Recess is over.

18 The time is 2:21 p.m.

19 And we're going to go back on our agenda to  
20 item two, map presentations.

21 As I mentioned, the purpose of this meeting today  
22 was to hear some input from the Inter Tribal Council, and I  
23 have a whole list of folks who are going to come up and  
24 present some information to us.

25 And I will start with that now.

1           Our first speaker is from the Inter Tribal Council  
2 of Arizona, the executive director, John Lewis.

3           And to remind everyone who comes up to speak,  
4 please be sure to speak directly into the microphone so that  
5 everyone can hear you well and to also spell your name for  
6 the record so that our court reporter gets an accurate  
7 accounting.

8           Thank you, Mr. Lewis.

9           JOHN LEWIS: Thank you.

10          John Lewis. J-O-H-N, L-E-W-I-S.

11          The Inter Tribal Council of Arizona welcomes the  
12 Arizona Independent Redistricting Commission to Indian  
13 country. We sincerely appreciate your willingness to meet  
14 with leaders in the Indian tribal governments in Arizona.

15          We particularly appreciate your meeting with us in  
16 this place, the Heard Museum, which celebrates the  
17 accomplishments of Indian tribes and the culture of Indian  
18 people.

19          As you know, Indian tribes are governments in  
20 every sense of the word. Indian tribes were recognized in  
21 the constitution of the United States when the constitution  
22 was written.

23          Treaties, the highest law of the land, and laws  
24 too numerous to count, have created a special contract with  
25 our many sovereign nations.

1           Indian tribes and tribal people are very sensitive  
2 to all issues that involve our right to participate in this  
3 great democracy.

4           We are the first people of this land, and we have  
5 been the last to achieve the right to vote.

6           Indian people were not recognized as U.S. citizens  
7 until 1924.

8           After a long struggle, that day our leader such as  
9 Dr. Carlos Montezuma, a Yavapai Indian from Fort McDowell,  
10 congress passed the Indian Citizenship Act.

11           Still that did not give us the right to vote in  
12 Arizona.

13           It was not until 1948 that the Supreme Court of  
14 Arizona ruled in the case brought by Mr. Harry Austin,  
15 Mr. Frank Harrison, both from the Fort McDowell Yavapai  
16 Nation, that Indian people were recognized as having the  
17 right to vote in Arizona.

18           The story doesn't end there.

19           We continue to resist the various barriers that  
20 would diminish our legal right to fully participate in the  
21 political process of this state and to elect representatives  
22 of our choosing.

23           In the current effort to redraw the boundaries for  
24 Arizona's nine congressional districts and 30 state  
25 legislative districts, the first priority for tribes is to

1 ensure that our respective reservations are not split among  
2 districts.

3 We would like to thank each of you, your legal  
4 counsel, your mapping consultants, for your continuing  
5 support of this principle.

6 The constitution requirements for redistricting  
7 are clearly consistent with this principle.

8 Under the Voting Rights Act, one state legislative  
9 district, the current District 2, qualifies us as a  
10 majority-minority district because of the presence of Indian  
11 people.

12 In the current District 5, Indian people count for  
13 one in every six people in that district.

14 There must be no retrogression when new lines are  
15 drawn.

16 Although not specifically mentioned in Prop 106,  
17 tribes are governments and like other governments are not to  
18 be split among districts.

19 Our reservation areas are clearly communities of  
20 interest under any definition of the term.

21 And ensuring that they're -- that no reservation  
22 is split among districts, please pay particular attention to  
23 the fact that for several tribes all their lands are not  
24 contiguous to the main reservation areas.

25 The close examination of the maps will review

1 these cases.

2           When requested by the tribal governments involved,  
3 we also urge you to keep tribes that have lands near each  
4 other and that share similar interests and issues within the  
5 same district, both congressional districts and state  
6 legislative districts.

7           And finally, we support your efforts in both the  
8 first and second round of the public hearings to bring the  
9 hearings to Indian communities.

10           We are happy to join with you in outreach efforts  
11 to ensure that tribal officials and tribal members  
12 participate fully in these hearings.

13           Thank you again for meeting with us today and  
14 respecting our unique status as governments of our  
15 respective tribal nations.

16           Thank you.

17           CHAIRPERSON MATHIS: Thank you, Mr. Lewis.

18           Our next speaker is from the Hopi Tribe, the  
19 chairman Leroy Shingoitewa.

20           LEROY SHINGOITEWA: Good afternoon. Thank you  
21 very much for allowing me to come before the redistricting  
22 committee to give you the Hopi Tribe's concept.

23           We have not officially done a resolution, which we  
24 are pending on doing very shortly.

25           But in looking at the maps that have been

1 displayed today, the Hopi Tribe feels comfortable with the  
2 concept under District 5 of joining both the Navajo Nation,  
3 the White River, Fort Apache, as well as San Carlos.

4 I think for us especially because the Hopi Tribe  
5 has lands within this area that we have now purchased and  
6 have made part of the Hopi reservation. Our lands now go  
7 all the way down through Springerville, into Winslow, and  
8 partway into Flagstaff.

9 So based on what we -- what I see on the map, this  
10 reinforces the concept that the lands for the Hopi will be  
11 made whole.

12 Regarding the state of Arizona, as I looked at the  
13 various configuration again seven, which was prepared on  
14 Arizona districting of a seven, which encompass again the  
15 White Mountains of San Carlos and Navajo and Hopi. That  
16 would also still compose the total lands of Hopi.

17 One of the things though that I think would be  
18 added to that would be we would like to include the sacred  
19 peaks of San Francisco, Nuvatukaovi, as to be part of that  
20 district, so that, again, these are lands that are very  
21 sacred to many of the tribes in that area.

22 So based on what you have before you and what I'm  
23 speaking presently that what the Hopi Tribe has discussed  
24 and talked about, we will feel very comfortable in looking  
25 at that type of configuration.

1           And, again, I want to say thank you to you for the  
2 work you're doing.

3           I know it's not an easy job. And I know you're  
4 not the most popular people in the world right now.

5           But the fact is that you have taken on a job, and  
6 for those of us that are the native people in the state of  
7 Arizona, and we've been here for a long time, and we want  
8 you to understand, and the state of Arizona to understand,  
9 that we are citizens of this state of Arizona. And because  
10 of us, many of the lands that are here have become sacred to  
11 not only native but all to the people of Arizona.

12           And, again, like I say, we're like you. We're the  
13 citizens of the state, and we are not moving anywhere. So  
14 you're going to have to put up with us.

15           Thank you.

16           CHAIRPERSON MATHIS: Thank you, Chairman.

17           Our next speaker is from the Colorado River Indian  
18 Tribes.

19           T.J. Laffoon, councilman.

20           T.J. LAFFOON: Thank you, commissioners, for  
21 allowing us to speak on behalf of the Colorado River Indian  
22 Tribes. My name is Herman T.J. Laffoon, councilman.

23           And our issues today that we addressed are looking  
24 back at the district and splitting our decision to move into  
25 District 5 with the Mohave County. And our concerns are the

1 Colorado River Indian tribes are a minority group, which  
2 must be protected under Section 2 of the Voting Rights Act  
3 of 1965.

4 And as we stressed in those, those are being  
5 amended in a breach of the progression act 1965.

6 CRIT also is currently in District 7, which  
7 includes a significant Indian population, and seven tribes  
8 Ak-Chin, Cocopah, Colorado River tribes, Gila River,  
9 Pascua Yaqui, Quechan, and Tohono O'odham.

10 Through all of this, all of the commissioners must  
11 understand that CRIT is moving out of District 7, which we  
12 are opposing, and into district with specifically lower  
13 Indian population.

14 This would have the effect of dissolving Indian  
15 voting strength, and it's prohibited under the Voting Rights  
16 Act of 1965.

17 To include also it is important to note that none  
18 of the commissioners are from rural counties.

19 Two of the commissioners are attorneys.

20 None have a background that include work with  
21 tribes.

22 Again, the Voting Rights Act of 1965.

23 And we like to thank you for giving us an  
24 opportunity to speak on our behalf of our concerns about the  
25 redistricting.

1 Thank you.

2 CHAIRPERSON MATHIS: Thank you very much,  
3 councilman.

4 Our next speaker is from the Ak-Chin Indian  
5 community, Delia Carlyle, councilwoman.

6 DELIA CARLYLE: Good afternoon. My name is Delia  
7 Carlyle, D-E-L-I-A, C-A-R-L-Y-L-E. I'm currently a council  
8 member of the Ak-Chin Indian community.

9 My council currently doesn't have a formal  
10 proposal to act on, but we are reviewing all the  
11 recommendations that have been submitted.

12 And to be quite honest, they're mind boggling. So  
13 I can understand the challenges you as commissioners are  
14 going through.

15 But we also want to comment that we share the same  
16 interests, concerns as what the tribes regarding not  
17 splitting up the reservations and trying to keep the  
18 communities, communities of interest intact as much as  
19 possible.

20 Although my community is next to the city of  
21 Maricopa, we still consider ourselves a rural farming  
22 community, so those are part of our interest we have with  
23 several others as mentioned earlier in District 7.

24 We -- I do want to make a point of correction on  
25 the maps. To some it may not seem like a major issue, but

1 to us, it is.

2           Several -- I should say many years ago our  
3 community had a secretarial election where the name Maricopa  
4 was removed from referencing Ak-Chin. And we still see that  
5 name.

6           We sent letters to the census.

7           And obviously the Bureau of Indian Affairs was  
8 aware of this change.

9           And it's nothing against the name of Maricopa,  
10 because it's also the name of another tribe. However, we  
11 are, you know, distinct, unique on our own, and just wanted  
12 to point that -- correct that error in seeing that the map  
13 still references us as Maricopa Ak-Chin reservation.

14           And also with the state proposals being submitted  
15 and being reviewed, we're also dealing with the fact that in  
16 Pinal County, obviously because of the growth in Pinal  
17 County, we're also looking at proposed maps regarding the  
18 two new additions -- the additions of two new supervisors.  
19 So with the -- working on those -- while doing those  
20 proposals, as well as the state proposals, for a little  
21 tribe that we are, it can be quite -- it's an interesting,  
22 interesting process.

23           But just like others before you, I do want to  
24 thank you for taking on the challenge. Rather, I, I don't  
25 think I would want to be in your shoes right now.

1           But I would say that when I disagree with any of  
2 the rest of any of the games we see lately.

3           So, again, thank you. And I appreciate the time  
4 for the comments.

5           And at such time when the council -- my council is  
6 doing what they come to a final formal decision regarding  
7 the redistricting, we will be sending you the information.

8           Thank you again.

9           CHAIRPERSON MATHIS: Thank you, councilwoman.

10           Our next speaker is from the San Carlos Apache  
11 Tribe, Steve Titla, attorney.

12           STEVE TITLA: Good afternoon, commissioners,  
13 Madam Chair.

14           I'd like to thank you for all the work you all are  
15 doing in covering the state. And you've been doing a good  
16 job.

17           Your attorneys are the preeminent attorneys of  
18 voting in the state, so I commend them.

19           And your mapping consultant has been doing a good  
20 job on the mapping that we've seen so far.

21           I've been looking at the congressional grid maps  
22 what-if scenarios that we have here on 6 -- or 5A, 5B, and  
23 5C, and -- but I don't have any statistics though.

24           Maybe somewhere we didn't get copies of the  
25 statistics. So I'd like to take a look at the statistics in

1 those areas.

2 But I just wanted to say that I'm an Apache from  
3 San Carlos Apache reservation.

4 And the tribal council has not taken a position on  
5 any of these maps yet, but they hope to produce a map in  
6 something they can support very soon.

7 My observation on the, on this process is that  
8 I think that, as I said in Hondah, I was in Hondah, a  
9 couple of you two were there. And I don't think there  
10 should be any split in the reservations as far as the  
11 mapping goes.

12 I saw where one of them does that.

13 I think five -- let's see, a second.

14 5B, I think.

15 Or one of them, I can't -- I don't remember, one  
16 of them splits part of our reservation off.

17 And I think that the reservation should be all  
18 kept together.

19 I wish you were working on the county maps,  
20 because in the county we are -- San Carlos is split into  
21 three counties.

22 We are in Gila County, Graham County, and  
23 Pinal County.

24 And then our relatives to the north of us,  
25 White Mountain Apache, is in three counties too. So White

1 Mountain San Carlos are in six counties right now.

2 I don't know who drew those maps or when they were  
3 drawn, but I think that really diluted our vote in the  
4 county area, but I wish that you were working on that. I  
5 know you don't, but that's something that we can take a look  
6 at later maybe.

7 But as far as the community of interests, we are,  
8 I think, the original communities of interest.

9 I've been looking at the definition that you have  
10 of communities of interest, and the Apaches have been in our  
11 area since time immemorial. And all those areas that are  
12 state lands now, the eastern boundary, New Mexico and  
13 Arizona is all aboriginal Apache lands. So those are  
14 communities of interest, and I would hope that you can think  
15 about that and look at that and make sure that our  
16 communities of interest remain intact.

17 As far as I think that it should be a rural  
18 district at the same time also.

19 I don't think that the -- I've been looking at  
20 these maps, and they extend into the cities.

21 I don't think that our district should go into the  
22 city. Because if that happens, then the city people are  
23 going to dominate our district. And I don't think that they  
24 will represent our interests in the rural area, the rural  
25 reservation area. So I want you to think about that, that

1 any district that we have that you draw out should not  
2 extend into the city, Maricopa County, or Pima County or any  
3 other city.

4 We should remain a rural district.

5 So, as we go forward here, we support you,  
6 Madam Chair, in your work, and your attorneys and your  
7 counsel. And I hope you do a good job here, and we wish you  
8 good luck here, and thank you.

9 CHAIRPERSON MATHIS: Thank you, Mr. Titla.

10 Our next speaker is from the Pascua Yaqui Tribe,  
11 Luis Gonzales, councilman.

12 LUIS GONZALES: Good afternoon.

13 Thank you for giving an opportunity to speak to  
14 you again.

15 But, I'm Luis Gonzales, one of the Pascua Yaqui  
16 council members.

17 Also here emphasizing and also stressing what my  
18 colleagues, the trial leaders mentioned, maintaining and  
19 keeping intact all the reservation that we have in the state  
20 of Arizona.

21 And we have the Pascua Yaqui. I do emphasize that  
22 we have one reservation which is in Pima County,  
23 Pascua Pueblo. But we also have our constituents, our  
24 membership, up all the way from Tucson to Eloy, Coolidge,  
25 but the highest concentration is just about 15, 17 miles

1 away from here, which is Guadalupe.

2 And Guadalupe resides right now in  
3 Legislative District 16 on the easternmost part.

4 And the community of interest that we have in  
5 Guadalupe is with the South Mountain area as well too.

6 We also share a lot of interest not only within  
7 our religious, the majority of Guadalupe people being  
8 Catholic.

9 Also schools, we've gone to school, community has  
10 gone to schools in the Phoenix area.

11 But also in Guadalupe we also have a satellite  
12 community college as well too, which is South Mountain  
13 Community College. But, and that's within District 16.

14 And now coming back to District 27, which is in  
15 the Tucson area, Pima County, I would like the Commission to  
16 really emphasize and keep intact District 27. We do have  
17 our reservation now on District 27, but we also have three  
18 other communities within District 27.

19 And one is which is old Pascua, which is on Oracle  
20 and Grant.

21 But I do the want to emphasize and want for you to  
22 consider to maintain and keep those districts intact as well  
23 too.

24 And also with my colleagues here, maintaining all  
25 the reservation intact and not being split.

1 Thank you.

2 CHAIRPERSON MATHIS: Thank you.

3 Our next speaker is from Hualapai Tribe,  
4 Chairwoman Louise Benson.

5 LOUISE BENSON: Good afternoon, commissioners. My  
6 name is Louise Benson. I'm the chairwoman from the Hualapai  
7 Tribe.

8 And --

9 CHAIRPERSON MATHIS: One second.

10 LOUISE BENSON: Can you hear me now?

11 CHAIRPERSON MATHIS: Yes.

12 LOUISE BENSON: My name is Louise Benson. I'm the  
13 chairwoman for the Hualapai Tribe.

14 And on behalf of the Hualapai Tribe, we have  
15 already been approached by the Navajo Tribe, and the council  
16 has taken action to support the proposal of the Navajo  
17 Tribe.

18 And I know that there's a lot into this, and I  
19 have just come aboard, and I hadn't really gone over all the  
20 issues to make a good recommendation, other than I said to  
21 my council that we need to look at both sides of this issue,  
22 because there's a lot into it.

23 But, anyway, our council have supported the  
24 proposal of the Navajo Tribe. Thank you.

25 CHAIRPERSON MATHIS: Thank you, chairwoman.

1           Our next speaker is from Navajo Nation, Leonard  
2 Gorman, director of the Navajo Nation Human Rights  
3 Commission.

4           LEONARD GORMAN: Good afternoon. I'm over here.

5           CHAIRPERSON MATHIS: Oh.

6           LEONARD GORMAN: And we'll project our map on the  
7 screen, both the congressional and the legislative maps.

8           I just wanted to start off with thanking you for  
9 the opportunity to provide this presentation. And certainly  
10 it has been a rigorous process for the Navajo Nation,  
11 primarily because we are involved in the Arizona, New  
12 Mexico, Utah portions in the southwest region. So please  
13 bear with me if I interject New Mexico maps in here.

14           And while the screen is popping up.

15           Okay. On your website, you do provide the maps  
16 that are being provided by folks, organizations as you've  
17 gone around the Arizona.

18           And we see the Navajo Nation's map is provided as  
19 one of the maps.

20           We want to submit two additional maps.

21           I think we haven't had that opportunity to provide  
22 the electronic version. So before we leave today, we'll do  
23 that, and we'll share those maps with you.

24           But we'll give a presentation on the legislative  
25 map first.

1           And this is the map that the Navajo Nation  
2 legislative body supported a couple of weeks ago.

3           And we have been sharing this map with a number of  
4 indigenous nations within the north region of the state of  
5 Arizona.

6           And some of the issues that we have in regards to  
7 the standards and our aspirations to ensure that those are a  
8 part of the redistricting process, our community of  
9 interest, and also the Voting Rights Act of 1960s.

10           In the community of interest aspects, the border  
11 towns. Border towns are a significant trade areas for the  
12 Navajo people.

13           And some of the issues that come up oftentimes of  
14 course is Navajo people are not tax paying citizens in the  
15 state of Arizona.

16           That is totally untrue.

17           And I think probably the same holds for the rest  
18 of the state of Arizona and the rest of the United States.  
19 There are persons and even nations that do contribute to the  
20 tax base in various ways.

21           As an example, and I think the Hopi Nation  
22 chairman had presented an idea also. The nation has  
23 purchased lands, often the prescribed trust lands. And  
24 these lands are tax base lands in the state of Arizona.

25           So, for example, for the Navajo Nation, we have

1 lands right north of Winslow, in this green area, this green  
2 shaded area here.

3 That's Navajo trust land, Navajo Hopi land in  
4 which is taxed.

5 So Navajo Nation government contributes to the tax  
6 base, in not only Navajo County but also Coconino County.

7 Likewise, the Hopi Nation contributes to the tax  
8 base in Navajo County and also Coconino County. So there is  
9 no way for anyone to say that indigenous nations and  
10 indigenous peoples do not contribute to the tax -- property  
11 tax base in the state of Arizona.

12 This -- that's a fallacy.

13 Because this is proof on the screen that we do pay  
14 for this tax base.

15 In the, in the Flagstaff area we also have ranch  
16 lands that the Navajo Nation owns.

17 It's also tax based land, this area here.

18 This is Fernwood precinct and also Fort Valley  
19 precinct.

20 And it encompasses what was referred to by the  
21 Hopi Nation as the sacred San Francisco Peaks.

22 So Navajo Nation owns that land.

23 So Navajo Nation has requested the  
24 Redistricting Commission to ensure that that land is a part  
25 of the legislative district in which the Navajo Nation is

1 located, the land in this area.

2           The other land that's owned by the Navajo Nation  
3 is in this region here, the western part, next to the  
4 Hualapai Nation.

5           This is a Big Boquillas Ranch.

6           It's also a tax base for the state of Arizona.

7           So the Navajo Nation has impressed on upon the  
8 Commission to include these land areas to ensure that they,  
9 that they are a part of the district in which the  
10 Navajo Nation is located.

11           The other part is that these border towns, the  
12 city of Flagstaff has been gracious to accommodate in many  
13 respects.

14           In particularly in the area of economy, commerce  
15 activities.

16           Navajo Nation has worked with the City of  
17 Flagstaff folks in trying to come up with a plan that would  
18 be amenable to both the Navajo people, the Navajo Nation,  
19 and also to a certain extent perhaps the city government.

20           There has not been any formal decision, as we  
21 understand it, from the Navajo Nation's perspective, that  
22 the City has not made any formal decision on such a plan as  
23 this. And we have a heard a variety of responses whether  
24 the city of Flagstaff should be broken in half or the city  
25 of Flagstaff should be out of a district in which the Navajo

1 Nation is located.

2 I don't think there's been any specific decision.  
3 I don't know the representative from the City of Flagstaff  
4 would be in a better position to work on these comments.

5 However, from the Navajo Nation's perspective, the  
6 city of Flagstaff has about 7,704 Native Americans in that  
7 city.

8 It's a very strong concern to the Navajo Nation  
9 that these individuals need to be counted for when we talk  
10 about community of interest.

11 Secondly, the city of Flagstaff is one of the, one  
12 of the hubs as far as the economy, the commerce aspects is  
13 concerned.

14 Navajo Nation, Navajo people contribute  
15 substantially on a daily basis to the city of Flagstaff's  
16 retail economy.

17 And that's where from the city, from the Navajo  
18 government's contribution, just the government alone, on a  
19 year and a half time frame, the Navajo government has spent  
20 over \$13.6 million in commerce in that community.

21 For the city of Winslow, again, there's  
22 significant Native American population in that community.

23 There's 2670 Native Americans accounted for in  
24 that community of Winslow.

25 There's a Winslow west and Winslow. All together

1 it's 2670 people.

2 Navajo Nation government has contributed on a  
3 one and a half year basis \$1.3 million to the city's  
4 economy, retail economy.

5 For the city of Holbrook, there are 1,332  
6 Native Americans in that community.

7 The Navajo Nation on a one and a half year basis  
8 as contributed \$5.3 million to that community.

9 The point that I'm raising here is that the Navajo  
10 Nation, the Navajo people, do commerce activities, economic  
11 development activities with these communities off the Navajo  
12 Nation.

13 In that respect, we have a strong community of  
14 interest. We have a dependency on one another. The  
15 communities depend on the Navajo dollars coming into that  
16 community. The Navajo people depend on the goods and  
17 services that are provided by these communities.

18 As you can see, that's a very strong connection  
19 between these communities. And note that there's some maps  
20 that you've drawn that leave out these communities along the  
21 incorporated areas.

22 I need you to take serious consideration the  
23 relationship that we have.

24 And all of those Native Americans that are in  
25 those communities, they're property owners. They're

1 taxpayers. They are tax based for those communities too.

2 Predominantly they're Navajos in these  
3 communities.

4 Some of these Navajos that live in these  
5 communities have been under the forced relocation activity  
6 enforced by the federal government. They had no choice but  
7 to move off the Navajo Nation and oftentimes into these  
8 border towns.

9 So, the other aspects of community of interest is,  
10 again, back to the sacred sites.

11 This land area here, the green area with the  
12 forest service in the middle, Navajo Nation Espell Ranch  
13 encompasses the entire area surrounding the forest service.

14 And it borders pretty much the city of Flagstaff  
15 on the north side.

16 So Navajo Nation and the Hopis have a very strong  
17 interest in these lands.

18 And then the other aspect is the Voting Rights  
19 Act.

20 Section 2 and Section 5 has been iterated before.  
21 Section 2, no dilution. Section 5, no retrogression.

22 Native Americans in the current District 2 make up  
23 about 63 point -- about 64 percent Native American  
24 population.

25 Navajo Nation is asking that the

1 Redistricting Commission to respect that number so that when  
2 the plan that comes out in which Navajo Nation is located  
3 that we meet that 64 percent Native American population.

4           And that translates to approximately 60 to  
5 62 percent voting age population.

6           So Navajo Nation as a part of litigation in many  
7 respects has demonstrated to the courts that in order for  
8 Navajo people to elect someone that they feel that best  
9 represents their interests, they must have at a minimum a  
10 60 percent voting age population.

11           Simply because Navajo people are younger,  
12 oftentimes their voting performance is not as high as other,  
13 other ethnic groups in any state. And that's common among  
14 Native Americans.

15           And oftentimes there are some issues that  
16 resolve -- or revolve around those concerns.

17           This peak area, these peak land areas here are the  
18 Hopi land lease areas that they're concerned about.

19           And we have had an opportunity to discuss this  
20 map, legislative map, with the Hopi Nation, with the City of  
21 Flagstaff and other parties, to come up with a map that  
22 would work for the northern region of the state of Arizona.

23           So you'll see that in this area, this pink land  
24 area in the southwest corner of the Navajo Nation, we  
25 weren't able to include all of the Hopi land lease area,

1 primarily because of the voting blocks are configured in a  
2 way if we were to pick this area up, the district would run  
3 in this direction.

4           So this is a plan that makes every effort to  
5 include the Hopi land areas. And like in this area, we did  
6 include the Hopis and the other ranch lands that's been  
7 referred to is in the Springerville area, Eager area, down  
8 in this region here.

9           We did include a majority of the Hopi land lease  
10 area, but we didn't include specifically this area, this  
11 pocket of land here, west of Eager.

12           So, if we can accomplish it by running the  
13 district around in this area, encompassing all of this lease  
14 area.

15           So, we wanted to have an opportunity to present  
16 this map to the folks in the audience, and including the  
17 White Mountain Apache and also the San Carlos Apache  
18 Nations. And the Navajo Nation has had an opportunity to  
19 sit down at least three times with the San Carlos Apache  
20 Nation to discuss these matters, and also has had an  
21 opportunity to sit down with the White Mountain. And  
22 hopefully that with this presentation to the people in the  
23 audience, that we will also have an opportunity to engage  
24 further dialogue with these two nations to come to some --  
25 perhaps some consensus.

1           As far as the congressional district is concerned,  
2 the Navajo Nation has also been very concerned about the  
3 congressional redistricting. And we have come up with  
4 two plans.

5           This particular plan is on your website.

6           We call it the Navajo Nation Proposal Indian One.

7           Indian One, the effort is to look at the  
8 feasibility of having to ensure that there isn't a  
9 majority-minority district.

10           And this particular plan incorporates  
11 approximately or a number figure-wise 25 percent  
12 Native American population.

13           And there's going to be plenty of time to tweak  
14 this proposal, but as we tweak and tweak and tweak, this  
15 opportunity becomes a minority-majority district including  
16 ex-Hispanic population in this plan.

17           And we realize this particular plan may be far  
18 reaching, far out there, that it really dominates the  
19 Democratic party, and we have an opportunity to discuss  
20 these matters with some of the party folks in the Democratic  
21 party.

22           This is one plan that the Navajo Nation supports.

23           The other plan that is being put forward by the  
24 Navajo Nation representative is Indian Two.

25           Indian Two is probably more favorable.

1           Part of the scenario here is making the effort to  
2 ensure that we maintain the Native American population. And  
3 in this respect we were able to bring about a 23.46 percent  
4 Native American population.

5           And realizing that there's going to be more  
6 tweaking and more effort to work on this, and this is a plan  
7 that the Navajo Nation has supported as an endorsement as a  
8 place to start, and with the council's orders we're able to  
9 work from these plans and start working on some compromise  
10 and negotiations as we go along.

11           So, thank you, in conclusion, for having to come  
12 back out to Window Rock area in the Navajo Nation the early  
13 part of October. And we've made reservations for the  
14 Commission to come out to Kayenta, and also the Window Rock  
15 again, I think, is October 5 and 6.

16           And we appreciate you coming back out again.  
17 Thank you very much.

18           CHAIRPERSON MATHIS: Thank you, Mr. Gorman. Thank  
19 you very much.

20           I have a question.

21           Can you show us on the map the San Francisco  
22 Peaks, maybe on that legislative map, so we have a good  
23 sense of where those lands are?

24           LEONARD GORMAN: I believe this area here is the  
25 forest services land in which the forest service has

1 responsibility for to maintain those land areas.

2 This area outside is Navajo Nation Espell Ranch.

3 So the San Francisco Peaks is in this area here.

4 CHAIRPERSON MATHIS: Thank you.

5 Any other questions from others?

6 Are these maps available on our website?

7 BUCK FORST: Yes. The ones from him right now?

8 CHAIRPERSON MATHIS: Yes.

9 BUCK FORST: No. I can put them up quickly.

10 CHAIRPERSON MATHIS: That would be great.

11 Thank you.

12 LEONARD GORMAN: And we'll work with your staff to

13 be sure that we provide those digital copies before we

14 leave. Thank you.

15 CHAIRPERSON MATHIS: Thank you.

16 Our court reporter is rebooting.

17 (Brief pause.)

18 CHAIRPERSON MATHIS: Okay. I think we're ready to

19 go here.

20 Our next speaker is from the Tohono O'odham

21 Nation, Chairman Ned Norris.

22 NED NORRIS: No Power Point. Nothing for me.

23 Good afternoon. Welcome to Indian country.

24 CHAIRPERSON MATHIS: Thank you.

25 NED NORRIS: I say that for a number of reasons.

1           You know, we heard the executive director of, I  
2 forgot, Ned Norris, Jr., N-E-D, N-O-R-R-I-S, J-R, chairman  
3 Tohono O'odham Nation.

4           I say that because earlier we heard ITCA director  
5 John Lewis talk about tribes being here for forever. And we  
6 always say we've been here since time immemorial.

7           And with or without, we're still going to be here  
8 until time immemorial, whenever that ends up coming up.

9           And I wanted to just take this opportunity and  
10 share some thoughts with you on behalf of the Tohono O'odham  
11 Nation.

12           The nation is located in southwestern part of the  
13 state of Arizona. We are 2.8 million square acres small.

14           And I say that because when you think about all of  
15 the tribes in the state of Arizona, and our forced  
16 relocation to where we exist today, our tribal lands extend  
17 beyond where we're -- where we ended up being forced to be  
18 located at on our federal reservations.

19           And I stand here before you, and I feel that  
20 you -- all of you honestly believe that and understand that.  
21 And we appreciate.

22           But I think it's important for us to remember that  
23 and understand that further, because we talked about keeping  
24 the tribes together. We talked about the idea that some  
25 tribes may be redirected or relocated or redistricted into

1 another county.

2           And I think for the most part most of us tribal  
3 leaders came up here and stated that we wanted to somehow  
4 keep the tribes in a unified way.

5           But the Tohono O'odham Nation, we have about  
6 30,000 enrolled tribal members.

7           We're -- we have about 75 miles of international  
8 border to the south of us.

9           And even today we have about 1500 enrolled  
10 Tohono O'odham citizens that live in Mexico, not necessarily  
11 because they want to live in Mexico, but because when they  
12 established the international border, they ended up in  
13 Mexico.

14           They cut them off from the Tohono O'odham Nation  
15 where it is today.

16           And even today we have about nine tribal  
17 communities that still exist in Mexico.

18           And so we have a vested interest in what goes on  
19 in Mexico, because of that tie, because of that  
20 relationship.

21           But we also have a vested interest with all of our  
22 tribal communities, our sister tribes, the Ak-Chin O'odham,  
23 the Gila River O'odham, the Salt River O'odham, because we  
24 all believe we are descendents of the Hohokam.

25           And so I share that little bit of our O'odham

1 history with you. And what I would like to say is that it's  
2 critical that we keep the Tohono O'odham Nation whole.

3 And when possible, we try and link tribal  
4 communities together so Indian country maintains a strong  
5 voting block and potentially elect fellow members.

6 The nation is unique as it is on the front line of  
7 border policy.

8 And we continue to play a significant role in  
9 protecting the United States homeland.

10 It is important for the nation to be connected to  
11 congressional and legislative districts that understand  
12 culture and understand political border issues.

13 The Commission has discussed the concept of  
14 setting up three border congressional districts.

15 We have a fundamental concern with this.

16 This makeup would significantly alter the nations'  
17 influence by combining population centers in urban Maricopa  
18 County with border communities.

19 The nation prefers to maintain a similar  
20 congressional footprint that combines parts of Pima, Yuma,  
21 Pinal, and La Paz Counties, and a portion of Avondale in  
22 Maricopa County.

23 So, at this point, this is what I wanted to share  
24 with you, and I thank you for the opportunity to stand  
25 before you and share these thoughts with you. The

1 Tohono O'odham Nation looks forward to continued dialogue  
2 with the Commission and looks forward to the opportunity to  
3 really to define more clearly some of the issues that I've  
4 laid out for your consideration.

5 As people have said, you have a, you have a tough  
6 job.

7 You have a thankless job.

8 But those of us in elected positions know we all  
9 have thankless jobs as elected officials.

10 We're damned if we do and we're damned if we  
11 don't.

12 But that's the way it is.

13 You have your work to do. I commend you for doing  
14 this work. And I look forward to the opportunity to have a  
15 working relationship with you all on this issue.

16 Thank you very much.

17 CHAIRPERSON MATHIS: Thank you, Chairman Norris.

18 Our next speaker is from White Mountain Apache  
19 Tribe, Vice Chairman Timothy Hinton.

20 TIMOTHY HINTON: Good afternoon, ladies and  
21 gentlemen.

22 My name is Timothy Hinton. I'm from the  
23 White Mountain Apache Tribe. We live on 1.6 million acres.

24 And we have the Navajos to the north and the  
25 San Carlos to the south. So on this redistricting, we as a

1 government body and the tribe has been looking at it from  
2 every angle to see which will benefit us. We live on top of  
3 the mountain where we share the economy with our surrounding  
4 communities there.

5 So it is going to be a tough decision for us to  
6 make economy-wise.

7 But in the legislative and the congressional side,  
8 like one of them said, it's good that we don't divide the  
9 reservations. Because to the east of us, we have the  
10 Yavapais and the Tonto Tribe.

11 And today I want to thank you for helping us here.  
12 And I would like to see another native sitting right there  
13 at the table towards us also, if it's possible.

14 Thank you.

15 CHAIRPERSON MATHIS: Thank you very much.

16 Our next speaker is from Colorado River Indian  
17 tribes, Dennis Welsh, treasurer and councilman.

18 DENNIS WELSH: Thank you very much. I just want  
19 to add on to my colleagues' -- excuse me, I just want to add  
20 on to my colleagues' comments from earlier.

21 But it's nice to see my brother Ned,  
22 Tohono O'odham, on his comments mirror ours.

23 For the last, last eight years we've been in the  
24 same congressional district. It's been very nice. For the  
25 first time in history, I believe, we have a voice in

1 congress. It's been very positive.

2 We have seven tribes communicating with one  
3 congressman.

4 I think it's a great thing, seven tribes and about  
5 28 percent of the -- from -- about one third of the state is  
6 communicating with one congressman. Oftentimes our voices  
7 go unheard, and I think congressman get confused when you  
8 talk to them about different issue.

9 But with our current congressman, and any  
10 future congressman, you have seven tribes, from seven  
11 different regions talking the same, the same talk, whether  
12 it's water, whether it's development, whether it's state  
13 laws, taxation, but I think it's good that we have one  
14 unified voice.

15 As far as other things that we have in common with  
16 our other six other tribes, is we have water issues that are  
17 very similar. That's a big part of a -- I think it's very  
18 important to the state of Arizona.

19 We apparently have about 28 percent of the land  
20 base of the state of Arizona belongs as Indian reservation.  
21 Of the water rights, 2.8 million acre-feet of water that  
22 the state has, the Colorado River and the Gila River  
23 alone have one third of the water. So I think it's very  
24 important for the future of Arizona when planning our  
25 water resource in conjunction with the state as well as

1 protecting our own interest that we have one congressional  
2 district and we can speak to one congressman in a unified  
3 voice so there's no confusion, there's no breaks in  
4 communication.

5 I think it's good now that we come to one  
6 congressman and talk to him about our issues, whether it's  
7 water or whether it's taxation or whatever.

8 I think it's really -- I think we have a good  
9 working relationship as well.

10 I think our relationship with other tribes has  
11 also been improved drastically.

12 So I just want to thank you very much for your  
13 time and consideration. And just remember that I think your  
14 job is easy actually, because you heard from our colleagues  
15 down south, and the other tribes you heard today, I'm sure  
16 you will, and I'm sure you heard them a couple months ago,  
17 that we want to remain where we are. We all want to be  
18 together. So I think it's pretty easy. Probably your  
19 easiest task.

20 Thank you.

21 CHAIRPERSON MATHIS: Thank you.

22 Our next speaker is Joe Sparks, attorney,  
23 representing ITCA and Tonto Apache Tribe.

24 JOE SPARKS: Thank you. My name is Joe Sparks.  
25 My address, 7503 First Street, Scottsdale, Arizona. And I'm

1 counsel for Inter Tribal Council. I'm the new guy over  
2 there. I've there been 41 years.

3 And I just wanted to make a few clarifying points  
4 to the panel, the Commission, that might be helpful in your  
5 overall perspective.

6 I don't envy the attention that you sometimes feel  
7 in meetings that you attend or the pressures that people  
8 attempt to put on you for various reasons.

9 From my perspective, I'd just like to make a  
10 couple points.

11 First of all, I'm not a Tonto Apache, even though  
12 a lot of you might think that I am.

13 But the Apaches in the room will tell you that I'm  
14 an Apache on the inside, and I speak the language. English  
15 is my second -- actually third, because I'm from Missouri,  
16 and Missouri is my first language. One that's not spoken  
17 well in this area.

18 As for the mark on the map, Tonto Apache is one of  
19 the five treaty tribes in Arizona.

20 There are five. Navajo, Tonto Apache, Yavapai  
21 Apache, San Carlos Apache, and White Mountain Apache.  
22 Together they have five treaties with the United States.

23 And before the United States, those five tribes  
24 had treaties with Spain and the Republic of Mexico.

25 So they go way back in terms of this neighborhood.

1           When the various parts of Arizona, before north  
2 and south Gila River were brought into the union, the  
3 United States jurisdiction, by the treaty of Guadalupe  
4 Hidalgo and the Gast treaty, those jurisdictions and  
5 boundaries were artificially set. As Governor Norris spoke  
6 to you about, the folks that ended up south the border, they  
7 didn't end up south of the border. They started out there,  
8 and the border changed.

9           Likewise with the Gila River. You know, you  
10 probably see it today if you drive south across -- south  
11 through the state.

12           It's that sand rut that crosses the interstate  
13 under the bridge near Gila Buttes.

14           It used to have water in it.

15           And when it did have water in it, it was the  
16 boundary between the United States and Mexico after the  
17 Treaty of Guadalupe Hidalgo. And all the Apaches had to  
18 do -- I mean, part of that treaty was United States was  
19 supposed to keep Apaches north of the river, but all they  
20 had to do was take one step and they'd be south of the river  
21 and in Mexico.

22           So when you hear those old stories about when the  
23 Apaches used to go Mexico after the treaty of Guadalupe  
24 Hidalgo, all they had to do was walk across the creek. And  
25 it just wasn't that far away.

1 All these boundaries being fluid ended up having  
2 an influence on the way the jurisdictions work within the  
3 United States and within Arizona.

4 During these conversations, there will be people  
5 who tell you, particularly some county people will say, you  
6 know, those tribes, they don't pay taxes.

7 And you heard the gentleman from Navajo speak  
8 about the contributions to the tax base that the Navajos --  
9 the Navajo Nation and the Hopis make in northern Arizona.

10 There's a couple of reasons for that, that issue,  
11 but for the women on the Commission, I'd be, I'd -- even  
12 though you weren't there, I was, when you had to be a  
13 White landowner and taxpayer to be able to vote. And if  
14 that were still the case, you folks probably still had the  
15 day off and not have these kinds of responsibilities.

16 That wasn't right then, and it's not right now.

17 However, in the state constitution and in the  
18 Federal Enabling Act, bringing Arizona into statehood,  
19 Arizona promised in the constitution not to tax the Indian  
20 lands.

21 And there's 75 million acres in the state.  
22 Twenty-five million of it, in round numbers, is Indian land.  
23 Fifty million is not Indian land. And the way the tribes  
24 look at that is they paid in advance real estate taxes with  
25 the 50 million acres that they don't have now.

1           Anyway, it's a constitutional statement. It's a  
2 constitutional fact.

3           However, there are rights-of-way, pipelines,  
4 transmission lines, water lines, electric lines, railroads.  
5 And all of those crossing the 25 million acres of Indian  
6 land result in the payment of taxes under the state  
7 system, which the state collects and allocates out to the  
8 counties.

9           They do not provide any of that money to the  
10 tribes across which those rights-of-way go.

11           In terms of the Voting Rights Act and the Civil  
12 Rights Act, this is an older than dirt statement.

13           I worked for the Senate in 1965 when the Voting  
14 Rights Act, and Civil Rights Act in 1964, was passed.

15           I was standing in the rotunda when  
16 President Johnson signed it.

17           I worked on the Voting Rights Act. And from '65  
18 through '72, when those Voting Rights Acts were being -- and  
19 the Civil Rights Acts were being implemented, we worked very  
20 hard, because Arizona just didn't fall off the turnip truck  
21 into a situation where it was with southern counties in  
22 terms of its difficulty that minorities were having in  
23 voting. It really had its own specific history of  
24 discrimination.

25           And its specific history of discrimination was

1 most pointed at Indian tribes.

2           For instance, when the statehood hearings were  
3 being held, White males were counted as a person for  
4 purposes of constitutional requirements for statehood,  
5 Hispanic males were counted as two thirds of a person, and  
6 Indians weren't counted at all.

7           That made its way into Arizona politics until  
8 1919. The official policy of the state of Arizona, its  
9 state legislature, was genocide as to the Apache people and  
10 the Navajo people.

11           That was the policy in writing of the state.

12           And so when Mr. Lewis spoke to you about the  
13 history of the effort to get to a position where Indians  
14 could actually vote, even after they attained citizenship,  
15 it was still a very difficult struggle.

16           And you might think that this particular group of  
17 people, Native Americans in Arizona, are particularly  
18 sensitive, and may be as sensitive but less -- you might say  
19 less -- more civil and less vociferous than some of the  
20 people you encounter.

21           They still feel passionately about the right to  
22 vote.

23           And even after the right to vote, and even after  
24 the Civil Rights Act and the Voting Rights Act, we still  
25 have very difficult times.

1           And with the right to vote then came the effort to  
2 prevent the vote.

3           And with the prevention of voting being laid aside  
4 on several occasions, then the effort to gerrymander the  
5 vote so that the vote of the Indian people would be diluted  
6 or made meaningless.

7           That's a very difficult thing that the tribes have  
8 had to deal with.

9           And in '72, '82, '92, 2002, all of the time we've  
10 had to remind those people who were trying to draw the  
11 districts, for whatever reasons they drew them, they didn't  
12 work out well for tribes.

13           And we know that you're trying to do that, and  
14 we're really grateful for you and the effort that you make  
15 to do that.

16           But why are Indians so passionate about the right  
17 to vote and their communities of interest?

18           Because as a point of law, Indian tribes and  
19 Indian affairs are under the absolute plenary control of  
20 congress.

21           No people in the United States are more directly  
22 impacted by the action or inaction of congress than the  
23 tribes.

24           They are directly under the control.

25           And therefore they are extremely sensitive about

1 whether their congressional delegations are responsive to  
2 them and know where they live and care what they do,  
3 understand their unique position in U.S. and Arizona  
4 history. It's very important. No people in the  
5 United States are more directly impacted by their  
6 congressional districts and by the congress of the  
7 United States than Indian tribes.

8           They -- well, all of us are, but that is pointed.

9           It's in the constitution, and the Supreme Court  
10 cases are full of it.

11           I don't say that the Supreme Court's full of it.  
12 I'm just saying the cases are full of it.

13           And so they are, you know, they are very, very  
14 sensitive to their congressional districts.

15           Finally, one point about the Tonto Apaches. There  
16 needs to be a little bitty speck on the map where Payson,  
17 Arizona, is in Gila County.

18           That 500 acres or so of the Tonto Apache  
19 reservation is on the south boundary of the town of Payson.

20           Their cultural community of interest and their  
21 territorial lands are contiguous to the White Mountain and  
22 San Carlos Apache.

23           Their relationships as a familial matter, cultural  
24 matters are with the Apache people there.

25           Just in terms of, of economic activity, even

1    though they're one of the smallest tribes in Arizona,  
2    they're the largest employer in Gila County.  And San Carlos  
3    Apache is the second largest employer in Gila County.

4                   And so sometimes it is lost in the rhetoric about  
5    what important economic interests and what important  
6    economic contributions the tribes make to their counties and  
7    to the state.

8                   They don't speak loudly about it, and they don't  
9    wag it around, and they don't throw it around politically.  
10   They simply do it.

11                   And from a time when they had no employment to the  
12   time of full employment, for instance, for the Tonto Apache  
13   Tribe, has been that period between October 6th, 1972, and  
14   today, from no employment to the largest employer in  
15   Gila County for Tonto Apache.

16                   So, to the extent that you can preserve the  
17   community of interests for the, for the tribes, we encourage  
18   that.

19                   And we encourage you not to take the temptations  
20   that some might offer you about the way of the wagon wheel  
21   or the spider web might be very helpful to some interests in  
22   the state, but it simply has been used over and over to  
23   dilute the vote of the tribes or to split or to separate  
24   their voting interest one from another and within their own  
25   jurisdictions.

1           Finally, the jurisdictions of tribes over the  
2 25 million acres is under federal law and under the  
3 treaties, and each of the tribes have something very similar  
4 to a treaty if they don't have treaties with the  
5 United States, about the exclusivity of the jurisdiction the  
6 tribes have over the reservations.

7           And that is one of the problems that has existed  
8 over a period of time since Arizona statehood. Because some  
9 of the leaders of the state being uninformed about that or  
10 resentful about that have tried to ignore it, dilute it, or  
11 destroy it.

12           Their communities of interest and their ability to  
13 regulate and manage the lands within their reservations is  
14 exclusively theirs, and we would be grateful to the extent  
15 that you can work with them to preserve their communities of  
16 interest in terms of the congressional districts and their  
17 legislative districts.

18           Thank you very much.

19           CHAIRPERSON MATHIS: Thank you.

20           That is all I have in terms of request to speak  
21 forms from folks representing any of the tribes or the ITCA.

22           Is there anyone we missed that would like to  
23 address us now?

24           (No oral response.)

25           CHAIRPERSON MATHIS: Okay.

1           Well, first I'd like to thank John Lewis, the  
2 executive director of ITCA, as well as Norris Nordvahl who  
3 helped with arrangements today.

4           And of course we're hugely appreciative to all of  
5 you who came and gave us testimony today. We really, really  
6 appreciate it.

7           Just speaking for myself, hearing from  
8 Native Americans and, and learning more about your cultures,  
9 your history, your beliefs, is one of the things that I  
10 think makes Arizona truly special, and it's one of the  
11 reasons I moved to this state. So for me it's an honor to  
12 hear everyone today.

13           And I know that some of you weren't quite ready  
14 with your proposals and that some of that is still in  
15 development. And you're welcome to come back any time, of  
16 course, and provide testimony.

17           At all of our meetings we'll have an opportunity  
18 on the agenda for mapping presentations.

19           So if any of you decide later you'd like to come  
20 and make another case or give us additional information,  
21 you're welcome to do so.

22           I would ask other commissioners if they have any  
23 comments or questions before we move forward.

24           COMMISSIONER McNULTY: Madam Chair.

25           CHAIRPERSON MATHIS: Ms. McNulty.

1           COMMISSIONER McNULTY: I will also say thank you  
2 for taking the time with us today and for giving us your  
3 comments. You know the state, as you've said, better than  
4 any of us do.

5           And in helping us with comments, you help us  
6 understand not only your own communities but the state as a  
7 whole.

8           So I would encourage you, as Chairman Mathis said,  
9 to continue to provide us with your input.

10           I'd also like to say that we've been doing this  
11 for seven months, and this is the first time anyone has even  
12 offered us a cookie.

13           We really appreciate it.

14           CHAIRPERSON MATHIS: I ate two.

15           Any comments from other commissioners?

16           COMMISSIONER STERTZ: Madam Chair.

17           CHAIRPERSON MATHIS: Mr. Stertz.

18           COMMISSIONER STERTZ: Echoing everybody's  
19 comments, thank you, everybody, for the participation that  
20 you've given.

21           It is crystal clear that it is incumbent upon each  
22 one of us as commissioners to absolutely respect the  
23 commentary that was brought forward today.

24           You are, you are the original owners of all of  
25 this land that has been carved up over history. And I'll

1 share off line stories with some of you about my heritage  
2 growing up in Wisconsin, which is coming from a little bit  
3 different place, actually from the Ojibwa Nation. So I'll  
4 be looking forward to having commentary with some of you  
5 about that.

6 So, again, thank you all very much for being out  
7 here today.

8 And I agree with the cookie comments.

9 So if anybody else is watching out there, when you  
10 want to get our attention, cookies are a good way to get to  
11 it.

12 So thank you.

13 CHAIRPERSON MATHIS: Any other comments?

14 (No oral response.)

15 CHAIRPERSON MATHIS: I think we have a few members  
16 of the public -- did you want to say something, I'm sorry,  
17 Mr. Freeman.

18 VICE-CHAIR FREEMAN: Thank you, Madam Chair.

19 I too echo the comments of my fellow  
20 commissioners.

21 And it's really an honor and a privilege to be  
22 here with you.

23 I was born and raised in Phoenix, but I spent  
24 a lot of time growing up in the White Mountains and  
25 hunting and fishing up there and I've spent a lot of time up

1 on Indian lands and enjoying the beauty and majesty of it  
2 all.

3           And it was, you know, when I was appointed to this  
4 Commission, one of the first thoughts in my head was the  
5 opportunity to get out and across the state and be with  
6 people of different groups. And really the highlight was to  
7 get up, up where we ended up going, at least for the first  
8 round, which was to Window Rock and Hondah. That was a  
9 really special trip for me, and I think for Chair Mathis as  
10 well.

11           And so I want to thank you.

12           I really appreciate the input.

13           I think we all need to take it to heart, and I  
14 think we are trying to do that.

15           So I appreciate everyone's support and input. And  
16 please continue, because it is like people have said, this  
17 is a very difficult puzzle to solve and we need all the help  
18 we can get.

19           Thanks.

20           CHAIRPERSON MATHIS: Thank you.

21           Any other comments?

22           (No oral response.)

23           CHAIRPERSON MATHIS: Okay. There were a couple  
24 members from the public who, I think, wanted to comment on  
25 tribal issues, and so I thought I'd bring those into the mix

1 right now.

2 We'll still have a public comment period at the  
3 end.

4 But Jim March, second vice-chair from Pima County  
5 Libertarian Party, I think had a -- wanted to address this  
6 topic.

7 JIM MARCH: Thank you very much.

8 Just to introduce briefly, in addition to being  
9 second vice-chair of Pima Libertarian Party, last year I was  
10 the election observer for the San Carlos Apache Nation for  
11 one of their tribal elections. So the tribal government of  
12 San Carlos knows me fairly well.

13 Thank you.

14 If there's a presentation, I'd like to play, if we  
15 could, my concern, and what should concern the tribes, is  
16 that if the redistricting involves the prisons in an  
17 incorrect fashion, it will dilute the -- sorry -- if the --  
18 how do I put this -- if the redistricting process concerning  
19 the prisons -- go back to Page 1, please.

20 If the redistricting process concerning the  
21 prisons is handled incorrectly, it will dilute the voting  
22 power of the First Nations, all of you.

23 Let me show you why.

24 This is a map of your tribal lands.

25 It's very similar to the one right behind

1 Madam Chair.

2 Next page, please.

3 Okay. This is Arizona's prison population as of  
4 2000.

5 The orange dots are state prisons.

6 Blue dots, kind of hard to see with this lighting,  
7 but there's blue dots scattered throughout here, are federal  
8 facilities.

9 Yellow are mostly private prisons.

10 Green are county jail facilities. And we're not  
11 worried about those. Those should be counted much like  
12 pretty much every other resident, because those people  
13 aren't going to be in there that long.

14 Okay. If we can go to the next page. This is the  
15 killer.

16 None of these prisons, especially not the big  
17 ones, are anywhere near the tribal lands.

18 This is the tribal lands map overlaid with the  
19 prison locations map.

20 Now, what this means is if they do a district  
21 around Pinal County, which has a particularly dense  
22 population of prisons, if they do a district with a lot of  
23 prisons around Pinal, people in that area will be  
24 effectively voting for themselves and a certain percentage  
25 of a prisoner who cannot vote.

1           In other words, if a district is supposed to  
2 contain 100,000 people, but 20,000 of them are prisoners,  
3 then the remaining voters of that area have effectively a  
4 super vote.

5           And because none of the prisons are on tribal  
6 lands, none of them, then you're going to have a problem,  
7 because none of the tribal voters are going to get that kind  
8 of a supercharged vote.

9           It's not going to happen.

10          Now, especially not since a lot of the communities  
11 of interest as you have been describing are going to be  
12 drawn pretty much right around a lot of the reservations,  
13 and that means no prisons inside your boundaries.

14          There's several different ways of fixing this, but  
15 it looks like the only remaining avenue to fixing this  
16 problem would be to take the district numbers that they  
17 already have, they know how many districts for congressional  
18 and legislative they're going to have. And let's say we're  
19 going to have ten congressional districts. All right? How  
20 many are we going to have? Eleven, I think it is? We gain  
21 two?

22           Uh?

23           Nine.

24           Okay. So we're going to have nine. So one, two  
25 three, four, five, six, seven, eight, nine.

1           We simply then assign a certain number of prisons  
2 to each of those nine districts, almost irregardless of  
3 geographically where they are.

4           In other words, we just balance out the prison  
5 populations amongst those nine, and we're going to have to  
6 draw some very funny map lines where one of the northern  
7 districts lacking a prison will have a tendril coming out of  
8 it and it will envelope certain numbers of prisons where  
9 nobody votes.

10           Everybody understands that.

11           But, for purposes of balancing out the prison  
12 population among the various districts, you'd have to do  
13 that kind of a funky map trick, if you want to call it that.

14           Now, that is a thing that this Commission can do  
15 to rectify this problem.

16           So far the vote has been that they're not going  
17 to, that they're going to do the same that the Redistricting  
18 Commission of 2000 did, which was more or less ignore the  
19 prison population, except that there have been some vague  
20 claims that they need to balance it out just a little bit at  
21 the end somehow.

22           But if they don't do that as thoroughly as they  
23 need to, then the First Nations' vote is going to get  
24 diluted over anybody else's.

25           Because you got no prisoners to supercharge your

1 vote.

2 I know that sounds really weird, but you folks in  
3 this room and the tribes you represent have more standing to  
4 complain about this before the Commission, and if necessary  
5 before the courts later, than anybody else.

6 Now, I'm almost finished here.

7 Everybody in this room has got an agenda. That's  
8 understood.

9 I'm going to tell you right now what my agenda is.  
10 I represent the Libertarian Party.

11 I'm also very involved in election integrity  
12 across the state.

13 And one of the fears I have is that a supercharged  
14 voting district around Pinal County, which is especially  
15 prison dense, might get created that is essentially the  
16 wholly-owned legislative or even congressional district  
17 owned by Correction Corporation of America, CCA. And I got  
18 a problem with that concept.

19 When I was a political activist in California, I  
20 watched the California public sector Prison Guards Union do  
21 some very ugly things in term of lobbying. Lobbying for  
22 extended sentences, more people in prison, for longer  
23 periods of time, against things like drug law reform or all  
24 kinds of other stuff, just to increase their job security by  
25 putting more people behind bars.

1 I don't like that.

2 And the weird thing is because Arizona and  
3 California are whacky world opposites in some fashion,  
4 instead of worrying about public sector employees' unions  
5 here in Arizona, we're worried about a private corporation  
6 that represents the same kind of interest, an interest to  
7 put more people behind jail -- behind bars.

8 So I don't want to see a prison dominated district  
9 appear anywhere in the prison dense corridor between  
10 Maricopa and Tucson, and especially Pinal County in between.

11 I don't want to see that.

12 But the people who should be objecting the  
13 hardest, and have the best standing to object to this, are  
14 the First Nations, because you're not going to have the  
15 super -- you're not going to have the supercharged voting  
16 power that derives from having a bunch of prisons as  
17 nextdoor neighbors, it turns out.

18 I know that's a really weird thing to have to  
19 worry about, but that is effectively what's going on.

20 I'll lay out one more concern.

21 At a previous meeting, the Commission put up a map  
22 showing how many prisons were in Arizona. And it was way  
23 underrepresented.

24 Something -- the data was presented to you,  
25 Madam Speaker, had only two prisons in Pinal County.

1 I'm sorry, I know that's wrong. I know that's  
2 wrong.

3 So I don't know whether it's by mistake or by  
4 somebody's agenda, but there is a problem with the  
5 information that's been presented to the Commission so far  
6 on prison numbers, prison population, densities, where they  
7 are.

8 And I think not enough attention is being paid to  
9 the inherent discrimination in the process that will be  
10 created if prison-dominated districts end up being created.  
11 And that's something you should all be concerned about.

12 And that's all I've got to say. Thank you very  
13 much.

14 If you want to drop me -- give me your e-mail  
15 address, I'll be happy to give you the raw data I have, such  
16 as these maps.

17 Thank you very much.

18 CHAIRPERSON MATHIS: Thank you.

19 I have a couple request to speak forms from some  
20 folks who presented already. But if they would like to say  
21 something again, please let me know.

22 This is Herman Laffoon from Colorado River Indian  
23 Tribes.

24 HERMAN LAFFOON: Spoke already.

25 CHAIRPERSON MATHIS: Okay.

1           And same with Leonard Gorman, did you want to  
2 address us again, or is this just repetitive?

3           LEONARD GORMAN: Repetitive.

4           CHAIRPERSON MATHIS: Okay.

5           Great. I think that's it from request to speak  
6 forms.

7           CHAIRPERSON MATHIS: Oh, Mohur Sidhwa, sorry,  
8 representing self, from Pima County.

9           MOHUR SIDHWA: Are we there now?

10          CHAIRPERSON MATHIS: Yeah.

11          MOHUR SIDHWA: As circumstances would have it, I  
12 had two points I wanted to make. Both of them fit in at  
13 this time period.

14                 One of them was the concept of one person, one  
15 vote that emanates from the 14th, 15th, and 19th Amendments  
16 of the constitution.

17                 And the moment you have prisons in an area and  
18 prisoners are not allowed to vote, then it's certainly  
19 dilutes the votes of the areas that don't have prisons.

20                 I was going to talk about that, but Mr. March  
21 certainly did.

22                 Last week -- I think it was last week, that  
23 Commissioner Herrera made a very astute observation about  
24 being somewhat skeptical vis-a-vis mapping suggestions made  
25 by entrenched interests and those people who are incumbent

1 so it is tailored for it.

2 I don't know where the dickens the idea for three  
3 border districts came, but that's the most ridiculous idea,  
4 because it removes what little clout the border area has by  
5 splitting it further.

6 If you look at the population density of the  
7 border area, you are trying to figure out -- I mean, looking  
8 at Santa Cruz County, and those areas really are not very  
9 popular -- population dense, and you have to be forced to go  
10 into places like Maricopa County.

11 And I don't see what -- this is, like, maybe  
12 Thomas Road would have with Rio Rico and Nogales, frankly  
13 speaking.

14 And when Chairman Norris spoke just now, it  
15 suddenly hit home, my God, this really dilutes the tribal  
16 votes also.

17 And it's kind of cynical to want to divide the  
18 southern border counties into three.

19 As you know, politicians go to where the money is  
20 and where the votes are.

21 Those area do not have the votes. They're too  
22 dense -- they're too thinly populated, and they're not  
23 certainly the bastion of big business either.

24 Something to keep in mind when somebody is singing  
25 you songs about having more representation, you need to be

1 aware that if you're getting most of your or a large chunk  
2 of your finances as well as voters from, say, a small area  
3 of Maricopa County, it is an insult to people not just of  
4 the northern tribes that wind up getting split but also of  
5 the border area.

6           So, please, I know this idea is delightful to a  
7 couple of people who want to run in that district and want  
8 to make it noncompetitive, but don't do this to the First  
9 Nations and don't do this to competitiveness.

10           Thank you.

11           CHAIRPERSON MATHIS: Thank you.

12           And I think that's it for comment on this agenda  
13 item.

14           So that will take us back to the agenda, which I  
15 need to find.

16           THE REPORTER: Chair.

17           CHAIRPERSON MATHIS: Oh, we'll take a quick  
18 ten-minute break, recess.

19           And the time is 3:48.

20           (Brief recess taken.)

21           CHAIRPERSON MATHIS: That concludes recess.

22           The time is 4:13 p.m.

23           And we will now go into the next agenda item.

24           Actually, I wanted to see if -- before we moved on to  
25 legislative grid maps, I'm not sure we have a lot of

1 discussion, because we did discuss that thanks to  
2 Commissioner McNulty yesterday. She had given some detailed  
3 instructions to Mr. Desmond, and we all have that on our  
4 laptops now with a new map version to look at, a what-if  
5 scenario.

6 I personally haven't had time to review that in  
7 any kind of detail, but if others have, we can, we can talk  
8 about that.

9 Was there anything else, legislative grid map  
10 wise, that anybody had today?

11 VICE-CHAIR FREEMAN: A point of clarification, we  
12 do have now available to us the map that was discussed  
13 yesterday?

14 CHAIRPERSON MATHIS: Yes. Well, the one that  
15 Mr. Desmond put on our computers last night, that -- those  
16 were those changes that Commissioner McNulty had suggested.

17 VICE-CHAIR FREEMAN: Yesterday's changes have not  
18 been implemented yet; correct?

19 CHAIRPERSON MATHIS: I don't know that. We'll  
20 have to ask Commissioner McNulty and Mr. Desmond.

21 VICE-CHAIR FREEMAN: I saw that too, but I believe  
22 it was version five maybe on it.

23 I did not see your district that you constructed  
24 where we were supposed to shut our eyes for the compactness  
25 issue.

1           COMMISSIONER McNULTY: Yeah, I don't see it  
2 either.

3           WILLIE DESMOND: I did not create a layout for the  
4 reports or anything, because it's -- from the districts of  
5 overpopulated and underpopulated. It was kind of a work in  
6 progress.

7           I thought once you guys had a chance to review and  
8 to kind of direct me further to make it a little bit more  
9 complete, I'll create a formal layout and run all the  
10 reports and stuff for it.

11           So it is exactly as it was when we left it  
12 yesterday. I haven't touched it since.

13           VICE-CHAIR FREEMAN: I guess that answered my  
14 question.

15           CHAIRPERSON MATHIS: Okay.

16           So, and we each have on that our computer, that  
17 work that was done yesterday. Okay.

18           And so I -- if anyone wanted to discuss, wanted to  
19 discuss any aspect of that, if you all have any time.

20           VICE-CHAIR HERRERA: Madam Chair.

21           CHAIRPERSON MATHIS: Mr. Herrera.

22           VICE-CHAIR HERRERA: All I know is that the upload  
23 for the computer, or for your laptop, I've not had a chance  
24 to review it.

25           I haven't had a chance to review it. I know it

1 was uploaded to our laptop, but I've not had a chance to  
2 review it. So what I'm hoping to do is this weekend go over  
3 more of the information that we've been getting, including  
4 that particular map. I have nothing either.

5 CHAIRPERSON MATHIS: Okay.

6 COMMISSIONER McNULTY: I do also.

7 VICE-CHAIR FREEMAN: I would agree with that.

8 Hopefully, I'm not sure, I'll ask Mr. Desmond on  
9 this, tomorrow we'll be getting some more data as well on  
10 these maps that we can use in our analysis; is that correct?

11 WILLIE DESMOND: I believe we might have it  
12 tomorrow. We have to write a report to incorporate the  
13 registration information.

14 I'm not sure ready for tomorrow, but I know from  
15 next week forward we'll have that ready to go.

16 We have that information added to the files. We  
17 haven't created anything to generate it by each one of these  
18 what-if scenarios.

19 COMMISSIONER McNULTY: Mr. Desmond, did you say  
20 next week?

21 WILLIE DESMOND: Yes.

22 COMMISSIONER McNULTY: Okay.

23 Should we discuss what we will do tomorrow?

24 VICE-CHAIR FREEMAN: That's a good question.

25 COMMISSIONER McNULTY: I know I'm going to need

1 time with the legislative map to --

2 VICE-CHAIR FREEMAN: Me too. And I know  
3 Commissioner Stertz has a family issue too that I do want to  
4 be somewhat conscious of.

5 COMMISSIONER McNULTY: Sorry to hear that.

6 CHAIRPERSON MATHIS: Yeah, we were -- and maybe  
7 this should be, it's one of our agenda items, is discussion  
8 of future meetings and future agenda items.

9 Is it okay for us to discuss that now, legal  
10 counsel?

11 It's okay if I discuss future agenda items and  
12 meetings now, if we jump ahead to that?

13 So we can -- it kind of ties into this whole, what  
14 we're going to ask our mapping consultant to do.

15 So tomorrow's agenda is pretty much the same as  
16 today's.

17 The only additional items was Mr. Bladine was  
18 going to provide some more detail on the budget.

19 Oh, he's right there.

20 And also the transparency issue discussion.

21 RAY BLADINE: I believe that's the only two items  
22 that are different than this agenda.

23 COMMISSIONER McNULTY: Madam Chair, can I suggest  
24 that we have a work study day tomorrow? I think we had  
25 considered leaving tomorrow open for that.

1 CHAIRPERSON MATHIS: I am open to that suggestion.

2 I don't know what that would mean legally if, you  
3 know, we're cancelling a meeting, just so that we can do our  
4 own work, or how would something like that work?

5 MARY O'GRADY: Madam Chair, you can cancel a  
6 meeting. You just need to post it, but it can be cancelled.

7 VICE-CHAIR HERRERA: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Herrera.

9 VICE-CHAIR HERRERA: My only concern is that there  
10 are two topics, two items, the transparency issue and the  
11 budget issue that keep being postponed. At least the  
12 transparency issue.

13 So I'd like to talk about it, get it over with,  
14 and see what decisions we make based on our conversation.  
15 It'll be tomorrow.

16 I prefer if we have it as tomorrow's starting  
17 agenda.

18 Now, it's understandable that it would probably be  
19 that that would be the only two topics we discussed. At  
20 least we'd get them out of the -- sort of cross them off. I  
21 would love to do that.

22 CHAIRPERSON MATHIS: Okay.

23 Comments from other commissioners on that?

24 COMMISSIONER McNULTY: I'd just as soon not have  
25 to come to Phoenix for those two agenda items.

1 I'd rather put them on for Thursday or Friday.

2 VICE-CHAIR FREEMAN: That's what I was thinking I  
3 would prefer to do, for the Tucson commissioners.

4 RAY BLADINE: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Bladine.

6 RAY BLADINE: A little bird reminded me that on  
7 the director's report we also had discussion of second round  
8 public hearings and when we would start.

9 There could be -- that was one of the things that  
10 we had to talk about on Friday.

11 However, we also could ask for each of you to  
12 indicate what your preferences are and try to work something  
13 out that way.

14 And I did send out to you, probably all didn't see  
15 it, but this morning while you were on your way here, a  
16 revised list of the next two weeks, to try to have you look  
17 at it.

18 And so we can have you look at that and respond to  
19 me and then we can try to get something organized.

20 So I'm not saying we need to be, but that's  
21 probably a thing we need to try to solve.

22 CHAIRPERSON MATHIS: Is it true now that we can't  
23 all get together Monday, Tuesday, and Wednesday of next  
24 week; right? There were issues.

25 VICE-CHAIR FREEMAN: That's correct.

1           CHAIRPERSON MATHIS: Okay. So Thursday is our  
2 next opportunity, the 22nd.

3           RAY BLADINE: Correct.

4           CHAIRPERSON MATHIS: Is there a way to do a  
5 telephonic meeting tomorrow? I don't know.

6                     Can you convert a normal meeting into a telephonic  
7 one?

8           RAY BLADINE: I'll let the attorneys get their mic  
9 on, but we did post it as one or more. I don't know whether  
10 it needs to be posted more than that. I will let them  
11 answer.

12                     But we have posted always that there would be a  
13 possibility of one or more commissioners would not be  
14 present at a meeting. Whether that would cover -- I would  
15 guess we'd need to have a couple people together at least in  
16 one place, so that's -- but then the meeting's already  
17 posted for -- I'm thinking out loud -- posted for  
18 Fiesta Inn.

19                     I guess if we had some people at Fiesta Inn and  
20 then had other people calling in, that would probably work,  
21 but we'd have to have -- we'd have to go with the posted  
22 meeting and then at least have a few commissioners at that  
23 location for the start.

24                     Am I correct, counsel?

25                     They're nodding yes.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE-CHAIR HERRERA: Now, we have the meeting  
3 scheduled for tomorrow at 9:00 o'clock.

4 RAY BLADINE: I believe it's 10:00 o'clock.

5 VICE-CHAIR HERRERA: 10:00 o'clock.

6 Would it be possible to move the location to  
7 somewhere -- you know, maybe the Evans House and have one  
8 commissioner there -- I'm happy to be there, so we can not  
9 incur the cost of the Tempe Fiesta Inn. I'm assuming we've  
10 already committed to it.

11 RAY BLADINE: We have committed to it, and that's  
12 the advertised location, so I don't -- I think it would be,  
13 if not legally impossible, physically you'd have to notify  
14 everyone.

15 We really would have to do something and start  
16 something at the Evans House, do a telephonic meeting, and  
17 then adjourn when that's done -- not at the Evans House, I'm  
18 sorry, at Fiesta Inn, and then adjourn when we're done.

19 COMMISSIONER McNULTY: Madam Chair, I can be at  
20 the Fiesta Inn tomorrow morning at 10:00 a.m.

21 I'm just concerned that we need to be focusing on  
22 the maps and doing our homework on the maps and thinking  
23 about how we can looking at one another's maps and thinking  
24 about how we might be able to come together. And I think  
25 all of that really needs to be our first priority. I, you

1 know, I don't think Mr. Bladine needs to be -- I mean, he  
2 can put the budget or some outline of the budget, and that  
3 can be available at any time.

4 I think that I don't know any more about second  
5 round hearings today than I did at the beginning of this  
6 week.

7 I might next week once we've actually, you know,  
8 devoted a great deal of time to try to bring this  
9 congressional map to some closure and work on the  
10 legislative map to make a bunch more progress on that.

11 So I'm not sure how much additional information we  
12 can give you tomorrow morning that we don't have as we sit  
13 here right now.

14 But having said all of that, I prefer to be in the  
15 room than on the phone.

16 RAY BLADINE: Madam Chair, I was reminded again by  
17 the little bird that we did have one item on the agenda of  
18 having a county supervisor make some comments about mapping  
19 in the Flagstaff area.

20 But, again, I'm sure we can contact them and  
21 explain that we'll be more than happy to reschedule that.

22 I'm sorry to keep doing this to you. Every time  
23 you seem to get somewhere I throw a monkey wrench. But we  
24 can certainly make that work.

25 CHAIRPERSON MATHIS: Would Mr. Stertz be able

1 to -- would he be able to be Skyped in if we did have a  
2 meeting?

3 Or, I don't know if it's possible from  
4 Mr. Stertz's end either, so -- or if would that just be  
5 telephonic or. . .

6 RAY BLADINE: I believe the capacity is there to  
7 Skype Commissioner Stertz in.

8 I believe it's on -- he has it on his machine.  
9 And if we're doing one Skype, I'm pretty sure we can do  
10 that. Much more than that I would be hesitant to comment.

11 But I also hear you as a Commission saying  
12 you really need more time to do your mapping studies, so,  
13 you know, the main thing that you all, as you all know, do  
14 is get a map and get it out there on a schedule that works  
15 for all of you, and that should be your priority I would  
16 think.

17 CHAIRPERSON MATHIS: It is our priority for sure.

18 I'm trying to balance that with the fact that we  
19 already have a meeting scheduled for tomorrow and whether  
20 it's worth canceling or not.

21 I'm wondering if by allowing the three of us,  
22 Freeman, Herrera, and I, to be at Fiesta to actually be  
23 present, and if Ms. McNulty, that way she wouldn't have to  
24 drive.

25 I know she said she'd rather be there in person.

1 But if she wanted to be change her mind on that she could be  
2 Skyped in from Tucson and then have more independent study  
3 time instead of driving time, but. . .

4 COMMISSIONER McNULTY: I'll be here.

5 CHAIRPERSON MATHIS: And, Mr. Stertz, what is your  
6 take on whether -- on your participation?

7 COMMISSIONER STERTZ: Madam Chair, there's -- it  
8 would be -- the two pressing issues that we'll have tomorrow  
9 are that we are asking -- that there's a supervisor that's  
10 making a presentation, and that we -- this would be now the  
11 third time that we've delayed the transparency issue.

12 Is that correct?

13 RAY BLADINE: That's correct.

14 COMMISSIONER STERTZ: Because right now we have no  
15 changes on legislative, Willie will be picking up whatever  
16 he can pick up based on his personal capacity between now  
17 and 10:00 o'clock tomorrow morning.

18 I might make a suggestion that if it's -- if it  
19 meets with the supervisor's capacity, the -- that the issue  
20 regarding transparency be moved up to the first agenda item  
21 Thursday of next week.

22 I would like to be, I'd like to be here to  
23 participate rather than being phoned in.

24 I don't know -- this has to do with an emergency  
25 that just came up with my mother. And first -- to be

1 honest, my family comes first.

2 And if her health deteriorates, I intend to be  
3 with her tomorrow.

4 So that may mean that I will not be able to  
5 participate at all. My schedule will be in the hands of her  
6 health.

7 So, at the same time I want to actively  
8 participate in the discussion regarding transparency.

9 So, Madam Chair, I'll leave that up to your  
10 judgment.

11 CHAIRPERSON MATHIS: Well, I think we should then  
12 go ahead and hold the meeting tomorrow.

13 We may end up tabling that agenda item again so  
14 Mr. Stertz can participate.

15 If there's a chance that he is able to dial in, he  
16 can, and we'll decide at that time whether or not we want to  
17 move that agenda item.

18 But we'll go ahead and proceed as planned  
19 tomorrow.

20 We probably need to talk about the following week,  
21 so the 22nd, 23rd, we're meeting, and you're looking at Wild  
22 Horse Pass, I think.

23 RAY BLADINE: That's correct. We have gotten a  
24 good rate there, and I believe Kristina confirmed they had  
25 the Internet access we needed, so we could do that for next

1 Thursday and Friday.

2 CHAIRPERSON MATHIS: Okay. And then -- so then  
3 the following week.

4 So that would be Monday the 26th.

5 I think we all agreed that we would try to hold as  
6 much time as possible open that week.

7 Would we want to -- can we maybe talk about our  
8 schedules then and what might be possible?

9 RAY BLADINE: And I did send you out a spreadsheet  
10 this morning that you can all look at and fill in if there's  
11 any conflicts you don't know about.

12 I didn't really have any -- I think I had one  
13 conflict in that week at this point, the 26th. My conflict  
14 was on the 26th.

15 So it looked like the rest of the week was -- is  
16 okay.

17 CHAIRPERSON MATHIS: Okay. I didn't see that  
18 e-mail.

19 So I -- and we'll be talking about this tomorrow  
20 too. But if everyone could come prepared to talk about when  
21 our exact meeting times might be on the 26th to the 30th,  
22 that would be great.

23 RAY BLADINE: Madam Chair, I'll bring copies  
24 tomorrow.

25 CHAIRPERSON MATHIS: Great.

1 Mr. Herrera.

2 VICE-CHAIR HERRERA: Yeah, out of respect for  
3 Commissioner Stertz, I would not want to speak about the  
4 issue of transparency tomorrow. I think we need to table  
5 that. I would love for him to be here in person.

6 Even Skype or telephonic, it really isn't as  
7 productive. I've done it a couple times, and I didn't see  
8 as much value as I do being here in person, so I think the  
9 conversation needs to be with him here.

10 CHAIRPERSON MATHIS: Okay. Thank you.

11 Okay. Future agenda items. Anything that we need  
12 to be --

13 RAY BLADINE: Again, I thought maybe we could talk  
14 about that tomorrow.

15 CHAIRPERSON MATHIS: Okay.

16 RAY BLADINE: And I sent you my updated list.

17 Again, I was sending it as you were probably all  
18 coming here. And I'll bring copies of that tomorrow.

19 But I'd ask you to just -- if you know of things  
20 that I missed, please put on that list. So I was going to  
21 use tomorrow to kind of get us back in terms of schedules  
22 and what we have going on.

23 CHAIRPERSON MATHIS: Okay. Thank you.

24 And as long as you're standing up there, do we  
25 want to do executive director's report? Is there anything

1 that needs to be covered?

2 RAY BLADINE: I would -- a couple of the items we  
3 just did cover, as I mentioned.

4 I would mention that we have had -- Buck has been  
5 working on -- it's some technical trouble with our server  
6 and how it works and accepts public comment.

7 Several times Buck has thought he had it solved  
8 and it was solved and then it came back. I think right now  
9 it is solved.

10 But part of the solution is going to be actually  
11 moving to, we believe, a different server that can handle  
12 the capacities that we've had.

13 So if you have had, and we have, complaints about  
14 people not being able to leave information on the website,  
15 we're aware of it and we're trying to get it fixed.

16 At the same time, a number of people have tried to  
17 forward us e-mails and have forwarded us e-mails relating to  
18 communities of interest.

19 And I think since our web page isn't reliable to  
20 accept the data, myself, Stu, and Kristina have been getting  
21 e-mails directly.

22 And some of them -- it's hard to tell you how  
23 many, but there's been quite a few. I would guess my  
24 personal in box maybe had 50 or 60.

25 And I haven't checked today.

1           So we do have a lot of people expressing interest  
2 in communities of interest.

3           And when we can sort out, we're all sending them  
4 to Kristina to go through, and we'll let you know what those  
5 numbers are. And I think that's pretty much what is going  
6 on this week and is going on now.

7           CHAIRPERSON MATHIS: Thank you.

8           Other questions for Mr. Bladine, or comments?

9           COMMISSIONER STERTZ: Madam Chair.

10          CHAIRPERSON MATHIS: Mr. Stertz.

11          COMMISSIONER STERTZ: If I'm not able to attend  
12 tomorrow in person, if there are any physical documents that  
13 are going to be delivered, I know we discussed having  
14 full-sized maps that Willie is going to put together, that  
15 we can make arrangements to get those to me.

16          RAY BLADINE: Certainly.

17          COMMISSIONER STERTZ: Now I also understand there  
18 was another three-ring binder or a couple other binders that  
19 are being prepared for us. When are those going to be ready  
20 with the current update added?

21          RAY BLADINE: Tomorrow. And so you're not going  
22 to come just so you don't have to carry the binders, I'll  
23 bet.

24          COMMISSIONER STERTZ: That's it.

25          RAY BLADINE: We'll see that they get to you.

1 COMMISSIONER STERTZ: Thank you, Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE-CHAIR HERRERA: Madam Chair. Yeah,  
4 Mr. Bladine, I think it was when we talked about the update  
5 on the outreach that we've been doing for the website,  
6 through Twitter. And I would like to see if that particular  
7 update can be done at least once a week. Because I think  
8 it's a pretty useful tool that we're relaying to the public  
9 and it's one that I'd like to have updated at least once a  
10 week.

11 RAY BLADINE: I'm being reminded it is on my list  
12 for tomorrow to update you.

13 I think I have citizen input. I also have it  
14 here. But to give you the updated numbers we have for  
15 update on Twitter and Facebook, and hopefully maybe -- I  
16 don't know that we would be able to get you the number of  
17 people that have contacted us by e-mail by tomorrow.

18 And we are trying to keep track of that.

19 There -- sometimes there's a little bit of a lull  
20 in between. But whenever we start to get something  
21 significant, we'll certainly make sure you're aware.

22 VICE-CHAIR HERRERA: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Herrera.

24 VICE-CHAIR HERRERA: The phone calls that are made  
25 from the public, how are those -- are they logged? Are

1 they -- especially if they're making comments about a map or  
2 something of relevance, how is that information kept?

3 RAY BLADINE: I'll let Kristina answer in more  
4 detail.

5 But basically a call that asks to relate  
6 information to the commissioner, if -- we probably would  
7 first refer them to you can do that on the website.

8 If they don't want to do that, then I would think  
9 we would probably be taking a note and putting it in the  
10 file.

11 But let me ask her to verify.

12 She said I was right.

13 VICE-CHAIR HERRERA: Thank you so much.

14 RAY BLADINE: We do try to keep track of  
15 information that's directed to you versus information asking  
16 questions that were answered or things like that.

17 But we do document anything that someone wishes to  
18 make sure is in the file or to the commissioners.

19 VICE-CHAIR HERRERA: Madam Chair, I do commend,  
20 again, the staff and the work that they're doing.  
21 Especially with the outreach with the public, whether it be  
22 phone calls that they accept, e-mails that they go through.  
23 It is such an important piece, and I want to commend the  
24 staff for the work that they're doing.

25 It is, it is vital that we, that we track that

1 information and record it, because we do use it when we're  
2 putting together maps. This is vital information, and I  
3 thank the staff for all the work that they're doing.  
4 Especially with these.

5 RAY BLADINE: Thank you, commissioner,  
6 Madam Chair.

7 I know the staff, all of us, enjoy working for you  
8 and feel we're doing important work, and we will continue to  
9 do our best.

10 I'll tell you this week poor Anna has come down  
11 with the flu, so we're one key person short. And that tells  
12 you that we're not overstaffed. We're staffed about right.  
13 So we'll be glad to get her back.

14 Thank you very much.

15 CHAIRPERSON MATHIS: I echo that too. I just  
16 received feedback this morning from some folks, Greater  
17 Tucson Leadership, where Kristina and Ray had gone and  
18 presented on behalf of the Commission, give them information  
19 about what redistricting is all about. And they were highly  
20 complimentary of the presentation and how pleasant you both  
21 are and how much you smiled actually is what they commented  
22 on.

23 And I think that was neat, so thank you.

24 RAY BLADINE: Thank you.

25 CHAIRPERSON MATHIS: Keep smiling.

1           RAY BLADINE: I try not to smile so much, but I  
2 don't think I can.

3           CHAIRPERSON MATHIS: Anything else from other  
4 commissioners on the executive director report?

5           COMMISSIONER McNULTY: Get your flu shots.

6           RAY BLADINE: Amen.

7           CHAIRPERSON MATHIS: That's right.

8           Okay. Thank you.

9           Just going back, looking at the agenda, we have  
10 the legislative grid map based on constitutional criteria if  
11 there's anything to discuss there, but I'm not sure there  
12 is.

13           It says item five, discussion and possible action  
14 on retaining a voting analysis expert we covered already.  
15 That occurred a few meetings ago, but it's been on here  
16 because of posting requirements that we have 48 hours in  
17 advance. We wanted to just cover our bases and make sure  
18 that if we needed to have more discussion or action we  
19 could.

20           VICE-CHAIR HERRERA: So, Madam Chair, so there is  
21 nothing new -- there is nothing new to report on item five;  
22 is that correct?

23           CHAIRPERSON MATHIS: Not that I know of, on the  
24 voting analysis expert from legal counsel.

25           Do I have another old agenda?

1 Mr. Herrera gave me this agenda.

2 This is an old agenda.

3 VICE-CHAIR HERRERA: I am so sorry.

4 VICE-CHAIR FREEMAN: This one is for me.

5 CHAIRPERSON MATHIS: I blame him.

6 So scratch that, for the record. Not the person,  
7 I blame him, because I still do.

8 The fact that the voting right person, that's an  
9 old item.

10 Okay. So, so, wow, this is a lot different.

11 So executive director's report.

12 Number six is legislative.

13 Seven, future meetings.

14 Eight, report legal advice. Okay. We'll wait on  
15 that before, because I want to go back to these first two,  
16 three, and four -- well, three and five on review,  
17 discussion and direction of mapping consultant regarding  
18 ideas for possible adjustments to congressional and  
19 legislative maps.

20 I just wondered if based on the feedback and input  
21 we received today if there's anything we'd like to talk  
22 about as a commission and/or provide to Mr. Desmond as  
23 another what-if scenario or version that we'd like to tack  
24 on.

25 COMMISSIONER STERTZ: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: Yes.

3 I think the information that we got today was  
4 invaluable.

5 I think that we should take a look at what happens  
6 on the congressional side of integrating the two maps that  
7 were delivered to us today, called the Navajo One and  
8 Navajo Two.

9 Tries to begin to explore what that -- how that  
10 would affect the way that we're reviewing the congressional  
11 districts.

12 WILLIE DESMOND: Is there a map that you would  
13 like added into?

14 COMMISSIONER STERTZ: I'll leave that to your  
15 discretion.

16 What you'll determine after you drop it in is  
17 you'll determine some natural, natural line progressions.

18 WILLIE DESMOND: So, so just drop that into the  
19 original grid map.

20 COMMISSIONER STERTZ: Yeah, I'd say you drop it  
21 into the original grid map and begin to adjust from there.

22 Madam Chair, the only reason I'm being so generic  
23 in this is because not having the opportunity to study what  
24 was just delivered to us today, what I'm am aware of is that  
25 there is some real impact to what was delivered and we

1 shouldn't miss the opportunity to make a full and complete  
2 study of that, as we have with the other submitted maps that  
3 we've received from other coalitions.

4 CHAIRPERSON MATHIS: Agreed. And I think it was  
5 important to talk about this today, just because we have  
6 pretty much a week until we'll be discussing these again.

7 Because I don't know if Mr. Desmond will be able  
8 to do that tonight or not, but. . .

9 WILLIE DESMOND: I doubt it.

10 CHAIRPERSON MATHIS: Okay.

11 We'll see.

12 WILLIE DESMOND: I'll try.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

15 VICE-CHAIR HERRERA: Now, I think we've talked  
16 about this before, where we can during this recess  
17 communicate to Willie using Mr. Bladine.

18 I would recommend that we continue to do that. I  
19 assume we're going to be doing a lot homework, and if  
20 something comes up, we have some great ideas, to forward  
21 them to Mr. Bladine, and there's no reason we shouldn't be  
22 sending ideas during this break.

23 CHAIRPERSON MATHIS: Right. And that's a great  
24 point. And I would hope that each of the commissioners will  
25 continue working on this individually and supplying any

1 ideas to Mr. Bladine that he can then communicate to the  
2 rest of the commissioners as well as Mr. Desmond.

3 WILLIE DESMOND: And I can be sending you guys  
4 these as they're developed, so you have more time to work  
5 with them.

6 CHAIRPERSON MATHIS: That would be great.

7 WILLIE DESMOND: And not just waiting until next  
8 Thursday.

9 CHAIRPERSON MATHIS: Helpful. Okay.

10 Any comments, anything else on congressional or  
11 legislative maps that we want to talk about?

12 (No oral response.)

13 CHAIRPERSON MATHIS: The next item on the agenda  
14 is number eight, report, legal advice and direction to  
15 counsel regarding attorney general inquiry and related  
16 litigation.

17 Is there anything that we needed to cover today?

18 (No oral response.)

19 CHAIRPERSON MATHIS: Okay. That takes us to call  
20 for public comment.

21 And I've got a few request to speak forms.

22 I just want to make sure.

23 Our first speaker -- and, again, just a reminder  
24 to speak directly into the microphone and to please spell  
25 your name for the record.

1           Wes Harris, precinct captain LD 6-28, from  
2 Phoenix.

3           WES HARRIS: Good afternoon. Wes Harris, W-E-S,  
4 H-A-R-R-I-S.

5           I keep whittling -- is that better? You want me  
6 to start again?

7           I keep whittling away at these little concerns of  
8 mine. And if I had known cookies would be so good, I would  
9 have brought them the first time.

10          VICE-CHAIR HERRERA: I'm sorry, Madam Chair, I can  
11 barely hear him.

12          WES HARRIS: I mentioned this last time, and I  
13 think the time before, about current maps.

14          If we can get -- I mean, you can get them. It  
15 would be nice if we could have them, because we're looking  
16 at a map. The ones I got today, they weren't anything  
17 similar to the ones that you were talking about this  
18 morning.

19          And it would go a long ways, because part of my  
20 concerns are about the ranking of community interest versus  
21 competitiveness, and community interest outranks everything  
22 I've read. And I don't pretend to be an expert on  
23 redistricting, but everything I've read on it puts it at the  
24 bottom of the list, not at the top.

25          And so community of interest to me is paramount.

1           And today I looked at a map that had P.V.,  
2 Paradise Valley, separated from Scottsdale, and north  
3 central Phoenix.

4           And those are communities of interest. At least I  
5 live up there, so I think I can attest to that. But I don't  
6 know, that wasn't the map that we looked at today, so, or  
7 yesterday.

8           And, I don't know, you're doing such a great job  
9 with this thing, and it's extremely complicated.

10           It's like three dimensional chess.

11           If you can play three dimensional chess, you can  
12 do this job easily.

13           But not many of us can do that.

14           One of the issues that's missing is the geographic  
15 topographical data.

16           And you can spend an awful lot of time creating  
17 all these districts, and then suddenly they don't fit,  
18 because you've got a mountain or a canyon or a river or  
19 something else in the middle. And it's like the Arizona  
20 strip.

21           I mean, you can't get there from here.

22           You got to come around this way. You can't get  
23 there from this way.

24           So, you know, those are things that you really  
25 have to consider.

1           And I would urge you to do that.

2           The last thing I want to talk about is the  
3 relevance of LDs to CDs.

4           I've noticed on many of the maps that we've been  
5 privileged to get, that we see that effort with the  
6 legislative district, of course that's very important to me,  
7 and it crosses over lines with CD.

8           So we'll have two congressmen working within our  
9 own legislative district.

10          So I urge you to try to put the legislative  
11 districts within the congressional districts where at all  
12 possible.

13          It will make a lot easier on those of us who are  
14 in the LDs.

15          And I had one other item. I can't remember  
16 exactly what it was.

17          That's good enough for now.

18          Thank you.

19          CHAIRPERSON MATHIS: Thank you.

20          Our next speaker is Matthew Capalby from Greater  
21 Arizona Success.

22          Is it Capalby or Capalby?

23          MATTHEW CAPALBY: Actually the accent is on the  
24 pal. It's Capalby.

25          CHAIRPERSON MATHIS: Capalby. Thank you.

1           MATTHEW CAPALBY:  Again, my name's Matthew  
2 Capalby.  I reside at 3070 Troxler Circle in Flagstaff,  
3 Arizona.

4           And I am working with a group called Greater  
5 Arizona Success which is focused on redistricting in the  
6 areas outside of the Phoenix and Tucson metropolitan areas.

7           Actually like to go back a couple of hours to  
8 discussion previous to the tribal presentations regarding  
9 some of the communities of interest in rural Arizona.

10           And to Commissioner Stertz, I can understand how  
11 it would be difficult to associate Florence with Window Rock  
12 or Flagstaff, along those lines.

13           But throughout my travels over the last  
14 six months, and reemphasize this point I made at a previous  
15 meeting, is there is one common consensus among rural  
16 Democrats and rural Republicans.  The only thing we dislike  
17 more than each other is Phoenix and Tucson, with all due  
18 respect.

19           And also there is an overall consensus that they  
20 do want to maintain their rural sensitivities and  
21 communities of like interest.  Especially our maps, the  
22 Greater Arizona Success maps, are reflective of recent  
23 public comment at IRC hearings, especially in Pinal County  
24 where they do want to remain rural.  There is concern  
25 within, for example, Gila, Pinal, some of the adjoining

1 counties and such, that they may get swallowed up by an over  
2 undue influence by one of the metropolitan areas if they  
3 have to share congressional and/or legislative district with  
4 them.

5           So just to reemphasize our points, we're focused  
6 on the creation of two solidly rural Democrat -- or I'm  
7 sorry, or Republican, but rural congressional districts, and  
8 two -- or, I'm sorry, eight solidly rural legislative  
9 districts.

10           There has been overall consensus, both Republican  
11 and Democrat, to that effect. And we just want to  
12 reemphasize that point.

13           While it is difficult, again, to make arguments,  
14 as I stated earlier, with Florence and Page and such, there  
15 is that consensus. They want to remain and have influence  
16 in a congressional district that isn't dominated by either  
17 Phoenix or Tucson.

18           So I just wanted to emphasize that point.

19           As always, I appreciate your efforts. I know it's  
20 difficult.

21           And I am always available for questions or  
22 additional comments.

23           Thank you.

24           CHAIRPERSON MATHIS: Thank you.

25           COMMISSIONER McNULTY: Madam Chair, could I ask

1 Mr. Capalby a question?

2 CHAIRPERSON MATHIS: Of course.

3 MATTHEW CAPALBY: Yes.

4 COMMISSIONER McNULTY: I know you gave us maps in  
5 Casa Grande.

6 Did you give us block equivalency files or map --

7 MATTHEW CAPALBY: Yes.

8 COMMISSIONER McNULTY: -- manipulable versions of  
9 those maps?

10 MATTHEW CAPALBY: Yes.

11 COMMISSIONER McNULTY: And do we have the most  
12 recent versions of your maps, or have you made some changes  
13 to your map?

14 MATTHEW CAPALBY: Well, actually on the  
15 legislative, we've been in close contact with Mr. Gorman,  
16 from the Navajo Nation.

17 We are going to adjust maps due to recent  
18 discussions with Coconino County, City of Flagstaff, and the  
19 Navajo Nation, to adjust our map to include the peaks in  
20 with the Navajo Nation or the predominant tribal legislative  
21 district.

22 But other than that, we're not proposing any other  
23 significant changes either to the data or to the maps that  
24 we proposed with that one exception.

25 COMMISSIONER McNULTY: Thank you.

1 MATTHEW CAPALBY: Thank you.

2 COMMISSIONER STERTZ: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

4 COMMISSIONER STERTZ: May I also ask you a  
5 question?

6 MATTHEW CAPALBY: Yes, sir.

7 COMMISSIONER STERTZ: The submitted maps that were  
8 provided to us through the Flagstaff City Council approvals,  
9 are those the same maps that you are referring to?

10 MATTHEW CAPALBY: No, no. There actually are  
11 significant differences between the City of Flagstaff maps  
12 and the Arizona Greater Success maps.

13 And this is a point of reference, Tuesday night  
14 the City of Flagstaff voted to reconsider those maps. And  
15 we think they're going to be more in keeping with the  
16 Greater -- we're hoping at least, will be more in keeping  
17 with Greater Arizona Success maps.

18 Because there was some push back from some of the  
19 cities along the river, to the City of Flagstaff, to the  
20 effect that it would prevent the river communities from  
21 creating a solidly rural non-Phoenix district on the west  
22 side, if -- due to the fact that the City of Flagstaff's map  
23 included all of Yavapai County. It made it problematic.

24 So the City of Flagstaff is reconsidering, and  
25 we're awaiting decision this next Tuesday when they're able

1 to vote on it. This last session was a work session that  
2 they had.

3 COMMISSIONER STERTZ: As a point of clarification,  
4 it was the urban Tucson -- part of urban Tucson being  
5 connected to Window Rock that I couldn't quite make the tie  
6 together on.

7 MATTHEW CAPALBY: Yeah, the Oro Valley connection  
8 too is a bit of a challenge.

9 But we were able, looking at the Voting Rights Act  
10 issues, with Hispanic Coalition's proposals, which we also  
11 incorporated in our maps as well as the Navajo Nation's  
12 proposal, we -- that was how we were able to make the  
13 numbers work.

14 COMMISSIONER STERTZ: Thank you.

15 MATTHEW CAPALBY: At that point.

16 So I understand your concern and challenge.

17 Thank you.

18 COMMISSIONER McNULTY: Madam Chair.

19 Sorry, Mr. Capalby, I have one more question.

20 So your maps address the Hispanic Coalition For  
21 Good Government issues also?

22 MATTHEW CAPALBY: Yes.

23 We, we included or adjusted our map to reflect the  
24 Hispanic Coalition's map and also the option B of the  
25 Navajo Nation's proposal.

1 COMMISSIONER McNULTY: The one we received today.

2 MATTHEW CAPALBY: Yes.

3 COMMISSIONER McNULTY: So NN-B -- NN2.

4 MATTHEW CAPALBY: NN2.

5 COMMISSIONER McNULTY: Okay.

6 MATTHEW CAPALBY: Yeah, we put NN2 and the  
7 Hispanic Coalition For Good Government in their proposal.

8 So those are both reflected in the two rural  
9 proposed congressional districts.

10 I'm trying to cover as many bases as possible.

11 COMMISSIONER McNULTY: Thank you.

12 MATTHEW CAPALBY: Thank you.

13 CHAIRPERSON MATHIS: Thank you.

14 THE WITNESS: I can step away now? Okay.

15 CHAIRPERSON MATHIS: I think so.

16 Next speaker is Cathy Schwanke, representing self,  
17 from Desert Hills.

18 Forgive me if I'm mispronouncing.

19 CATHY SCHWANKE: My name is spelled C-A-T-H-Y,  
20 S-C-H-W-A-N-K-E.

21 My comments are in reference to the LD what-if map  
22 option one version five.

23 And the way that the new boundaries are, they  
24 place us, my town of Desert Hills, which we're not really a  
25 town. We just pretend that we are. And we're on the map.

1 And that's why we're a community of interest and I come to  
2 you today. But it places us into a new LD called 15,  
3 according to the option one map.

4 Now, if -- I just saw this new one, option two.

5 If option two places Desert Hills in with the new  
6 LD 22, then I don't have any problem.

7 But, concerning option one, our rural area of  
8 unincorporated Desert Hills has much more community of  
9 interest with city of Phoenix along I-17, just going down  
10 south, or north, than such -- well, community of interest as  
11 far as like doctors, my church, the airport, entertainments,  
12 Diamondback baseball, airport I take my husband all the time  
13 to. Much more in common going down south, the way our  
14 district is presently, than what option one seems to show,  
15 causing us to be in new District 15 going east to  
16 Cave Creek, Carefree, Scottsdale, Fountain Hills, and down  
17 south towards Tempe.

18 Now, I downloaded something off the Internet  
19 called commandments of redistricting criteria, and that kind  
20 of helped me form my comments so I can make them shorter.

21 And some guidelines were given. It says try to  
22 avoid bizarre shapes.

23 Well, option one to me is somewhat bizarre in the  
24 way that the new District 15 starts way over here by  
25 Biscuit Flat, and where I live Desert Hills, and goes way

1 over here, taking in Scottsdale, Carefree, Cave Creek, then  
2 south all the way down, Fountain Hills, southern Scottsdale,  
3 down to Tempe.

4           So to me to try and not avoid bizarre shapes, that  
5 would be something to point out.

6           I never go this route.

7           I -- closer to I-17, so it's more natural for us  
8 in my community to hop on the highway and go south.

9           Then as far as trying to keep the district compact  
10 and contiguous, option one is actually less compact and  
11 contiguous.

12           The old way was better.

13           Then as far as recognizing existing district  
14 boundaries, option one actually recognizes other district  
15 boundaries more than my own.

16           Then another point was, as far as recognizing  
17 natural and manmade boundaries, my natural manmade flow of  
18 community interaction is south along I-17, not to the east  
19 by Carefree and then east south to far away southern  
20 Scottsdale and Tempe.

21           Option one cuts us off from I-17 right here at  
22 Carefree Highway.

23           And it keeps us, Desert Hills, it keeps us in with  
24 Anthem.

25           And you may not know this, or realize this, but

1 where I live just south of Anthem, my community of  
2 Desert Hills, actually there's already a manmade boundary  
3 separating Anthem and Desert Hills where I live. There's a  
4 barbed wire fence and a security gate.

5           There's more security here than there is on the  
6 southern border.

7           There's signs posted every practically 10 or  
8 20 feet, about do not cross.

9           It says due to safety concerns, bicycle and  
10 pedestrian access will not be -- will be terminated 2009.

11           It's only access for bus, fire, and police.

12           So right there is a manmade boundary cutting me  
13 off from my neighbors just two streets up.

14           And so this, this is not good then, because it  
15 puts us up with Anthem. There's already a manmade boundary.

16           And then this option also cuts Desert Hills where  
17 I live from my southern Desert Hills neighbors.

18           So there's a manmade boundary cutting me from my  
19 Anthem neighbors just two streets north, and then this  
20 option one cuts me from my southern Desert Hills neighbors,  
21 forcing me to go this direction which I don't even commute  
22 that direction.

23           So those are just things I needed to point out.

24           Then as far as trying not to split neighborhoods,  
25 again, just to help you understand, Desert Hills is not --

1 that's where we live. It's a community.

2 It's not a real town. We pretend that we are.

3 The ZIP code is 85086.

4 We're locked in with Anthem, New River,  
5 Desert Hills.

6 But, again, option one will cut -- it says not to  
7 split neighborhoods. It actually cuts our neighborhood.

8 I have more access to the neighbors south of  
9 Carefree Highway where it cuts --

10 VICE-CHAIR HERRERA: Madam Chair.

11 Unfortunately I can't see your map, and we'd like  
12 to limit the comments to four minutes.

13 CATHY SCHWANKE: Oh, okay. And this is my last  
14 comment, just to emphasize the point that this, option one,  
15 and I would like to leave this map with you, but this option  
16 one does split a neighborhood, the neighborhood of Desert  
17 Hills along Carefree Highway.

18 Thank you.

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

20 CHAIRPERSON MATHIS: Thank you.

21 Our next speaker is Barbara Klein, president  
22 League of Women Voters of Arizona.

23 VICE-CHAIR HERRERA: Madam Chair, can we limit the  
24 comments to four minutes? I think that's adequate.

25 CHAIRPERSON MATHIS: Sure. And we have just two

1 more request to speak forms after Barbara, so if you go over  
2 four, it's okay.

3 BARBARA KLEIN: My last name is spelled K-L-E-I-N.

4 And, Madam Chair and commissioners, I know you're  
5 tired, and I appreciate you still listening to me. And I  
6 hope I don't put you to sleep by reading, but I'll be much  
7 quicker if I do read, so bear with me.

8 Amidst all the drama surrounding the Independent  
9 Redistricting Commission and the required details of  
10 redistricting, we seem to sometimes forget what lies behind  
11 it all, the real goal, or what it's supposed to be.

12 The general goal of districting is supposed to be  
13 to ensure meaningful representation to the greatest number  
14 of people.

15 That's the goal of the Voting Rights Act, to  
16 protect against racial gerrymandering.

17 And I don't want anybody to gasp, but racial  
18 groups and tribes of the First Nation are not actually  
19 communities of interest.

20 And I say that because that's a lesser  
21 designation.

22 They are a protected people, a federal  
23 designation. They're almost like a super community of  
24 interest.

25 Their concerns, as well as Hispanics, are part of

1 the Voting Rights Act, its concerns that must be respected  
2 to avoid racial gerrymandering.

3           And I know the Commission is taking this  
4 seriously.

5           But the second thing we have to protect against is  
6 political gerrymandering.

7           This is a harder thing to accomplish and harder to  
8 prove if you don't do it. But to borrow an old line, you  
9 know it when you see it.

10           One of the only ways to ensure that you do protect  
11 against political gerrymandering and at the same time  
12 represent the greatest number of voters is to provide the  
13 greater number of competitive districts as possible.

14           People express their clearest interest by the way  
15 they vote, not just where they vote.

16           That's why the League of Women Voters supports  
17 more competitive districts.

18           Under our current election system, this is the  
19 best we can do to represent the most people. It's the core  
20 of what your responsibility is about.

21           It's not a tagged on criteria of lesser  
22 importance.

23           We ask that you define competition early in the  
24 process and make sure the definition is objective, as we are  
25 aware that there are less than objective ways to count the

1 same thing.

2           Competitiveness should not be based on national  
3 waves, but on race-by-race possibilities consistently.

4           Consult those who can give you reliable and  
5 effective measurements -- or methods of measurements, excuse  
6 me.

7           It may be difficult with all the problems that are  
8 in front of you, but we ask you to remember that your real  
9 job is ensuring meaningful representation to the most  
10 Arizona voters.

11           Competition is one of the only ways to accomplish  
12 this.

13           CHAIRPERSON MATHIS: Thank you.

14           Our next speaker is Kelly Townsend, co-founder of  
15 Greater Phoenix Tea Party.

16           KELLY TOWNSEND: Kelly, K-E-L-L-Y,  
17 T-O-W-N-S-E-N-D. Representing Greater Phoenix Tea Party.

18           Greater Phoenix Tea Party is just that. It's a  
19 greater Phoenix, but we have groups in every area. So today  
20 I'm here to represent groups in the east valley.

21           And I may be mistaken, but I think that there's  
22 only been one meeting that you guys have held in the east  
23 valley; is that right?

24           I think there's only been one, and I happened to  
25 miss it.

1 I couldn't get to it.

2 So, they -- their first concern, the folks that I  
3 talked to, is that they haven't had a voice, because they --  
4 a lot of them are working and so in 48-hour notice go over  
5 to Casa Grande or downtown Phoenix is nearly impossible for  
6 most of them.

7 So the request is to please schedule at least one  
8 more meeting in the east valley so that they can now comment  
9 on the boundaries and maps.

10 Regarding the east valley, another thing they're  
11 asking is that you honor the town boundaries.

12 And we are excited about the training that you're  
13 having on the 20th so that we can actually present a map to  
14 you and learn how to do that so you can manipulate it  
15 without me just drawing lines. We want to be able to  
16 present something to you.

17 But today I just wanted to throw something out  
18 there as an idea of congressional district and legislative  
19 district.

20 From what I understand on legislative districts,  
21 it has to have, am I correct, 213,000 in it, something to  
22 that effect.

23 The town of Gilbert is the town right now that I'm  
24 just talking with that's most concerned. And their  
25 population is 208, which is close to that amount.

1           And there's some county islands, and the question  
2 of what the population of the county islands is still out.  
3 I've heard anywhere from 8,000 to 35,000, so that's  
4 something you guys are going to have to tweak.

5           But primarily -- we understand that some of  
6 Gilbert will likely be having to come out if that's the  
7 case, if it's over the 213. But we're asking to keep  
8 Gilbert intact as a legislative district if at all possible.

9           And like I said last time, that one of the most  
10 obvious places would be south of the 202, in the new  
11 communities and that area, if you had to break some off.

12           As far as the congressional district goes, my  
13 understanding is that 710,000, and I was told down to the  
14 person, like you have an error of one, so that's going to be  
15 tough, but we did some math. Gilbert, again, 208,000, plus  
16 maybe, say, 27,000 in county islands.

17           Plus east Mesa. You guys had talked about you  
18 wanted Mesa Road; right?

19           So east of Mesa Road calculated up to 400,000, for  
20 example. I'm not sure what that difference is west of Mesa  
21 Road.

22           So say 400,000 east of Mesa Road.

23           Queen Creek and Gold Canyon and those all add up  
24 to approximately 710.

25           The reason why I wanted to mention Queen Creek

1 versus Chandler, one, you'd have to split Chandler, and  
2 we're asking to keep as much as possible the integrity of  
3 the towns.

4 But, two, Queen Creek and Gilbert have a heritage  
5 of agriculture. And so there's a lot of interaction between  
6 Queen Creek and Gilbert. And it's that community is almost  
7 one.

8 South Gilbert especially and on into Queen Creek  
9 is all new development, all came in in the housing boom.  
10 And similar, whether it's the new tract homes or the  
11 agriculture, rodeo, all that kind of thing. So that is one  
12 community from Gilbert to Queen Creek.

13 Gilbert to Chandler, it's a huge divide in those  
14 two communities. So I would say down Gilbert Road, and it's  
15 is a little bit of Gilbert's boundaries kind of go a little  
16 bit, I think, past Cooper Road, and it changes as it goes  
17 south, but down to Pecos or the 202.

18 And then, again, Gold Canyon and east Mesa are  
19 kind of together as well.

20 So we can put that map together for you if you're  
21 interested the next time we come back when we have access to  
22 Maptitude, I think it's called.

23 So that's the bulk of what I wanted to say, as far  
24 as that goes.

25 I wanted to put a word in for the whole county

1 maps. I've been looking at that.

2 I was kind of concerned about the river district  
3 map that you showed last Thursday. I think it was  
4 version five. It had Gilbert, Mesa, those areas all split  
5 up into three congressional districts and even four  
6 legislative districts, which as a community out there and  
7 being part of that, like I said last week, that doesn't even  
8 feel good. That doesn't make any sense to do that.

9 And then, finally, I'm a little concerned about a  
10 lot of people want to communicate with you via e-mail. I  
11 didn't realize they could call you.

12 I wonder about the volume of your e-mails, if  
13 you're able to look at those.

14 And, you know, I've been encouraging everyone to  
15 come and speak, but, again, everybody has to work during  
16 these hours.

17 So I'm a little concerned about the integrity of  
18 e-mails getting to you on time so that you can see them, and  
19 to nail the problem with the server.

20 And then phone messages, I just would like to know  
21 if there's any way we can be assured that if I tell people,  
22 send an e-mail in, that you guys are going to get it and on  
23 time.

24 So I don't know how you can increase our  
25 confidence in that process, but that's a little concerning.

1 I can't tell them to do that because I don't feel  
2 comfortable that you're going to get it.

3           So if there's any way you guys can provide to us a  
4 way to know that that is, in fact, getting to you, I  
5 appreciate it.

6           And I think that's it for today.

7           CHAIRPERSON MATHIS: Thank you.

8           VICE-CHAIR HERRERA: Madam Chair.

9           CHAIRPERSON MATHIS: Mr. Herrera.

10           VICE-CHAIR HERRERA: I would like to ask a  
11 question of Ms. Townsend.

12           The split that you talked about in Mesa, west Mesa  
13 and east Mesa, that, that particular scenario you described,  
14 the river district, I think most definitely in 7A, where did  
15 you get that information that the people from that area  
16 would be okay with that split?

17           THE WITNESS: I'm speaking on behalf of Gilbert.  
18 If you have to split Gilbert, if that's the direction you  
19 guys are going, then it -- you know, that was -- I was just  
20 basing it off of what you had recommended. Because we want  
21 to be about compromise.

22           You know, if that's what you're looking at.

23           And someone else had said Alma School, another  
24 person said Dobson, just in that general area. Just  
25 geographically you have the city center right there, and

1 then you have one side and then the other.

2 And so if you want, I can start putting my feelers  
3 out and see how people want to react to that idea and get  
4 some feedback.

5 But, again, the best thing to do is to have  
6 another meeting out there, and if you have time.

7 VICE-CHAIR HERRERA: Just a reminder that, as I  
8 mentioned before, there's many ways to contact the  
9 Commission. People don't have to attend in person if they  
10 don't want to. I understand people work, but there's many  
11 ways to contact --

12 THE WITNESS: What's the most efficient that  
13 you're going to get it, you're sure you'll get it and you're  
14 going to see it? What would you prefer?

15 VICE-CHAIR HERRERA: You know what, should we ask  
16 Ray Bladine or Kristina?

17 CHAIRPERSON MATHIS: Sure.

18 Mr. Bladine, I had a question on that too.

19 I am curious. If someone sends an e-mail into our  
20 website, and I know we've gotten lots of those, do they get  
21 an automatic reply that their input was received, or is  
22 there a way to achieve something like that so people know  
23 that at least the submission went through?

24 RAY BLADINE: Recently, because we've had a large  
25 number, I personally when I got one just said thanks for

1 your comment and then forwarded it on to Kristi. And Kristi  
2 Olson then puts it in the log and a copy of it in the books  
3 that you all get when you get the books.

4 If someone asks us to specifically e-mail  
5 something to you, then we do specifically e-mail that to  
6 you.

7 But I don't think that in all of the cases we send  
8 a note, you know, send it back that, yes, we have it.

9 But we log it and send it to you, but I'll let  
10 Kristina talk about that.

11 KRISTINA GOMEZ: Every single e-mail that we  
12 receive through our website, I do respond to each person.

13 So that's what I do on a daily basis really.

14 CHAIRPERSON MATHIS: Great.

15 Mr. Herrera.

16 VICE-CHAIR HERRERA: The -- so my only concern is  
17 that I want to make sure that the people that are e-mailing  
18 us are getting a response that they -- whether it be an  
19 automatic response sent automatically when they send an  
20 e-mail to the IRC saying that your information was received  
21 and these are the steps that we'll take, I think it would be  
22 make -- be very helpful if we explain to the sender of the  
23 e-mail what we plan to do with that information.

24 KELLY TOWNSEND: My big concern is that you guys  
25 are getting it.

1           You know, I'm happy that they're going to get a  
2 response that it was received, but will you guys see it?

3           I can't imagine you will have time to go through  
4 all those e-mails.

5           So how are you -- maybe a spreadsheet that you  
6 have staff person, this person wants this, this e-mail, and  
7 then you can at a glance still, hey, we're getting a lot of  
8 comments on this issue, whatever.

9           Do you have any kind of system to where you're  
10 getting that feedback, or is this just going to go on the  
11 record for possibly in the future.

12           CHAIRPERSON MATHIS: That's something I can  
13 respond to a little bit.

14           We have this document management system,  
15 electronically called Catalyst, that has been helping us  
16 manage the large volumes of information. And each of the  
17 commissioners has his or her log on to access the system and  
18 can pull up, what I understand, to be any piece of submitted  
19 documentation, whether it's an e-mail, a map, whatever.

20           KELLY TOWNSEND: Who can pull that up, the public  
21 or you guys?

22           CHAIRPERSON MATHIS: We can, the commissioners.  
23 It's for the Commission to manage this -- all the input that  
24 we're receiving.

25           And then our staff has also created these large

1 binders of just hard copy.

2 And is that of everything that's in Catalyst too?

3 KRISTINA GOMEZ: Yes, it is.

4 CHAIRPERSON MATHIS: It's the same. Okay.

5 So we have some huge binders, I think seven now,  
6 that we're going to be having, and we're -- they're  
7 constantly updating that information.

8 We get the electronic much quicker than we get the  
9 hard copies, but nonetheless.

10 KELLY TOWNSEND: This may be uncomfortable, but  
11 are you guys by law required to keep every single one?  
12 Because I know, like, the voting score cards or whatever  
13 have been asked -- Andy Biggs has asked for those and how to  
14 get them.

15 I'm a little worried, you know, so how can you  
16 convince us that everything is good, it's all going to be  
17 there, and everything is accountable?

18 CHAIRPERSON MATHIS: I can't comment on that, I  
19 don't think.

20 So any comments on --

21 KELLY TOWNSEND: Are you guys legally required to  
22 keep every piece of communication from the public?

23 CHAIRPERSON MATHIS: Yeah. The records are  
24 retained as public records, so, yes, we are required.  
25 Anything that the public is submitting, we keep.

1           KELLY TOWNSEND: Super. That's it.

2           KRISTINA GOMEZ: I still have to respond to about  
3 50 people from late last night and this morning, so, but I  
4 did forward the e-mails to our staff, so it's going to be  
5 uploaded on Catalyst and coded, and it will be copied as  
6 well, so. . .

7           CHAIRPERSON MATHIS: Thank you.

8           RAY BLADINE: My comment was normally I don't get  
9 75 e-mails a day, or in a morning, and I have been getting  
10 that the last several days.

11           It's obvious some of the e-mails are from the same  
12 person more than once.

13           It's obvious some of the e-mails go to me and they  
14 go to Stu and they go to Kristina.

15           So those we are having a hard time responding to,  
16 but what we are doing is forwarding them all to Kristina to  
17 record.

18           I mean, sorry, Ms. Olson, Kristi Olson, to record.

19           And she's the one that does record them, so that  
20 all will get to you. But in the last several days with this  
21 huge influx, we have been behind in answering those.

22           CHAIRPERSON MATHIS: Okay. Thank you.

23           VICE-CHAIR HERRERA: Again, Madam Chair, I think  
24 doing the automatic response and letting people know what to  
25 expect when they send an e-mail, is probably a good idea as

1 opposed to having them individually respond to them.

2 Unless they have questions.

3 But if they're making general comments to the  
4 Commission, it would make sense if it's just a detailed -- I  
5 hate to say generic, a detailed generic e-mail that lets  
6 them know what we plan to do with this information, I think  
7 it would be very helpful.

8 It will alleviate your concerns, Ms. Townsend, and  
9 hopefully your concerns and any concerns anybody else has  
10 regarding the information that they're submitting and that  
11 they're being heard and recorded. So, again, I  
12 stress the -- I stress probably doing that.

13 CHAIRPERSON MATHIS: Okay. Thank you.

14 Mr. Bladine.

15 RAY BLADINE: That is what we're doing.

16 When I get, when I get a letter, I write --  
17 usually I -- depending on what it says, but I'll write back,  
18 thank you for your information, we have recorded it, and we  
19 will see the Commission gets it.

20 Now, I haven't done all of those that have come  
21 in.

22 If Kristina gets them off the web page, she does  
23 the same thing, but she was saying she's 50 behind, so --  
24 and I'm sure, and I'm double check this, but when Kristi  
25 Olson gets it, she also does the same.

1           But if somebody says, well, I sent one in  
2 yesterday or the day before, they probably haven't gotten a  
3 response because we've been overwhelmed.

4           But I agree. We do try to acknowledge everything  
5 that we get in, and we -- you know, and some of them I will  
6 get more -- if somebody writes me a real letter, I will  
7 write them a real letter back.

8           If someone writes me a form letter, I have a  
9 little thing that says thank you for your comment and we  
10 will forward.

11           So I'm trying to be as responsive to the people  
12 who sent it to us as they are to us. And that does take  
13 time.

14           CHAIRPERSON MATHIS: And just a clarification  
15 question, when that input does come in, e-mail, map,  
16 whatever, it gets scanned as well, and then put into the  
17 Catalyst system; right?

18           RAY BLADINE: And that's when I, when I get it in  
19 my personal e-mail, and this has just recently happened, I  
20 have been responding to it and then sending it to Kristi  
21 Olson.

22           She scans it and gets it in the book.

23           I think what I will start doing is just forwarding  
24 it to Kristi and let her respond and put it in the book.  
25 And that will save me a little time.

1           But we do want people to know that, yes, we have  
2 it, it is documented, and it will get, it will get to you.

3           And as you pointed out, Madam Chair, you get it  
4 both hard copy and also in Catalyst that you can search.

5           CHAIRPERSON MATHIS: Thank you.

6           Any other questions on that topic?

7           I would also like to make a public service  
8 announcement.

9           Thank you, Ms. Townsend, for reminding me of this.

10          But September 20th, there will be online webinar  
11 that anyone can log into and learn about how to do mapping  
12 using the Maptitude software. And that's going to be this  
13 Tuesday evening, at 7:00 p.m., Arizona time.

14          And just -- is there anything new on that, on our  
15 website?

16          I don't see Buck -- Buck's right there.

17          Is there anything new, Buck, on our website  
18 regarding the URL that people can tap into to get to the  
19 webinar for Tuesday evening?

20          BUCK FORST: No, there is nothing new, with the  
21 exception of the blast e-mail that was sent out yesterday in  
22 regards to signing up.

23          CHAIRPERSON MATHIS: So a blast e-mail went out to  
24 anybody that's logged -- that subscribed to our website.

25          BUCK FORST: Correct. You know, I also wanted to

1 comment on the public input site. Once the public actually  
2 prints the -- either the public input form or the contact  
3 page, there is a thank-you page that says your comments have  
4 been received, by the IRC, thank you for your comments, have  
5 a nice day.

6 CHAIRPERSON MATHIS: That's automatically  
7 generated.

8 BUCK FORST: Every time it's successfully  
9 submitted, yes.

10 CHAIRPERSON MATHIS: Great.

11 BUCK FORST: It's not an e-mail. It's just  
12 another page of the website that lets them know it was  
13 received.

14 CHAIRPERSON MATHIS: Got it.

15 BUCK FORST: But, I mean, the page doesn't  
16 currently have any information about how the information is  
17 being processed.

18 And I'm happy to add that, if you'd like me to.  
19 Like I said, right now it just says, your comments have been  
20 received, have a nice day.

21 CHAIRPERSON MATHIS: Yeah, I think we should -- I  
22 think it's a good idea that Mr. Herrera had of maybe just --  
23 you don't have to go into any great detail, and we can talk  
24 about the language, but just about what happens to their  
25 input from there that it is scanned and put into our system.

1           BUCK FORST: I can do it. Thank you.

2           CHAIRPERSON MATHIS: Okay. We'll talk about that.

3 Thank you.

4           Okay.

5           We have one more request to speak form.

6           Mike Flannery, representing self, from Yavapai

7 County.

8           MIKE FLANNERY: Mike Flannery, F-L-A-N-N-E-R-Y.

9           Thank you, and I'll try to be just as brief as  
10 possible.

11           About a week or 10 days ago I addressed you, and I  
12 stated then that you would be receiving if you hadn't  
13 received a letter from Supervisor Chip Davis, District 3 of  
14 Yavapai County, who represents the Verde Valley, who  
15 organized a joint letter from all of the communities from  
16 the quad city and the Verde Valley stating that they wanted  
17 to stay together.

18           I was somewhat surprised when I heard today that  
19 there was a division of those communities, and the Verde  
20 Valley wanting to go one way and the quad city another way.

21           So I contacted Mr. Davis' office, and, and a  
22 letter was sent to you on August 31st, attention Anna  
23 Garcia, and you should have received it.

24           The exception to that was that there were, I  
25 believe, three communities that had not had an opportunity

1 to put that before their councils at that time.

2 They have sent to you under separate cover letters  
3 state exactly the same thing. So in all, you've had it from  
4 all of the communities, with the exception of one, which was  
5 Sedona.

6 Sedona is a different community, and I don't mean  
7 that derogatorily.

8 They are split. They are part in Coconino County  
9 and part in Yavapai County, and so they chose not to  
10 participate in that.

11 So I just wanted to, for the record, make that  
12 clarification, if I could.

13 Thank you.

14 CHAIRPERSON MATHIS: Thank you.

15 Anyone else from the public that I missed?

16 (No oral response.)

17 CHAIRPERSON MATHIS: Okay.

18 I think that takes us to item ten on the agenda,  
19 which is adjournment. And the time is 5:24 p.m., and this  
20 meeting is adjourned. Thank you for coming.

21 (Whereupon, the meeting adjourned.)

22

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25

1 STATE OF ARIZONA            )  
  )  
2 COUNTY OF MARICOPA        )        ss.

3

4                    BE IT KNOWN that the foregoing proceeding was  
5 taken before me, Marty Herder, a Certified Court Reporter,  
6 CCR No. 50162, State of Arizona; that the foregoing 178  
7 pages constitute a true and accurate transcript of all  
8 proceedings had upon the taking of said meeting, all done to  
9 the best of my skill and ability.

10                   DATED at Chandler, Arizona, this 2nd day of  
11 October, 2011.

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

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