

THE STATE OF ARIZONA
INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

October 4, 2021

12:30 p.m.

Miller Certified Reporting, LLC
PO Box 513, Litchfield Park, AZ 85340
(P) 623-975-7472 (F) 623-975-7462
www.MillerCertifiedReporting.com

Reported By:
Angela Furniss Miller, RPR
Certified Reporter (AZ 50127)

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1 PUBLIC MEETING, BEFORE THE INDEPENDENT
2 REDISTRICTING COMMISSION, convened at 12:30 p.m. on
3 October 4, 2021, at Phoenix City Council Chambers, 200 West
4 Jefferson Street, Phoenix, Arizona, in the presence of the
5 following Commissioners:

6 Ms. Erika Neuberg, Chairperson
7 Mr. Derrick Watchman, Vice Chairman
8 Mr. David Mehle
9 Ms. Shereen Lerner
10 Mr. Douglas York

11 OTHERS PRESENT:

12 Mr. Brian Schmitt, Executive Director
13 Ms. Loriandra Van Haren, Deputy Director
14 Ms. Valerie Neumann, Executive Assistant
15 Ms. Michele Crank, Public Information Officer
16 Ms. Marie Chapple Camacho, Outreach Coordinator
17 Mr. Alex Pena, Outreach Coordinator
18 Mr. Roy Herrera, Ballard Spahr
19 Mr. Daniel Arellano, Ballard Spahr
20 Mr. Eric Spencer, Snell & Wilmer
21 Mr. Brett Johnson, Snell & Wilmer
22 Mr. Mark Flahan, Timmons Group
23 Mr. Douglas Johnson, National Demographics Corp.
24 Ms. Ivy Beller Sakansky, National Demographics,
25 Corp.
26 Dr. Lisa Handley, Voting Polarization Consultant
27 Mr. Brian Kingley, Timmons Group
28 Mr. Parker Bradshaw, Timmons Group
29 Mr. Brody Helton, Timmons Group
30 Mr. Colby Chafin, Timmons Group

P R O C E E D I N G

1
2
3 CHAIRPERSON NEUBERG: Okay. If I could get
4 everybody's attention.

5 Welcome, everybody. We deeply appreciate the
6 public that is tuning in and also deep appreciation for the
7 journalists who are helping to spread the word of this very
8 consequential process that's going on.

9 Before we dive into the agenda, I'd like to ask
10 everyone to please stand up and join us in the Pledge of
11 Allegiance.

12 (Whereupon the Pledge of Allegiance is recited.)
13

14 CHAIRPERSON NEUBERG: Okay. Thank you.

15 We will move to Agenda Item I, call to order and
16 roll call.

17 I(A), call for quorum. It is 12:32 p.m. on Monday,
18 October 2021. I call this meeting of the Independent
19 Redistricting Commission to order.

20 For the record, the Executive Assistant Valerie
21 Neumann will be taking roll. When your name is called,
22 please indicate you are present. If you're unable to
23 respond verbally, we ask that you please type your name.

24 Val.

25 MS. NEUMANN: Thank you, Madam Chair.

1 Vice Chair Watchman.

2 VICE CHAIR WATCHMAN: Present.

3 MS. NEUMANN: Commissioner Lerner.

4 COMMISSIONER LERNER: Present.

5 MS. NEUMANN: Oh. We'll start over.

6 Vice Chair Watchman.

7 VICE CHAIR WATCHMAN: Present.

8 MS. NEUMANN: Commissioner Lerner.

9 COMMISSIONER LERNER: Present.

10 MS. NEUMANN: Commissioner Mehl.

11 COMMISSIONER MEHL: Present.

12 MS. NEUMANN: Commissioner York.

13 COMMISSIONER YORK: Present.

14 MS. NEUMANN: Chair Neuberg.

15 CHAIRPERSON NEUBERG: Present.

16 MS. NEUMANN: And for the record, we also have in
17 attendance Executive Director Brian Schmitt, Deputy Director
18 Lori Van Haren, Public Information Officer Michele Crank,
19 Community Outreach Coordinator Marie Chappel, Community
20 Outreach Coordinator Alex Pena; from our legal team we have
21 Brett Johnson and Eric Spencer from Snell & Wilmer, Roy
22 Herrera and Daniel Arellano from Ballard Spahr; our mapping
23 consultants, Mark Flahan from Timmons, Doug Johnson from NDC
24 Research; and Angela Miller, our transcriptionist.

25 Thank you. Back to you.

1 CHAIRPERSON NEUBERG: Okay. Thank you very much.
2 Please note for the minutes that a quorum is
3 present.

4 Agenda Item I(B), call for notice.

5 Val, was the notice and agenda for the Commission
6 meeting properly posted 48 hours in advance of today's
7 meeting?

8 MS. NEUMANN: Yes, it was, Madam Chair.

9 CHAIRPERSON NEUBERG: Thank you.

10 Agenda Item II, approval of minutes from
11 September 28th, 2021. We have II(A), the general session,
12 we also have II(B), which was reflective of Agenda Item
13 VII(A), which was discussion of the competitiveness factors
14 under the constitutional guidelines.

15 I'll open it up for discussion on the minutes if
16 there is any.

17 If there's no discussion, I'll entertain a motion
18 to approve the general session and executive session minutes
19 from September 28th.

20 COMMISSIONER LERNER: This is Commissioner Lerner.
21 I move to accept the proposed executive and general
22 session -- try that again.

23 This is Commissioner Lerner. I move to accept the
24 minutes for both the executive and the general session.

25 CHAIRPERSON NEUBERG: Thank you.

1 And make sure to speak into the mic.

2 Do I have a second?

3 VICE CHAIR WATCHMAN: Vice Chair Watchman seconds,
4 Madam Chair.

5 CHAIRPERSON NEUBERG: If there's no further
6 discussion, I will take a vote on the minutes, general
7 session and executive session, from September 28th.

8 Vice Chair Watchman.

9 VICE CHAIR WATCHMAN: Aye.

10 CHAIRPERSON NEUBERG: Commissioner Mehl.

11 COMMISSIONER MEHL: Aye.

12 CHAIRPERSON NEUBERG: Commissioner Lerner.

13 COMMISSIONER LERNER: Aye.

14 CHAIRPERSON NEUBERG: Commissioner York.

15 COMMISSIONER YORK: Aye.

16 CHAIRPERSON NEUBERG: Commissioner Neuberg is an
17 aye.

18 And with that, the minutes are approved from
19 September 28th.

20 We'll move to Agenda Item No. III, opportunity for
21 public comments.

22 Public comment will now open for a minimum of
23 30 minutes and remain open until the adjournment of the
24 meeting. Comments will only be accepted electronically in
25 writing on the link provided in the notice and agenda for

1 this public meeting and be limited to 3,000 characters.

2 Please note members of the Commission may not
3 discuss items not specifically identified on the agenda.
4 Therefore, pursuant to A.R.S. 38-431.01(H), action taken as
5 a result of public comment will be limited to directing
6 staff to study the matter, responding to any criticism or
7 scheduling the matter for further consideration and decision
8 at a later date.

9 With that we'll move to Agenda Item No. IV,
10 discussion on public comments received prior to today's
11 meeting. I will open it up to my fellow Commissioners.

12 I have a few comments that I'd just like to
13 highlight. There was a -- I think, a fair number of people
14 that have commented on the size of our mapping team's
15 screen, I'd say it's not just the visual -- it's not just
16 the size, I think, it's the boldness of it. The lines can
17 be quite faint when you're looking at a screen, so we'll be
18 cognizant of that.

19 There was some commentary on Commissioners
20 attending all of the public hearings and how we'll have
21 access to that data if we're not there. All of the data
22 will come to us whether it's in written form or some of the
23 technological overlay maps that -- that our mapping
24 consultants provide, we have transcripts.

25 And it's not unprecedented, I would like to say, in

1 the previous Commissions, in order to extend our bandwidth
2 throughout the state, it's not possible for all
3 Commissioners to attend each and every meeting. I would
4 like to remind you we are volunteers, and we actually most
5 of us are still engaging in some professional pursuits, but
6 we're doing our due diligence to learn as much of the data
7 as possible.

8 Quite a few submitted specific comments related to
9 boundary lines. I'd also, again, reassure the public that
10 that method of feedback is getting to us. It's not the
11 mapping software, but we understand narratives and that --
12 that feedback is actually quite helpful, and I encourage it
13 to keep coming.

14 And then finally, yes, Prescott is on the radar for
15 Round Three. And everybody else who has opinions about
16 where we ought to be after the draft maps are released and
17 we engage in a third round of tour, we're very excited to --
18 to cover as much of the state as possible.

19 Okay. With that, any other discussion from -- from
20 my colleagues?

21 We will move to Agenda Item No. V, update
22 discussion and potential action concerning polarization data
23 and report presentation from mapping consultants. If
24 necessary for legal advice, we retain the ability to go into
25 executive session which will we outline if necessary.

1 With that, I will turn it over to our mapping team.

2 MR. D. JOHNSON: Madam Chair, thank you.

3 Doug Johnson, National Demographics, and I believe
4 we're joined by Dr. Handley on the WebEx, so I will let her
5 give her initial presentation.

6 Just to set the context, we are looking --
7 reporting today on the results of our analysis of the Native
8 American voting patterns and of polarized voting in Maricopa
9 County. The -- the Pima and Pinal and Yuma analysis is
10 still underway and will come later on.

11 But this should give us a very solid beginning to
12 start talking about drawing maps. So I'll let her present,
13 and then we'll work together to answer any questions you
14 might have.

15 DR. HANDLEY: Hi, this is Lisa Handley. I am --
16 I'm hoping you can hear me?

17 CHAIRPERSON NEUBERG: Yes, we can.

18 MR. D. JOHNSON: Yes, we can.

19 DR. HANDLEY: Okay. Okay. Good.

20 I have reviewed the analysis that we did for
21 Maricopa County and Apache and Navajo County, and that's
22 what I'm going to discuss today.

23 Let's start with the first slide.

24 I am sure that you've heard about the *Gingles*
25 prongs. This is from *Thornberg v. Gingles* and the fact that

1 to bring a successful to suit you have to meet three --
2 three conditions: First, you have to be able to show that
3 you can draw majority-minority districts; second, you have
4 to show that minorities are politically cohesive; and third,
5 you have to show that white's bloc vote to usually defeat
6 minority-preferred candidates.

7 And this -- and if you are able to demonstrate
8 these three preconditions, chances are you're going to have
9 to draw districts that provide minority voters with an
10 opportunity to elect their candidates of choice.

11 And if you already have such districts, you will
12 need to maintain those districts.

13 Next slide.

14 Now, we don't know the race or ethnicity of people
15 who submit ballots, it's not on the ballots, so we have to
16 use an estimation procedure to determine how voters are
17 casting their votes.

18 And there are two standard techniques and one is
19 ecological regression and the other is ecological inference;
20 and I have used both of those to derive estimates of how
21 Hispanics and non-Hispanics and how Natives and how
22 non-Native Americans have voted in recent elections.

23 Next one.

24 So here is an example of an election in Maricopa
25 County. In fact, this is a statewide election for Governor

1 in 2018, but the results are just for Maricopa County.

2 And you can see in this chart the -- the first
3 column is -- identifies the contest and the candidates who
4 ran; the second column, their political party; the third
5 column, the race or ethnicity of the candidates, the vote
6 percentages of the percent it got in Maricopa County.

7 And then the next three columns provide the
8 estimates of Hispanic voters voting for these candidates.

9 So "ER" would be ecological regression; "EI" is
10 ecological inference; and "HP" is another method called
11 homogeneous precinct analysis.

12 This is actual, real percentages. You can see that
13 there aren't any homogenous Hispanic precincts, but there
14 are homogeneous non-Hispanic precincts.

15 This -- this is just reporting the election results
16 of precincts that are overwhelmingly one race, in this case
17 either Hispanic or non-Hispanic, and it provides a good
18 check on our ER and EI estimates.

19 We expect them to be a little bit different because
20 we -- it's quite likely that voting in homogeneous precincts
21 is not reflective of what voting might be in the
22 jurisdiction as a whole in more integrated areas.

23 The bottom two rows provide estimates of Hispanic
24 and non-Hispanic turnout; and I was hoping that Doug would
25 explain the database to you, the database differed depending

1 on whether we were looking at trying to estimate Hispanic
2 voting behavior or Native American voting behavior.

3 With Hispanic voting behavior, we actually use the
4 voters' list; we use the census surname identifier to
5 determine the number -- number of Hispanic voters of total
6 voters that turned out.

7 So these are real numbers here. This is -- for
8 example, Hispanic turnout would be the number of voters with
9 Hispanic surnames of Hispanic citizen voting age population.
10 And the same would be true of non-Hispanic turnout, that is
11 everybody who wasn't Hispanic, according to the surname
12 list, divided by number of citizen voting age population who
13 were not non-Hispanic.

14 So ER indicate that a hundred percent of Hispanic
15 voters supported Garcia.

16 This is somewhat typical of ecological regression;
17 it produces estimates that are near or even over the balance
18 of possibility, especially when voting is polarized.

19 And this is one of the reasons that EI was
20 developed, it does not produce estimates that are outside of
21 the range that is possible. The downside is it produces
22 estimates separately for, say, the three candidates running
23 here, so they won't necessarily equal a hundred. None will
24 a hundred, but when you add up the column it won't equal a
25 hundred.

1 But the EI estimate indicates the same thing, an
2 overwhelming percentage of Hispanics supported Garcia. When
3 you look at the non-Hispanic voters, you can see that this
4 was not the candidate that they supported, that at least
5 60 percent of non-Hispanic voters supported the Republican
6 contest.

7 This is an example of a polarized contest where
8 Hispanics alone would have voted -- would have elected one
9 candidate and non-Hispanics would have elected another
10 candidate.

11 Now, I looked at all elections in Maricopa County
12 and two statewide elections. The two statewide elections
13 were the two statewide elections in 2018 that included
14 Hispanic candidates. In terms of the other elections I
15 looked at, I looked at state legislative and congressional
16 elections with the caveat that there had to be enough
17 Hispanic voters to produce reliable estimates.

18 Now, you will be supplied with the form of sheets
19 that show the voting patterns for each election. I will
20 tell you that in most cases voting was polarized in Maricopa
21 County, and that does mean that you will be drawing
22 districts that provide minority voters with an opportunity
23 to elect.

24 Okay. Next slide, please.

25 The analysis that I did -- that was done in Apache

1 and Navajo County was slightly different because we couldn't
2 use the voter list and a surname, a census surname list to
3 do this. Instead, we used citizen voting age population by
4 race, and that means that we don't have turnout figures like
5 we do for Hispanics, now we're going to be estimating
6 turnout figures.

7 But other than that you can see that the table look
8 pretty much the same.

9 Now this is a contest -- a 2018 general election
10 for State Senate District 7, the "split" means that it was
11 split across more than one county.

12 And you can see here that, again, the ER, EI -- and
13 this time we do have homogenous precincts that are held in
14 Native American, all point to very strong support for that
15 Native American candidate.

16 And we look at the non-Native American voters, you
17 can see that there was strong support for the opponent of
18 the Native American candidates. This contest is also
19 polarized.

20 So the difference between two steps of analyses is
21 the -- the data that I used to estimate the behavior. So in
22 the case of Hispanic and non-Hispanic, we have voters lists
23 with Spanish surname identified, and we are closer to the
24 actual electorate because we were looking at voters' list,
25 and here we are looking at citizen voting age population to

1 produce this.

2 But once again voting was polarized in the contests
3 that I examined -- every contest that I examined in Apache
4 and Navajo Counties.

5 And Maricopa County, it wasn't every contest, but
6 it was certainly the majority of, if not the vast majority
7 of them.

8 Okay. Next slide.

9 What this means is that you have to when you sit
10 down is to draw districts, draw districts that provide
11 minority voters with an opportunity to elect their candidate
12 of choice. What you cannot do is pick an arbitrary target
13 like, for example, 50 percent Black voting age population or
14 55 percent Hispanic citizen voting age population, and
15 simply apply it as a target to all districts; you have to do
16 what's called a district-specific functional analysis to
17 determine if a proposed district that you're drawing will
18 provide minority voters will the ability to elect
19 minority-preferred candidate.

20 And I will leave it up to the lawyers to explain
21 what all of this means in terms of the law; but in terms of
22 what we're going to be doing, it simply means that you have
23 to do an analysis individually for each district that you
24 draw to make sure that it is, in fact, narrowly tailored to
25 elect minority-preferred candidate without necessarily

1 packing minorities or drawing the lines to thin so that
2 minority voters would not have an opportunity to elect their
3 candidates of choice.

4 Next slide.

5 There are two methods that I know of to do two
6 statistical or sort of analytic methods that I know of to
7 carry out district-specific functional analysis.

8 By "functional" we mean we want to actually rely on
9 the voting patterns of minority and white voters.

10 So the first method and the only method that you
11 can use prior to drawing districts is to take the estimates
12 that we produced through the racial bloc voting analysis --
13 remember, we have estimates now of participation rates --
14 the degree of minority of cohesion, that is the percentage
15 of minorities voting for minority-preferred candidates, and
16 the amount of white crossover voting. And by "white
17 crossover voting," I'm talking about voting for the
18 minority-preferred candidates. So if voting is polarized,
19 that means the majority of whites are supporting a different
20 candidate, the opponent of the minority-preferred candidate.

21 But chances are there will be at least some white
22 crossover vote for the minority-preferred candidate, and we
23 can take these three things into account -- participation
24 rates, cohesion rates, and white crossover voting -- and
25 derive estimates of the minority population needed in

1 specific areas to elect minority-preferred candidates.

2 The second method can only occur once you have
3 proposed districts. And in this -- using this approach, you
4 will identify some -- what I would call "bellwether
5 elections." Elections that are racially polarizing in which
6 there is a clear minority-preferred candidate -- minority
7 minority-preferred candidate, and we are going to recompile
8 those election results up to the proposed district.

9 So we'll take them down from the precinct level to
10 the bloc level, and then be able to reaggregate them up to
11 the district level to determine -- to the proposed district
12 to determine if the minority-preferred candidate would win.

13 So that's called the aggregated election results or
14 the recompiled election results method. Again, you would
15 have to have already drawn some proposed districts to put
16 that into place.

17 So what I'm going to talk about today is the first
18 approach.

19 Next slide.

20 I'm going to start by giving you an example. So
21 let's say a district has a thousand people of voting age
22 population; 50 percent of whom are Black and 50 percent of
23 whom are white. Now, typically -- this example was taken
24 from the South -- typically in the South, Black turnout
25 rates are lower than white turnout rates.

1 So, we're going to -- in our hypothetical election,
2 50 percent of the Blacks voting age turn out to vote and
3 60 percent (technical/audio disruption).

4 This means in our example we have 250 Black voters
5 and 300 white voters.

6 Black voters strongly support their candidate of
7 choice at a rate of 96 percent, but only 30 percent of white
8 voters cast their votes with these candidates, with the
9 other 70 percent supporting opponent in the next contest.

10 Next slide.

11 So this is what happens. Here -- here I've worked
12 out the math for you.

13 So we can see, we've got the 500 of voting age
14 population, 50 percent of which turnout, the 250 voters; and
15 then we have the votes for the Black candidates, so that's
16 250 times 96 percent, so 240 voters -- 240 votes from Black
17 voters for the Black-preferred candidate, and 10 votes from
18 white voters for the white-preferred candidate.

19 Same math for the white voters. We've got of the
20 500, 60 percent turn out, so we've got 300 voters; 90 of
21 those voters are casting their vote for the Black-preferred
22 candidate and 210 for the white-preferred candidate.

23 So the Black-preferred candidate actually wins this
24 election with 60 percent of the vote; and this is because
25 minority voters are very cohesive in this example, and they

1 get some crossover vote.

2 So this is the math. In this instance what we're
3 doing is we know the voting age population and we know the
4 voting patterns, and what we're trying to do is estimate the
5 vote that each candidate will receive.

6 In our -- what we're going to do is our unknown is
7 actually going to be the voting age population. We're going
8 to know the degree of minority cohesion, we're going to know
9 the white crossover vote 'cause we've estimated those, we
10 saw those in an earlier table; and we're going to set the
11 votes at 50 percent. We want our Black-preferred candidate
12 to receive at least 50 percent of the votes, and we're going
13 to solve for the voting age population we need to produce
14 that.

15 Next slide.

16 So in the bottom right-hand corner, you can barely
17 see the -- the example that I gave you from Apache and
18 Navajo Counties. And that shows up in the fourth line, the
19 highlighted here.

20 So you can see that we have a turnout rate of
21 46.4 percent; we have Native American cohesion at
22 92.3 percent with only 7.7 percent voting for the other
23 candidate; we have non-Hispanic turnout at 50.9 percent; we
24 have -- that means at 19.5 percent of the voters who are
25 Non-Native voted for the Native preferred, which means that

1 80.5 of the non-Native votes went to the opponent to the
2 Native-preferred candidate.

3 In working -- and this is simple algebra here.
4 What we're doing is an algebraic equation to determine what
5 percentage of citizen voting age population would be needed
6 for the Native-preferred candidate to win that contest; and
7 it's 44.2 percent.

8 These -- this not only the contest I looked at. In
9 fact, this was the contest in which you had the highest
10 degree of Native American cohesion, and one of the lowest
11 degrees of white crossover vote.

12 But I did this for all of the elections that I
13 examined. There are five in total. And you can see that
14 the percent need to win varies from a low of 44.2 percent
15 that we just looked at, to as high as 61.8 percent.

16 And if you look at the columns to the left of this,
17 you can see what the minority-preferred candidate would have
18 gotten in a 40 percent Native American district, a 45, a 50,
19 a 55, and a 60.

20 And you will see that at -- in a 40 percent
21 district, the Native American preferred candidate would have
22 won none of the contests; and in 50 -- in a 45 percent one,
23 and a 50 percent we're up to three; by the time we get to
24 55 percent, we're up to four; but at 60 percent we still
25 haven't captured that fifth election, we need 61.8 percent

1 to capture that election -- the last election.

2 This essentially summarizes the results of the
3 analysis.

4 All of the contests that I looked at -- and this is
5 2018, 2020 -- were polarized; and while the State Senate
6 District 7 needed only 44.2 percent, you could use -- you
7 would need as much as 61.8 percent for a Native American
8 preferred candidate to win all of the elections that I've
9 analyzed.

10 Okay. Next slide.

11 So the next slide is I examined a lot more contests
12 than this for Maricopa County. What I did in order to fit
13 this on a slide was look on those elections which had a
14 minority competing in the election and in which the minority
15 candidate was the minority-preferred candidate.

16 So, again, the list of contests that I looked at
17 was longer than this. So there were many more polarized
18 contests than just these, but these are the contests that
19 included minority-preferred minority candidates.

20 And you can see that some of these contests are not
21 polarized. When a contest is not polarized, you in fact
22 don't need any Hispanic voters to elect the
23 Hispanic-preferred candidate because, of course,
24 non-Hispanics would have elected that candidate without any
25 Hispanic votes.

1 So you don't see any calculations in the
2 second-to-last column when the voting is not polarized.

3 Then looking down the column you can see that
4 varies from as low of 19.4 percent in a contest where the
5 minority-preferred candidate it's over 40 percent crossover
6 vote, to as high as 60 percent. So it varies pretty
7 dramatically in terms of the percent of Hispanic citizen
8 voting age population; and because of that, I would suggest
9 that the second method that I discussed looking at this
10 aggregated election result recompiled -- or reconfigured up
11 to the proposed district lines will be a very important
12 tool, because in some instances it looks like you will have
13 the majority Hispanic citizen voting age population, but in
14 other areas, you might use that to meet more than
15 50 percent.

16 So, again, my analyses indicates you're going to
17 have to look at recompiled election results for every
18 Hispanic opportunity district you draw to determine if a
19 Hispanic-preferred candidate will win.

20 Last slide.

21 So you'll need a racial bloc voting analysis to
22 determine if voting is polarized. We have done a fair
23 amount of that so far, and in the counties that I have just
24 presented there's no question that voting is polarized.

25 And we have carried out the beginnings of a

1 district specific functional analysis indicating that you
2 are going to need, certainly, majority-minority Native
3 American districts, and in many instances, you'll need the
4 same four Hispanic districts, but not all instances.

5 And what you're going to have to do is turn to this
6 aggregated election results that will be even more area
7 specific to look at your proposed districts.

8 Now, nothing that I've said thus far means that you
9 cannot draw substantial minority population districts under
10 different conditions, such as maybe communities of
11 interests, if race isn't the predominate factor. What I'm
12 talking about here very specifically is drawing districts
13 that satisfy the Voting Rights Act given that you have
14 racial polarized voting.

15 And that completes my presentation. And I'm happy
16 to answer any questions.

17 MR. D. JOHNSON: Madam Chair, if I could?

18 CHAIRPERSON NEUBERG: Yes. And I have a question,
19 though, also. So, please.

20 MR. D. JOHNSON: Yes, just wanted to ask Dr.
21 Handley to clarify one --

22 COMMISSIONER YORK: Doug, is your mic on?

23 MR. D. JOHNSON: Oh. Yes. There we go.

24 So I just wanted to ask Dr. Handley when we were
25 talking about the math on the slide of the Maricopa County

1 and talked about how Congressional District 7 did not come
2 up as -- it came up as not polarized mathematically, I just
3 wanted to clarify if she was talking about that versus the
4 conclusion which I think is the main point which is that she
5 found all of these areas are polarized.

6 So, Dr. Handley, if you could address that? And
7 just make sure that the mathematical finding on -- on the
8 Maricopa side doesn't mean that you thought CD-7 is not
9 polarized.

10 DR. HANDLEY: So the conclusion that voting is
11 polarized doesn't rests on one election alone. Although you
12 could say, you know, in any given instance you could say
13 this election was polarized or not; But you have to look for
14 a pattern, a voting pattern across time.

15 And so we have a lot of contests that we can look
16 at it in Maricopa County and it turns out that, as I said, a
17 strong majority of them are polarized.

18 And the third prong of *Gingles* says minority
19 voters' preferred candidates are usually defeated by whites
20 block voting against that candidate.

21 So here, that particular contest was not polarized;
22 however, most of the contests I looked at were polarized,
23 and so you do need to draw minority opportu- -- opportunity
24 districts in Maricopa County.

25 MR. D. JOHNSON: Perfect. Thank you.

1 Thank you, Madam Chair.

2 CHAIRPERSON NEUBERG: My -- my question is just a
3 very small point, and I want to make sure I was
4 understanding the data.

5 Was I understanding correctly that, in terms of
6 calculating the percentage needed to elect candidates of
7 your choice that -- that look like you, you're statistically
8 adjusting for voter turnout per that specific minority
9 group?

10 So -- so it's not based on equal turnout, you're
11 adjusting it for what that specific traditionally looks like
12 in terms of voter turnout. Am I understanding that
13 correctly?

14 DR. HANDLEY: That's correct.

15 CHAIRPERSON NEUBERG: Okay, thank you.

16 DR. HANDLEY: Yes, you are correct.

17 CHAIRPERSON NEUBERG: Thank you.

18 DR. HANDLEY: The estimates are -- are included in
19 the calculations.

20 CHAIRPERSON NEUBERG: Thank you.

21 Other questions?

22 If not, Doug --

23 COMMISSIONER YORK: I've got a quick question.

24 CHAIRPERSON NEUBERG: Please.

25 COMMISSIONER YORK: Appreciate your presentation,

1 Doctor.

2 You -- you went through some math on Maricopa
3 County and then on polarization. Review with us real quick
4 why the 60 percent number was so important.

5 DR. HANDLEY: Pardon me -- why the 60 percent rule
6 is so important?

7 COMMISSIONER YORK: Yes.

8 DR. HANDLEY: Is that what you said?

9 COMMISSIONER YORK: Yes.

10 DR. HANDLEY: Well, the 60 percent rule went by the
11 wayside quite a while ago. Originally, this applied to the
12 South and these were lawyers sitting around saying: Let's
13 see, if we draw a 50 percent district from another county
14 for the fact that we're talking about population, it turns
15 out that minorities tend to have a higher percentage of
16 children, so they're not of voting age, so we're going to
17 correct that 50 percent; so we're up to 55 percent, I think.

18 And then we're going to correct for the fact that
19 minority turnout is at a lower than whites do in the South,
20 so again we're going to bring it up to 60 percent.

21 And that's how we got the 60 percent, and that's
22 how we were operating in the '80s and possibly the early
23 '90s. It was a rule of thumb advised by lawyers broadly
24 speaking, and it was not a district-specific analysis; and
25 it was quite clearly wrong -- at least it is now, because if

1 you look at the South, if you look across the country in
2 fact, you'll see that the majority of congressional
3 districts that elect minorities to office are not
4 majority-minority, they are less than majority-minority.

5 So it's important to look very specifically at the
6 area that you're in.

7 There are still places that you would need as much
8 as 60 percent, but there are other places like many
9 congressional districts in the South that you don't even
10 need 50 percent.

11 MR. D. JOHNSON: Commissioner, Chair, if I could
12 just add to that.

13 I think the 60 percent rule was a rule of thumb
14 before we had all these sophisticated mathematical models;
15 and now that these models are available, the courts expect
16 us to use these rather than just a rough rule of thumb.

17 COMMISSIONER LERNER: Sorry. Learning the system.
18 So in this case -- so thank you again for the
19 presentation.

20 So in this case as we move the lines each time,
21 we're going to be running this data; take a closer look as
22 we create some districts, we'll run the data, we'll kind of
23 look at those numbers for the polarization; is that correct?

24 MR. D. JOHNSON: Yes, I would just -- oh. I would
25 just rephrase it, for the polarization we would like to see

1 if we are hitting those target numbers to achieve our goals.

2 COMMISSIONER LERNER: Correct, yeah. Yeah, that's
3 a better explanation.

4 So as a follow-up though, just on continuing on the
5 idea that the numbers are going to be different per
6 district, so we'll look at those numbers; but, you know, as
7 you said, not the 60 rule, they'll be -- they'll vary by
8 districting depending upon the population and voting
9 patterns and all?

10 MR. D. JOHNSON: Dr. Handley, do you want to
11 address that or do you want me to?

12 DR. HANDLEY: That's correct. You are, at this
13 point, obliged by the Court to do a district specific
14 functional analysis, and not just look at the demographics
15 but look at the voting patterns as well.

16 You'll have a response of the voting patterns
17 analysis that I will have done, but you will be looking at
18 the demographics and the percent needed to win, and the
19 recompiled election results in conjunction with one another
20 as you're drawing the district.

21 CHAIRPERSON NEUBERG: Other questions? Or -- or
22 Doug, Mark, additional color context?

23 MR. D. JOHNSON: That's all I have.

24 CHAIRPERSON NEUBERG: Okay. If there are no other
25 further questions, thank you so much, Dr. Handley. We

1 appreciate the thoughtful analysis, and we will move on to
2 Agenda Item No. VI.

3 Draft map decision and discussion and possible
4 action concerning revisions to the grid map. We're here at
5 the main event.

6 We will be addressing both legislative map drawing,
7 congressional map drawing. I do want to just make a note
8 that we reserve the right to go into executive session in
9 case there is a desire or need for obtaining legal advice.

10 Before I turn it over to the mapping team, I'd like
11 to -- to actually offer some "thank you's" and provide a
12 little context.

13 You know, it's -- it's been a long time building to
14 this moment -- eight, nine months, I don't remember the
15 exact time frame -- I want to thank our staff, I want to
16 thank our consultants. This team, you know, you have
17 embraced this in a very real, very deep, very personal level
18 and, on behalf of the Commission, I want to thank you for
19 your dedication and -- and the seriousness with which you
20 are embracing this responsibility.

21 To my Commissioners, the collegiality, your
22 commitment, your ethics. It's been not just honor, but
23 honestly it's a pleasure, and I'm so excited to go into the
24 trenches with you -- the four of you. I mean that, you
25 know, very sincerely.

1 I am going to lean on you. The pressure is all
2 five of us. I expect you to come to the table with
3 substantive information; we'll comment and negotiate; we're
4 going to debate; and we're going to have a very robust
5 dialogue that -- with the final product embracing all five
6 of our perspectives.

7 To the public, thank you for your dedication, your
8 participation; we're in need of your feedback. I ask all of
9 you -- and this is to the media as well -- give us some
10 space and some time, we have many days laid out for the
11 draft map, and then on top of that, you know, an additional
12 chore to revise maps.

13 It's going to be a process we're going to give and
14 take, and each day let's not make too much of what that
15 specific one day does because, you know, to the extent that
16 we have the time and the space to really embrace this, it's
17 complicated, maximize all six constitutional criteria, I
18 think that's going to serve our Commission and State well.

19 And with that, I'm super excited to turn it over to
20 our mapping team to begin the conversation on adjusting
21 these grid maps.

22 Turn it over to Mark and Doug.

23 MR. FLAHAN: Thank you, Madam Chair.

24 We do have a presentation for you before we begin
25 the grid map session; and you can see I brought a bigger

1 team with me today, so Brian Kingery over here is working on
2 the slide show for us, and then we also have Parker Bradshaw
3 in the audience, Colby Chafin, and Brody Helton.

4 Sorry about that.

5 Also -- go ahead and hit the next slide, Brian.

6 So the couple of things that we have listed out for
7 you guys just so we have a quick review before we go into
8 the grid map portion. First one is our socioeconomic app.
9 So go to the next slide.

10 So this is all demographic data for the entire
11 state of Arizona that will allow you to go see that. We've
12 talked about it before; it has multiple different
13 demographic points for the entire state.

14 The two different products that we have built for
15 you, the StoryMap and the web app URL is at the bottom of
16 the slide.

17 Go to the next slide, Brian.

18 We talked about community of interest. So we found
19 that there is a 182 different groups of communities of
20 interest, and we have shown all the different overlaps that
21 have crossed each other for the entire state. So when you
22 look at the community of interest map and you see the darker
23 red, that means that there was more overlaps where people
24 were describing their community of interest in that target.
25 And then it sort of spirals out from there to a very light

1 gray.

2 Also on that map, there is another 200-plus paper
3 written surveys that were turned in and they are available
4 in an Excel spreadsheet that is sitting on that community
5 interest.

6 Brian, why don't you click the link for a second.

7 Yes, no, maybe so?

8 Go ahead and scroll down a tiny bit. Scroll down
9 on the screen.

10 So you can see here, right here, this is what we
11 started with, all of our input from the public. There was
12 910 different digital submissions. This is what it looks
13 like on the total statewide map, so we want to take that
14 down and distill it to more usable data.

15 And you can see here's an example of that 182
16 different groups that -- that we identified.

17 And here in the "explore the data," there's an
18 interactive web map that you can start to look at, what was
19 the highest ranking and what was the lowest ranking, and to
20 see the exact targets in that map as you guys are going
21 about trying to move the lines.

22 And you can see here, Brian has turned on the
23 highest of the high, and you can start to see where the
24 highest overlaps have occurred in that one area.

25 Go ahead and scroll down.

1 The next thing that we have for you is just a point
2 map that shows you all the different locations that somebody
3 submitted a community of interest for.

4 And Brian, why don't you zoom in to Phoenix.

5 So you can start to see as Brian is going to zoom
6 in, you can see how they're going to start to change. So
7 the bigger circles means there's more community of interest
8 than just one, and as you zoom in to the map more, you can
9 start to see the names of the different communities of
10 interest that people submitted into the system.

11 And what you can do is you can click on one and it
12 will bring up a paper map that you can print off and you can
13 see exactly where they believe their community of interest
14 is.

15 Go ahead and scroll down there, Brian.

16 And you -- oop. Go back up.

17 You can see here there's the "all community PDF."
18 So if somebody is interested in downloading all 182 maps of
19 the community of interest, they can click that button and
20 they will get a map with 182 different maps depicting all of
21 the communities of interest that we have identified here.

22 Go ahead and go down.

23 Right here is the paper-based forms. So you can
24 see that there is 234 paper-based surveys that were turned
25 in. You can click on the results of the paper-based

1 surveys, and that's all the results in Excel spreadsheet
2 that you can download and read today available to you.

3 Go back to the PowerPoint now.

4 Go to the next slide.

5 So as of today, we have 37 different submitted maps
6 into our redistricting system.

7 We have 20 congressional full maps for the entire
8 state, and we have 1 congressional focused map. And what
9 the congressional focused map is, last week we allowed
10 people to submit both a single district for both the
11 congressional and the legislative. So now when they log in
12 to the system, they can not only get an entire statewide map
13 but they can also submit a single district, and we broke out
14 the data to show the difference between the both of them.

15 On the legislative side, we've got 14 statewide
16 legislative maps, and we've got 2 legislative focused maps;
17 so for a grand total of 37.

18 And that is all available on the IRC mapping hub,
19 and you can get there from IRC.AZ.gov and click on the map
20 section and it will take you there. So you can go explore
21 the data in real time; you can see it on the map. You can
22 see exactly what their descriptions are, so I urge you to
23 check that out.

24 Next slide.

25 The other thing that we did late last week and over

1 the weekend is we enabled the system for people to be able
2 to view all of the different submitted plans in the
3 redistricting system.

4 So why is this important to the functionality that
5 you get is now you can open a submitted plan in the
6 redistricting system and you can begin to look at the
7 demographic points; you can turn on and turn off things.

8 And as you can see, there's sort of a quick wizard
9 there is when you're in the redistricting system, you hit
10 the "open" button, then you go to "shared plans," and then
11 you go to "RXO_submitted plans," and those are all the
12 submitted plans that have been turned into the system.

13 So this will allow you to turn on competitive data
14 and demographics for your own liking as you view and
15 understand them.

16 Go to the next slide.

17 There's a couple of things about themes. So we can
18 turn on themes when you guys are looking at the grid maps or
19 asking questions, it will allow us to do multiple different
20 things on the screen so you can get a real feel of
21 demographics or the competitive data going forward.

22 Next slide.

23 The other thing that the redistricting system will
24 allow you to do is compare any submitted plan versus the
25 current grid map, so you can start to see the changes that

1 have been made that the public has submitted to you guys
2 versus your current grid map or against the current map
3 that -- that you've had us draw.

4 Next slide.

5 The other thing is it allows us to bring up a lot
6 of charts live in the system. So you can start to see how
7 the demographics points look like, how the population
8 breakdown is, and how the district distribution lies.

9 Next slide.

10 And last, just to sort of put it out there, is that
11 anytime somebody submits a map, we do have a bunch of
12 different integrity checks. We have dual assignment,
13 population from the redistricting count, the maximum
14 deviation, null assignment to make sure that geographies are
15 only in one district, and the connectivity check.

16 And also we can export any reports into a plan that
17 we are currently doing.

18 Next slide.

19 And that's what I have for you guys today. So,
20 good luck.

21 COMMISSIONER YORK: Quick question, Mark. Is 37 a
22 lot or is that a small number?

23 MR. FLAHAN: I believe the last Commission got a
24 little over 20 submitted maps. Don't -- don't quote me on
25 that, but I think we've already exceeded what the 2011

1 Commission has received. At least that has been put on
2 their website that I can find from 2011.

3 COMMISSIONER YORK: Okay. Well, and to the public,
4 you can still submit maps, correct?

5 MR. FLAHAN: Yes. Still -- it's still open; feel
6 free to submit.

7 CHAIRPERSON NEUBERG: I -- I think that's actually
8 a really important point. I had some people ask me today:
9 Is it too late?

10 This process -- our tentative goal date of
11 December 22nd, of course, that's, you know, I don't want to
12 say -- it's more than aspirational, we're very much wanting
13 to meet that deadline. But we're going to be moving these
14 lines for weeks and so, please, keep the data coming;
15 there's no deadline.

16 COMMISSIONER LERNER: And just as a follow-up as
17 well, they can still now start to submit paper, right? And
18 that's not included in this number.

19 Do you know if we've received many paper?

20 MR. FLAHAN: In that number, no, that does not
21 include paper.

22 To date, we have received no paper.

23 COMMISSIONER LERNER: No paper have been submitted
24 for -- because we were doing that for --

25 MR. FLAHAN: Oh. Forgive me, yes, we have received

1 public -- or paper maps, but we do not have a total off the
2 top of our head.

3 COMMISSIONER LERNER: All right. And at some
4 point, then, those will be placed in a file where we can
5 access those hopefully in the next day or so?

6 MR. FLAHAN: Yes.

7 COMMISSIONER LERNER: Thank you.

8 MR. D. JOHNSON: Madam Chair, I'd add to that, too,
9 just that we're seeing what we hoped, which is this is
10 picking up steam. Of course the first data launches we
11 didn't get much, but I believe we've got 8 maps in the last
12 18 to 24 hours of those 37.

13 So it is picking up steam and I would expect that
14 to continue as people are continuing to work on their maps.

15 And it's worth noting, as you mentioned in the
16 beginning, Madam Chair, that there's still one more hearing,
17 as well this week, so we're definitely still open to hearing
18 from people in person and submitting their maps.

19 CHAIRPERSON NEUBERG: And -- and we're continuing
20 to hear feedback and data through a narrative version,
21 through public comments, through the meetings, et cetera.
22 So, you know, the maps that we had received are but one form
23 of information and data that the Commission is considering.

24 Doug, if you'd like to maybe lead us in the next
25 portion.

1 MR. D. JOHNSON: So with the report concluded, now
2 the set moves more to -- to your five chairs; and you've
3 received a lot of input, a lot of comments from the public,
4 and 37 maps plus don't forget the 900-plus community of
5 interest maps that we received in the first round.

6 So the thought is at this point for the Commission
7 to focus on the high level. You know, at this point, the
8 maps are still just the grid; we got a long ways to go as
9 you said before we get to the final maps. So we're not
10 really worried about is the map going through First Street
11 or Second Street, what we're looking for at this point is
12 the big picture issues that the Commission has heard about
13 and wants to address now. You know, perhaps tribal
14 reservations should be -- should not be divided in multiple
15 districts within one reservation; medium sized cities; you
16 know, whatever issues you've heard and they have resonated
17 with you and in your judgment are worthy of -- of at least
18 being drawn into the map to see what happens when we do
19 that, we'd welcome your input now.

20 You can proceed however you wish. I would suggest,
21 you know, one thought is that each of you kind of walk
22 through the five of you and give your high level points and
23 -- and focused things that you've heard; and we can see
24 where there's consensus and where there might be multiple
25 maps that we would be coming back to you.

1 And to the degree that -- that Brian and Mark can
2 show you things live on screen as you have questions about
3 what you've heard, we certainly have the system live.

4 I suspect, especially since we are talking about
5 big picture items, most of these requests are going to be
6 things we'll have to take away, draw the system, and -- and
7 then come back to you with. But we can certainly talk about
8 how that will be done at least in a theoretical level at
9 this point.

10 CHAIRPERSON NEUBERG: All right.

11 MR. D. JOHNSON: So that would be my suggestion,
12 but we're happy to work with you however you want; but my
13 suggestion would be to kind of start out with what big
14 picture's you heard and what you'd like to see incorporated
15 into the map at this point.

16 CHAIRPERSON NEUBERG: Thank you.

17 And as what I'm going to suggest is, you know,
18 we'll -- we'll take turns amongst the Commissioners, maybe
19 we'll do our traditional voting order if that's okay with
20 you, Vice Chair Watchman, not to throw you on the spot.

21 But I would like to remind my Commissioners that to
22 the extent that we can incorporate as many of the six
23 constitutional criteria in our analysis, I think that just
24 makes it a little clearer, it helps with consensus, and --
25 and helps us to have a more thorough conversation; because

1 everything that we do, I think, touches upon all of those
2 principles.

3 And with that, just, again, no pressure, this high
4 level beginning dialogue about thoughts of initial
5 priorities. Vice Chair Watchman, if I could turn the -- the
6 microphone to you, please.

7 VICE CHAIR WATCHMAN: Thank you, Madam Chair,
8 colleagues, members of the Commission, and staff. And so
9 it's been an honor, as you mentioned Chairwoman Neuberg, to
10 be a part of this. So I want to express my thanks to my
11 colleagues and the staff and everybody associated with this
12 process.

13 And so certainly we're at a point where a lot of
14 discussion needs to take place; but from my background and,
15 you know, some of the reasons why I think, I believe,
16 appointed is the Native American community obviously is --
17 is near and dear to me, you know, being a member of the
18 Navajo Nation.

19 And so we have 22 Indian reservations in this
20 state, and from the land-based standpoint that's roughly
21 20 -- 25 to 30 percent of the state is Indian land. So I
22 think making sure that our districts don't split our
23 reservation boundaries; then, of course, keeping tribes
24 as -- as close together as possible, so that, you know,
25 there is a chance of the tribes in the state voting in a

1 candidate of choice.

2 And so I know that we have a concentration of
3 tribes in the northeast part of the state, the south around
4 Tucson, then of course we have a couple of tribes in Yuma
5 area, and then a couple up along the Colorado River, and
6 right in the center of the state. So the challenge,
7 obviously, is to -- is to keep the tribes in one area.

8 So making sure that our -- that our tribes are
9 addressed and the reservation boundary I think is very, very
10 important.

11 The next to that I think is the Latino Hispanic
12 voting interests; and so certainly you have big pockets of
13 Hispanic voters in the Phoenix area, southern Phoenix I
14 would note, Tucson; and then of course, you know, in the --
15 I guess I'll say the Yuma County area, and what -- and what
16 they obviously contribute to the state. And so I think
17 those are -- those are two focal points that -- that I want
18 to pay attention to.

19 And then during our hearings I heard, you know,
20 many comments about communities of interest. And so like,
21 for example, the Verde Valley and, you know, where they
22 would like to be -- to be considered is it with -- should it
23 be included with Prescott or the Flagstaff area; and then I
24 tend to see the Verde Valley -- which includes some tribes,
25 by the way -- the same community of interest of Flagstaff

1 and Northern Arizona.

2 Likewise with Yuma, you know, we heard from Yuma,
3 should those issues be -- and this is congressional, mind
4 you -- shouldn't be a part of Maricopa County. I think
5 that -- that geographic area and as a community of interest
6 certainly has this -- the same elements of being maybe
7 considered separately.

8 And then, of course, we have our border, if you
9 will, border areas. And so, you know, key question for me
10 is how -- how many congressional districts or how do we
11 address our border issues?

12 The Tohono O'odham reservation actually has a
13 significant boundary between the United States and -- and
14 Mexico. And so I've heard in the last couple years many
15 challenges for the sovereign nation of the Tohono O'odham in
16 order to with the federal government, if you will, to -- to
17 try to exercise some control in dealing with the boundaries.

18 And, you know, it's interesting to note that many
19 members of the Tohono O'odham nation, they are also citizens
20 of Mexico. And so many challenges to try to exercise their
21 control and their sovereignty as well, while you have this
22 borderline between them.

23 But I guess the -- where I'm going with that is if
24 we could limit the number of congressional districts along
25 the border I think would be helpful, so that when we deal

1 with border issues and immigration, you know, drug
2 trafficking and those things, it's very, very important to
3 consider.

4 I think I have a whole -- probably a whole slate of
5 other issues, but I'll start with those as talking points.
6 And I appreciate, again, the opportunity to be here.

7 So I'll turn it back over to you, Madam Chair.
8 Thank you.

9 MR. D. JOHNSON: If I may just ask a clarifying
10 question for Commissioner Watchman.

11 On the -- could you repeat what you were saying
12 about Yuma county? I wasn't sure. Are you talking about
13 Yuma County with Maricopa?

14 VICE CHAIR WATCHMAN: Yes. To clarify,
15 Yuma County, the tribes and the city of Yuma relative to
16 Maricopa County and -- and I guess being in the same
17 district on both fronts, congressionally and from
18 legislative standpoint. Are those two communities of
19 interest?

20 I mean, Yuma and Maricopa, are they separate
21 communities of interest? And I would tend to think that
22 they're separate.

23 So I did hear that the issues that impact I'll say
24 west -- west side of Phoenix, the Valley if you will, is --
25 is more akin to being Maricopa; and then when you get south

1 and start heading towards Yuma, so you're moving from
2 rural -- an urban -- an urban setting to more farm, rural
3 based setting; and so certainly different thoughts and
4 different needs from their Congressperson or their state rep
5 or senator, if you will.

6 So being mindful of that at least. That's my
7 point.

8 Thank you.

9 MR. D. JOHNSON: Thank you.

10 CHAIRPERSON NEUBERG: Doug, if I can just ask a
11 clarifying question. This is a 30,000-foot, it sounds like,
12 conversation, are you wanting feedback as it relates to both
13 legislative and congressional boundaries right now? Are we
14 wanting to bifurcate this into one versus the other or just
15 first start with broader issues?

16 MR. D. JOHNSON: Yeah, at this point we're pretty
17 broad --

18 CHAIRPERSON NEUBERG: Okay.

19 MR. D. JOHNSON: -- so covering both is fine. As
20 you mentioned, we're later on when we're talking more
21 specific changes to maps --

22 CHAIRPERSON NEUBERG: Okay.

23 MR. D. JOHNSON: -- we'll definitely want to split
24 it.

25 And perhaps when we come back with the results of

1 these map, they'll probably come back separately, because
2 obviously what a given change would do to the surrounding
3 districts in one map will be very different from what that
4 same change will do to the surrounding districts in the
5 other map.

6 VICE CHAIR WATCHMAN: Yeah. And thank you,
7 Madam Chair, that was my perspective was at a 35,000-foot
8 level, you know, kind of big picture items, and then we can
9 start drill -- drill down in more detail. But just as we're
10 talking to get the conversation going.

11 Thank you.

12 CHAIRPERSON NEUBERG: Yeah, I just -- even at the
13 30,000-foot level -- or 35,000-foot level at sometimes
14 there's still slight differences; and so let's just be
15 cognizant, if there's anything unique about what you're
16 sharing to one versus the other, let's make sure we
17 articulate that to the mapping team. Otherwise, we'll just
18 presume that it's broad-based feedback.

19 Commissioner Mehl.

20 COMMISSIONER MEHL: Again, thank you, Chairwoman
21 and thank you for your leadership as we're finally here and
22 the gun has gone off; so here we go. This will be
23 interesting and exciting.

24 And I'll try to answer the 35,000-foot questions
25 early right now and then hold -- hold other things for

1 later.

2 And one of the things we've talked about, and it's
3 one specifically addressing the six criteria, is equal
4 population; and we haven't talked about it very much, but I
5 would emphasize that in the congressional it's obviously
6 extremely precise, but I think we shouldn't be cavalier on
7 the legislative side about equal population. And -- and I
8 think the wording in the constitution is very clear that
9 "equal means equal," and that doesn't mean we need to have
10 it as narrow as the congressional of one person, but I
11 encourage us to stay very closely as equal to legislative
12 areas.

13 And I think, again, at a big 35,000-foot level,
14 let's not lose sight of that.

15 Most of the rest of my comments will relate to
16 things that we've heard at the public hearings, which I
17 appreciate all the people who have given us input.

18 It's clear that the smaller cities sure don't want
19 to be split up and there's no reason to.

20 And some of the counties can come in as whole
21 counties, especially in the rural areas. We heard a lot of
22 feedback that the rural communities want to try to get rural
23 districts where they have a real commonality of interest;
24 and you had people like Yavapai County not wanting to jump
25 down into Maricopa, you had people in North Anthem who want

1 to make sure they are part of Maricopa County and not viewed
2 as rural.

3 So think we want to be really sensitive to the
4 rural city distinctions where we can.

5 I think we're going to need I think practically
6 speaking, to really concentrate on the majority-minority
7 districts; congressionally there were two, and on the
8 legislative eight in the last set of maps.

9 And I think that we really need to pay attention to
10 make sure that we meet the -- the federal requirements on
11 those majority-minority districts. So when we get into
12 specifics, I think starting with some of those and the rural
13 communities and working our way into the cities is actually
14 going to be practically speaking a good way to go.

15 But I think we've heard a lot of testimony on
16 communities of interest; and as we get into the more
17 specific, two different maps, you know, I'll certainly have
18 a lot more to say, but I think those are the big picture
19 things to start with.

20 CHAIRPERSON NEUBERG: Commissioner Lerner.

21 COMMISSIONER LERNER: Thank you.

22 And again thank you to the staff for everything
23 you're doing, and thank you to my fellow Commissioners and
24 our Chair. I look forward to working with you in this
25 collegial manner as we've been doing.

1 You know, a lot of it when we're talking about this
2 35,000-foot level, is very duplicative from my perspective
3 of what's already been said. You know, I think we're --
4 we're on the same page in some of the big picture items that
5 we've been hearing, so I'm in agreement with everything
6 that's been said without wanting to duplicate all of that.

7 I think it's really just a couple of other points.
8 We heard really strongly from the Yuma area about how they
9 like the current configuration. We did not hear that in
10 many other areas, so I want to acknowledge that because so
11 often we heard "we want a change." But Yuma really
12 commented often about that, so I think we want to
13 acknowledge -- acknowledge that.

14 In terms of one other piece, I know we've talked a
15 lot about school districts and seeing if we can work with
16 school districts in some way. So it's -- it's complicated I
17 think, but when we get to rural areas, I think that's one
18 place we could probably take a closer look at those. It may
19 not work effectively in an urban area, the school districts
20 we might have to split in some areas, even if we don't want
21 to, just for population purposes; but in the rural areas I
22 would think that the school district boundaries might be
23 something we can look at so that we're trying to keep them
24 together as such as possible since that's an important part
25 that goes on, especially -- well, in all parts of the state,

1 of course.

2 A couple of other points we heard is to try -- I
3 want to acknowledge, is to try to acknowledge some of the
4 economic drivers that are in some of the communities to see
5 if we can keep those together in some ways. We've heard a
6 lot about the Copper Corridor, for example, we heard about
7 the Colorado River and water as another area. So I'm always
8 -- I'm looking at those.

9 And from that perspective, the border as it
10 mentioned is an important connector for people. So I look
11 at those things that are big connectors as part of it.

12 I also want to -- I want to acknowledge the public
13 that comes to the meetings, we've had -- and also those that
14 comment, we know there's those that cannot attend the
15 meetings or have not been able to, so the comments that have
16 been submitted are added into this so it's not just those
17 public comments from the hearings that we're reacting to,
18 it's everything that we're getting.

19 And the only other thing I'll mention with regard
20 to our Native people is that we want to make sure that none
21 of the tribal areas are split in the legislative -- from my
22 perspective, legislative. Right now on our grid map it does
23 that with the legislative area, I think pulling those
24 together helps in all of those -- in all of the tribes.

25 And everything else can wait until the next

1 meeting. So thank you.

2 CHAIRPERSON NEUBERG: Thank you.

3 Commissioner York.

4 COMMISSIONER YORK: Thank you, Madam Chair.

5 Good afternoon. Thank you for all you being here.

6 I echo a lot of what my fellow Commissioners said.

7 I mean, my thoughts go to the Voters Rights Act, and the
8 minority-majority districts, to tribal lands being not split
9 up; and then to go and follow the input from the communities
10 of interest along the Copper Corridor, northern Arizona,
11 Southern Arizona, the border.

12 So I'm kind of the same page everybody else.

13 One of the things I did want to mention is that
14 we'll continue to try to focus on minority communities and
15 Black communities and in the LGBT communities to make sure
16 we have those in our -- back of our minds as well, because
17 they did come to our meetings and make presentations.

18 CHAIRPERSON NEUBERG: Okay. Thank you.

19 Yeah, the things that are on my mind in addition to
20 what's been said -- very focused on minority communities,
21 where they are, how it fits in with broader communities of
22 interest because just, you know, not all minority
23 communities are monolithic so -- so I want to understand
24 where they are. In particular, I think there's a burgeoning
25 community of Asians in the southeast valley, Chandler, Mesa,

1 Glendale, and may be rising to a level that warrants, on the
2 legislative front, some attention.

3 There's some financial corridors, historical
4 corridors, that -- that seem to work together; the Copper
5 Corridor works well; the quad cities seem to -- seem to be
6 pretty united and seem to be pretty attached to -- to
7 Prescott.

8 You know, the southeast part of our -- our state
9 seems to get along quite well: Cochise County, Santa Cruz.

10 Sorry, I'm -- if I'm not speaking into the
11 microphone, I really apologize.

12 Yuma is a very interesting area. They're working
13 very well.

14 I'm personally struggling because there's competing
15 narratives about uniting singularly communities of interest
16 and, yet, there's also this narrative that sometimes split
17 representation can bring additional attention and resources;
18 and that, in particular, with the border is on my mind.
19 There isn't a monolithic view of what's in our collective
20 best interest with, you know, protecting our border
21 interests. So I think that needs some exploration.

22 Tucson, you know, I'm -- I'm learning a lot
23 about -- about the different communities, we're going to
24 have to study that demographic makeup and how to see how to
25 maximize in power really competing communities of interest.

1 You know, and I'd like to tie in competitiveness
2 here. I know, you know, there's been a ton of conversation
3 about competitiveness; it's one of six constitutional
4 criteria. It is the last and it's -- it's, you know,
5 conditioned on not causing detriment. I'd like us to focus
6 very seriously on when a lack of competitiveness causes
7 detriment to the minority communities.

8 In some areas, you know, for example a rural area,
9 maybe the minority communities, you know, are a little bit
10 more comfortable, they're competing interests, maybe not
11 happy on the social front; but maybe, let's say, farming or
12 -- or a agriculture, maybe there's other interest that unite
13 them, that's very different than an area that is
14 noncompetitive where the minority group is deeply unhappy.

15 And so I think we have to dive deep into
16 noncompetitive areas and understand who they are and what's
17 not working or what is working; 'cause it's, again, not
18 monolithic.

19 I'd like to look at West Phoenix growth as it
20 relates to both the burgeoning group, its explosive; it also
21 seems to be a strong Latino hub. And -- and so when I think
22 about, you know, additional districts that are -- are going
23 to be necessary and where we're going to tap into that
24 growth, that's very much on my mind.

25 As we dive into the minority districts, which I

1 think may need to be focused on -- I don't want to say
2 first, but -- but we have a responsibility to understand
3 where our demographic groups are, I just want to remind my
4 colleagues again: Never are we drawing boundaries based on
5 one singular issue, we're going to be balancing all of these
6 needs together. So I know it's complicated, but as much as
7 we can continue to incorporate all of these principles in
8 our dialogue, I think it's going to serve us well.

9 And so with that, I -- I this may not have been
10 very helpful to you, Doug, but -- but I'm going to turn it
11 over to you and ask you now what. Now what information do
12 you want because I think we can probably give you a ton
13 more?

14 MR. D. JOHNSON: Sure. Thank you.

15 So this is all a very good start to the process.
16 We'll note as -- as we -- especially as we get more into
17 more specific changes, we'll be talking more and more about:
18 Let's make this change for Prop 106 for A; or let's make tis
19 change for Proposition C; or, the one I think you'll say the
20 most, D, which is community of interest. I think just about
21 everything you were describing was at maybe with a couple
22 exception.

23 One thought for -- for each of you to focus on and
24 for the public that is watching and sharing their thoughts
25 as we go through this is, a hundred percent agree, you know,

1 the Voting Rights Act is a federal requirement, it is a top
2 priority of the State. We do run into an area that we have
3 talked about in past meeting of when we comply with the
4 Voting Rights Act race cannot be the predominant factor.

5 So if you are looking at the West Phoenix areas as
6 you were talking about, the growth areas, we are looking at
7 areas in other parts of Phoenix -- or, the greater Phoenix
8 area or Tucson or even Yuma, we want to tie into other
9 historical communities, the history of South Tucson and the
10 neighborhoods that surround it; those kind of communities
11 that -- that would drive it on a community basis as well as
12 it being sensitive to the Voting Rights Act.

13 So as you're thinking about additional directions
14 to give us, those kinds of thoughts would be perfect.

15 I have not looked at this, so I don't know if in
16 South Phoenix or Tucson area the school districts --
17 primarily in South Phoenix because it's such a big single
18 city area, if school districts would make sense as a way to
19 divide that up or not. That's one of those things hopefully
20 the public will give input on and you will give us direction
21 on.

22 So let me check, we have lots of people trying to
23 take notes to make sure that we catch all of this. So let
24 me see if any of them have any questions or --

25 Okay. Checking my notes here for a couple of

1 things.

2 So -- so, yes, as we're drawing the -- the seats
3 that are voting right sensitive, as we tend to refer to
4 them, we do want to make sure that they're not being drawn
5 just based on race but that they also tie into community,
6 things like your school districts; whatever ties those
7 neighborhoods together so we're meeting both those
8 requirements.

9 I will note as well, you know, as you started to
10 touch on, competitiveness obviously is a big factor in all
11 of this process. It is harder to describe, but -- but --
12 and hard to nail down and tell people until we really get
13 into the nitty-gritty of the numbers. So as we start doing
14 this, people will see impacts; as we come back and report to
15 you on these changes, you will see how the numbers of the --
16 of the districts we are changing shift on a competitiveness
17 factor and be able to consider that as well at that point.

18 But if people do -- if residents are looking at the
19 maps and playing with drawing with the maps that want to
20 suggest competitive districts, certainly this is -- this is
21 the time for them to start doing that.

22 And there have been a couple of interesting maps.
23 It's one thing, too, that would be useful to us in the
24 mapping side is if you are -- as you're going through the
25 public submission maps, to react to any that you have a

1 particularly positive reaction to.

2 You know, if we end up with another 900 maps like
3 we did on the community of interest, but we're not looking
4 forward to -- not needing to go through each of the 900 and
5 strike them out, but we are certainly looking for things
6 that you see in those maps that are appealing to you.

7 Just as a kind of a brainstorming thought, there is
8 one very creative and very different map that's come in. So
9 just as an example of how you can look at this and think
10 about: Does this make sense; does this not make sense?

11 Mark, can you bring up CD 0003?

12 Again, this is something that I don't believe has
13 ever -- ever come up in a past redistricting cycle, so I
14 throw it out there just so people can react to it.
15 Certainly not endorsing and not criticizing this; but it
16 does give you a sense of how this public input and process
17 it.

18 This is a congressional map. Going to the points
19 you raised earlier, mainly on the legislative side, make
20 sure, number one, that we don't divide any tribes, align
21 entire tribes together, and some got very creative.

22 I didn't warn Mark that I was going to ask him for
23 this, so. So give him a second to run through...

24 MR. FLAHAN: Which number did you say?

25 MR. D. JOHNSON: CD 00003. There you go.

1 So this is -- when all our historic maps kind of
2 tie -- you know, legislative we kind of think of this and we
3 usually Havasupai and the Hualapai and Navajo and Apache
4 together, someone kind of went the other way around the
5 state and actually got all the way around to the southern
6 border with a district.

7 So these are the kind of creative things that come
8 in that we're looking for the public to -- first, the public
9 to react to and offer you their thoughts; this is obviously
10 one person's idea, but there's a lot of creativity out
11 there, both at today's hearing and out -- out in the
12 community.

13 So I do encourage people to go through the site, go
14 through the maps, especially now when it's, you know, 37 is
15 a very manageable size, and off thoughts of: This is crazy;
16 or, this makes a lot of sense. And I expect there to be
17 both reactions to all kinds of things but I thought this was
18 a creative thing. Obviously, to make a decision you have to
19 zoom in and see what it does internally as well.

20 But there's a lot of creative thoughts coming
21 along.

22 And this is a good highlighting for folks that
23 followed the -- the last hearing and there was lots of talk
24 about the -- I always mispronounce and my apologies, but the
25 Tohono O'odham tribe, everyone was very familiar with the

1 large part as Commissioner Watchman was talking about, goes
2 across the border and all that; there's also a piece of it
3 right next to the city of Tucson, and you can see that
4 that's the red arm at the bottom of the map here is the
5 district stretching out to grab that noncontiguous piece of
6 the tribe to make sure all those tribal areas come together.

7 And then there's even a second tribe that has a
8 reservation right next to it in the southern edge of Tucson,
9 so.

10 Interesting maps online. Certainly encourage
11 people to take a look at them and use them to inspire ideas
12 that appeal to you as you go through this process.

13 But, yes, I think we got -- putting the tribal
14 reservations together is going to drive a lot of change in
15 the rural seats clearly, so we'll have a very different grid
16 coming out really just from that one change.

17 CHAIRPERSON NEUBERG: Can I ask a clarifying
18 conver- -- question? This is actually very important as it
19 relates to the boundaries.

20 When we talk about keeping tribal communities
21 together, what are we talking about? We have 22 tribes.
22 And -- and then when we look at the map like that, you know,
23 I saw these maps and, you know, I was -- they're creative,
24 and, you know, I was I thinking: Tom O'Halleran is in the
25 -- he's going to go all the way around there.

1 And it's -- those are the kinds of things that we
2 have to think about: Is it possible for one single
3 representative to actually cover that geographic area?

4 We have a unique state with so much population in
5 such a narrow group.

6 But, anyway, that was my thought as you were
7 describing that.

8 MR. D. JOHNSON: Well, and you're -- you're
9 starting to step into a discussion that every one of these
10 Commissions has had about -- as many of you mentioned -- the
11 urban and rural sense of different communities is very, very
12 strong in Arizona; but at the same time, any rural district
13 to get to 700,000-plus members of the congressional
14 district, is going to be huge to get to that number of
15 people.

16 So it is a -- yes, it's incredibly difficult to
17 represent that seat. I think at one point Arizona's
18 district was described as the -- I think that congressional
19 district was the largest district in the -- in the country.
20 Obviously Alaska with just one seat bigger. But I think in
21 terms of districts in states it was one of the biggest if
22 not the biggest.

23 So that is a clear trade-off, if you're going to be
24 a rural district -- even just a legislative district -- it's
25 going to be huge. And -- and traditionally we have seen the

1 -- the number one, each tribe kept intact and not divided;
2 but then number two, as I believe Commissioner Watchman
3 brought up in his first discussion, not just keep each tribe
4 undivided, but try to keep the nearby tribes with each other
5 in one seat.

6 And then you reach the question of "What counts as
7 nearby?" And when you're in a rural area, that can be
8 fairly distant.

9 This may take it too far, but this may also be a
10 good idea. It's -- it's an interesting way of thinking
11 about it.

12 And -- and definitely, you know, this is the
13 interesting thing when we're talking about the Voting Rights
14 Act is -- that occurred to me when you were each commenting
15 is for, as I mentioned with the Latinos, we have to be
16 careful to tie it to the communities and not just say:
17 Let's put race on the map and just draw lines around it.

18 For the Native Americans is much easier because the
19 population concentrations are so tied to reservations land,
20 which are government entities, they are sovereign nations,
21 that community of interest is very clear. So we're not
22 worried about it being racially driven if you're keeping
23 these -- you know, these governmental entities together.

24 On the Latino side we do need to find how we're
25 going to work our ways into those communities and in terms

1 of where the lines belong within them. I think the question
2 comes up a lot is: How many seats do we need to draw that
3 are majority Latino; as Dr. Handley, correctly put it, it's
4 an opportunity to elect their preferred candidate seats.

5 And I think I would be shocked and stunned if there
6 was any reduction from where we are now; the question will
7 be as we are looking at these communities and these numbers,
8 are we looking at more? Should there be another one that
9 has the numbers to justify it?

10 Or are we reaching the point where the community
11 that lives in those neighborhoods which ultimately is the
12 opinions you want to hear from are not looking for that kind
13 of concentration and looking more to be spread out.

14 So both -- both views are perfectly valid. The
15 Voting Rights Act obviously weighs in strongly in terms of
16 the draw the seats where you can; but they still need to be
17 tied to community definitions other than just race. So
18 we're -- we are looking for that.

19 The key point I was trying to make her is the
20 tribes are easy because they're clearly identified
21 governmental areas, with some areas like Flagstaff that have
22 significant, you know, Native American populations off of
23 the reservation; whereas in the Latino community we are
24 looking more for the -- more of a blank slate to try to
25 define these communities.

1 CHAIRPERSON NEUBERG: I think this may be a logical
2 breaking point where I'm expecting maybe a deeper dive into
3 some of these topic points, but let's take a quick
4 ten-minute break and we will reconvene.

5 Thank you, everybody.

6 (Recess taken from 1:59 p.m. to 2:14 p.m.)

7
8 CHAIRPERSON NEUBERG: Okay, I think we are all
9 ready and I'm going to turn it -- turn it right back over to
10 Doug to continue the conversation on Agenda Item No. VI, our
11 draft map decision discussion.

12 Take it away, Doug.

13 MR. D. JOHNSON: Thank you, Chair.

14 I think we've had really good input; I know we all
15 have lots of notes from the big picture 30- to 35,000-foot
16 level as we've discussed so far.

17 I can guarantee given just the thoughts and
18 requests that we've heard so far, you're going see big
19 changes to the grid map so we re-evaluate to see if you're
20 happy with the result of changes or not on a -- on a
21 case-by-case basis.

22 And one thing I do want to emphasize, I think the
23 Commission is aware of this, but just for those of you maybe
24 turning in just for the first time, as we get down to the
25 nuts and bolts of redrawing for the first time today, but

1 everyone should remember: No decision is final until the
2 whole map is final.

3 So a lot of those things will happen in every
4 project that we take on is someone says: Can we do this in
5 this district? We do it and it works pretty well looking in
6 isolation in that one district; but then a week, two weeks,
7 three weeks down the line some other big issue comes up; and
8 the phrase you'll hear again and again is "ripples." Every
9 decision ripples into the surrounding districts.

10 So a decision or request that you make today and
11 mappers draw and present it to you tomorrow and you like it
12 so we incorporate it, may very well get undone in three or
13 four weeks because of another request and another community
14 consideration or another factor in the criteria comes up
15 that then ripples across and impacts that.

16 So those putting in requests and ideas through --
17 through the public comment should keep in mind that nothing
18 is final until the whole map is final. So stay -- stay
19 alert; stay paying attention. And -- and if something does
20 impact a change that you -- that one of them got made early
21 on, just weigh in yet again; say: Hey, this decision you
22 just made undid what you did a month ago, can you find a way
23 to do both together?

24 So this is going to be an interim process of lots
25 of changes and -- and the map seeing significant changes

1 really from day-to-day as we go through this.

2 Hopefully as we get down closer and closer to the
3 final map, the changes will get smaller and smaller as we're
4 refining and fine tuning more than swinging whole districts
5 from other parts of the state; but for now resi- -- people
6 should not be surprised if districts just pick up and move
7 from one part of the state to another as -- as we make
8 different changes.

9 So there were a couple comments that have come up
10 from the public that I wanted to bring out and see, you
11 know, not to look for any decisions from the Commission at
12 this point, but just to give the sense of the -- of the five
13 of you if there are changes that you want to see or that
14 you've thought about at this point. Obviously, there are
15 lots of changes to be made, so if you haven't thought about
16 it yet, perfectly fine; but if you do have guidance on these
17 different issues, we certainly welcome that.

18 One thing we heard about quite a bit was -- and I
19 think my impression was we heard very different opinions
20 about this is kind of the Cochise, Santa Cruz County; I
21 think we're a lot of fairly clear stuff about the Marana,
22 Saddlebrooke, north side Tucson, but different opinions from
23 the south side of Tucson, Green Valley.

24 So to the degree that any of you have processed
25 that input and had your own opinions and reactions to what

1 the residents have said about: Does Cochise make more sense
2 with Graham and Greenlee; does it make more sense with
3 Tucson; does it make sense bypassing Tucson and going
4 through Santa Cruz to be with -- staying more rural?

5 Any thought have you on -- on that question would
6 be one that we would appreciate if you have any direction on
7 that front.

8 And then I kind of -- there are really three that
9 are top of mind in my mind at this point -- although, of
10 course, there's a lot more that have come up that we would
11 welcome your direction on.

12 One is that Cochise/Santa Cruz/south of Tucson area
13 question.

14 The other one or two of you have already commented
15 on this, is the Verde Valley/Sedona question. Does that go
16 more in Flagstaff? Is that more in Prescott? Which makes
17 more sense?

18 And then the other one I think where there's -- I'm
19 actually pleasantly surprised by how many comments we've
20 gotten from the local residents on this, but the Yuma County
21 question of -- of: Is it a good division now? Does it make
22 sense from a, you know, keeping communities of interest
23 perspective? A couple of you commented on this already, but
24 if others wanted to weigh in on that. That was the third
25 kind of issue we've heard a lot about already that pops in

1 my mind that I wanted to see if you have any direction or --
2 or requests on.

3 Again, nothing on this is binding. One -- one
4 thought to have in mind is that it is very common that
5 there's a: Well, both sides seem to have a good opinion on
6 this that seems to make sense, how do we decide?

7 And a lot of the times the way those decisions get
8 made is what makes more sense for an entire -- or what make
9 sense for an entirely different part of the map? That way
10 if Option A and Option B are of equal weights in your mind,
11 if you don't have an opinion about -- a strong opinion about
12 whether Verde Valley should be with Prescott or with
13 Flagstaff, then, you know, we can see which way works out
14 best for the other parts of the map, and just see how that
15 plays out and just see -- kind of let the fates decide if
16 you are up in the air.

17 But to the degree, at this point, you have any
18 preliminary thoughts on any of those three issues, we'd
19 welcome that direction.

20 CHAIRPERSON NEUBERG: Can -- again, I just want to
21 clarify, these are excellent points that -- that we need to
22 dive into and I thank you for that introduction.

23 Are we speaking from a 35,000-foot level or are we
24 also diving into a congressional versus a legislative
25 conversation? Because these are specific areas, and it's a

1 different conversation with both; and, actually, I would
2 even argue there's a philosophical question about keeping
3 legislative districts with congressional districts or are
4 people better represented, you know, by having cross
5 boundaries where they have options, even though it may not
6 -- you know, it's legislative versus congressional.

7 So can you clarify? Are we -- are we having a
8 broad conversation or specific conversation?

9 MR. D. JOHNSON: Very good question. I actually
10 think part of the reason these three issues stand out is
11 they come into play in both maps; but to your point the
12 answer might be different in two maps.

13 I always remember one of the big debates that came
14 up with Verde Valley wanting to be separate from Prescott
15 was water issues, which were their issue -- their specific
16 differences were mainly settled at the state legislative
17 level. So they preferred to be separate in congressional,
18 but they found it very important -- this is 20 years ago, so
19 welcome differing opinion now, but 20 years ago they very
20 strongly wanted to separated in the legislative map because
21 that's where that policy debate happened and they didn't
22 want to be overwhelmed -- they didn't want to be in a
23 legislative district where the overwhelming majority of the
24 voters were from Prescott.

25 So I think these three issues come into play in all

1 -- in both maps; but, to your point, the answer may be
2 different in the two maps.

3 CHAIRPERSON NEUBERG: Okay. So you -- you would
4 like to elicit dialogue on those areas as it relates to both
5 maps it sounds like, and that's constructive. That's fine.

6 MR. D. JOHNSON: Yes.

7 CHAIRPERSON NEUBERG: Okay.

8 COMMISSIONER LERNER: Can I just ask a question?
9 Would it -- do we want to focus on those areas, or do we
10 want to maybe this is just the process? Could we maybe
11 instead say right now let's focus on -- you can still look
12 at those areas, but let's focus on congressional; and then
13 dive into that a little bit, even with those areas, and then
14 we'll see how they blend when they get to legislative.

15 I'm -- from my own perspective, toggling back and
16 forth could get a little confusing over what are we talking
17 about now, because it's such a big population differences
18 that we're dealing with. And we might be able to
19 accomplish -- you know, legislative area we may not be able
20 to do, but congressional because of the population
21 difference.

22 Just a question about process.

23 MR. D. JOHNSON: Certainly. I think we'd welcome
24 whatever feedback makes sense in whatever format you wish to
25 give it. Whatever is easier for you.

1 COMMISSIONER MEHL: I would support
2 Commissioner Lerner's recommendation, and suggest we jump to
3 congressional and start having a dialogue.

4 CHAIRPERSON NEUBERG: I'm comfortable with that, I
5 just want to make a larger point, and I think this is
6 probably why Doug is -- is speaking about this from this
7 higher level.

8 Everything that we do has broader implications and
9 consequences; and so as I was alluding to, representation on
10 the congressional level also is relevant to whether or not
11 people have representation on a legislative level. And this
12 is -- I mean, the process is complicated, we have to
13 bifurcate it, I'm all for that; but let's not limit
14 ourselves in the conversation in our understanding of the
15 needs of representing these communities of interest, because
16 they're wanting representation. And -- and so let's just
17 keep all of it in our minds as hard as that is.

18 MR. D. JOHNSON: It makes sense if you want to
19 start with congressional, that will do.

20 VICE CHAIR WATCHMAN: Madam Chair,
21 Vice Chair Watchman here.

22 CHAIRPERSON NEUBERG: Please.

23 VICE CHAIR WATCHMAN: And thank you, Doug, and I do
24 support what Commissioner Lerner is -- is suggesting. I'm
25 still a little bit vague on the process and we throw out

1 these ideas; with all the staff here, are they going to
2 generate some feedback for us today? Or it seems like we
3 could be heading down a piecemeal approach, and so, you
4 know, we may have so many different variations and options
5 that, at the end of the day, you know, how do we get back
6 to, you know, deciding on each -- each suggestion?

7 And so I guess I'm speaking more to a process.
8 And, you know, do we -- do we -- or, how do we document it?
9 How do we look at the results of our suggestions and so that
10 it's orderly, and that at the end of the day, again, that we
11 don't -- we don't have to -- too many options that's hard to
12 digest and come back?

13 So maybe -- maybe we can talk a bit more about kind
14 a more definitive process?

15 I have my list and I'm sure my colleagues have
16 their lists ad so, you know, do we dance around, or do we,
17 you know, cut to the chase and, you know, start looking at
18 -- you know, maybe start with the congressional side and the
19 legislative side and -- and see where we stand with each of
20 our suggestions?

21 I don't -- I'm just trying to figure out what the
22 process is so we don't at the end of the day have too many
23 -- too many options and that we -- we have other issues to
24 try to get through those options.

25 So, Madam Chair, maybe a discussion on a more

1 definitive non-piecemeal approach because that's how -- I
2 think that's -- I think we're heading in that direction.

3 MR. D. JOHNSON: Sure. Madam Chair, I would
4 describe it at this point is we're still in kind of a
5 brainstorming stage without a doubt.

6 I think a hundred percent this process will get
7 more and more structured and more and more defined as you
8 get down the road; and, specifically, when we coming back to
9 these results.

10 One of the challenges of being at the --

11 VICE CHAIR WATCHMAN: Hold on. You said "get back
12 with these results," so when will that happen? Is that
13 going to happen in a coup- -- a matter of minutes; or, do we
14 have to give you an idea and then it's going to take a day
15 or two to get back with the results?

16 MR. KINGERY: Yeah, I can help you out.

17 VICE CHAIR WATCHMAN: So I'm just trying to get an
18 idea of, you know, if we throw something out, is it going to
19 take a matter of minutes or do we have to adjourn for a bit
20 and come back; and how many suggestions can you take, and
21 then we run the manipulation and then it comes back, and
22 then it's broadcast on the board? You know, kind of -- so
23 I'm looking at a process of that, an understanding.

24 MR. KINGERY: So putting together the grid map
25 took, you know, a week and a half, two weeks, you know, to

1 make one person equal population balanced; and within this
2 time frame our -- the mapping team being here, our purpose
3 is to listen and, you know, take notes of what each of your
4 views are; and then the intention is that -- -we fully plan
5 on having a late tonight, we want to get through and
6 document an audit log what all of your key points are.

7 And then we'll go through and start making versions
8 of modifications to the grid map.

9 We have 10, 15 points already about keeping tribal
10 reservations together, communities of interest, looking at
11 where that growth is, where those economic drivers are.

12 And I want to remind you, when I presented on the
13 grid map back September 14th, I -- I really wanted to be
14 very clear that I did not look at any of those factors, I
15 simply looked at county lines and population, and that is
16 it.

17 So, you know, what has been approved for the grid
18 map, that clean slate, that's going to go look wildly
19 different taking all of these valid points into, you know,
20 into what could be the draft map or congressional district
21 Version 1, Version 2, Version 3.

22 So our intent when we -- we're going to continue to
23 listen. I think Doug running the dialogue and you guys
24 saying your point, we'll make notes of it, put those
25 versions together tonight as a complete of a picture as we

1 can; and then come back tomorrow, continue to listen and
2 show off, you know, what we've put together.

3 MR. D. JOHNSON: Yeah. I think we're on exactly
4 the same page, which is one of the challenges of being at
5 the big picture level is big picture change takes a long
6 time. You know, later on when we're talking about, oh,
7 let's move Awh- -- let's trade Ahwatukee for Tempe. That
8 small change down the road will be quick and we will be able
9 to -- we may even be able to do some of that live or during
10 a break.

11 But at this point, yes, I would -- I don't
12 anticipate even the requests you've made so far will all be
13 drawn in for tomorrow. I can't imagine that it would be.

14 Where -- where this could be useful, though, is to
15 get as much as these pieces in so that, for example, as
16 we -- will you put the legislative map up? The legislative
17 grid map up?

18 So, for example, so you can see the yellow District
19 7 running along the east side of it, of the state. As we go
20 ahead and put the Navajo Nation together, if that makes
21 sense to go -- best sense to put it into District 7; well,
22 then 7 pulls up and Cochise is no longer in the district.

23 So these pieces may fit in as we're doing other
24 pieces. What do we -- what do we do to then balance the map
25 once you put the Navajo Nation and Hopi together in one CD.

1 So those kind of things will be useful guidance, but --
2 yeah, no, I agree with Brian that we won't back to you in an
3 hour or probably even tomorrow morning with all of the
4 options you've asked for so far.

5 CHAIRPERSON NEUBERG: I want to make an important
6 point, though, and that doesn't preclude us as Commissioners
7 from having dialogue and debate about the difficult choices
8 that we all know are facing us. That dialogue is
9 constructive and necessary, and it's not contingent upon our
10 mapping team making these manipulations.

11 And so I would challenge the five of us to take
12 advantage of our time to philosophically embrace the
13 challenge in front of us and debate and have conversation,
14 even if we can't adjust -- adjust each and every line as
15 we're talking, it's still constructive.

16 MR. D. JOHNSON: To the degree -- as you say, you
17 can brainstorm. To the degree you have points of thought
18 that you want to throw out that occur to you, great. And to
19 the degree if you feel like you've gotten those out, you can
20 release the mapping guys to go do -- go do their thing once
21 you reach that point.

22 But, yeah, any thoughts you have are handy because
23 as we're -- as we're making changes in one area, we'll run
24 into decisions into others, so to the degree we have your
25 kind of a wish list: If anything were possible, what would

1 you like to see in the map. That can come in handy for us.

2 CHAIRPERSON NEUBERG: So would now be the time, a
3 good time to bifurcate discussing congressional versus
4 legislative?

5 It just seems that my peers are interested in
6 having the separate conversations.

7 COMMISSIONER LERNER: From my perspective,
8 Madam Chair, it would be easier from a thought process to at
9 least be able to start that way, and then we can move on
10 from there.

11 I mean, we do know -- as you've said we know
12 there's going to be ramifications all the way down the line.
13 We can at least start thinking from -- and I'm fine either
14 way, whether congressional or legislative.

15 Maybe congressional just 'cause they're larger
16 areas? I don't know.

17 MR. D. JOHNSON: That makes sense.

18 For us, we're digesting and recording all these
19 kind of wish-list brainstorming ideas so everything would
20 work out. So congressional to start works for us.

21 CHAIRPERSON NEUBERG: Are there specific sources of
22 information additionally from us that you would like now as
23 we dive in to the congressional maps?

24 MR. D. JOHNSON: No. I think, like I said, no need
25 to enforce anything, I'm looking for thoughts as to how did

1 you as you listened to the public so far. You know, I threw
2 out those three areas that that we did hear a lot of
3 comments on, but there are others of course. The thoughts
4 that occurred to you and kind of wish-list items we'd love
5 to hear.

6 And if you've covered them all this morning, that's
7 great, too.

8 Or not earlier this morning. Earlier this
9 afternoon. I lost track of time already.

10 CHAIRPERSON NEUBERG: I'll open -- I'm thinking,
11 I'm sorry.

12 I was actually thinking about the past districts
13 and -- and the way in which we begin the dialogue from the
14 grid maps versus the past districts, you know, translating
15 where geographic areas to the grid maps from the previous
16 congressional districts is hard. You know, the mapping.
17 And I don't want to reference the old districts, so that's
18 why I'm struggling a little bit.

19 Colleagues, please, with congressional districts,
20 what's on your mind with the boundaries? Your priorities?

21 COMMISSIONER LERNER: So I'll go ahead and just
22 jump in and start and work our way down. I'll just do one
23 thing, I'm just going to -- I'm thinking I'm just going to
24 make one suggestion.

25 We've already talked about tribes being together;

1 but I'm not necessarily in favor of this one large -- that
2 circle that you had. It doesn't necessarily do it for me.
3 But it was interesting one, I have been looking at all of
4 those, and I appreciate the fact that people are coming up
5 with very creative ideas.

6 But I would say we want to take the Navajo and the
7 Hopi in; and then some of the groups over on the western
8 side -- the Havasupai, Kaibab, Piyuit, but them into -- and
9 that's basically taking a lot of the north from basically
10 from west -- from east to west across where we were taking a
11 number of those -- a number of those tribes.

12 I keep forgetting to lean forward.

13 It's possible potentially to go south, too, down to
14 San Carlos, that's something we can certainly be talking
15 about; and White Mountain Apache, and then over to Yavapai
16 Apache as well. I'm not sure how far we would take those,
17 but at least across that top piece would be one suggestion
18 that I would have to combine some of those tribes.

19 VICE CHAIR WATCHMAN: Thank you, Madam Chair.

20 And I agree with Commissioner Lerner's comments
21 about including the tribes.

22 The -- the next area, I guess, as I stated earlier
23 is just the -- the Hispanic community that -- that reside in
24 the areas of Tucson and Phoenix and Yuma area. You know,
25 from the -- from the maps obviously those are significant

1 populations.

2 And so congressionally, you know, how do we
3 consider that? I think in the -- in the Phoenix area we do
4 have the majority-minority congressional district; and so
5 not to reference what we have right now, but I think those
6 are what we see right now lend itself to what we can see
7 with our new districts.

8 And so recognizing the Hispanic and Latino voting
9 pattern -- or population, primarily in the Phoenix area,
10 keeping that intact, I think it would be something that I
11 would like to see.

12 And moving out -- moving to the Tucson area and
13 Yuma, obviously keeping -- keeping the Hispanic population
14 intact.

15 And then adding back -- getting back to the Native
16 vote and the Native population, I know that you have passed
17 Pasque Yaqui and Tohono O'odham west of -- west of Tucson;
18 then of course you've got tribes in the Yuma area, Cocopah
19 and Quechan. So perhaps those -- those four tribes in a
20 single area, you know, might -- might be a good
21 consideration.

22 I think Tohono O'odham does -- does rise up to the
23 Gila Bend area and then you have some pockets of tribal
24 lands I think -- I think in the Glendale area; but that's --
25 that's not contiguous, and so perhaps that's something maybe

1 will be left out.

2 So in addition to the -- the Native communities in
3 the northern part, the four tribes in the south part of the
4 state, might be -- be something to think about.

5 The -- the two tribes north of Yuma, the -- I just
6 is it the Colorado River Indian tribe, that that's along the
7 Colorado River, perhaps including that in the same area as
8 Yuma tribes might be something to think about.

9 So I'll stop there, but those -- those are just the
10 two focus areas that I think -- I think would be very
11 beneficial for what I think is important for the State.

12 CHAIRPERSON NEUBERG: Commissioners Mehl? York?
13 Please.

14 COMMISSIONER MEHL: I think congressionally there's
15 a lot of commonality from what I've heard from my fellow
16 Commissioners; and I think if you look at the northern half
17 of the state, you actually can combine those northern
18 counties almost intact all the way across east to west. And
19 it is a large area, but at least it's all on the north and
20 doesn't come all the way down to the south; and it would
21 achieve keeping all the tribes together and having at least
22 a somewhat more compact district for our biggest district.

23 For the Hispanic and Indian community south of
24 Tucson, I think keeping them together is critical to keeping
25 a community of interest together; but I think to get the

1 right population right now at the current map, current --
2 not grid map, but current existing map, that district goes
3 all the way up into Maricopa, and I don't think that that's
4 a great idea.

5 I think it would be better to have that not go to
6 Maricopa; but in order to do that and achieve the
7 population, they would have to take the central part of
8 Tucson, and I think that actually creates a very cohesive
9 district that would work quite well. So it will go all the
10 way from Yuma to Santa Cruz, you have the whole western,
11 southwestern part of Tucson and you have the urban part of
12 Tucson.

13 And then for the remainder of Tucson, and today
14 Tucson had three different congressional districts that come
15 and cut into Tucson, and with the population changes that
16 ain't going to happen realistically. So a second district
17 that goes from Cochise County and then swings across that
18 north piece of Tucson, north of River Road out to Oro Valley
19 and Marana, and taking the south part of Pinal that's part
20 of Marana and part of Oro Valley really, Saddlebrooke, and
21 have -- having that being a district I think all sort of
22 flows fairly well.

23 CHAIRPERSON NEUBERG: Commissioner York.

24 COMMISSIONER YORK: You asked about the
25 Verde Valley going to Flagstaff.

1 You know, we heard that the people in Sedona shop
2 at Flagstaff, but the people in -- you know, in my head from
3 a congressional standpoint, the Yavapai County needs to stay
4 together with Cochise or...

5 I like that northern idea that Commissioner Lerner
6 had.

7 The other thing I think about, maybe -- maybe it's
8 not at the congressional level, but there was a lot of
9 comments about Ahwatukee being included with Maricopa and
10 the Kyrene School District; I'm not sure how that falls in
11 the congressional comments, but if somehow we have to divide
12 up the East Valley at least to two seats, and the Queen
13 Creek is growing, somewhat rural growth area, and kind of
14 maybe like a similar some of the cities in the West Valley
15 of Maricopa.

16 So I'm not -- I don't know how you make that
17 contiguous, but they're kind of like-minded issues there
18 with Gila Bend with cars and trucks.

19 So but I think maybe then you're the north of I-60,
20 a little bit and west out to San Tan -- east out to San Tan,
21 so maybe Stapley Road is a good dividing line for East
22 Valley, too.

23 CHAIRPERSON NEUBERG: Thank you.

24 You know, the only thing I'd like to add that's on
25 my mind is this conceptual challenge of the population being

1 centered in Maricopa County, and do we have spokes in which
2 we have rural areas tapping into population centers where
3 it's more dense and balance that out; or, to truly
4 redistricting based on community of interest in those more
5 rural areas which has that challenge of a very, very big
6 geographic area, and how the citizens feel and how a
7 representative would feel having to navigate that geographic
8 area.

9 Look, at the end of the day, we're not going to be
10 able to -- to avoid that. It's going -- by definition there
11 are going to be a couple of -- of congressional districts
12 that are just going to be very large; but I struggle a
13 little bit with balancing those needs, and I wonder, are
14 there enough communities at the outskirts of Maricopa
15 County -- communities of interest -- that align naturally
16 with those more rural areas that make some of that
17 partnerships a little more natural so we don't have to have
18 as much of the geographic expanse.

19 COMMISSIONER YORK: Madam Commissioner,
20 Commissioner York.

21 Part of what I heard I thought on our tour was that
22 the rural areas definitely wanted to stay together and were
23 frustrated with the inclusiveness of the high population
24 areas being tapped into their -- created as part of their
25 district.

1 So my consensus is we try to strive to create rural
2 areas that are population heavy enough to keep them
3 separate.

4 CHAIRPERSON NEUBERG: There's no doubt that the
5 rural communities are communities of interest that have
6 passionately shown up to express their concerns and -- and
7 their deep desires to protect their way of life.

8 I have one concern that -- that's kind of in the
9 back of my mind about that population.

10 It has to do with competitiveness, but it's much
11 deeper than that, it has to do with communities of interest.
12 And that is keeping our eyes on, are there communities of
13 interest within that huge expanse that if we redistrict
14 based on those rural areas, they will be disenfranchised and
15 have no voice because it may end up being pretty distorted
16 in a partisan perspective?

17 And maybe those communities will be well served,
18 I'd like to understand that.

19 So that's something on my mind about how to balance
20 representing, you know -- I mean, they're competing
21 communities of interest here that I think we have to keep in
22 mind.

23 COMMISSIONER LERNER: Chair Neuberg, I think that
24 -- it's something that I've been really thinking about as
25 well. We heard a lot about this idea of representation. We

1 also heard a lot about competitiveness. And -- and what
2 we -- we seem to know from what we're hearing is that those
3 folks who don't feel represented want more competitiveness
4 so they can have a voice. But it's how we get around to
5 doing that, because it does -- it is a challenge I think for
6 those when we look at some of these areas -- and I've been
7 looking at some of the draft maps and some other maps that
8 I've within playing with, we do often have these imbalanced
9 areas where people feel like they're not having some of that
10 voice that you're speaking of.

11 So I think we are going to be challenged with how
12 we approach that. To the best that we can.

13 CHAIRPERSON NEUBERG: And this is an area where we
14 need public input because we're balancing competitive needs
15 or different needs, and we need to know, if you're in a
16 minority and -- and your larger interests are being
17 well-served because you're affiliating with other groups
18 that you affiliate with, that's great. If it's not, help us
19 understand what's not working.

20 That's just more specific data and -- and I think
21 as we wrestle with these decisions, I think would be
22 helpful.

23 MR. D. JOHNSON: That -- I think it was all very
24 useful information on the congressional map. If there's
25 anything else on that or do you want to offer thoughts

1 legislative?

2 CHAIRPERSON NEUBERG: Oh, I think we can probably
3 do a lot more feedback on the congressional side.

4 COMMISSIONER LERNER: I'll just add one more on the
5 congressional right now 'cause I figure that I'll just do
6 one at a time, but that is the Colorado River area.

7 We know that while we want to do something, I
8 think, to connect the tribes across the north, we also have
9 groups along the Colorado that feel very connected to each
10 other in terms of communities of interest with Mojave County
11 and La Paz County; and so trying to pull some of them --
12 pull that together. We already have that in the grid map,
13 we might have to make some adjustments because of tribal
14 locations, but otherwise Mojave County and La Paz might be
15 able to be connected.

16 MR. KINGERY: Well, I will say with congressional
17 maps, I do want to point out a pattern I'm seeing, and it
18 goes along with some of the points you guys are talking
19 about.

20 So let share my screen again.

21 If you look at -- I don't want to call out any
22 specific plan, one over the other, but I am seeing a pattern
23 some of these early congressional districts maps where like
24 CD-4, CD-5, CD-6, you can see from north of Maricopa, it's
25 all one district.

1 So you're able to have that population balance
2 meet- -- meeting within that target deviation for population
3 and still having all those northern communities, northern
4 tribes all still together on a congressional scale.

5 CHAIRPERSON NEUBERG: Can we dive into a little bit
6 more of the congressional districts focused on Maricopa
7 County?

8 We haven't talked much about those unique groups.
9 You know, from my perspective there are -- are different
10 pockets. There's, you know, PV, Scottsdale, possibly even,
11 you know, extending into Fountain Hills; there's the
12 Southeast Valley: Chandler, Mesa, Gilbert. Where those
13 boundaries are there's competing interests. I mean, Tempe,
14 West Mesa versus maybe Eastern Mesa, Gilbert, and then going
15 south into San Tan, Queen Creek. I think we need to pay
16 attention to that district.

17 And the West Valley, again. I mean, you know,
18 Maricopa County is going to require some -- some attention.
19 I know we're focusing maybe on the simpler outer skirts,
20 but -- but that is where the bulk of our population is and
21 it's going to be shifted.

22 You know, I -- I see -- yeah, I'm going to end it
23 there and open it up to other conversation.

24 MR. D. JOHNSON: Madam Chair and Commissioners, I
25 guess if you have -- I think you raised very good questions

1 that you are likely to spend hours and hours on over the
2 next couple months; and I think if you have specific things
3 you want to see in the maps, Commissioner Mehl was referring
4 to freeways and things that might make good dividers in
5 there, this is a good time to share it.

6 If you don't have specifics at this point, you have
7 many weeks to -- to come up with specific revisions and
8 changes you want to see.

9 CHAIRPERSON NEUBERG: I like that we have many
10 weeks; however, I would like to say that it is our goal, if
11 the schedule holds true, to be have -- have draft maps that
12 may be voted on as early as October 21st, I believe, or
13 maybe 22nd.

14 But so we have weeks, but -- but I'd like to
15 capitalize on the days and weeks that are ahead of us;
16 because if we -- the better our draft maps are, I think the
17 more rewarding and informative that last 30-day process is,
18 and the public feedback we get and the more we can fine tune
19 and provide the best maps possible.

20 So I appreciate that we have time but, actually,
21 you know, let -- let's enter the debate and dialogue now.

22 VICE CHAIR WATCHMAN: Madam Chair, if I can get
23 back to you mentioned the metropolitan area of Phoenix
24 relative to the -- to the tribes. I know there's four in
25 the area, maybe five; You've got Salt River and Fort

1 McDowell.

2 I believe the Salt River comment was they'd like to
3 be -- the Salt River/Pima/Maricopa Indian community would
4 like to be included in the districts of their neighboring
5 towns Scottsdale and maybe Tempe. I'm not sure if we heard
6 from the Fort McDowell tribe, but they're -- they're close
7 in proximity.

8 And then when I look at the grid map, it looks like
9 Gila River Indian community is -- is split; and so if then
10 just south -- south of there is the Maricopa -- or, Ak-Chin
11 Indian community.

12 And so I guess the point is, we need to fo- -- or
13 pay attention to Gila River Indian Community so it's not
14 split. I think it's split here in two if you look at the
15 congressional grid map and, so.

16 And -- and, you know, one thought obviously at
17 least in my mind are those four Phoenix area communities to
18 be in one district might be something to look at from a
19 configuration standpoint. I'm not sure if it's possible
20 given the population.

21 But taking that and keeping that in mind, I think
22 is something that we need to think about; but first and
23 foremost is not splitting the Gila River Indian Community.
24 It is rather large, a large land base south of Chandler and
25 Gilbert.

1 MR. D. JOHNSON: Commissioner Watchman, just to the
2 point that you raise there, that is something that has come
3 up in each redistricting round --

4 VICE CHAIR WATCHMAN: Yeah.

5 MR. D. JOHNSON: -- should we try to put all four
6 tribes in one district?

7 It -- and it raises a good question, because if
8 that's done, it really has to be through the East Valley
9 district so you can't really -- you can't really -- have to
10 be East Scottsdale. So whether Ford McDowell, if it would
11 rather be in East Valley district, that links all four
12 tribes for -- with Scottsdale.

13 VICE CHAIR WATCHMAN: Yeah.

14 Well, I don't know if we heard from them, I know we
15 did hear coming from the Salt River Indian community. I
16 don't believe, you know, the three tribes. And I think they
17 may be something at some point, but I'm not sure that that's
18 going to happen.

19 But we did hear from the Salt River Pima Maricopa
20 Indian community, that they have great ties and they believe
21 they're part of the Scottsdale-Tempe community of interest.
22 And so from that side -- it looks like to me like Gila River
23 and the Ak Chin community have more, you know, rural --
24 rural elements, if you will. Not -- notwithstanding them
25 actually bordering Chandler and Ahwatukee.

1 And so -- I guess, hopefully, we'll get some more
2 comments from them to better understand their -- their
3 desires and the direction that they'd like to see on a
4 congressional basis.

5 COMMISSIONER YORK: This is Commissioner York.

6 One of the Maricopa districts I was thinking about
7 that made sense to me was incorporating South Mountain, the
8 airport, and Maryvale and Alhambra and portions of southern
9 Glendale into sort of a minority-majority area.

10 CHAIRPERSON NEUBERG: I know this may be a little
11 late in the process; I want to remind everybody we do have
12 interpreters if anybody needs a Spanish interpreter or is
13 having any language problems.

14 So just a reminder, and I apologize we did not make
15 that explicit earlier.

16 COMMISSIONER LERNER: On another note with the
17 Maricopa County area, just as a note, since I think
18 Commissioner York mentioned population growth in the
19 Southeast Valley.

20 So I think we're going to need to take a closer
21 look on the Southeast Valley on how that's -- how it's grown
22 and the anticipation of growth that's there. In some of
23 these cases we're going to just -- I think we can't avoid
24 splitting some communities.

25 City of Mesa, which is rapidly becoming one of the

1 largest cities in our state, for example, could easily be
2 split. And -- and it's not uniform, even though it's all
3 Mesa, there are different perspectives between West Mesa and
4 East Mesa in terms of communities of interest and their
5 connections to their surrounding communities.

6 So some of East Mesa, for example, might feel more
7 aligned with some parts of Gilbert or Queen Creek areas in
8 terms of a community of interest perspective.

9 So while it's great if we can keep a lot of these
10 towns -- cities and towns together; in some cases in
11 Maricopa County because of the size of them, we may need to
12 divide.

13 Just as a follow up on that since it got quiet, I
14 would -- as an example, I would say West Mesa and Tempe are
15 probably more aligned than East -- and then East Mesa, like
16 I mentioned, and the Gilbert, Queen Creek or some of those
17 areas. So West Mesa, Tempe, maybe South Scottsdale are
18 probably similar communities of interest in that sense; and
19 then we could take a look at other parts of Mesa and how it
20 might be aligned with Queen Creek, Chandler, Gilbert, other
21 parts of it.

22 CHAIRPERSON NEUBERG: And I want to make clear,
23 Commissioner Lerner, you're speaking about congressional
24 districts because a lot of that same exact language could be
25 highly relative to legislative districts.

1 COMMISSIONER LERNER: Absolutely. No, this is all
2 congressional.

3 CHAIRPERSON NEUBERG: Doug, is there additional,
4 you know, contextual feedback that would be helpful from us
5 about how we're further thinking about congressional
6 districts, or is this sufficient information to come back
7 with? I mean, I know you said maybe not tomorrow; but, if
8 possible, tomorrow with an adjusted congressional map?

9 What -- what additional types of information would
10 be helpful for you to hear?

11 MR. D. JOHNSON: I think what you'll see tomorrow
12 morning is that in-progress map drawing in whatever we've
13 been able to get done at that point.

14 So I think we've got plenty of input to -- to run
15 with that. We welcome additional input as this moves ahead;
16 but if you want to go to legislative map, we certainly have
17 plenty to do on the congressional.

18 CHAIRPERSON NEUBERG: Any other thoughts from my
19 colleagues on the congressional map?

20 Okay. If not, let's turn over to the legislative
21 side.

22 VICE CHAIR WATCHMAN: I can start.

23 And again, speaking to the reservations, clearly I
24 think we heard from Navajo Nation when we're up there that
25 the legislative proposed district of the grid does split up

1 Navajo into three different segments, so keeping that intact
2 is probably the -- the direction that the Navajo Nation has
3 presented to us as a Commission. That's -- that's probably
4 the first thing that I see out there.

5 And I'll stop there; I'll look at my notes and my
6 map here again.

7 CHAIRPERSON NEUBERG: I'd like to make an
8 observation about the legislative districts as -- as we
9 begin the conversation, You know, as I was studying all of
10 them. I noticed that the legislative districts seemed to be
11 much more extreme than the congressional districts.

12 You know, I'm presuming that that was a result of
13 honoring communities of interest and -- and keeping people
14 intact.

15 With that, it may be possible that certain
16 communities of interest are being disenfranchised; and so as
17 we look at the legislative districts, I'd like to understand
18 that, where the communities are and where certain
19 communities may have been disenfranchised.

20 There are 30 districts; it's more complicated. I
21 want to make sure that we reserve sufficient time to dive
22 deep into them. The balancing of, you know, that level of
23 community of interest with all the six constitutional
24 criteria, you know, keeping compact, contiguous districts,
25 and -- and in addition to that, trying to find that balance

1 for competitiveness.

2 I just want to say that that's something that's
3 very much on my mind.

4 And again, not from the perspective of
5 competitiveness in and of itself, I'm focused on: Are there
6 communities of interest that are not being represented
7 because they're being drowned out?

8 COMMISSIONER LERNER: Chairwoman, I know we've
9 heard a lot of -- we've heard a number of folks talk about
10 that, but can you give a specific example of one of the ones
11 we've heard that talks about them where they're feeling
12 their voices are not heard? Maybe that will help us with a
13 specific example.

14 And I know it would be just one of many.

15 CHAIRPERSON NEUBERG: You know what, Commissioner
16 Lerner, I'm thinking through all the public feedback and I'm
17 having a hard time identifying one; and, to be honest, I'm
18 reluctant to even identify one because I think it might be
19 unfair.

20 I think it's more of a broader question and lens
21 through which we need to think about this. You know, that
22 when people are asking us for competitive districts, I guess
23 what I'm getting at is let's just understand the district in
24 a deeper way to understand who's being represented and who
25 is not; because, at the end of the day, this process is

1 about maximizing empowerment and representation from as many
2 Americans as we can.

3 And so I don't -- I'm sorry. I -- I would like
4 to -- I guess I could draw the example again from a rural
5 community that may not be competitive where the minority may
6 be okay if their larger economic interests are being met,
7 and they identify as rural and -- and, you know, their needs
8 are being met. That's very different than a minority
9 community that -- that has nobody to go to and feels that --
10 that they have fundamental needs that nobody is hearing.

11 And so, they're just different conversations.

12 COMMISSIONER LERNER: And thank you, actually that
13 clarifies.

14 COMMISSIONER MEHL: Commissioner Lerner, I'll add
15 an anecdote from one of our public hearings 'cause we had
16 people that stood up and they were two adjoining districts,
17 and people from Party A were referring to the one district
18 as very competitive and the other district as very not
19 competitive; and people from Party B were saying the same
20 thing but in flip.

21 And it was: If your party was losing in that
22 district, it wasn't competitive; and if your party was
23 winning, it was competitive.

24 So we have to filter some of the comments we're
25 getting, and we have to do the best job we can to draw the

1 best maps we can; but some of the things that we're hearing,
2 you have to also have a little bit of humor with and
3 realize -- 'cause I was looking at the map and those two
4 districts were almost exactly the same spreads in the last
5 few elections from one party to the other. So however
6 competitive they were or not competitive they were, they
7 were almost identical; but in people's perceptions, that's
8 how they were perceived.

9 COMMISSIONER LERNER: Good point. Thanks.

10 COMMISSIONER YORK: Legislative district, Doug,
11 don't we have eight nine minority-majority districts that
12 are already established?

13 MR. D. JOHNSON: Generally speaking, yes. A couple
14 of them have dropped below mathematical majority over --
15 over the course of the decade, so.

16 But, yes, we have 7 that are 44 percent Latino or
17 higher plus the -- plus the 1 Native American majority seat.

18 COMMISSIONER YORK: So to me that would be the
19 starting point for legislative.

20 MR. D. JOHNSON: Yes, I would -- never say never,
21 but I would be stunned if we went below that number.

22 COMMISSIONER YORK: Right.

23 CHAIRPERSON NEUBERG: And related to that, Doug,
24 just as communities of interest we would love to see that
25 map. We would love to see where the demographic groups are,

1 where they are geographically compact. I think that would
2 help us with the -- with the legislative maps.

3 MR. D. JOHNSON: You can see all that on the
4 socioeconomic report -- they're all -- they're all in
5 there.

6 COMMISSIONER MEHL: And if we want to jump into
7 some more detail, I'll start with by supporting
8 Vice Chair Watchman's desire on the Navajo Nation.

9 And there is a chance to create a legislative
10 district that would include the Hualapai, the Havasupai, the
11 Navajo, and the Apache, and it would be the strangest
12 district we would draw; and you would need a connection down
13 the east side of the state in order to make that happen.

14 And you would end up -- and you would need a part
15 of either Flagstaff or the White Mountains to get the right
16 population; and I think Vice Chair Watchman mentioned there
17 is more of a connection with Flagstaff, and that's what I
18 think we heard from many of the people testifying.

19 So I would suggest Flagstaff be a part of that same
20 legislative district; and if you start with that, it sort of
21 really helps set up the rest of the map. So I think -- I
22 think that's a good place to take a look at.

23 And then that would leave the White Mountains and
24 the Copper Corridor combined which we heard a lot of
25 positive testimony about; and then you drop down into

1 Southern Arizona, and if you -- if you start with the
2 southwest and keep Yuma split in a similar fashion which,
3 again, we heard a lot of testimony about, then you sort of
4 work your way into Tucson; and some of the Tucson current
5 districts are not on -- on the south side are probably
6 fairly similar to where we might want to be looking again
7 this time.

8 But we heard a lot of testimony again on the
9 Foothills, trying to get it into a legislative district with
10 Marana/Oro Valley where they've been really split, and
11 people are not happy they've been split. Marana, Oro Valley
12 and the Foothills into a district, we probably need a little
13 east side of -- to Houghton Corridor in order to get to the
14 population; and that need -- leaves some very solid
15 districts in the central part of Tucson, part of which
16 would -- at least one of which -- or two of which would be
17 majority-minority districts and -- and the others just sort
18 of in between all of that.

19 CHAIRPERSON NEUBERG: There are strong communities
20 of interest in the northwest that would very much like to
21 stay together like Lake Havasu City, Seligman, Kingman.
22 I -- I think they work well together.

23 MR. D. JOHNSON: Madam Chair, are you referring to
24 within Mohave County or you thinking of --

25 CHAIRPERSON NEUBERG: Correct, Mohave County.

1 MR. D. JOHNSON: Okay, you're not adding things in.
2 Okay. Thank you.

3 COMMISSIONER LERNER: In the same way that
4 Commissioner Mehl commented about, you know, how some of
5 these northern Tucson areas want to be connected, I think we
6 also heard that from Maricopa County, some of the northern
7 parts of Maricopa County.

8 We heard this with Carefree, Cave Creek, and
9 Anthem. They were saying they were more connected to
10 Maricopa County than to Yavapai where they were currently,
11 and they would like to be placed in a Maricopa County
12 district versus a Yavapai County 'cause they felt they had
13 better connections, more community of interest connections
14 for those.

15 Making some of these northern reaches together.

16 I know it doesn't reach the population yet, but
17 we're working on it.

18 CHAIRPERSON NEUBERG: Right, I know, and that was
19 where my mind was going back to again, that spoke idea, do
20 they have to tap into the Maricopa County population in
21 order to reach the threshold?

22 But I think in an ideal world, you know, that that
23 would be a good bifurcation to not have to go up north into
24 the rural; keep them with Maricopa County.

25 MR. D. JOHNSON: On that topic, I think some of the

1 commenters when they were talking about north Maricopa
2 County raised a good point, which is we often default to
3 freeways being borders because they are very disruptive
4 impacts; but up there we had a number of people talk about
5 they attend schools across the freeway and maybe I-17 part
6 of the county isn't a good border.

7 If the Commissioners took that heart and agreed to
8 that or not?

9 COMMISSIONER LERNER: Yeah, I think we heard that
10 in particular from Anthem saying we're going and forth with
11 schools, with shopping, with everything all the time.

12 And I think we heard that in Central Phoenix in
13 some areas, some folks were saying that they felt that the
14 freeways were a boundary; others were saying it was not. So
15 I think we'd have to look carefully at that, whether -- it's
16 not consistent and it also depends on, again, what -- what
17 that communities of interest are.

18 We know that in some cases like in the Downtown
19 Phoenix area, when the I-10 was extended there, it actually
20 split up historic neighborhoods that had previously been one
21 unit, you know, with that community; and now they are split,
22 but on the other hand they still do a lot together, there's
23 still a lot of connection.

24 So freeways is something we probably do need to
25 look at.

1 CHAIRPERSON NEUBERG: From my perspective, freeways
2 are somewhat arbitrary. I understand that growth happens
3 around them, but they do not necessarily in and of
4 themselves define communities of interest; and in terms of
5 geographic compactness, again, the highways are arbitrary,
6 it's not like it's a mountain or, you know, a river or
7 something that's, you know, impenetrable.

8 So -- so I'm quite flexible as it relates to, you
9 know, those boundaries, provided that -- that the goal is to
10 be uniting communities of interest that may transcend that
11 arbitrary boundary.

12 COMMISSIONER LERNER: And your comment reminded me
13 when you said "mountains," we heard a lot about
14 Mingus Mountain as well, and so that's one that was the
15 communities where they were seeing that as a boundary. So I
16 don't know how or where to do that, but we know we heard a
17 lot of folks talk about the fact that Mingus Mountain was a
18 natural boundary between some of the communities in that
19 area.

20 CHAIRPERSON NEUBERG: I'm fascinated with this
21 emerging relationship between Tempe and Mesa. You know,
22 Mesa and as it moves east into Gilbert, it used to be just a
23 different character; but more and more there seems to be a
24 little bit more of an urban feel. In Tempe and West Mesa
25 and a little bit more collaboration as it relates to public

1 transportation; and, you know, I'm not -- I'm not quite sure
2 if it's the leaders that are working so well or -- or the
3 population, but there's something going on in that area that
4 I think warrants looking into maybe keeping together.

5 COMMISSIONER YORK: Talking along the 60? Along
6 the 60? 101?

7 CHAIRPERSON NEUBERG: I'm also going to guess in
8 the Goodyear area, you know, out in the West Valley, that
9 growth, I think there's going to be change there.

10 And I'm curious, yeah, I'd like to explore that
11 area a little bit more; I think those boundaries are going
12 to change, obviously.

13 COMMISSIONER MEHL: Legislatively for the very
14 southeast part of the state, you have all the aerospace
15 industry and -- and some mining, and I think if you combine
16 Cochise and Greenlee Counties, the south half of Graham
17 County, and then come into Pima County and pick up the
18 Davis-Monthan Air Base and Sahuarita where they have the -
19 that's really the defense corridor, all the way into Green
20 Valley, and I think that ends up being a real cohesive
21 district that -- that we heard, again, a lot of people
22 testify that would be favorable to that.

23 COMMISSIONER LERNER: Well, and I think you raise a
24 good point, and maybe it's something for us to talk about at
25 some point is the whole idea of the border because we

1 certainly know, you know, whether what you're saying with
2 Cochise being with Graham and Greenlee that question of
3 being heard.

4 And I'm just asking the question, I guess, and
5 Commissioner Mehl, since you live in that neighborhood, you
6 might be able to address some of it, but it's that how to
7 address some of these things? Because Cochise County also
8 has a lot of border issues as well.

9 So I guess just a -- I guess I'm just asking maybe
10 for your thoughts on that.

11 COMMISSIONER MEHL: I think with the district I
12 described, it takes a good chunk of the border; and you're
13 probably going to end up with most likely three legislative
14 districts on the border, which I think is pretty similar to
15 today, and I'd be surprised if that really changes. The
16 configurations are going to change.

17 And then there's two congressional districts that
18 would have part of the border. And again, I suspect that
19 will be similar, and I know all communities have been very
20 engaged on the border issue, and I would fully expect that
21 to continue.

22 CHAIRPERSON NEUBERG: And if I remember correctly,
23 in terms of our public tours, I think that in the south of
24 the state, not -- not counting Tucson, there's -- there's
25 reasonable agreement -- I mean, there's a lot of

1 cooperation.

2 MR. D. JOHNSON: Madam Chair, we don't -- it would
3 be good to -- as the discussion kind of slows down, it would
4 be good to let the mapping team map. So if you have --
5 obviously there will be lots more thoughts, but if you are
6 getting kind of to the end of yours list, if we could
7 release them.

8 CHAIRPERSON NEUBERG: So are we talking about
9 discharging them for the rest of the day, as in mapping for
10 tomorrow morning; is that what you're alluding to?

11 MR. D. JOHNSON: Yes.

12 CHAIRPERSON NEUBERG: Okay. Can I just see if
13 there's any other comments from my colleagues about
14 legislative districts in Maricopa County?

15 You know, and it may be that, you know,
16 conceptually it's a little easier to be focusing on the
17 perimeters and then going in. I'm not sure we've given as
18 much feedback -- and that's an empirical question to the
19 mapping team -- about the inside of Maricopa County, but if
20 you all feel that there's substantive information that will
21 keep you busy to -- to bring something to us tomorrow
22 morning, we're thrilled with that.

23 MR. D. JOHNSON: Oh, yeah.

24 CHAIRPERSON NEUBERG: Is there -- from my
25 colleagues, is there anything else that you feel rises to

1 the level of first-day instructions to the mapping team,
2 congressionally/legislatively that would help them with the
3 big picture?

4 Okay. That was -- that was a great start. I'm
5 glad it was helpful to you; I'm not sure it was helpful to
6 us, I mean, I, you know, in terms of just, you know,
7 throwing all these ideas out there. But we have a lot to
8 talk about and -- and it's exciting. We're looking forward
9 to, you know, getting into the nitty-gritty.

10 MR. D. JOHNSON: Yeah, I do want to say -- just put
11 it out there both for the Commissioners as you're thinking
12 about it and for the residents as you're watching this.
13 There's always concern about this issue -- if I'm not in the
14 first map, well then it's too late; or, is it better to come
15 in at the end? And there really isn't a "which is better
16 than the other."

17 So folks who haven't shared their thoughts yet,
18 definitely want to hear their thoughts. If they did raise
19 their thoughts and didn't hear them mentioned today, it
20 doesn't mean they're off the table. People should continue
21 to weigh in.

22 And, yes, it is nice to see your ideas wrapped into
23 the first or second, you know, version of revisions to the
24 grid, but the final map is the only one that counts again.
25 So coming in and getting your changes in at the end is

1 perhaps even better.

2 So I do kind want to kind of put to rest any
3 concerns that may be out there to share your thoughts. It's
4 never too late until the map is final.

5 COMMISSIONER MEHL: And Doug, do you think we gave
6 you enough information to really have a productive evening
7 and get things going?

8 MR. D. JOHNSON: Oh, yes. Yes. We will not come
9 close to getting all these changes incorporated into maps
10 for tomorrow; that's for sure. We'll do what we can, and
11 see where we go from there.

12 CHAIRPERSON NEUBERG: And then, you know what, we
13 presumed that nothing will be completely linear that --
14 that, you know, we're going to have a lot of debate and
15 dialogue, look at maps, make, you know, continual
16 adjustments; and, to be honest, it's an organic process with
17 the five of us as well, because we are continuously
18 digesting public comment and learning.

19 And so, you know, again it relates to what we said
20 earlier to the public, it's a fluid process and nobody
21 should jump, you know, to any kind of conclusions early to
22 any, you know, early maps or anything.

23 And -- and so with this, you know, yes, please --
24 thank you, mapping team, we -- we appreciate you, the late
25 hours that it sounds like you're going to be doing tonight.

1 Whatever you can provide with us with a new map tomorrow as
2 a new starting point would be amazing.

3 And that does not preclude the Commissioners from
4 having additional conversation or just debate dialogue about
5 some of the philosophical aspects of what we're facing; and
6 if there aren't any, you know, decisions we don't have to do
7 it, but -- but I don't want to close the conversation just
8 because we don't have physical mapping. So much of what
9 we're doing is conceptual anyway.

10 So thank you very much.

11 COMMISSIONER LERNER: Yeah, I mean, are we also
12 going to look at comments? I think we had already talked
13 about that.

14 CHAIRPERSON NEUBERG: Yes, so in terms of the rest
15 of the meeting, we will have the opportunity to look at
16 public comments.

17 We will not be able to take action on the public
18 comments; we will be able to digest them and understand
19 them. But, to be honest, that's not going to slow the
20 process down, our mapping team has enough to work with; but
21 for the sake of our collective education, we can absolutely
22 take a look at public comments.

23 If that's something that the -- the Commission
24 would like to do right now, we could certainly take a break
25 and then come back before we close the meeting.

1 But before we even go there, is there any other
2 commentary or dialogue from my colleagues about mapping
3 between today and tomorrow morning with our next meeting?

4 Is there anything else conceptually, absent of our
5 mapping team, that anybody would like to bring to the table
6 for us to conceptually discuss?

7 And if not, okay.

8 So -- so what time -- so we're at almost about
9 3:30. We're about to close the meeting. Maybe I'll suggest
10 a ten-minute break. We can pull up our public comments,
11 begin to review them, and then we can reconvene and discuss
12 whether or not there's any public comments we want to bring
13 forth; and, if not, we'll close the meeting.

14 And so with that, if there's -- Commissioner Mehl,
15 please.

16 COMMISSIONER MEHL: Would it make sense for us to
17 officially dismiss the mapping team 'cause we won't need
18 them for this, and they can go and start working?

19 CHAIRPERSON NEUBERG: Absolutely. I -- I --
20 mapping team, you are dismissed. We appreciate your
21 participation; we appreciate your very hard work about to
22 come up, and we look forward to seeing you tomorrow morning.

23 With that, why don't we take a ten-minute break,
24 and we'll reconvene and finish up with public comments and
25 the closing of our meeting.

1 Thank you.

2 (Recess taken from 3:29 p.m. to 3:42 p.m.)

3

4 CHAIRPERSON NEUBERG: Okay. Welcome back to
5 everybody.

6 I want to apologize; I think the break was maybe
7 not quite efficient. As we went into the break, I was
8 expecting that we might take the time to review public
9 comments at this time, but, in retrospect, given that our
10 mapping team has more than enough information to keep them
11 busy for the next -- whatever, you know, 15 hours, I think
12 it might be more effective if the Commissioners go home and
13 review independently the thoughts, the feedback that's
14 coming back from the public.

15 And, as a reminder, as we start our meetings, our
16 review of public comments comes at the very beginning of our
17 agenda. So that may be a more effective, efficient time to
18 dive into that.

19 And so with that, if there is no further discussion
20 or, you know, dissension on that topic, I'm going to suggest
21 -- and again, Doug, if there's nothing else that you would
22 like to add on Agenda Item No. VI regarding the draft map
23 decisions.

24 MR. D. JOHNSON: No, I think we're -- we're good
25 for Day One.

1 CHAIRPERSON NEUBERG: Okay. Thank you very much.

2 Again, I apologize for the inefficiencies but this
3 has been a remarkably constructive, positive first meeting.

4 And we'll move to Agenda Item No. VII. The next
5 meeting date is tomorrow morning, October 5th, at 8:00 a.m.
6 here again.

7 And with that, Agenda Item No. VIII, closing of
8 public comments. We'll now close public comments.

9 Please note members may not discuss items not
10 specifically on the agenda. Therefore, pursuant to A.R.S.
11 38-431.01(H) action taken as a result of public comment will
12 be limited to directing the staff to study the matter,
13 responding to any criticism, or scheduling the matter for
14 any further consideration or decision at a later date.

15 With that, we'll move to Agenda Item No. IX,
16 adjournment. I will take a vote to adjourn.

17 Vice Chair Watchman.

18 VICE CHAIR WATCHMAN: Aye.

19 CHAIRPERSON NEUBERG: Commissioner Mehl.

20 COMMISSIONER MEHL: Aye.

21 CHAIRPERSON NEUBERG: Commissioner Lerner.

22 COMMISSIONER LERNER: Aye.

23 CHAIRPERSON NEUBERG: Commissioner York.

24 COMMISSIONER YORK: Aye.

25 CHAIRPERSON NEUBERG: Commissioner Neuberg is an

1 aye.

2 With that, we will adjourn. I look forward to
3 seeing our staff, consultants, public and colleagues
4 tomorrow morning at 8:00 a.m.

5 Thank you, everybody for your participation.

6 (Whereupon the proceeding concludes at 3:45 p.m.).

7
8
9 ***"This transcript represents an unofficial record. Please***
10 ***consult the accompanying video for the official record of***
11 ***IRC proceedings."***

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) ss.
COUNTY OF MARICOPA)

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