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MICHIGAN REDISTRICTING COMMISSION AFTERNOON SESSION
SEPTEMBER 17, 2020

1 Remote meeting
2 Held on September 17, 2020
3 Afternoon Session
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COMMISSIONER LETT: Good afternoon. My
name

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is Steve Lett and I am the acting chair of the
commission for today and tomorrow. I call this
afternoon session of the meeting of the independent
citizens redistricting commission to order. And I would
ask that Sally would call the role, please.

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MS. MARSH: Absolutely. Commissioners, when
I call your name, please unmute yourself and say
present. Anthony Eid.

24

COMMISSIONER EID: Present.

25

MS. MARSH: Brittni Kellom.

1 COMMISSIONER KELLOM: Present.

2 MS. MARSH: Cynthia Orton.

3 COMMISSIONER ORTON: Present.

4 MS. MARSH: Douglas Clark.

5 COMMISSIONER CLARK: Present.

6 MS. MARSH: Dustin Witjes.

7 COMMISSIONER WITJES: Present.

8 MS. MARSH: Erin Wagner.

9 COMMISSIONER WAGNER: Present.

10 MS. MARSH: James Decker.

11 COMMISSIONER DECKER: Present.

12 MS. MARSH: Janice Vallette.

13 COMMISSIONER VALLETTE: Present.

14 MS. MARSH: Juanita Curry.

15 COMMISSIONER CURRY: Present.

16 MS. MARSH: MC Rothhorn.

17 COMMISSIONER ROTHORN: Present.

18 MS. MARSH: Rhonda Lange.

19 COMMISSIONER LANGE: Present.

20 MS. MARSH: Richard Weiss.

21 MR. WEISS: Present.

22 MS. MARSH: And Steven Lett.

23 COMMISSIONER LETT: Present. Thank you,

24 Sally.

25 MS. MARSH: All commissioners are present.

1 COMMISSIONER LETT: Thank you. For those of
2 you that are just joining us, a few of the housekeeping
3 items. We are livestreaming this on Facebook and
4 YouTube, if that's where you're looking at us. For
5 anyone in the public watching who would prefer to watch
6 via a different platform, then they are currently
7 using -- you can visit RedistrictingMichigan.org or
8 [@RestrictingMI](https://twitter.com/RestrictingMI) to find the link for either viewing on
9 YouTube or Facebook. Our livestream today includes
10 closed captioning. If you need to avail yourself of
11 that, please do so. You might already see that we have
12 ASL interpretation available for the meeting. If you
13 are a member of the public watching who would like
14 easier viewing options for ASL interpreter on your
15 screen, please email Redistricting@Michigan.gov and we
16 will provide you with additional viewing options.
17 Similarly, members of the public who would like access
18 to translation services during the webinar can email
19 Redistricting@Michigan.gov for details on how to access
20 language translation. Services for this meeting.
21 Translation services are available both in Spanish and
22 in Arabic.

23 For the purposes of the public watching and
24 the public record, I will turn to the Department of
25 State staff to take note of commissioners present. And

1 we already did that, so the rollcall is done.

2 As you can see, the agenda is on your screen
3 and we will be following along with that. First, we
4 have an introductory presentation on our role as
5 commissioners. I would like to recognize the
6 Department of State staff who would have the floor for
7 approximately 40 minutes.

8 MS. MARSH: Good afternoon, Commissioners.
9 Thank you, Acting Chair. Hope you all had a nice lunch
10 break. We all know each other well by now. But for
11 members of the public who might be just joining us for
12 the first time, my name is Sally Marsh and I'm the
13 director of special projects at the Michigan Department
14 of State. And, Mike Brady, are you with us?

15 We can't hear you --

16 MR. BRADY: Can you hear me still?

17 MS. MARSH: Yes. We can hear you now.

18 MR. BRADY: I'm having some issues with my
19 video, but at least you can hear me. So I'll continue
20 to work on the video.

21 MS. MARSH: Thanks, Mike. Do you want to
22 briefly introduce yourself?

23 MR. BRADY: Yes. This is Mike Brady, chief
24 legal director at the Michigan Department of State.

25 MS. MARSH: Great. So while Mike works on

1 his video, I'll just quickly mention Mike and I have
2 been working, along with other staff at the department,
3 for over a year now to unpack this constitutional
4 amendment. And as we have talked to people throughout
5 the application process, many recurring questions and
6 themes have been asked on what really the role of a
7 commissioner is and what commissioners should expect if
8 selected. So we are going to talk through three general
9 buckets of information and questions that we think all
10 of you commissioners might have based on the
11 conversations we've had in the past.

12 Responsibilities and expectations, timeline,
13 and government structure, and budget. Commissioners,
14 you might want to flip to Page 18 of your orientation
15 materials, which is where the text of the constitution
16 starts, because we will be referencing that
17 constitutional language along the way. We're happy to
18 take questions as we go in the chat. Or, of course, at
19 the end, happy to be here to be a resource. Note that
20 after this session, you will hear from academic experts
21 about mapping and criteria and that element of the
22 process, so Mike and I will stick to administrative
23 items. So onto the next slide. And, Mike, are you
24 able -- you're able to see the slide still? Even if --

25 MR. BRADY: I am.

1 MS. MARSH: -- we can't see your video --
2 okay. Great.

3 MR. BRADY: Yeah. I apologize to everyone.

4 MS. MARSH: No worries. No worries. So the
5 first thing that we want to talk about is conduct, and
6 what is -- what is mentioned in terms of conduct in the
7 constitutional amendment. Each commissioner -- it says
8 in the constitution, Each commissioner shall perform his
9 or her duties in a manner that is impartial and
10 reinforces public confidence in the integrity of the
11 redistricting process. We thought it might be helpful
12 to lift up that language to all of you this afternoon,
13 you know, because you've now entered into your role as
14 commissioners and as public servants. And the
15 constitution does kind of mention this specific call for
16 all of you in being impartial and reinforcing integrity
17 in this new process.

18 The next slide talks about consensus -- or
19 I'm sorry, talks about autonomy. So, you know,
20 Secretary Benson touched on this, but it is worth
21 repeating that the commission shall elect its own
22 chairperson, as you all did temporarily earlier today.
23 But certainly we'll do in a more permanent way after you
24 have the opportunity to discuss your operating
25 structure. And you really are autonomous. You have the

1 ability to make your own rules of procedure. These are
2 all direct quotes from the constitution. The commission
3 shall have procurement and contracting authority and may
4 hire staff and consultants for the purposes of this
5 section, including legal representation. So, again, you
6 all are autonomous. You are in the driver's seat and
7 able to approach your charge with that level of
8 autonomy.

9 Mike, do you want to briefly touch on
10 eligibility and term length?

11 MR. BRADY: Absolutely. Happy to. So
12 eligibility was an important criteria, especially in the
13 last, you know, 18 months, you know, almost two years
14 now, in setting up the process and creating the
15 application and doing all these things that you all
16 obviously did. And, you know, that resulted in you
17 filling out the application, having those reviewed to
18 confirm that folks had, you know, that only the
19 application that stated that -- that answers the
20 questions consistent with being eligible, you know,
21 moved on through the various random selections. To
22 recap that briefly just perhaps, you know, certainly for
23 your benefit as a reminder, but especially for the
24 public's benefit that in order to be a commissioner, in
25 order to serve on this commission, there's one

1 statement that there's one requirement of what you have
2 to be, and there are various things you're not allowed
3 to be. The one that you have to be is you have to be a
4 registered and eligible voter in the State of Michigan.

5 And then the various things and, of course,
6 this is found Article Four, Section 61B says, you know,
7 You're not allowed any of the following things in the
8 last six years. This would be, looking through that,
9 first and foremost, a declared candidate for partisan,
10 federal, state, or local office. Second would be an
11 elected official to partisan, federal, state, or local
12 office. Third would be an officer or member of the
13 governing body of a national state or local political
14 party. Fourth is a paid consultant or employee of the
15 federal, state, or local elected official candidate and
16 various others. The fifth is the employee of the
17 legislature. The sixth is any person who is registered
18 as a lobbyist agent with the Michigan Bureau of
19 Elections. Or any employee of such person. And then
20 the seventh restriction is an unclassified state
21 employee who is not exempt from classification of state
22 civil service, is actually kind of not necessarily a
23 double negative, but there's kind of someone who doesn't
24 fall within the exception of the state classification.
25 And then it says, Except for employees of court records,

1 employees of state institutions of higher education, and
2 persons in the armed forces. And then, you know, beyond
3 that it also says that you cannot have been a parent, a
4 stepparent, a child, a stepchild, or a spouse of any
5 individual disqualified of any of the different sections
6 that I just read.

7 So all of that was laid out in the
8 application. And each of you checked boxes accordingly,
9 making clear that none of those restrictions applied to
10 you. For that reason, your application proceeded in
11 June to the first of the random selections that happened
12 this summer.

13 As you see on the slide, the term length, it
14 doesn't have a specific timeframe, because it notes
15 that, you know, it's really tied to the work itself. So
16 the term of the commissioner will expire once the
17 commission has completed the obligations for a sense of
18 cycle, but not before any judicial review of the
19 redistricting plan is complete.

20 MS. MARSH: Thanks, Mike. I'm going to try
21 asking you to turn on your video and see if that works.
22 And then we'll go on to the next slide in the meantime.
23 Okay. Great.

24 So moving on to the other constitutional
25 expectations. One of them is consensus. So there are a

1 few points at which the constitutional amendment talk --
2 the constitution talks about consensus and agreement
3 across political party affiliation. I've listed them
4 here. If it's small on your slide, that's -- you know,
5 that's totally fine. You can look in the written
6 application or the written constitution or, you know,
7 we'll -- of course, it may be available afterwards. But
8 just to kind of note these different consensus criteria.
9 Page 21 of the Commissioners' Guide to Redistricting in
10 Michigan, that was provided in your orientation
11 materials. It's the document with that starts with the
12 big purple -- the big purple cover. That page has some
13 really helpful illustrations of these different
14 consensus criteria. So just to kind of walk through
15 them briefly. A final decision of the commission
16 requires a majority of commissioners. This makes sense,
17 right? That's sort of a logical requirement.

18 These other two pieces across party
19 affiliation are worth noting that a decision on the
20 dismissal or retention of staff requires the vote of at
21 least one commissioner who affiliates with each party
22 affiliation and, of course, one who doesn't affiliate
23 with either major party as well. And then sort of
24 building on that, a final decision of the commission to
25 adopt a redistricting plan required a majority vote, of

1 course. But then that has to include at least two
2 commissioners who affiliate with each party affiliation.
3 And so there is a provision in the constitution to break
4 a stalemate, if there is one in this department. But
5 hopefully you all don't have to utilize that option and
6 are able to find consensus between and among different
7 party affiliations that are represented here today.

8 We can move on to the next slide. A couple
9 of notes about transparency, and we'll be talking about
10 this more tomorrow as well. But there are several
11 explicit requirements about transparency in the
12 constitutional amendment. It details open meetings with
13 advanced public notice that, quote, invites wide public
14 participation throughout the state. It also requires
15 livestream or other technology to provide
16 contemporaneous public operation and meaningful public
17 participation in the redistricting process in all
18 meetings and hearings. That's part of what we're trying
19 to do today. And all decisions of the commission must
20 be recorded, and the record of those decisions need to
21 be made readily available to any of the public without
22 charge. So these are, you know, like I said, explicit
23 requirements for transparency in the work that you all
24 will do that's laid out throughout the constitutional
25 amendment.

1 MR. BRADY: Just a note there, Sally. This
2 is Mike Brady again. The -- with respect to the open
3 meetings with advance public notice, we'll send along a
4 link to this as well. The commission, as a body of the
5 legislature, is actually subject to the Open Meetings
6 Act, which is certainly consistent with all these
7 things. But there are some resources that, you know,
8 we'll send along for you all for -- you know, for your
9 reading just to become familiar with. Just to give you
10 a sense of some of the rules that exist and that can
11 provide guidance to you all as you move forward as a
12 public body in the State of Michigan.

13 MS. MARSH: Thanks, Mike. Mike, do you want
14 to build on that point in terms of communication?

15 MR. BRADY: Yeah. Absolutely. So the
16 constitution says, the commission members, staff,
17 attorneys, (inaudible) shall not discuss redistricting
18 matters with members of the public outside of an open
19 meeting of the commission, except that a commissioner
20 may communicate about redistricting matters with members
21 of the public to gain information relevant to the
22 performance of his or her duties, if such communication
23 occurs in writing or at previously publicly noticed
24 forum or town hall open to the general public.

25 So this is actually -- takes it a step

1 further, at least a step further, from the Open Meetings
2 Act, which would govern the activity of the public body
3 itself. And that would require -- the Open Meetings Act
4 is triggered when you have a quorum of the public body.
5 So in this case, the body is 13 members, so the quorum
6 would be, you know, one plus 50 percent. So it would be
7 seven people is a quorum here. But the language in the
8 constitution says that that even discussing some of the
9 matters between any member of the commission, and a
10 member of the public outside of the open meeting of the
11 commission is problematic. And so just to kind of flag
12 that as being, again, beyond the usual restrictions that
13 would exist in the Open Meetings Act.

14 MS. MARSH: Great. Thanks, Mike. And then
15 just to mention, we'll talk about this more tomorrow as
16 well. But there is explicit mention in that same
17 section that no gifts of money, goods, or services that
18 may influence your duties can be accepted as a
19 commissioner now that you are in this role.

20 So before we move on to compensation and
21 timeline, I wanted to answer a couple of frequently
22 asked questions that we've gotten a few times over the
23 past couple of months and -- you know, and really over a
24 year. So, Mike, I'm wondering what would happen if a
25 commissioner is no longer able to serve for any reason?

1 MR. BRADY: So the constitution anticipated
2 that. And it says -- I'm looking at my trusty
3 constitution -- that there'd be -- you recall another
4 selection from those individuals who made it the same --
5 so do another selection out of those folks that made it
6 to August. And so if the person who is no longer able
7 to serve steps on if they were someone is who
8 unaffiliated perhaps, it would go to those people who
9 were part -- made it through the legislative review in
10 July, and then were part of the remaining pool of
11 unaffiliated candidates from which you all were randomly
12 selected. And we would draw another unaffiliated person
13 from that pool of individuals. Does that make sense?

14 MS. MARSH: Yeah. So, for example, if
15 somebody on the commission had to resign and provide
16 their letter of resignation to the Secretary of State
17 for any reason, then the person who would replace them
18 would be randomly selected from the pool of people who
19 remain. So as Mike just kind of outlined, if it's
20 somebody who was, for example, unaffiliated, it would be
21 randomly selected from the unaffiliated remaining pool
22 of that 180 -- or at this point, you know, 160 plus
23 individuals. And same thing with any of the other party
24 affiliations.

25 And then another really frequently asked

1 question that we've gotten is: What's the time
2 commitment? What's our schedule. And I know that even
3 some of you have asked that over the past several weeks.
4 And, you know, the answer to that, as you all know, but
5 just to reiterate, is really up to you. You decide what
6 the schedule will be. You have complete autonomy. And
7 the best guidance that we have been able to give on that
8 has actually been from commissioners from California,
9 who did a similar experience to the one that you all
10 will be doing -- for the first time in California back
11 in 2010, 2011 redistricting cycle. And they will be
12 presenting to you later today, a few of them. And so if
13 you have any more questions about what their lives looks
14 like and what the commitment was like, I'm sure they'd
15 be happy to answer those questions for all of you.

16 Then the last question, you know, Mike, I
17 wanted to pose to you is, you know: Should
18 commissioners be worried about lawsuits?

19 MR. BRADY: I wouldn't worry about the
20 lawsuit -- about lawsuits. Lawsuits will happen
21 inevitably. Some of that perhaps is the litigious
22 nature of this idea -- you know, this day and age that
23 said, you know, to look at -- and even setting that
24 aside, you know, this kind of important work that you
25 all are doing tends -- just the reality of it, you know,

1 in various states almost regardless of, you know, which
2 format or who's in power or something else, someone's
3 going to file a lawsuit. And lawsuits are filed, you
4 know, in lots of different contexts. Not all lawsuits
5 are successful, of course. And the key here is just
6 that if you proceed transparently, and you remain
7 thoughtful in your consideration and deliberation, and
8 you work as a group you're all going to be fine. And
9 the work of this commission itself will also be fine.
10 You know, the -- some of the slides we just went over in
11 terms of transparency, in terms of -- you know, the
12 rules about communication, the rules about not accepting
13 gifts, the rules about, you know, the various other
14 things we just touched on in the last few minutes,
15 those, I think, are really -- they're not simply rules
16 in the constitution. They're the right things to do,
17 and they're what, you know, the people of Michigan
18 expect of all of you. And when you're following those
19 rules, you and your work in turn is going to be
20 protected and, you know, it will work out.

21 MS. MARSH: Thanks, Mike. All right.

22 COMMISSIONER CLARK: Sally, this is Doug.
23 Can I ask a question on that?

24 MS. MARSH: Yeah. Absolutely.

25 COMMISSIONER CLARK: Do we need to be

1 concerned on the lawsuit issue? Do we need to be
2 concerned about our work or parts of our work being
3 discoverable and not discoverable? And how do we
4 protect against that?

5 MR. BRADY: That's a great question. Just
6 to define the term, because I don't know if perhaps
7 other members of the commission may not be familiar with
8 the term "discoverable." Or perhaps, you know, if you
9 are, then just say it for the benefit of the public. So
10 that is to say could they be -- could they come up in
11 the context of -- in the context of the lawsuit, could
12 someone, you know, ask to see, you know, the written
13 work product that you have, emails, text messages, other
14 things along those lines, really any records you have
15 related to this. Absolutely. We have a session on that
16 at some point. Is it tomorrow afternoon, Sally?

17 MS. MARSH: Tomorrow morning. You got it.

18 MR. BRADY: Tomorrow morning. Forgive me.
19 But it's a great question. We'll go into more detail
20 then, along with some specific ideas of what you can do
21 to, you know -- to up front, you know, along those
22 lines. Perhaps creating a distinct email address or
23 other things to separate out the work from the personal.
24 I'll give more on that tomorrow.

25 COMMISSIONER CLARK: Okay. Great. That's

1 perfect. Okay.

2 MS. MARSH: And the only thing I would just
3 add to that, Doug, is that I think that's also a great
4 example of the type of questions or consultation that
5 you all might be considering in terms of hiring legal
6 representation or hiring, you know, people who can help
7 you navigate some of those types of issues.

8 COMMISSIONER CLARK: Okay. Great.

9 MS. MARSH: Great. And we'll have more time
10 for additional questions as well in a few minutes. But
11 just wanted to kind of continue on and talk about, like
12 I said, both the government structure and budget,
13 compensation elements, and then, of course, the timeline
14 as well. So, Mike, would you like to talk about the
15 structure?

16 MR. BRADY: I'd be happy to. So as you've
17 heard, you may have seen in some of the other materials
18 as well, the Secretary of State is the secretary without
19 a vote as Secretary Benson had acknowledged this morning
20 as well. That said, the constitution, you know,
21 envisions a role of us providing support to you all at
22 your direction, and explicitly under your direction
23 providing technical services that you all may be
24 necessary. So the technical services, I think, you
25 know, certainly from Secretary Benson's perspective, you

1 know, want to be as supportive as we can be. But,
2 again, certainly emphasizing that the key point here,
3 which is that all of that, supporting your work and
4 getting things done at your direction. So that, you
5 know, we can have any conversations now or later on at
6 any time of, you know, what, you know, seems that you
7 might need assistance with and you can just ask is that
8 something you all can help with. And if we can -- I
9 know the direction from the secretary is that we want to
10 be as helpful as possible. Offhand, obviously, it could
11 include posting notice for future public meetings.
12 Arranging for Zoom, you know, setup and other things
13 like this. There are also some, you know, various other
14 things as well that come up just with the operation and
15 organization of really any entity that, you know, we're
16 going to want to be as supportive as possible on.

17 Additionally, (inaudible) notes that the
18 secretary shall keep the public record of all
19 proceedings and she'll publish and distribute each plan
20 and require documentation. So, you know, we are keeping
21 notes on this meeting. We'll prepare a draft -- draft
22 minutes for circulation and review to the commission at
23 its next meeting.

24 Tomorrow, to be clear, is actually
25 continuation of this meeting. It will be adjourning

1 this afternoon. You all will be adjourning this
2 afternoon. But after these two days, this one meeting
3 ends. We'll, you know, create draft minutes for you all
4 for your review consistent with our role as the
5 secretary of the commission. And then, you know,
6 proceed accordingly with that. Sally Marsh also noted
7 earlier that this is being recorded and the recording
8 will be maintained. It's also being transcribed and
9 that transcription will also be retained and both of
10 those are, of course, are important forms of public
11 record that will be made available to the public as soon
12 as we have them in a version or format that we're able
13 to put on our website.

14 MR. BRADY: So there's another piece here on
15 the same slide, the body of the legislature. Just
16 wanted to note that you all are a body of the
17 legislature. You may be sort of a (inaudible), so what
18 does that mean? Well to be clear, this isn't -- you are
19 all part of an independent citizen redistricting
20 commission. And your independence is not changed by,
21 you know, your -- by this commission location being
22 located in the legislative branch versus the executive
23 branch. In case some of you are curious, you know, I
24 can offer more later on, but just to say as a little bit
25 of the background hadn't spoken with the people who

1 drafted the constitutional amendment to understand, you
2 know, the thought process behind all of that, they
3 really -- in an effort to make this commission more
4 independent, they moved it into the legislative branch
5 so that it would not be able to be touched by any of the
6 governor and it's not this governor, it's any governor's
7 broad powers reorganization that exist under the state
8 constitution. They wanted to keep it outside of the
9 executive branch for that reason and instead putting it
10 in the -- putting it into the legislative branch.

11 As a practical matter, I'm not sure it has,
12 you know, huge implications. I suppose we'll see as you
13 guys are the inaugural commission. One practical thing
14 I wanted to flex for you all is simply that your
15 budget -- the budget that is appropriated to the
16 commission each fiscal year under the terms of the
17 constitution, that budget is actually located within the
18 legislature's budget. And so, you know, we've already
19 had some initial conversations just with the legislature
20 about, you know, if there's any guidance that we'd be
21 able to relay to you all about what that might mean for
22 you in terms of how you all access your budget. And I
23 think, you know, that may come up, you know, as well.
24 But that's been a frequently asked question along the
25 way, and certainly one we've received already from many

1 of you commissioners in your conversations, I believe
2 primarily with Sally Marsh. And so wanted to just be
3 able to say that started some of those questions
4 legislature to say, you know, how do legislative bodies
5 access their budget? Because we're, of course, not --
6 we, the Department of State or any executive branch, not
7 the legislative branch.

8 MS. MARSH: Thanks, Mike. Yeah. And just
9 to kind of further elaborate on that. As you'll see on
10 the slide here, but, you know, more importantly, you can
11 read in the constitution, your budget and the allocation
12 of your budget, the appropriation of your budget, is not
13 something you'll have to advocate for in the same way
14 that, you know, another body might have to. It's
15 written in the text of the constitutional amendment that
16 you will be appropriated the budget. And it will --
17 it's an amount pegged off of the amount that is allotted
18 to Secretary of State.

19 And that also, of course, you know, includes
20 your compensation as well. If you want to go to the
21 next slide. The -- your compensation is that each
22 commissioner shall receive compensation at least equal
23 to 25 percent of the governor's salary. Right now,
24 based on the current governor's salary, that's a little
25 bit under right about \$40,000 total. And so some of

1 what Mike was talking about in terms of accessing funds
2 is really just the sort of minutia of internal
3 government. But the bottom line is you're allocated the
4 budget that you have full autonomy to utilize, and you
5 are also guaranteed compensation at least 25 percent of
6 the governor's salary.

7 So quickly before we'll break for questions,
8 any questions that you all might have, I wanted to
9 mention the timeline. This draft timeline that's on the
10 screen is a shorter version of what's included on
11 Page 11 of your orientation materials. I just wanted to
12 note a few things here. And you'll hear more about this
13 in the next panel. One is that the -- there are at
14 least two rounds of mapping and public hearing. So you
15 all will have to engage in. So you may have heard
16 the -- you know, at least 15 public hearings are
17 required by the constitution. That's true. Actually,
18 even more specific than that, it's at least ten in the
19 first round of public hearings, and then at least five
20 in additional public hearings that you all engage in
21 after you complete your initial maps -- or your sort of
22 initial maps for consideration to the public. So those
23 are two important constitutional requirements to keep in
24 mind when you're thinking about how the overall timeline
25 of your work should proceed.

1 And the other things are really the last
2 three bolded bullets on this slide, which is that no
3 later than September 17th, 2021, is when you'll have to
4 have those final maps complete and proposed for a vote,
5 which allows for a 45-day period of public comment
6 that's required in the constitution. And then by
7 November 1st of 2021, that's the deadline for adopting
8 maps that will then take effect no later than
9 December 31st, 2021. So as you think about what the
10 next year -- or in a little bit extra -- a little over a
11 year will look like, those are some of the key
12 constitutionally required dates and criteria to keep in
13 mind. And, like I said, you will hear more about the
14 public hearings portion in the next panel discussion
15 that you'll hear about. But part of the advantage of
16 convening now and convening early is that you have time
17 to think about these requirements and determine your
18 schedule both in the short term and the long term for
19 what will, you know, in all likelihood, be at some point
20 a bit of a last minute crunch or some additional work in
21 order to meet the deadlines that are laid out here.

22 And so those are the main kind of
23 constitutional expectations and criteria that we wanted
24 to touch on with you as an intro to what's expected in
25 your role as a commissioner. I think we have few

1 minutes left for any questions you all might have. So
2 if there are any questions, Mike and I are happy to try
3 to answer.

4 COMMISSIONER CLARK: This is Doug. Can we
5 go back to the last slide for a minute?

6 MS. MARSH: Yes. I'm sure Cathleen is on
7 it.

8 COMMISSIONER CLARK: Yeah.

9 MS. MARSH: Thanks, Cathleen.

10 COMMISSIONER CLARK: I don't see it yet.

11 MS. MARSH: Cathleen, we can see your
12 desktop.

13 COMMISSIONER CLARK: What's that?

14 MS. MARSH: I was just saying to Cathleen
15 that we can see her desktop, but not her slides.

16 COMMISSIONER CLARK: Well, let me see if I
17 can do it off memory. There's two rounds, okay, of
18 mapping, okay? Is round one, like, a straw man where we
19 map and get something mapped out how we think it should
20 be and they get public input from that? And then make
21 adjustments on the next round of mapping to finalize it?
22 Or is that up to us to decide as we move forward?

23 MS. MARSH: It's a great question. I'll try
24 to start answering it. I mean, it's certainly up to you
25 all to decide you know, how to handle it moving forward.

1 That said, what the next panel will talk about are the
2 requirements for these public hearings and determining
3 what communities of interest are. You all might have
4 heard that term in the orientation materials that were
5 circulated to you. So what will likely be important,
6 and I think what you can see in some of the requirements
7 in the constitution for those public hearings and those
8 different rounds of public hearings, is the idea that
9 you're taking in input from the public and inviting a
10 wide range of participation from people across the
11 public in order to draw even your initial set of maps.
12 So I think what you described is along those lines. But
13 if you look at those portions of the constitution, those
14 rounds are, you know, part -- are, I think, a big part
15 of facilitating the public input and public
16 participation in your process.

17 COMMISSIONER CLARK: Okay. Okay. Great.
18 Thank you.

19 MS. MARSH: Absolutely. Any other
20 questions? I know a lot of that material is stuff that
21 you've already read in your orientation materials. But,
22 you know, of course, moving forward throughout the rest
23 of this meeting or into the future, if you have any
24 questions that we can be helpful with. Oh, I see your
25 hand, MC.

1 COMMISSIONER ROTHORN: I was just thinking
2 that some -- maybe the first public input we got was
3 this morning. And I was just thinking about how we get
4 in touch with Nancy Wong (sic), because I believe she
5 mentioned communities of interest and having had some
6 contact with them. And so I guess the question may be:
7 Will we receive -- will that be part of the public
8 record and how to reach out? Or is that something that
9 we as commissioners would reach out or try to get in
10 touch with her as individuals or -- yeah, how would that
11 work?

12 MS. MARSH: That's a great question. And,
13 you know, Mike feel free to chime in. But people who
14 submit public comment have the ability to give us --
15 give you really their contact information. And so, you
16 know, I think the short answer to your question is yes.
17 You know, you'll -- you'd be able to invite people to
18 provide more information or provide background or talk
19 to you all really at any point in the process as part of
20 your one of your public meetings. And that's some of
21 what we're doing today in terms of having -- and
22 tomorrow in terms of having experts come and talk to you
23 all. It's really the beginning, not the end of your
24 opportunity to do that.

25 MR. BRADY: The only thing I would add is

1 that you can certainly invite somebody to come back and
2 provide further, you know, testimony or, you know, be on
3 the agenda or, you know, submit something in writing.
4 Part of why -- I think part of the idea is that, I mean,
5 to be clear, hopefully, you know, hundreds of thousands
6 of the people over the course of the next year who, you
7 know, send you -- you know, send you their version of a
8 maps, send you, you know, written comments. You know,
9 write you something. And, again, I'm emphasizing, you
10 know, in this particular statement just the written word
11 as something that creates that record for you, as
12 opposed to -- you know, obviously folks will speak to
13 you as well and you should take notes on those things.
14 But it's not going to -- you know, it won't be practical
15 for every person to come back later on and whatever
16 else. The goal would be -- the hope would be that when
17 they address you in writing or in person, you know, or
18 speak to you that they're offering to you as much as
19 they can at that moment. So you can take notes and
20 then, you know, make a little note, oh, you know, here's
21 a dynamic that I wasn't familiar with. There's a -- you
22 know, whatever it is. This particular group or this
23 particular, you know, geography is this kind of concern
24 or this kind of interest. And that may lead you to
25 other questions or other research or other things for

1 staff or other research, you know, for your attorneys or
2 demographers or anything else that come up down the
3 road. And so as an aside, I mean, Ms. Weng is obviously
4 very involved in this. And I'm sure you'll be hearing
5 from her again. She's got her own initiative, but just
6 to say -- you know, the last thing would be if you were
7 to reach out to her or somebody else -- and I know I
8 said this before and forgive. But just going to, you
9 know, hit on the point that since the question would
10 really be about the core work of this, then it would
11 really have to be about inviting her to come back and
12 maybe even putting her on the agenda to speak to all of
13 you, because you can't have that conversation as an
14 individual so.

15 CHAIRPERSON LETT: If there are no more
16 questions, we are almost at our break time. And this
17 will allow Sally to work on the next panel that will be
18 coming. So we'll take a little more than five minutes.
19 We'll be back here at 2:50. Thank you.

20 MS. MARSH: Thank you, everyone.

21 (Brief recess.)

22 MS. MARSH: So for the public watching,
23 while our commissioners -- and hopefully you all take a
24 break, this is when our Department of State staff will
25 make sure that our panelists are ready to go for the

1 upcoming panel. I think I see John is here. John, if
2 you'd be able to unmute yourself so we can make sure
3 your microphone works at your convenience, that would be
4 great.

5 MR. CHAMBERLIN: Can you hear me?

6 MS. MARSH: Hi, Professor Chamberlin. It
7 does sound a bit faint, but I can hear you.

8 MR. CHAMBERLIN: I wonder if it's -- go down
9 to the volume command maybe.

10 MS. MARSH: Can the other panelists who are
11 here, can you unmute so we can see if your audio is
12 working?

13 MR. EGUIA: Hi. This is Jon Eguia. Can you
14 hear me?

15 MS. MARSH: Yes. We can hear you.

16 MR. GROSSMAN: This is Matt Grossman.

17 MS. MARSH: Hi, Matt.

18 MR. GROSSMAN: Hi.

19 MR. CHAMBERLIN: Is my sound level better
20 now?

21 MS. MARSH: That is better. Still a little
22 quiet, but much better.

23 MR. CHAMBERLIN: Okay.

24 MS. MARSH: And this might be just me, but,
25 Jon -- not John Chamberlain, but Jon -- I don't think I

1 can see you anymore. Would you be able to try turning
2 on your video?

3 MR. BRADY: I still see Jon. I still see
4 both.

5 MR. EGUIA: I'm supposed to be on.

6 MS. MARSH: Okay. Good. Let me try this
7 again. Oh, yes. Oh, good. I see you. Here -- and let
8 me -- are you all already to go? Anything we need to
9 test out before the commissioners return?

10 MR. GROSSMAN: So during the part where
11 they're supposed to type questions, they'll just type it
12 into the chat, and then what will happen? (Inaudible.)

13 MS. MARSH: Yes. I think either they will
14 raise their hand. Can you see them all, Matt? Do you
15 have it set up so you can see everybody?

16 MR. GROSSMAN: Not right now 'cause you're
17 sharing the screen.

18 MS. MARSH: So if you go up to the top where
19 it says you're viewing Cathleen Simlar's screen.

20 MR. GROSSMAN: Yeah.

21 MS. MARSH: Next to that, it's under "View
22 Options," there's a side by side mode.

23 MR. GROSSMAN: Okay.

24 MS. MARSH: And then you can drag that bar
25 over and see a lot of people at once.

1 MR. GROSSMAN: Okay. Got it. Okay. And so
2 they'll just use the raised hand function?

3 MS. MARSH: Yeah. They'll either -- they'll
4 either (inaudible - audio muted).

5 (Brief recess.)

6 MS. MARSH: Steve, we can hear you, but we
7 can't see you yet.

8 CHAIRPERSON LETT: I know. You guys are not
9 letting me turn myself back on.

10 MS. MARSH: How's that?

11 CHAIRPERSON LETT: There we are. Okay.
12 We're back. Thank you all for being back promptly. As
13 an attorney, whatever the judge said we were going to
14 take a ten-minute, that meant 30. However, we're going
15 to operate if it's five minutes, it's five minutes.
16 Okay. We've had one panel discussion and we're up for
17 the next one. And the moderator is Matt Grossman.
18 Matt, you're on.

19 MR. GROSSMAN: Thank you so much. We are
20 very excited about the opportunity and responsibility
21 you've been given. But, also, in awe of the project of
22 coming to consensus across all of you all. But, also,
23 across a lot of competing criteria that experts even
24 disagree on. So today is mostly introductory, but this
25 is our opportunity to kind of get into the substance of

1 redistricting, the issues at stake, and the process that
2 you'll be undertaking. This panel is also mostly
3 Q and A, so we've tried to pair down the opening
4 remarks. So please interject.

5 For the start, if you could put your
6 questions in the chat box, if they're clarifying. And
7 then as soon as they're done with the opening, we'll
8 move to direct questions. So we want to know what's on
9 your mind and how we can help, but this isn't your last
10 opportunity. This is just the beginning. So John
11 Chamberlain is going to start an overview of the
12 structure and process. John is a professor emeritus of
13 political science and public policy at the Gerald R.
14 Ford School Public Policy at the University of Michigan.
15 His research is on ethics and public policy and methods
16 of elections and representation. And he's the former
17 director of the University of Michigan Center For Ethics
18 and Public Life. John, why don't you get us started.

19 MR. CHAMBERLIN: Thank you, Matt. Good
20 afternoon to the commissioners. I'm pleased to be
21 joining your meeting Michigan embarks on a new era of
22 restricting. Everyone improves the quality of
23 representative government in our state. Until this
24 year, redistricting was a very chopped down process
25 driven by parties, legislatures, the governor, and their

1 allies. There was no transparency. Everything was done
2 behind closed doors. There was no meaningful public
3 participation. There were few constraints on the
4 process beyond federal law. And too often these
5 conditions resulted in the gerrymandering. A partisan
6 gerrymandering when one party controls both the
7 legislature and the governorship. Some forms of
8 incumbent gerrymander where control is split.

9 Things are very different now. Starting
10 now, redistricting will be vastly different and will
11 yield much fairer redistricting plans. Michiganders
12 themselves, not parties and elected officials, will
13 drive the process. Decisions are made by you, the
14 commission, a balanced group of four Republicans, four
15 Democrats, and five people unaffiliated with either
16 major party. There is full transparency. All meetings
17 will streamed and archived, as well as communications to
18 and from the commission. There are extensive
19 opportunities for public participation in the process
20 since this is an important driver of the process.
21 Information and commentary from the public will be
22 important building blocks in the design of new
23 districts. The public can offer testimony of public
24 hearings, submit written materials, and keep communicate
25 what they'd like their districts to look like. They can

1 propose districts and maps. And they can comment on
2 proposed maps. Finally, there are explicitly
3 districting criteria, which we will turn to in a minute.
4 In all these features of the process, you will implement
5 to bring an end to gerrymandering in Michigan.

6 I would like to highlight one of these
7 criteria for a moment. The one that states, Districts
8 shall reflect the state's diverse population and
9 communities of interest. Communities of interest may
10 include, but shall not be limited to, population to
11 share cultural or historical characteristics or economic
12 interest. I worked with a group of U of M students this
13 last academic year to peruse (inaudible) community of
14 interest, as included in the materials received for
15 today's meeting. The concept of a community of interest
16 is very important in the new process being assigned high
17 priority in the list of criteria. But the concept will
18 be unfamiliar to most members of the public. So the
19 commission will need to clarify its meaning in order to
20 stimulate broad public participation. Another key to
21 broad public participation will be outreach to
22 individuals, organizations, and groups around the state,
23 encouraging their participation, and indicating what the
24 commissioners would like to hear from Michiganders.
25 Finally, in contrast with the other criteria, this one

1 needs attention in the fall, because public hearings
2 scheduled and the public must be informed so they can
3 sign up and participate in 2021.

4 Finding common ground on issues that you
5 initially viewed differently will be important to your
6 success as a commission. In the past, redistricting was
7 characterized by partisanship, not collaboration. There
8 are many issues on which finding common ground will be
9 important. These include clarifying the redistricting
10 criteria. As written, few of the criteria are spelled
11 out in sufficient detail to serve as an adequate guide
12 to their application. In many cases, multiple
13 interpretations of the criteria exist in the academic
14 and judicial opinions. You as commissioners will have
15 to choose. You must seek common ground in developing a
16 plan to involve the public. The outreach to the public
17 hearings themselves and take into account public input
18 as you go about designing districting plans. And,
19 finally, seeking common ground and adopting new
20 districting plans is at the heart of the new process.

21 As the first commissioners, you are the
22 pioneers who are charged with figuring out how to make
23 the new districting plan work for Michigan. Many people
24 come offer advice on how you make decisions, including
25 an array of experts that you will hear from in panels

1 and webinars. But in the final hour, you make the
2 decisions. I thank you for your willingness to shoulder
3 this important responsibility. And I wish you the best
4 as you get on your way.

5 MR. GROSSMAN: Thank you, John. So for now,
6 again, if we could do questions in the chat, and then
7 we'll open it up and transition to live questions. I'm
8 now going to introduce Jon Eguia to give an overview of
9 the redistricting criteria. Jon is a professor of
10 economics at Michigan State University and faculty
11 affiliates at IPPSR. He is -- does research on
12 political economy collective choice and institutional
13 design. And he's authored several academic publications
14 on voting and elections, and is now studying partisan
15 fairness in redistricting maps. Jon, take it away.

16 MR. EGUIA: Thank you, Matt. And thank you
17 to all the commissioners for serving in the commission.
18 I am Jon Eguia. I am just going to introduce the
19 criteria that the Michigan constitution lays out to draw
20 electoral district maps for Michigan.

21 Your maps will have to follow seven criteria
22 that you see here. First, they have to respect federal
23 law. This means that your districts must have equal
24 population and they must obey the Voting Rights Act.
25 You'll hear more, a lot more, in future panels,

1 meetings, about the Voting Rights Act. But the gist of
2 it is that the districts cannot withdraw in such a way
3 that hurt ethnic minorities.

4 Second criteria, your districts must be
5 geographically contiguous, that is connected. This is
6 probably the easiest of the criteria to understand and
7 to follow.

8 The third, the districts must reflect
9 communities of interest. As you've heard John is an
10 expert about as much as can be known about communities
11 of interest by a single person in Michigan, maybe John
12 that knows so. So I would refer questions on this
13 criteria to him. And I would also encourage you to
14 learn from the experience from the commissioners from
15 Arizona and California in the future panel.

16 Fourth, districts shall not provide a
17 disproportionate partisan advantage to any political
18 party. This partisan advantage is defined according to,
19 quote, accepted measures of partisanship. This is an area
20 in which I been working on in my own research in my own
21 work, so I love to talk more about these measures of
22 partisan fairness and that can any community disagrees
23 about them in Q and A.

24 Fifth criteria, districts shall not favor or
25 disfavor any incumbent or any candidate for office. So

1 not only we want the maps to be fair to parties overall
2 in the aggregate, those the district criteria for, but
3 we also want the maps to be fair to its candidate
4 individually. That is the fifth criteria. So no
5 compensation of unfairness so that our net is fair.
6 Just the fair district by district (inaudible).

7 Sixth criteria, the districts must reflect
8 or try to follow, try to respect, counties, city, and
9 township boundary lines.

10 And then seventh, districts have to be,
11 quote, reasonably compact and not have the odd shapes
12 that we typically associate with bipartisan
13 gerrymandering.

14 Notice that all these criteria are ranked.
15 So if two criteria come into conflict, the higher ranked
16 one prevails. For instance, if a well defined community
17 of interest cuts across county lines, well, then, you
18 should try in your maps to respect the boundaries of the
19 community of interest ahead of the county lines, because
20 keeping the community of interest whole is -- or
21 reflecting the community of interest is the third
22 highest criterion, whereas the respecting the county
23 lines is only the sixth. And above all, you have to
24 respect federal law. That is the top criterion. So
25 with that brief introduction, I give it back to Matt.

1 And then in Q and A, I'd be happy to engage or talk
2 about any of this criteria in particular.

3 MR. GROSSMAN: So to give a sense of the
4 road map, we are going to have a panel tomorrow morning
5 that will be wholly on that first criteria of the Voting
6 Rights Act in federal law. So you'll get a full dose of
7 that. And then in the afternoon tomorrow, you will get
8 a sense of sort of the Michigan specific factors from --
9 to folks with long experience on the lines in Michigan.
10 So this is supposed to be sort of our high level
11 introduction to these criteria and the process you'll go
12 through implementing them.

13 So I'll start, I guess, with the -- just the
14 first question for John since he mentioned it on the
15 communities of interest, if he could just go into a
16 little bit more. What is that term really mean? And
17 what are the ways of thinking about it? We can't hear
18 you, John.

19 MR. CHAMBERLIN: Okay. I'm back. This is
20 the term that many states include in their constitution
21 or their statutes concerning the district. And almost
22 all of them say, Here's a few examples, if this doesn't
23 exhaust what we mean. And so it's up, in the end, to
24 the commission to decide what communities they want to
25 claim that they should be heard and paid attention to

1 under this clause. What are they? There is, in the
2 report that I referenced, a couple of columns of
3 examples that economic communities, it could be tourism
4 communities, people who live along a coast and they have
5 a common interest. The idea is that it has to be small
6 enough that it can be taken account of in constructing
7 districts. There has to be a shared interest in this
8 community. Something that binds them together and makes
9 them into a community. And it needs to be the -- shared
10 interest needs to have some connection to legislation in
11 the national or state legislature so that they are a
12 community that has a joint stake in what the legislature
13 decides to do. And they can be a community defined by
14 race, by ethnicity, by history, by economic interest, by
15 geographic location. Examples, like the city of Detroit
16 has a member of strategic economic zones where
17 foundations of places of money. Disowns, you can find
18 them on a map. They are working together to build
19 communities. Agriculture communities around the state,
20 you know, cherries in the Leelanau Peninsula or sugar
21 beets in other areas where there's common economic
22 interests and come up for consideration in the state.
23 So the list of communities of interest could go on and
24 on and usually does in many cases. California, an
25 example that's an interesting topic to take up with the

1 commissioners when you talk to them. It is often the
2 case that members of the community of interest don't
3 know what the community of interest is yet and don't
4 know that they are a member of one. And so when the
5 invitation goes out for communities of interest to
6 participate in public hearings, how are they going to
7 find out they are one? They ought to show up. They
8 ought to send in something. So the commission's job is
9 to -- not only the commission, but certainly the
10 commission's responsibility is to figure out how do you
11 get the word out? What do we mean by "community of
12 interest"? How do you, you know, communicate with the
13 commission about your community of interest? And in the
14 end, how does the commission take this information into
15 account when they're making decisions?

16 MR. GROSSMAN: So I saw that MC has a
17 question. I can read it, but why don't you -- you want
18 to say it yourself?

19 COMMISSIONER ROTHORN: Sure. There's two
20 parts. I mean, we all -- right now, every commissioner
21 represents the lower peninsula. We've got two
22 peninsulas and we have such -- right? We have
23 two-thirds of our population. And thank you, by the
24 way. Sorry. I should start off with thank you. I read
25 your close up report, and I really appreciate. There's

1 a lot of good stuff in there, and I'm really interested
2 in sort of the education piece and how we educate
3 ourselves as commissioners and maybe model what we're
4 learning so that we can spread during this fall, so that
5 we can educated all the voters as we're learning. But I
6 want to -- the part that really strikes me here is I
7 don't understand how we might or might not consider the
8 upper peninsula as distinct from the lower. And it's
9 not, right? We're one state. But I'm just curious if
10 that could fall into a community of interest. And
11 because there's such sparse population, if there are
12 communities of interest in the upper peninsula, should
13 we -- yeah, consider -- how do we potentially -- any
14 thoughts on that, I guess, is my question?

15 MR. CHAMBERLIN: Well, I think that, for
16 instance, the upper peninsula includes a number of
17 senate districts and a number of state house districts.
18 So small communities of interest, they are still -- they
19 care about what their house district looks like to what
20 their senate district looks. Or congressional district,
21 they're pretty much all going to end up -- I think they
22 have to have one congressional district and -- otherwise
23 you will violate the continuity requirement. So I think
24 the community of interest, there may not be very dense.
25 But to the extent that they care about, I don't want a

1 line drawn down to the middle of market. Or I don't
2 want, you know, my district to go north-south, I'd
3 rather it went east-west. They can make that argument
4 and the commission should listen. In other places, like
5 southeastern Michigan and Detroit, there can be, you
6 know, dozens, hundreds of communities of interest and be
7 very dense. I suspect that in the UP, the density of
8 communities of interest is probably less. But that
9 doesn't mean that people don't care about things, that
10 they don't share things, and they want those respected.
11 For the most part, we expect communities of interest to
12 want to remain intact in districts. They don't want,
13 you know, a district line to go down main street to
14 split them into two parts. Some of them may and they
15 should communicate that. But I think if the communities
16 of interest lines will be drawn, the lines are -- you
17 know, it's important that those lines respect
18 communities of interest. And, therefore, it's important
19 that communities of interest make their will known. And
20 I think that's, you know, something that you have to
21 work extra hard. Maybe other places where people
22 realize that there's a bit of a squabble on whose
23 community of interest is going to be respected. But in
24 schedule hearings and testimony, I think doing outreach
25 may be you out to do outreach in the areas where you

1 suspect people might think, Oh, that doesn't apply to
2 me, or it's not about my area. Because you do want
3 that. We would like, in the end, a map of the
4 communities of interest to be spread around the state,
5 not to be concentrated around urban areas or coastal
6 areas or whatever it might be.

7 MR. GROSSMAN: So, Jon Eguia, you outline
8 these criteria. And they all seem like positives. But
9 you also mentioned that they sometimes come into
10 conflict. Can you give us some of the -- some practical
11 examples of how these sometimes conflict?

12 MR. EGUIA: Sure. So the criteria can work
13 across purposes. I will highlight a couple of harder
14 cases among top ranked criteria. So, for instance, you
15 might be tempted to think of an ethnic minority as a
16 community of interest, even if it's spread out in
17 somewhat strange shapes. And then to build up race
18 based community of interest that constructed a district
19 that is populated almost exclusively by that race or by
20 that ethnicity. But because they shared an interest in
21 ethnic issues specific to that ethnicity. However, that
22 might be, too, because various court cases up to the
23 Supreme Court had been very skeptical or suspicious of
24 maps drawn predominately based on race when other
25 considerations of community. So communities -- race can

1 be used, but the scrutiny put into a map if race was the
2 predominant factor is harder. So such an attempt to
3 build an community of interest based on race might drop
4 additional scrutiny on whether it's providing equality
5 or violating the Voting Rights Act, because putting a
6 community all together might actually -- in a district
7 may hurt that community overall. Of course, it wins
8 that district. It gets a candidates it wins in that
9 district. But it could be that that then loses
10 influence in several other districts. And it will be
11 better off having representation in multiple districts.
12 Whereas being overpacked in a single district, it loses
13 representation over all. So that's a case in which
14 building a community of interest based on race might
15 come into conflict with a top of criteria of
16 disrespecting federal law. At the same time, packing a
17 community of interest defined by race that votes in
18 particular manner for one party, all in one district
19 might make that party that the community favors lose
20 many other districts. So it may generate a partisan
21 unfairness, which clashes with the fourth criteria. So
22 it's like -- it's like -- a district that might look
23 good for that particular community in that particular
24 district might have effects across the state that are
25 undecided. So in evaluating -- not only in this

1 criteria, I think it's important to look at a map as a
2 whole. It's the map that satisfies our criteria and
3 it's a fair map or not, rather than just district by
4 district.

5 And other conflicts are a little bit easier
6 with lower ranked criteria. For instance, if a
7 community of interest, the only problem it has that it's
8 not very compact, that it's spread out. Well, since
9 compactness is a bottom criteria on the community of
10 interest, it's a fairly high one, well, then, you just
11 go a district that is not as compact to respect that
12 community of interest.

13 So in many cases, there are going to be
14 conflicts between criteria. And I think that's where
15 the ranking helps you in that your resolve the criteria
16 according to the ranking. And when you violate a
17 criteria, it needs to be for a reason of a higher order.
18 So this district is not compact, because it's following
19 a township shape that was not compact. This district
20 does not follow the township, because it follows a
21 community of interest. This community of interest has
22 been broken apart because of federal law requirement or
23 Voting Rights Act. So any violation of a criteria that
24 you cannot avoid I think is justifiable insofar as it
25 was necessary to satisfy a higher order.

1 MR. GROSSMAN: I can see people visually
2 raising their hand, if they want to ask a question. You
3 could also just raise a topic. We don't need to -- you
4 don't have to have a formal question. If you want to
5 hear more about one of the criteria, just let us know.
6 You can also just type in the chat, and I'll read your
7 question. Or you can just say, I have a question in the
8 chat.

9 So, John Chamberlain, you mentioned that the
10 hearings are this opportunity to get a sense of the
11 state's community of interest, communities of interest.
12 But we know that hearings are not always representative
13 of the public. Maybe the people -- the loudest people
14 aren't always the most representative of the state. So
15 how are they going to organize these hearings in such
16 way that they hear from all the relevant communities?

17 MR. CHAMBERLIN: Well, I mean, I think
18 that's the real challenge. And I think one place to
19 start is by asking the California commissioners how they
20 did it. They managed to hear from a lot of people a lot
21 of times. I think there are no doubt already some
22 organized interests within the state that are ready to
23 go and can show up tomorrow and make their claim.
24 They're well resourced. They have staff. They're
25 politically active. They know how to do this. The

1 concern I have is that there are -- there might be a lot
2 of real communities of interest that, you know, the
3 definition, it would remain invisible because they never
4 figure they're a community of interest. Nobody ever
5 knocks on their door and says, Have you thought of this?
6 I think that, you know, outreach -- and in California
7 they managed to get some foundation money and empowered
8 groups to go out and, you know, talk to communities of
9 interest and say, Here's what you might have to put
10 together if you're going to make this claim. I think,
11 you know, news media, social media, the commission can't
12 do all of this that we need themselves, but they can set
13 it in motion. And they may be able to have some budget
14 that they can use toward it. But in a world in which
15 local newspapers aren't the power they used to be, there
16 are plenty of communities that don't have a local
17 newspaper. Radio stations, television stations,
18 Facebook, other kinds of things will -- and looking for
19 organizations that are active within the state. They
20 might have local affiliates that they can talk to.
21 There's another way to do it. There are lots of
22 communities that are similar to one another that are
23 spread around the state. There are local chambers of
24 commerce nearly every place, so there may be affiliates
25 of organizations that can be quite helpful in this. But

1 this is going to take some creativity. It's going to
2 probably take some outreach to people who know the nooks
3 and crannies of the state of Michigan and understand how
4 it's organized. Industrial structures. Labor
5 structures. What the local economies are based on. And
6 every state will do this differently, because every
7 state's got some fundamental differences. So all we can
8 learn from California, we can't just pick up what
9 California did and translate it to Michigan. It
10 probably won't fit in many cases. But that's why I
11 think it's important. And it's not easy. And there's
12 no place you can go to look it up. The answers aren't
13 sitting there. Raw materials may be sitting there. And
14 it's up to the commission and its staff to turn those
15 into explanations of the concept and make it possible
16 for some of these communities that were remaining
17 invisible to actually participate.

18 MR. GROSSMAN: So, Jon Eguia, Anthony has
19 asked about measures of partisan fairness. Your
20 opportunity to go through those measures. He wants to
21 know specifically what it means for individual
22 communities, especially communities that might be
23 overwhelmingly Democratic or Republican, how we would
24 judge those versus judging the state wide map.

25 MR. EGUIA: Thank you. That's an area of

1 work, so I could talk forever until nobody wants to
2 listen.

3 MR. GROSSMAN: You asked an economist about
4 measurement. Good work, Anthony. Now we're in this.

5 MR. EGUIA: Yes. Partisan fairness has
6 typically been understood at the state level. So these
7 are cases of -- first, here are cases of what's
8 unfair -- clearly unfair. If two parties get
9 approximately 50 percent of the vote, as was the case in
10 North Carolina, then with a 50/50 split on votes, one
11 party gets ten seats and the other one gets three seats,
12 that helps us answer to almost everybody in any
13 definition. And the North Carolina Supreme Court state
14 agreed and tossed out that map as this is unfair. So
15 it's usually about what's the aggregate state level
16 outcome for the parties. A party that is doing so well
17 in the state should get something for all its holds. So
18 I think it's more of an aggregation question. And then
19 the question is: So what is fair? On equal votes of
20 ten three-seater seats is not fair, however you look at
21 it. But most cases are not as bad -- no case is as bad
22 as that map of North Carolina, so it's usually harder.

23 So partisan fairness, typically there are
24 two concepts of partisan fairness, before I go into
25 specific measures to consider. Because this is

1 philosophical what you consider is fair and you need to
2 decide. First one is a notion of symmetry that comes to
3 say that both parties should get the same outcomes based
4 on the same votes. So this sounds very intuitive at
5 face value initially. So if Michigan, the two main
6 parties is split 50/50, the popular vote, they should
7 get half the seats. That's very intuitive. It sounds
8 very good. Don't think too much about it. And that's
9 the notation of symmetry. But the courts fairly
10 skeptical of this. They say that there is more to it.
11 It's not as simple as saying, Well, if you get half of
12 the voters, you get half of the seats. Because there is
13 something that the courts have called a natural
14 advantage based on how voters are located. If a party
15 has a small majority for most of the state, and another
16 party has a lot of voters concentrated in the particular
17 corner of the state and wins in a landslide in that part
18 of the state, this party that has its voters more
19 distributed pretty much everywhere would tend to win --
20 pretty much however you draw the maps, would tend to win
21 a lot of districts with a small majorities. And the
22 party with concentrated voters will win a few districts
23 with huge majorities. But throwing a football analogy,
24 that's like a couple 60 to zero and then losing a lot of
25 games by a few points. It's not -- it's better to have

1 your voters a spread out from many areas.

2 So the Supreme Court question in one ruling:
3 Should you really be trying to put reverse
4 gerrymandering in favor of the party that has all its
5 voters concentrated in a particular area to draw to that
6 symmetry? And that's dubious. So perhaps a second
7 notion of fairness is not that your maps should be
8 working hard to attain a symmetry that just isn't there.
9 Perhaps a notion of fairness is that your maps should
10 not be introducing additional advantages. Let a party
11 that has its so called natural advantage keep it and
12 that's fine. If they get 50/50 votes, two main parties
13 are not going to equal seats. The one that has the
14 voters better understood is going to have a little bit
15 more. And let's not pack on more advantage. That's --
16 your maps should not introduce more advantage. So
17 that's a notion of, well, there are unfairnesses in some
18 sense. But if it's not due to the map, if it will
19 happen for virtually any map, I'm going to let that
20 allow and let that stay that so called natural advantage
21 stay, and I'm going to try not to pack up more
22 advantage.

23 Since this has a very -- I speak neutrally,
24 but this has a very partisan connotation and very clear
25 who's the advantage in Michigan by this natural

1 advantage. In a spirit of compromise, you might say,
2 Well, maybe we want to go halfway. Maybe we want --
3 maybe you as a commission say, These two notions of
4 fairness have some merit and maybe we want to draw a map
5 that compensates portions. We're going to reverse
6 engineer a map that partially compensates the natural
7 advantage, but not fully, because it's not really the
8 fault of the maps. You could do that too. But you
9 shall have to decide kind of which of those two
10 approaches of fairness resonates more to you or a mix of
11 the two. And then for each of those two, you have the
12 specific measures as to how to quantify the symmetry
13 notion of how they both get the same outcome from the
14 same seats, or the not packing any artificial advantage,
15 but respecting natural.

16 My work is on the latter. There are
17 specific measures and maybe this is something that you
18 can summon some of us that are arguing about this in
19 academic circles to each other and convey another panel
20 down the road where they say, Well, what are these
21 measures of the particular notion of fairness? What are
22 the merits of it? And it's not just me. There are
23 several of us in (inaudible) academia doing this in
24 Michigan. So that's something. But that's my first
25 time, sir. But this -- I would talk and talk and talk.

1 So this --

2 MR. GROSSMAN: So as a reminder, the -- you
3 could also ask for written materials from people who
4 ask. So -- and my institute is happy to help with that
5 as well as all the other panelists. So if you want a
6 list of links to potential measures or something like
7 that, just let us know. I think Doug Clark had a
8 question. And we prefer, if you're willing, to state it
9 so the public can hear you. Are you up for that, Doug?

10 COMMISSIONER CLARK: Yeah. No problem at
11 all. The question is the communities of interest
12 discussions and hearings, and not just that, but emails
13 and documents you get relative to communities of
14 interest, it's going to introduce a lot of data. What
15 are some suggestions on how this data can be assimilated
16 and stored electronically and be made searchable
17 electronically to try to make it easier for us to learn
18 of community of interests?

19 MR. CHAMBERLIN: I'll take a crack at that.
20 That's not what I do. So getting a hold of some
21 demographers who are -- who know the databases in the
22 state and understand -- an archivist who understands how
23 to archive things so that they're searchable and you can
24 get your hands on things, I have not done much of that.
25 But I think it's key that -- and I think it would be

1 worth, again, asking the California commissioners. My
2 understanding is they ended up with a mountain of
3 evidence that was submitted and didn't have time to sort
4 it out and hadn't figured out in advance how big the
5 mountain was going to be. So I think that it's not
6 something any individual commissioners are going to be
7 able to do. Probably a staff or consultant who
8 understands how you do this. Librarians and
9 bibliographers and demographers do that for a living.
10 And I think they probably have useful things to say, but
11 I don't.

12 COMMISSIONER CLARK: So you're suggesting we
13 outsource that work so that it's available to us to do
14 the searches and analyze the data?

15 MR. CHAMBERLIN: Yeah. I mean, there may be
16 state employees. There is a state demographer. You can
17 start there. And there are other groups that gather
18 these data and put them together. Probably the state
19 demographer knows what most of these are so that could
20 be a good place to start. You will probably get some
21 people who are happy to provide you with data, but then
22 you have to ask how reliable are these data? Is
23 somebody pushing a particular view at us? And I think
24 that's, again, where somebody who does this kind of work
25 for a living can be useful, and as a consultant or maybe

1 other people elsewhere in the state that are good at
2 this.

3 COMMISSIONER CLARK: As I recall from
4 reading from a California commission that they did have
5 a large -- extremely large volume of data relative to
6 this and that they ended up doing it off of memory
7 rather than anything on how they dealt with this issue.
8 And memory over a course of this many months leads you
9 to some insufficiencies on this.

10 MR. GROSSMAN: There's also -- in your
11 materials, there are some suggested future webinars.
12 One is on Michigan geography, and one is on the math
13 behind redistricting. But I think basically that you
14 could ask anybody that you want, and we could help
15 identify people to help. So even if you just wanted to
16 have a data management webinar, I'm sure people could
17 put that together for you.

18 COMMISSIONER CLARK: Okay. Great. Thanks.

19 MR. GROSSMAN: MC has another question.

20 COMMISSIONER ROTHORN: I'm thinking about
21 the fairness, and I'm thinking about the terms "equity"
22 and "equality" and "related to fairness." And I'm
23 wondering if there's -- yeah, within your academic
24 circles, are there maps that can represent equity versus
25 represent fairness? Is that -- are those terms even

1 applied in -- yeah, when you're discussing this sort of
2 thing?

3 MR. EGUIA: I think that comes closer to
4 being a philosophical --

5 COMMISSION ROTHORN: Okay.

6 MR. EGUIA: -- normative value that most of
7 us in our circle try to shy from, and maybe making such
8 normative -- so that type of consideration, I think it's
9 going to be more up to the commissioners yourselves and
10 your consciousness, less about the expertise. So I
11 think the expertise of my subfield, what we would do is
12 if you tell us what you consider fair, we will be able
13 to tell you how you measure that concept, how you
14 quantify whether or a map meets that criteria or not.
15 Because there can be a lot more into equity than just
16 equality that goes a bit beyond the considerations. So
17 I think that comes from a different area of expertise
18 that I would not be as qualified to judge. We're more
19 into you tell us what is it that you want, we'll
20 quantify it and tell you whether a map meets that
21 criterion or not. That's so -- but to define what's
22 good or what's equitable as far as issues that go beyond
23 our calling at the panel on the census if someone
24 brought -- maybe some communities are specifically
25 undercounted on the census. That's beyond our -- we are

1 going to use census data. So any uncertain within the
2 census is going to get lost and not compensated. So I
3 think addressing equity would be harder than addressing
4 just partisan advantage as a narrower, clearer, easiest
5 party getting better off than it should or not. That's
6 a simpler narrower question to which you're going to be
7 able to get more precise answers.

8 MR. GROSSMAN: One --

9 COMMISSIONER ROTHORN: I'm sorry, Matt.
10 Just a follow-up. Are we always Democratic -- we have
11 independents on our commission. Like, is there ever an
12 independent, yeah, advantage? Or is that the toss up or
13 the -- yeah --

14 MR. EGUIA: The concept -- okay. That's
15 easier answer. That's -- if independents grow up to
16 have enough votes to run an independent candidate, and
17 some races, they do across years. Rarely in Michigan,
18 but there are places in where they do. Then it would be
19 about the independents. So, no, it's not a bipartisan
20 question. It's just it's easier to think of in terms of
21 the two top parties, because those are the two that are
22 getting all the seats in Michigan. But in principal,
23 most of the measures will be able to account for
24 independent or a third party so there is nothing
25 Republican versus Democrat. That part is easy to deal

1 with. It's just that for convenience since your
2 practical problem here appears to be mostly about
3 Democrat and Republican. But should a third party
4 getting votes in such a way that it would win seats,
5 then it would apply to them just as much. That would
6 much better cover than the equity question that is much
7 more profound. But, yeah, third parties or independent
8 candidates, their measures apply to them as well. The
9 idea would be if they're getting the same votes as a
10 party, then they should be getting the same seats as the
11 party.

12 MR. GROSSMAN: I was going to add one
13 distinction that is made in the research that's sort of
14 related to this equity fairness is that if a party were
15 to win, say, 65 percent of the vote, one common notion
16 of equity might expect 65 percent of the seats. But
17 most maps is going -- are going to give that majority
18 party well over 65 percent. And so part of the fairness
19 measures that Jon was talking about is sometimes we
20 measure -- instead of measuring do they get 65 percent
21 of the seats, we say if the other party were to win 65
22 percent in the next election, would they get the same
23 number of seats even if it's above 65 percent. So that
24 doesn't match the philosophical discussion, but it is
25 sometimes a distinction that people make.

1 MR. CHAMBERLIN: And I do think fairness
2 comes up probably more often in these debates than
3 equity. I think one of the first Supreme Court
4 decisions in the '60s said something to the effect that
5 the objective of redistricting is fair and effective
6 representation. And they didn't define what either of
7 those terms meant and people are still arguing.

8 MR. GROSSMAN: Did anyone who hasn't -- by
9 the way, if you don't have your video on, you can just
10 interject, 'cause I can't see the hand raised. But did
11 anybody have a chance to try any of the redistricting
12 games that we sent out? Any reflections from that or
13 questions that came up from that?

14 COMMISSIONER ROTHORN: It was hard.

15 MR. GROSSMAN: What were you trying to do
16 and what was hard?

17 COMMISSIONER ROTHORN: Well, the games -- I
18 wish I could remember which one it was. But there was a
19 salamander the gerrymander, and there were, like, boxes.
20 And I remember going through the questions and trying to
21 answer the questions frankly. And I had to look -- I
22 think it had a lot to do with fairness and, yeah, I'm --
23 it was last weekend, so I may be getting foggy. But
24 that's what I got.

25 MR. GROSSMAN: Jon Eguia, the one thing we

1 haven't talked about is they'll have to judge the plans
2 before any elections. And a lot of these measures tend
3 to wait for the elections to look at fairness. So
4 how -- what are their possibilities for that?

5 MR. EGUIA: The easiest is to look at how
6 would your plans perform if applied to the previous
7 cycle. So use the elections from the past. So when --
8 if we convene another webinar and we talk about more
9 about this measure, I will given your results as to how
10 did the 2010 maps ended up performing. And then you can
11 put a hypothetical map of how the people voted in 2012,
12 '14, '16, '18, that hypothetical map would have
13 performed in this way according to this measure,
14 according to the last four elections. Or you can also
15 do a hypotheticals as to if voters were to vote like
16 this, then this is what would happen in this map. So
17 both approaches are used. Either past electoral results
18 or just made up hypothetical results that you're
19 interest, well, I'd like to know what would happen with
20 this map and this vote.

21 So this may sound very overwhelming, but I
22 want to interject a positive message here. There are
23 many measures and we academics will argue bitterly over
24 this or that. But bad maps come across very poorly in
25 virtually all measures. So we have very vehement

1 discussions as to the one measure versus another. But
2 that detestable North Carolina map, looked detestable
3 however you look at it in any measure. The last
4 Michigan map from Congress also performed poorly
5 virtually in any measure. And I'm pretty sure that the
6 map you are going to come up is going to perform much
7 better according to any measure in the line, even if you
8 never heard from anyone again. One needs to be working
9 on purpose to create a bad map. So to end up with the
10 bad outcomes that we had. So even if you were to learn
11 nothing about fairness, you would create a map that is
12 much fairer than the last one.

13 MR. GROSSMAN: Other questions or
14 reflections on trying any of this yourself? John
15 Chamberlain, how should they be planning out their
16 timeline here? It looks like a lot of time now to wait
17 for the census data, but it's going to come at them
18 pretty fast. How should they be thinking about the
19 early hearings and the map making and the hearings
20 afterwards?

21 MR. CHAMBERLIN: I think that it's going to
22 take a while in the next month or so just to get
23 organized, that the census data are going to get
24 released at the end of July. So you're not going to be
25 able to do precise line drawing before you find out

1 where the people actually are. I think the fall is a
2 good time to, you know, plan an outreach program,
3 communicate by communities of interest, decide which
4 measures of the various criteria you will use, because
5 the amendment requires you to test each proposed plan to
6 see how it does. So very few of these exceptions may be
7 of contiguity. All of these things need to be
8 interpreted. And you'll get different answers when you
9 ask that question. So I think settling some of those
10 questions so you can communicate them to the public to
11 the extent helps the public, community of interest, or
12 an individual make an argument of the kind you think
13 fits with your thinking about it is important. And I
14 think, you know, that Jon's right. You can get a
15 creative experts to come through. In the end, you're
16 going to end up with, you know, two or three variations
17 on the way to do it, each of which has logic. You could
18 use all three of have them for partisan fairness. Then
19 you have to figure out what do I do with three numbers
20 instead of one. So I think that planning the outreach
21 program and trying to settle some of these definitional
22 questions and just catching up on what the inner
23 workings of redistricting are like will occupy most of
24 the fall. Come winter, some outreach should have an
25 impact, public hearings can be held. Whether they'll be

1 in person meetings looks less likely. But how are you
2 going to do these such that they don't get dominated by,
3 you know, particular parts of the state if you're doing
4 them online. Or do you organize them geographically and
5 still do them online?

6 And providing examples, you know, you could
7 create some examples communities of interest and
8 plausibly think about so what would this community --
9 what could they tell us that would be relevant? What is
10 their shared interest? What binds them together? And
11 show them more than just half a dozen examples. You
12 know, do a lot of them. And California can be helpful
13 in that regard. So I think the fall is for planning
14 exercise, that the winter can start with hearings, and
15 at some point you want to start pulling the stuff
16 together and starting to think about general shapes.
17 Not worry so much about, you know, am I doing the
18 township boundaries? You know, you'll end up breaking
19 some townships, but they're small enough you could try
20 to put some pieces together and think about is this
21 consistent with what we're hearing from the public? If
22 we use these data, what would partisan fairness look
23 like? Getting used to those measures and then saying,
24 Well, suppose if we wanted to do something about that.
25 Learning about -- well, take a township, move it next

1 door, or cut a township in half. How do you go about
2 adjusting your plans? In the end, you'll get a lot of
3 plans that people submit.

4 And I think those plans presumably will be
5 based on, if not really old data, data that's a couple
6 of years old. You won't be able to rely on being
7 perfect. So worrying about, you know, which street does
8 the line go down is probably not a useful exercise in
9 the spring. But getting general shapes and asking so
10 what do we think about that? And inviting people to
11 come and on this probably a good way to start. And then
12 come June, get serious. Come end of July, then it's
13 kind of break neck speed to get it done in time. You
14 can't wait until the census data come in to start
15 thinking about how are we going to do this. You need to
16 have some discussions, some -- among the commissioners
17 about some kind of plans. What do we think of that?
18 What does it look like? What might be its problem? How
19 can we adjust just it? Knowing that none of these are
20 final decisions that would help you in the end when you
21 get the data and you see, you know, plans that we've
22 thought looked okay, turns out there are more people
23 there or fewer people there. How are we going to adjust
24 them? And this process is when you adjust one district,
25 you have to adjust the district next to it, adjust the

1 district next to that. So the chain of dominoes in many
2 cases. And you have to have a little practice with that
3 so you don't throw your hands up and figure we're never
4 going to get this done. We'll get it done. This is a
5 much harder exercise than you might think at first
6 glance.

7 MR. GROSSMAN: Yeah. It does help if you
8 have some time play around with some of the games and
9 models just to see that. Just to see if you're trying
10 to fix one problem, you may have created some difficulty
11 for yourself elsewhere. So other -- feel free to wave
12 questions.

13 Jon Eguia, the -- I think the inclination is
14 that a community of interest might want to be in one
15 district. But can you talk a little bit about the
16 tradeoffs with that? Say, if we're looking at state
17 legislative districts, pretty small districts, what
18 would be the tradeoffs between kind of having a
19 community of interest with -- that dominates one state
20 legislative district versus has some influence in
21 several? Your mic is off.

22 MR. EGUIA: I touched up on it a little bit
23 before. But the advantage of being in a district where
24 a particular community dominates the entire district is
25 that if it's going to be able -- if that community

1 behaves politically as a block, you know, all agree what
2 they want and community interest, well, they're going to
3 get whichever candidate exactly they want. Not more or
4 less. No compromises. They dominate that district, so
5 the person that represents will be exactly whoever they
6 want. However, the drawback is that they're losing
7 influence potentially in several other districts. So
8 maybe an alternative scenario is instead of total
9 dominance in one district, if that community is put
10 differently in two, three districts, maybe it has a
11 heavy say on more districts. So its community is going
12 to depend -- the case of its community is going to be
13 different and it's going to depend very much as to how
14 its preferences align or conflict with that other of
15 communities around it.

16 But as a rule of thumb, I would say that for
17 a community -- a community's going to get most political
18 influence if it is spread amongst several districts in
19 which in all of them it is very influential and it can
20 win -- it can be in the majority coalition. So maybe
21 you -- the land scenario. If it ends up being in three
22 districts but in the winning coalition of all three,
23 it's going to have a lot of influence. On the other
24 hand, the worst that can happen to communities can
25 splice and split into districts and ends up losing. So

1 being in its own district is an intermediate case
2 generally where at least you get that district and you
3 get the candidates you want. If they're going to be
4 split in multiple districts where you have a big say and
5 you have the ability to influence the outcome of the
6 majority coalition, you're going to end up with more
7 influence. If you end up just cutting to various loses
8 in other districts where you have no hope and you're
9 ignored, then that's a lost representation.

10 So I think it depends coming to the
11 community, but is not -- it's just not obviously good to
12 put a community together. And, again, that's one of the
13 tactics of gerrymandering maps to be packing the
14 community, overloading the district into a landslide
15 victors that benefits no community. So once a community
16 already has 55 percent of the district, packing even
17 more is not advantageous. So it's going to depend
18 community by community, but the general rule of thumb
19 would be if it can be influential in many districts,
20 that's better than being influential in one. And the
21 worst thing is to be cut into a losing position in
22 multiple districts.

23 I would also say that back to what John was
24 commenting, I would imagine that it depends does that
25 community want to fit together? So I would be very

1 cautious to start creating communities of interest of
2 your own imagination without that community wanting to
3 be together. So that seems to me the most incautious
4 approach. If a community wants to be together, well,
5 maybe that might trump the fact that it has less power
6 when together than they were apart. So I think it's a
7 mix of is it actually helping them to be together?
8 Would they be better apart? What's the alignment with
9 other communities? And would they want to be together?
10 John, do you want to qualify or add on to --

11 MR. GROSSMAN: Well, we just -- we just have
12 three minutes left. So maybe we should open it up and
13 make sure there's not -- there's not further questions.

14 MR. EGUIA: Okay.

15 MR. GROSSMAN: All right. John, if you do
16 have comments, or maybe if you get to it in your
17 comments, maybe talk a little bit about reaching
18 agreement across partisan lines. So this group has to
19 reach consensus. How do they get off on a good foot
20 versus a bad one?

21 MR. CHAMBERLIN: Well, I think on that
22 latter point, the way to get off -- the way to have a
23 good second step is to have a good first step. So you
24 know at the end game of this is you're going to have to
25 vote to adopt districts. And if partisanship has gotten

1 in the way a number of times along the way, it probably
2 will come up again. You're there, not as
3 representatives of a particular party or of, you know,
4 the people in between, but you're there as a citizen of
5 Michigan. You understand that you need to work to find
6 common ground. Or, if you don't, this process may come
7 to a halt and end up in picking something out of a hat,
8 which would be an unfortunate first outcome for this
9 process. So I think that being sensitive to differences
10 of opinion as you start thinking -- talking about
11 things, don't say, Well, that looks like we can't agree
12 on that. Let's move on to something else. Find some
13 things and work it through as to what would middle
14 ground look like on this? Is there a way? And then
15 say, Well, I'll let you win this one and I'll win the
16 next one. You know, look for common ground. And the
17 more successful you can be early on, the more confidence
18 you will have in the rest of the commissioners and in
19 the process, and more confidence the public will have in
20 you, because they'll be watching this. So if it looks
21 to them a bunch of partisan squabbles are breaking out
22 at meetings, they're probably going to, you know, think
23 maybe this process doesn't work. I think you need to
24 worry about the fact that you're doing all of this in
25 public. You know, it happens in the legislature. And a

1 conference committee, they can yell at each other and
2 pound the table. That's probably not an appropriate way
3 for the commission to work. And so finding things early
4 on that you can agree on to cement the common ground and
5 build from there, I -- it's not what I do for a living
6 either. Studying it or doing it much, but I think
7 that's what I hope the commission will find a way to do.

8 MR. GROSSMAN: Well, thank you. So, first
9 of all, we're all available for future written answers,
10 if you have additional questions. There's also two
11 institutions represented here: The Institute of Public
12 Policy and Social Research at MSU, and The Center For
13 Local, State, and Urban Policy at the University of
14 Michigan. Which are both happy to engage in research on
15 your behalf, if you give us some moving forward. And I
16 think lots of people will be willing to help. So I
17 think for now I'll turn it back over to Steve.

18 CHAIRPERSON LETT: Thank you, Matt. I would
19 like to firstly thank John Chamberlain and Jon Eguia for
20 their excellent presentation regarding the mapping, the
21 communities of interest, which I'm sure over the next
22 several months that we will become extremely familiar
23 with and hopefully we'll get off to a good start. I
24 cannot think that we won't. From our introductions
25 earlier today, I think we all are on the same page as to

1 where we're going. So that brings us to our next
2 ten-minute break. So we'll see everybody back here at
3 four o'clock. That's nine minutes and that's close
4 enough. See you back then.

5 (Brief recess.)

6 MS. MARSH: For the members of the public
7 who are watching today, Department of State staff is
8 going to use this time to make sure that the upcoming
9 panelists are good to go in terms of their audio and
10 slide sharing capability. So I -- upcoming panelists,
11 I'm going to ask you to unmute and turn on your camera
12 so that we can make sure that we are able to see and
13 hear you.

14 MS. DAI: Hello.

15 MS. MARSH: Hello. Okay.

16 MR. BARABBA: This is Vince Barabba. Okay.
17 There we go.

18 MS. MARSH: There we go.

19 MR. BARABBA: Magic.

20 MS. MARSH: Perfect. All right. It sounds
21 like your audio is working, Cynthia.

22 MS. DAI: Yep.

23 MS. MARSH: Nice to see you.

24 MS. DAI: Good to see you too.

25 MS. MARSH: Colleen, do you want to test

1 your audio and unmute yourself?

2 MS. MATHIS: Hi, Cynthia. Hi, Sarah (sic).
3 Good to see you guys.

4 MS. MARSH: Wonderful. Okay. Andre, are
5 you able to turn on your video?

6 MR. PARVENU: Yes, I am.

7 MR. BARABBA: There he is.

8 MS. MARSH: Hey, everybody. All right.

9 MS. DAI: Hey, Andre, you have -- I don't
10 know if you can shift your community screen a little
11 bit. There you go. Too much reflection in the window.

12 MR. PARVENU: Got it. Okay.

13 MS. MARSH: So do you all want to practice
14 sharing your slide or at least sharing your screen so
15 you make sure you've got access to it? While we're
16 waiting for the commissioners to get back.

17 MS. DAI: Sure. I'll do that.

18 MS. MARSH: Awesome. I think that works.

19 MR. BARABBA: Good.

20 MS. MARSH: All right. Colleen, did you
21 want to try as well?

22 MS. MATHIS: Sure.

23 MS. MARSH: Or would you prefer for us to
24 share them?

25 MS. MATHIS: It should work. I used to have

1 a bandwidth issue, but we'll see if it works today.

2 MR. BARABBA: There you go.

3 MS. MATHIS: Great. We'll plan on enlarging
4 that. The menu is kind of right in front -- let me
5 just --

6 MS. MARSH: Great.

7 MS. MATHIS: All right. Thanks a lot.

8 MS. MARSH: Looks good.

9 MS. MATHIS: Thank you.

10 MS. MARSH: Thanks, everyone. Cathleen,
11 would you mind putting back up the break slide? And
12 panelists who are joining us, just so you all know, I
13 know you can see a lot of, you know, people's names with
14 their cameras turned off. Just so you are aware, the
15 public who is viewing can only see people whose camera
16 is turned on. So if you were to turn off your camera,
17 they would still be able to hear you if you unmute
18 yourself. But you -- but, you know, in order to -- for
19 the public to be able to see you, you've got to have
20 that camera on. And we have other people on this call
21 who are staff whose cameras are turned off. But all if
22 the commissioners' cameras will be on during your
23 presentation.

24 All right. So we still have about five
25 minutes of the break. But I'm glad everybody's audio is

1 video is working and looking forward to hearing from
2 you.

3 MS. MATHIS: How did the morning go?

4 MS. MARSH: Well, it's going. This is all
5 publicly livestreamed. So it's been a -- you know, even
6 right now. So, you know, we have said to the public
7 who's watching we are grateful in advance for their
8 patience and understanding as we facilitate this meeting
9 virtually. But it's going, hopefully for all, well so
10 far.

11 MS. MATHIS: That's great. Good to hear.
12 It's an exciting day.

13 MR. BARABBA: And the fun's just about to
14 start.

15 MS. MARSH: All right. I'm going to turn my
16 audio and video off, but I'm still here and you guys can
17 feel free to -- if you need anything, put a message in
18 the chat.

19 MS. MATHIS: It's good. Thanks, Sally.

20 (Brief recess.)

21 MS. MARSH: I just got a question from
22 Cynthia that I thought was worth mentioning to all of
23 you. So because of the screen share, you might not be
24 able to see all of the panelists at once unless you do a
25 particular setting with your screen. So I'm just going

1 to provide these instructions, if it's helpful to you.
2 If you hover your mouse over the top of your screen, it
3 will say you are viewing Cathleen's screen. Right next
4 to there should be a view options. Drop down. And if
5 you click on that, you can click on side-by-side mode.
6 And if you click on side-by-side mode, you'll be able to
7 see both the Power Point slides on one side and the
8 commissioners and other people who are on camera on the
9 other side. And you can drag that to be able to view
10 more people at once. And during the meeting once the
11 Chair convenes us again, the commissioners will be on
12 camera.

13 CHAIRPERSON LETT: Okay. It's four o'clock.
14 And we are back from our break. We have another panel
15 discussion scheduled. Lessons from California and
16 Arizona Commissions for that. And we have -- who do we
17 have as a moderator?

18 MS. MARSH: Hi, Steve. So no formal
19 moderator for this session. Although, I'm happy to
20 quickly intro the panelists and hand it over to them, if
21 that works for you.

22 CHAIRPERSON LETT: That would work for me.
23 Go right ahead, Sally.

24 MS. MARSH: Fantastic. Hi, everybody. Just
25 a really brief intro to these panelists, because I want

1 you all to have the maximum amount of time possible to
2 talk to them. We have three commissioners from the
3 California commission that was convened in the last
4 redistricting cycle, as well as a commissioner from the
5 Arizona commission who similarly was doing the work of
6 being a commissioner last cycle. So we'll first hear
7 from the three California commissioners, and then we
8 will hear from the Arizona, and then -- commissioner.
9 And they all have allotted a lot of time to be able to
10 answer questions from all of you at the part of this
11 time we have. So, California Commissioners, if you'd
12 like to take it away, that would be wonderful. And if
13 you're speaking, you're on mute.

14 MS. DAI: Good afternoon, Commissioners.
15 Congratulations from the 2010 California Citizens
16 Redistricting Commission to the new Michigan Independent
17 Citizens Redistricting Commission. We are done with our
18 ten years of public service, but are pleased to share
19 lessons with you as you embark on yours. Thanks to a
20 grant from the Harvard ASH Center.

21 I am Cynthia Dai, a Democrat from San
22 Francisco. I've had the pleasure of visiting your fair
23 state twice, somehow both times in the middle of winter,
24 in support of Voters Not Politicians successful campaign
25 to end partisan gerrymandering. You can see I'm wearing

1 the long down coat that I only use in other states from
2 our last trip in March before COVID. And now, of
3 course, that the weather's finally fine, I'm visiting
4 virtually and will not get to enjoy Detroit's bold
5 coffee with fresh pita bread and baba ghanoush from New
6 Yasmeen Bakery unfortunately.

7 You and your compatriots entrusted with a
8 great responsibility to draw new electoral districts
9 that will last a decade. You've been chosen to be
10 different, yet you must collaborate to succeed. Ten
11 years ago we were in exactly the same predicament. This
12 was us. We look so young then. Like you, we were
13 chosen to reflect the full diversity of our state. In
14 addition to being diverse by gender, race and ethnicity,
15 geography, and socioeconomic status, we also had, among
16 our ranks, this is a nonprofit execs, military vets,
17 small business owners, professors, attorneys, urban
18 planners, a farmer, and a homemaker. We spent four
19 decades in H. Political repugnance predicted that we
20 would crash and burn, yet we did not. Why? It was
21 apparent that despite our differences, we were united in
22 our desire to draw fair districts for all Californians.
23 With this common goal, we were able to overcome many
24 challenges as a team. We also knew that we would only
25 be successful if we could agree with a super majority

1 vote on the maps.

2 We started with team building. In fact, one
3 of our first acts was to develop a tag line, which you
4 saw in our opening slide, Fair redistricting democracy
5 at work. This was truly a collaborative effort that
6 every commissioner participated in that we were all
7 proud of. We had many informal opportunities to bond
8 with, what I call, enforced socializing. We had a role
9 that we all ate dinner together and drank lots of wine,
10 too, after meetings on the road. Since we were not
11 allowed to discuss redistricting outside of a public
12 meeting, we were forced to only discuss our personal
13 lives, thus getting to know each other very well. Many
14 of us carpooled to meetings around the state, giving us
15 opportunities to socialize in smaller groups. It is
16 true that those who play together work better together.
17 The friendships we formed with one another enabled us to
18 truly listen and have the sometimes difficult
19 conversations when we did not agree, respectfully and
20 civilly.

21 We recognize that it was not practical or
22 efficient to have everyone do everything. An early
23 decision we made was to share the burden of leadership.
24 The constitution requires the Chair and the Vice Chair
25 to be of different parties. So we decided to rotate.

1 This drove our staff absolutely crazy, but Californians
2 loved it. It made it clear to the public that this was
3 truly a nonpartisan commission. We also divided
4 ourselves into five standing committees with each with
5 at least one Democrat, Republican, and independent,
6 while also taking advantage of the expertise skills and
7 interests of each commissioner. We formed ad hoc SWAT
8 teams of two, always of different parties, to work on
9 special needs that arose, which provided flexibility
10 around open meeting laws. By dividing, we conquered an
11 almost impossible timeline.

12 Last but not least, we operated by
13 consensus. Rarely voting unless absolutely required.
14 Consensus means that everyone has been heard. And while
15 you may not agree on every detail, you're willing to
16 move on with the will of the commission. We
17 triumphantly announced our final maps at the state
18 capital with an almost unanimous vote of 13 to 1 on the
19 legislative maps, and 12 to 2 on the congressional
20 districts, forcing our critics to eat their words.

21 Now, I will turn it over to Vince Barabba,
22 who will share his insights on the census and how to use
23 data.

24 MR. BARABBA: Thank you, Cynthia. Well --
25 and I really enjoy this opportunity to come back to

1 Michigan. My connections with Michigan goes back to
2 1966 when I worked on the campaign that elected your
3 longtime congressional and senator Don Riegle to
4 Congress. I should also mention he was a Republican at
5 that time. So I learned about Genesee County and
6 significant differences between Flint and Bloomfield
7 Hills. I was the director of the census bureau between
8 '73 and 76. And I came back to conduct the 1980 census.
9 And after that, I worked at the Eastman Kodak Company.
10 In 1985 I moved to Michigan and worked at General Motors
11 in Detroit. I lived there till 2003 when I retired. My
12 last house was in Bloomfield Hills, and my first
13 residence was in Detroit in an apartment house at Brush
14 and Lawrence Street (sic). I finally remembered my
15 walks to Greektown going to the Astoria Pastry Shop to
16 pick up bag of macaroons.

17 Let's get to the problem at hand.
18 Redistricting is not easy, but it can be done. One of
19 the critical components is access to geographic data and
20 the ability to visualize it quickly and share it with
21 groups that are interested in the activity as the
22 commission is. One of the critical data components is
23 the census. It provides the official down -- the data
24 that you must use in congressional districts to create
25 districts of equal size. The census data will also

1 provide characteristics of the population, race and
2 ethnicity and socioeconomic data, which will help you
3 satisfy the characteristics of important criteria of the
4 community of interest. Though it will help, it will not
5 provide all the information you need. You have access
6 to other sources that can provided additional
7 information. You have the individuals from the
8 University of Michigan database research group and
9 Michigan State's information center. And I'm sure there
10 are others as well, but that is only part of the
11 problem.

12 It's been required in California as you
13 are -- a requirement of creating communities of
14 interest. This is where the interesting part of the
15 commission comes into play. In our case, as
16 Commissioner Parvenu will discuss, we held meetings
17 throughout the state and discussed with community
18 members what they considered as their community of
19 interest. And let me provide an example of how an open
20 discussion led to the identification of a community of
21 interest that was not available in any of the data sets
22 that were available to us.

23 Our second visit was in Northern California.
24 We met with people from the surrounding counties.
25 Because this was one of our first meetings, we did not

1 have a lot of time to reach out to the different
2 population groups in the area. At one point we asked,
3 because of the limited publicity, if there were any
4 interest group that are not independents, but should be
5 considered. At that point one of the participants
6 commented that the sea community was in attendance, but
7 the interest -- but their interest should be considered.
8 I must admit that as a person who was raised in
9 California and was involved in planning many political
10 and organizational campaigns, I had no idea to find out
11 there was a sea community in the state. Not having any
12 idea of how large the community was, we asked if the
13 participants -- we asked if anybody had an idea of the
14 size of the community. Another participant got up and
15 said there were at least 10,000 seeks (sics) in the
16 area, and they played a very important part in the
17 farming community through the efforts and success in
18 bringing rice farming into the area. A woman got up and
19 stated we should also consider the Hmong community,
20 because they all played an important part in the
21 agriculture activities in the area. Another person
22 pointed out that every year, the seeks conduct a -- the
23 biggest party of the year globally in -- for the last
24 four years in that community. The seek (sic)
25 information, by the way, was not available in the

1 census. And we would not have known about it, but when
2 you see the size of the seek community in this area, you
3 can understand why we were really better informed to
4 conduct a community of interest that was not just
5 because they were seeks, but they were seeks who were
6 interested in farming, and even in a particular form of
7 farming called rice farming.

8 And it looks like you have a similar but
9 better known community of interest in the large middle
10 eastern residents of Michigan. And let me turn it over
11 to Andre, who will discuss how we reached out to our
12 communities and how you're going to have to do that,
13 because the information about middle eastern residents
14 is not available from this census, because the census
15 does not indicate religious information. So, Andre,
16 take it away.

17 MR. PARVENU: Yes. Thank you, Vincent. And
18 hello, everyone. My name is Andre Parvenu. I'm your
19 no-party preference representative from the state. I'm
20 currently a resident of Los Angeles, and I'm a
21 geographer in urban planning. That's my background.
22 I'm so pleased to be with you all today to share a few
23 words about community outreach, and especially outreach
24 underrepresented communities. I, too, have my ties with
25 the great state of Michigan. I'm a former resident and

1 I attended graduate school at Michigan State University
2 in East Lansing. And I also took a few courses over in
3 Ann Arbor at the University of Michigan. So I'm part
4 Spartan and part wolverine. So I'm sort of like the
5 cars that you all exploit. I was hardly built in
6 Michigan. So I'm glad to be a part of this
7 conversation.

8 The first slide here you see shows public
9 outreach. As Vince just shared, this was one of the
10 most important components of our process. And to a
11 great extent, our commission was successful because we
12 took our public outreach efforts very seriously. We
13 were indeed -- are indeed or were at that time a
14 citizens redistricting commission, with an emphasis on
15 the word "citizens." So we could not have done this --
16 we could not have done what we did without our community
17 partners. Our community partners included -- in our
18 case, we had our nonpartisan government group, like
19 Common Cause and the Advancement Project, The League of
20 Women Voters, and all others that we are also familiar
21 with. We were very fortunate to have, as I heard you
22 all discuss earlier, our foundations that contributed
23 greatly towards our effort. But we also had our
24 reputable, incredible community based organizations that
25 special interest groups. And the range was extensive.

1 I can think of at least 40 or 50 organizations of groups
2 that we worked with throughout the state. It included
3 environmental groups, like the Sierra Club, The League
4 of Conservation Voters. We have the California Coastal
5 Commission involved, and the Silicon Valley,
6 Commissioner Dai's area of expertise. We had tech
7 related organizations. We've had -- the Central Valley,
8 for example, we had agricultural based organizations,
9 food districts, water basin districts, chambers of
10 commerce. In San Fernando Valley, we had business
11 interest. We had industrial parks. We even had hip
12 rollers associations with our team providing their input
13 as well here in California.

14 So, of course, we had our various ethnic
15 group organizations as well representing the various
16 Asian, Latino, and African American populations. For
17 example, in Los Angeles, we have a large Korean
18 population. East Hollywood, we had Armenian -- In
19 Glendale, we have an Armenian population. We listen to
20 all the voices that we invited to our public input
21 meetings. California is a very diverse state
22 demographically, as well know. And while perhaps not as
23 quite as diverse, Michigan has its own pockets of
24 diversity. So what we did is we wanted to make sure
25 that we listened to everyone and that we were as

1 inclusive as possible.

2 Can we see the next slide, please? Okay.

3 To encourage civic engagement and to the fullest -- to
4 the fullest, we developed information materials on how
5 to. For example, how to provide public testimony. Keep
6 in mind that in most cases, this was the very first time
7 the state officials had ever come to them and asked them
8 about anything. Actually, this was the first time in
9 history that this type of experiment in Democratic
10 reform had been attempted. So we wanted to make sure
11 that we were organized and that we had information so
12 that the public testimony participants were also as
13 organized when they presented their concerns to us. We
14 made sure that we published our materials in multiple
15 languages. We hired language interpreters. We did all
16 the standard activities that you would imagine. The
17 sign language interpreters, TDY, et cetera. We also
18 made sure that we use multiple forms of outreach. We
19 placed announcements in various local newspapers and
20 radio and other methods. Right now -- well, then in
21 2010, we didn't have the extensive social media
22 platforms that we have now. But especially in this
23 COVID environment, you'll need to be very creative in
24 your approach, as you all know.

25 So with the next slide -- the earlier

1 slides, you saw the people were saying, Keep Fremont in
2 Alameda County. And the one we went back to there, that
3 was our vacant year. Right there, that was our vacant
4 cry everywhere we went. Basically, it was, Keep our
5 community whole. Don't split our community. What we
6 experienced from previous redistricting efforts, which,
7 in some cases, were a mess. In some cases, we had
8 neighbors that lived within several blocks of one
9 another. And sometimes even right directly across the
10 street that had different representatives. So we
11 started to fix that, and I think we did a pretty good
12 job. Here's another example here. This person is
13 saying, Keep our community intact. Okay. This is an
14 example here -- what you're looking at is an example of
15 what happens when we indeed listen.

16 As mentioned, we had two phases of public
17 input for community outreach. In our first phase, we
18 went around and found what we thought or initial input
19 about what the communities of interest were. We did
20 various iterations of our maps. In phase two, circled
21 back around and we've -- after receiving our public
22 testimony. And we were very pleased with any
23 individuals that attended the second round -- and this
24 is an example, we're very pleased we actually listened
25 to them. So we did receive positive impact. It wasn't

1 really just a negative experience. It was a win/win
2 situation all around. We can go to the next slide,
3 please.

4 And let's see. Okay. Yes. How do we do
5 this? Incorporating public testimony. We did this by
6 holding 34 public hearings. And some of these hearings,
7 by the way, lasted from 10:00 to eleven o'clock at
8 night. Some even surpassed midnight. So we were very,
9 very diligent about this. We received over 2700
10 testimonies from speakers and 70 deliberation meetings.
11 Again, very much involved, all open to the public, as we
12 all know. And importantly we received over 22,000
13 written comments. And I've heard it mentioned earlier
14 about how we dealt with this volume of information. We
15 had our staff aggravate some of the information so that
16 we had certain themes. And they did this work before we
17 arrived at the various venues so that we had a general
18 understanding of what the concerns were after being
19 locked together. So we did all of this within nine
20 months, so we were very busy over that nine-month
21 period. We also chose to, at that time, all 14 of us,
22 travel together so they could have a good look and feel
23 of what our commission looked like.

24 The next. Okay. Before I go here, I want
25 to say this that we were particularly challenged in some

1 of the more urbanized areas of the state, particularly
2 Los Angeles, the Bay Area, San Diego where the
3 population was more dense and diverse. We had a
4 situation where the various ethnic groups, the major
5 ethnic groups of these areas, could have or could have
6 presented -- yeah. They were prepared to submit
7 individualized versions of what their respective
8 communities of interest looked like. They could have
9 proceeded with their various maps individually. But we
10 let them know that if they had done that, one or several
11 of the groups would be very unhappy and disappointed
12 with that ultimate decision. So we suggested they
13 discuss their communities among themselves, the
14 communities of interest. And what they came up with was
15 a unity map. This isn't it, by the way. But the unity
16 proved to be very helpful to us. I understand New York
17 has employed the same approach. What you're looking at
18 here is an example of how a previous packed com --
19 packed district was unpacked to allow greater Latino
20 representation. We actually created one or two
21 additional Latino districts, and this happens to be in
22 the San Gabriel district just east of Los Angeles. And
23 you can see how -- what it looked like before. And,
24 secondly, you can see what it looks like after we
25 unpacked. The area to the left shows the various Latino

1 communities. And it was like 80, 90 percent Latino.
2 But the one to the right has a slightly larger --
3 slightly larger than 50 percent majority, minority
4 Latino population that allowed us to look at surrounding
5 communities and create more communities districts of
6 opportunity for that particular population. And this
7 happened all over the state. And it impacted various
8 all the -- for example, in San Gabriel, the Asian
9 population also had similar concerns. And that's what
10 we did there.

11 I just want to say that -- in closing that
12 this is one of the more challenging and interesting
13 opportunities that you'll have in a lifetime. I wish
14 you all well. And it's an experience that you will
15 certainly relish over your lifetime. And I wouldn't go
16 back and do it any other way. And I'm really looking
17 forward to the outcome of your success. And passing it
18 on to Colleen now.

19 MS. MATHIS: Great. Can everyone hear me
20 okay? I'll go ahead and share my screen. I love the
21 nods. Hello, everyone. Just getting this up. Great.
22 Can you see that okay?

23 So my ties to Michigan are not as deep
24 certainly as Vince's, but -- and I don't have any ties
25 to any fabulous bakeries unfortunately. I'm feeling

1 hungry. But my mother did graduate from Grand Rapids
2 High School and attended MSU for a little while, if that
3 helps. And then, also, I had the great opportunity to
4 meet Nancy Wong (sic) when she came out to Arizona.
5 She's a member of Voters Not Politicians. And a couple
6 years ago, Arizona hosted a conference to talk about
7 independent redistricting. We now have 20 years under
8 our belt with independent redistricting, and we thought
9 it would be great to share some lessons learned from
10 this past decade. So I had the opportunity to meet
11 Nancy, and -- I'm trying to advance my screen. This
12 quote, after having seen the slay the drag movie, the
13 documentary, made we think of you all instantly. I just
14 was so proud to get to meet Nancy and learn about the
15 Michigan story. Kudos to everybody who made that
16 happen. I know it takes a village. Arizona went
17 through it in 2000 when voters back then decided that
18 they wanted to take the task of redrawing these lines
19 away from the legislature and put it in the hands of an
20 independent redistricting commission. And it happened
21 to pass with 56 percent of the vote. I didn't live in
22 Arizona back then. This was in 2000 timeframe.

23 But I wanted to share with you all the
24 language that was put in front of the voters that caused
25 them to vote for this. 'Cause I think it's important

1 for our commission that the chair -- I'm the chair of
2 the Arizona Independent Redistricting Commission only
3 until probably March of this coming year. In fact, I
4 just met this morning with the commission on appellate
5 court appointments, which is the entity that vets all of
6 the people who apply for our commission. So we're a
7 little bit behind Michigan in our timing. They're in
8 the process -- they're in stage right now of choosing
9 from a pool of 138 applicants. So we're really excited
10 to see what happens next. But I was presenting to them
11 this morning the story of the commission and a little
12 bit about, you know, what makes a good commissioner.
13 And a lot of it echos what you heard from the California
14 commissioners. But overseeing the mapping of fair and
15 competitive districts is language that I really took to
16 heart. And as chair, I viewed that as our commission.
17 And we'll talk a little bit about what that means. But
18 the process itself, these were the five organize
19 commissioners in Arizona that were chosen. Four of the
20 five commissioners are appointed by majority and
21 minority. So I know that's different from how you all
22 handed it and in California too. That's just how this
23 is stated in our Arizona constitution in terms how those
24 folks are chosen. Anyone can apply. We're all citizen
25 volunteers also. And we're not paid. We get reimbursed

1 for travel expenses. But beyond that, it's a lot of
2 work and very little pay, but a lot of glory. So you
3 guys should be really excited for what's about to come
4 your way. It's just like Andre said, I wouldn't
5 change -- exchange the opportunity for anything. I'd do
6 it all again in a heartbeat.

7 Our commission is structured two
8 Republicans, two Democrats, and the independent. The
9 independent could be from any party that isn't a
10 Republican or a Democratic party. So I happen to be
11 independent, not affiliated. But you could be a green
12 party or whatever. And these were the five. Setting up
13 the commission, you're starting up a state agency from
14 the very beginning. And so there's a ton of work
15 involved. You guys are probably all prepared and ready
16 for that. But I will reiterate just for the Arizona
17 experience, especially for the chair. There is a lot of
18 administrative work that you have to get accomplished in
19 a very short amount of time. And, frankly, I think
20 you're always going to hear the clock ticking, because
21 the precinct people are going to come knocking on your
22 door saying, Hey, we need those lines now. And you're
23 like, We're not even done with the draft map. So, you
24 know, it's kind of -- it's a very pressure and intensive
25 period. So from about March of 2011 until January of

1 2012, it's all hands on deck to get that done. So it's
2 intensive. And I just remind everybody that just try to
3 be as flexible as you can when your poor staff is trying
4 to set up meetings for you all, 'cause trying to get
5 five schedules to coordinate, you guys have a lot more.

6 So I wanted to share with you the
7 requirements that our state constitution lays out a lot
8 of them are probably similar to language you have. The
9 first two definitely since they're federally mandated
10 and everybody across the nation complies with those.
11 The rest are standard redistricting criteria. You see,
12 we also have to respect communities of interest and do
13 some of the things that California did. But we also
14 have this last one, favor competitive districts. That's
15 the language that's in the constitution where no
16 significant detriment to over -- other goals. So
17 competitiveness is something that is kind of unique to
18 Arizona. There may be a couple more states now that are
19 bringing that in, but it's -- at least when we were
20 doing it ten years ago, it was pretty unique. And we'll
21 talk about this briefly, two of the criteria. The best
22 example you could ever have is the one that Vince gave
23 you on the seek population. That's so fabulous. And
24 it -- I -- it resonates with me, because, you know, we
25 were assets and volunteers. We weren't redistricting

1 scholars. We certainly had no preconceived notions of
2 what a community of interest was except for Native
3 American reservations. That was a very unsaleable kind
4 of obvious community of interest with defined
5 boundaries, so it was an easy one to view as a community
6 of interest. But beyond that, we got definitions of all
7 kinds of things from people. Some questionable,
8 frankly, and many very legitimate and things we hadn't
9 thought of. So I encourage you to keep an open mind
10 when you go out and listen to your population in
11 Michigan and let them tell you what their communities of
12 interest are.

13 Competitiveness, you may not have to worry
14 about as much. But it is one that was big for us
15 because of this factor that we had to consider. And all
16 of our criteria, I understand yours are ranked in terms
17 of how you consider those criteria. Ours were not.
18 They were -- in fact, the Arizona Supreme Court had to
19 rule on this due to some litigation that essentially all
20 of our criteria are equal. That makes it really
21 challenging, I can tell you. Because those criteria
22 compete with each other. And I just thought a picture's
23 worth a thousand words. And this picture is actually
24 the commission's map from ten years ago, my predecessor
25 commission. This was the congressional district map.

1 We only had to draw eight back then. My commission drew
2 nine. We're hoping for a tenth. We'll see what
3 happens. But we drew nine and this was -- so this was
4 the map from 2004 to 2010, and it just illustrates so
5 well the problem with these criteria and executing on
6 what the language in your constitution says. Because if
7 you note that District 2 there, it's got that a crazy
8 kind of island in the middle of the green, and it's
9 attached via a line essentially to this other part of
10 District 2. It's really unusual. And that happens to
11 be the Hopi Reservation in the middle there. It happens
12 to be completely surrounded by the Navajo Reservation in
13 Arizona. And for whatever reason, the Hopi went to the
14 commission and said, We don't want to be in the same
15 district as the Navajo. And they're like, Wow, this is
16 going to be really hard. And they figured out a way,
17 though, to comply with the contiguousness requirement,
18 you have to be connected, but -- yet put them in another
19 district. And so the point of showing you this is, you
20 know -- and this is, of course, competing directly with
21 the requirement to be as compact as possible. That
22 blue, the compactness scores out of the water. But it
23 shows that communities of interest matter. And you need
24 to listen to everybody and see what you can do to
25 accommodate as much input as you can. That's kind of

1 how I viewed the role. And you can't always do that.
2 There's no way, but you do your best to try. And this
3 is what the last commission ended up, to their credit,
4 producing. My commission didn't have to do this. For
5 whatever reason, the Hopi were okay with being in the
6 same district as the Navajo. But it's just a great
7 example, I think, of -- another point, too, that, you
8 know, bad shapes do not necessarily mean bad intent.
9 You might look at that and think that's a gerrymandering
10 and it's horrible. Well, it was done for a really good
11 reason and it was to respect a community of interest.
12 So try to keep that open in mind -- that open mind and
13 factor that in as you go through the process. I hope
14 you'll remember this map as an example that helps. We
15 did a very similar thing to California. We went on a
16 listening tour first. Traveled to 25 different
17 locations around the state and just had the public tell
18 us what communities of interest were to them. What
19 competitiveness meant. What mattered frankly. And then
20 we went back and drew our first lines.

21 So a big success of our commission, and I'm
22 sure California would say the same thing about theirs,
23 is having a really good website. I recommend you guys
24 do that, because it is the portal to the commission for
25 everybody. And we really tried to make it easily

1 accessible for people. They could stream meetings live
2 from our website. Those are all archived. You can go
3 out there now azredistricting.org. I encourage you to
4 visit it and maybe you'll get some ideas for things to
5 incorporate in yours, or maybe things you don't want to
6 do either way. But I think it's instructive to look at.
7 People could submit maps online, too, to us and did.
8 And so it also just created a great record. We
9 transcribed every one of our meetings and our hearings
10 and our executive sessions. We have a vast record. And
11 we're really glad we did it. Because, unfortunately,
12 one thing that independent redistricting does not do is
13 keep litigation out of the equation. There will be
14 lawsuits. And the more prepared you are with a record
15 to show your deliberations and documented the evidence,
16 the better you are later on. Not to scare anybody. But
17 same -- I think you guys do the same thing. You'll be
18 starting from a clean slate. You can't consider
19 incumbence of addresses. And you go through an
20 iterative process. Arizona has one. It's all laid out
21 in the constitution how we do this. But all these lines
22 are adjusted in public session just like those great
23 pictures California showed you. And it made our maps
24 better frankly. It's just, you know -- hearing from the
25 public on the lines we were drawing. And we'd even do

1 it in real time with them.

2 We drew up all congressional and legislative
3 district maps, just like I understand you'll be doing.
4 Our -- we only drew nine congressional districts. We
5 drew 30 legislative districts. This map is more
6 complicated, because you're drawing 30 districts. But
7 that map got -- we did that second after we did the
8 congressional district map. We had a similar kind of
9 statistical approach to, you know, how much public input
10 did we actually capture from these meetings. We had
11 numerous opportunities to engage with the public. And I
12 thought this -- I actually presented this, this morning
13 to the folks that are vetting the applicants. Because,
14 you know, some of this is everything you learned in
15 kindergarten kind of thing. But it's worth thinking
16 about and mentioning to all of you as you all embark on
17 this amazing process that you're about to start. You're
18 going to have really long days, as you heard from
19 California. We had days all weekend where we would
20 spend nine hours each day trying to get the maps drawn.
21 So tempers can flare frankly. And, you know, you're
22 also getting some very heated exchanges from the public
23 and it's -- it can wear on you. And so to the extent
24 you can have a steady temperament and try to realize --
25 just be open minded and listen. And all those things

1 that you heard about from California apply to Arizona.
2 The same exact thing. Despite everyone's best efforts,
3 you may not -- things may not go as you planned and that
4 definitely did happen to me. I was removed from the
5 commission for a very brief time, thankfully only two
6 weeks, while the Arizona Supreme Court waited to hear my
7 case. But it -- I was reinstated and it was thanks to a
8 very courageous legislative -- I'm sorry, judicial
9 branch and the press. I think if -- to the extent any
10 press is tuning in today, being there and being a
11 witness to what is happening in these meetings and
12 reporting on it is really important. And having that
13 courageous judicial branch is key. Hold public comment
14 in all your meetings. You're probably planning on that.
15 I would give you one word of advice that we had to move
16 our public comment to the end of the meetings, because
17 unfortunately the meetings were so contentious at times
18 that they would take over -- the public would take over
19 the meeting and we couldn't get our business done. So
20 we learned, after that happening once, that we hold
21 public comment at the end. And that way the people who
22 legitimately have things -- input they want to provide
23 to the commission, constructive input, they're going to
24 wait and do that. And gets rid of a lot of distraction
25 and noise and allows the commission to get its work

1 done.

2 I talked about all of these things. The
3 staff is super important too. We had an excellent staff
4 and they helped us navigate the process. So I know you
5 have independent procurement authority. We did as well.
6 And you should exercise that authority very well too.
7 Choose -- hire well. There's additional resources out
8 there that you all know about just by Googling
9 "redistricting." But a couple I'll point you to. If
10 you want to hear more about our story, there's a great
11 podcast that 538 did, and they actually covered six
12 states. Arizona -- California is in there too. And
13 it's a really instructive interesting podcast that you
14 might want to listen to. And then, secondly, I
15 coauthored a paper with some folks from Harvard ASH
16 Center and they published it. And there's some great
17 lessons learned in there about -- that go into more
18 detailed about our commission that might be useful.
19 You're always welcome to reach out to me any time. I'll
20 be a resource. And I would recommend if any of you
21 don't have a pet, you might want to consider getting
22 one. Because I can tell you that in my situation, our
23 pet was my biggest fan and a great thing to come home to
24 every night. So I wish you all the best in this and I
25 look forward to any questions.

1 MS. MARSH: Thank you so much to all of our
2 panelists. That was amazing to hear all of your
3 reflections. California folks, if you want to turn your
4 videos back on. I see you're doing that. I'm going to
5 step back and let you all engage with each other. I'm
6 happy to call on people, but, Michigan Commissioners, I
7 encourage you to unmute and ask away.

8 COMMISSIONER KELLOM: I don't have a
9 question, but it's a comment. I just kind of wanted to
10 thank you all for sharing that, because it really
11 brought to life our responsibilities -- yeah, MC -- and
12 what we can expect. It's one thing to embark on this
13 journey and have an idea, but that made all the sense to
14 me. I was doing all of the head nodding. And so,
15 Arizona and California, you all were truly phenomenal.
16 So thank you so much for sharing that with us today.

17 MS. MATHIS: Thank you.

18 CHAIRPERSON LETT: This is Steve Lett. I'm
19 the temporary chair. I -- again, I appreciate you guys
20 spending your time and sharing with us as we embark on
21 this. One of the questions I had, and obviously
22 obtaining information and organizing all that is
23 important, how did you obtain or get or pick or choose
24 consultants on map drawing, on geographics, on
25 demographics? How did that come about?

1 MS. DAI: So in California, it sounds like
2 Arizona, we're actually a separate state agency. And we
3 had to follow all of the, you know, California state
4 government rules on putting out requests for proposal.
5 So that's a process that our staff managed put out RFPs,
6 and then accept proposals and score them. And this, of
7 course, was all done in a public meeting. I will say
8 the choice of our line drawing consultants, probably
9 followed closely by or maybe exceeded by the choice of
10 our legal counsel, were probably among the most
11 controversial decisions that we made as a commission.
12 But it was all -- you know, the discussion was all held
13 out in the open and, you know, the public watched us
14 debate and had their chance to weigh in as well. And
15 that's how we did it in California.

16 MS. MATHIS: Arizona has independent
17 procurement authority for the commission. But our
18 commission, in order to instill public confidence in the
19 process, thought we would be -- it would be wise and
20 helpful to actually use the state procurement office's
21 process and do an RFP and do the things similar to what
22 Cynthia said. Unfortunately, it didn't work as well in
23 our situation. And I think all five of our commissions
24 by the end agreed that we would not do it the same way
25 again. We would just exercise our independent

1 procurement authority, figure out a process on our own
2 to interview candidates for these positions, and hire
3 them. Because it ended up being -- it just -- it didn't
4 work well with the state procurement office, because
5 they had some confidentiality requirements around sealed
6 bids and all these things that kind of went -- it flew
7 in the face of what independent redistricting and
8 openness is all about. So it was a problem, I will say.
9 And I agree with Cynthia, it was definitely our most
10 contentious hires. I will say we ended up hiring
11 Republican and Democratic counsel. As the independent,
12 I actually didn't want to do that. I wanted our
13 commission to choose one law firm, because I felt like
14 it was a waste of taxpayer dollars to have two sets of
15 lawyers sitting at the table with us at every single
16 meeting. It didn't make, because they represent all
17 five of us. But I was outvoted. The four of them were
18 like, Nope, we want R and D counsel. And that's how the
19 first commission did it too. So that's what we ended up
20 doing.

21 MS. DAI: Yeah. I would say, you know, for
22 California, we picked one. We had our general counsel,
23 you know, which is -- who was a staff person. But we
24 picked a firm to ensure that we complied with the Voting
25 Rights Act. We ended up with a firm that was, you know,

1 traditionally considered to be a Republican firm.
2 However, the partner who they nominated to work with the
3 commission is African American and, you know, convinced
4 us that he would be able to do a fair and impartial job.
5 And, you know, I would say that the commission's maps
6 were -- and, you know, I'd love for Andre and Vince to
7 jump in too -- that they were moderate, right? I mean,
8 I would say that we did not draw as many majority,
9 minority districts as some groups would have liked us to
10 draw. But we drew enough that we prevailed in court
11 with multiple unanimous Supreme Court decisions in favor
12 of our maps. So the nice thing about a commission that
13 has a super majority vote requirement is you end up with
14 a moderating influence. You end up with something in
15 the middle.

16 MR. BARABBA: I would just add that one of
17 the aspects of the criteria is we were not allowed to
18 use a party registration data that was available. They
19 could not use it in the drawing of our districts. And
20 that really made it a lot easier to draw districts that
21 were not identified in a partisan or nonpartisan way.

22 CHAIRPERSON LETT: How many -- in Arizona or
23 California, how many lawsuits were ended up being filed?
24 If you know.

25 MS. MATHIS: I can attest to ours, at least

1 for Arizona. There were five major lawsuits
2 essentially. Two of which went all the way to the U.S.
3 Supreme Court. One of them had national implications,
4 because it was regarding whether independent
5 redistricting is constitutional or not. And
6 fortunately, the Court deemed that it was. And it was a
7 very close vote. It was 5-4 decision. And some
8 California commissioners I know were there, 'cause they
9 were watching closely, 'cause --

10 MS. DAI: Yeah. We filed an amicus brief in
11 that one.

12 MS. MATHIS: Exactly. And we had, I think,
13 14 amicus briefs that were with multiple parties signing
14 on to each of those. And what was so cool about that
15 was Republicans and Democrats all got behind that. I
16 think that's the important thing to think -- to keep in
17 mind through this process is that the power structure in
18 every state -- I come from Illinois and, you know, the
19 Democrats are wholly in charge there and have managed to
20 keep independent redistricting off the ballot for voters
21 to vote on. That's unfortunate, in my opinion. So they
22 like independent redistricting in Illinois. But in
23 Arizona, the power structure is such that the
24 Republicans are currently in charge. And anybody who
25 is, you know, in charge isn't going to like independent

1 redistricting, especially if there's a competitiveness
2 requirement involved where we're supposed to favor
3 competitive districts. So it's just a side note to
4 that.

5 CHAIRPERSON LETT: Well, thank you, Arizona.

6 MS. MATHIS: Well, yeah. And I'd encourage
7 you guys to actually check out those legal briefs,
8 'cause it is pretty interesting to see how that came
9 down. And, also, it's neat, too, that the U.S. Supreme
10 Court is now using independent redistricting as a remedy
11 for states to look to. So I think they've kind of come
12 around to thinking, Gosh, this is -- yeah, why don't you
13 guys try this and do it this way instead. So I think
14 it's encouraging.

15 MS. DAI: In California's case, we had four
16 major lawsuits, which, like I said, we won in 7-0, 7-0,
17 7-0 decisions in our favor. There were some minor ones
18 that were thrown out and dismissed. Some still pending.

19 CHAIRPERSON LETT: Were they primarily over
20 the drawing of the lines, claiming they were somehow
21 unfair?

22 MS. DAI: There was one major one, which was
23 brought by Republican -- a representative of Republican
24 party against our Senate maps. And they also -- they
25 brought suits in Supreme Court -- in California Supreme

1 Court. And they also put as a referendum, and they lost
2 both of those cases. Also, there was one against the
3 composition of the commission objecting to our using
4 race as one of the factors in ensuring a diverse
5 commission. Andre and Vince, do you remember the other
6 two?

7 MR. PARVENU: I was just going to mention
8 what you just stated there, Cynthia, about the war
9 Connally (sic) one about using diversity as a criteria
10 for our commission. Vince, did you have any comment on
11 the others?

12 MR. BARABBA: I don't.

13 MR. PARVENU: Okay. I'm not as familiar
14 with those others as well.

15 CHAIRPERSON LETT: MC, you had a question?

16 COMMISSIONER ROTHORN: I got a couple. But
17 I want to start with the idea, which are -- of one of
18 the things, I think, that in the materials we got from
19 you all was that reach out to the legislature and
20 under -- so I'm wondering if you all had experience in
21 order to try to avoid this sort of situation, did you
22 all, as individuals or as commissions, reach out to your
23 legislature to try to just -- I don't know. Yeah.

24 MS. DAI: We were not allowed to speak to --
25 legislatures were not allowed to speak to the commission

1 outside of a public meeting.

2 COMMISSIONER ROTHORN: And you -- go ahead.

3 MS. DAI: We had some folks testify in front
4 of us, like any other member of the public, but, no. We
5 were not allowed to talk to them, and they were not
6 allowed to talk to us.

7 MR. PARVENU: And that created an
8 interesting scenario when it came to getting
9 supplemental funding. None of the legislatures wanted
10 to deal with it. Total hands off. So we didn't request
11 any money or anything else. What we got, dealt with.
12 In the beginning was what we had to work with
13 financially in terms of our budget. So didn't want to
14 touch it at all.

15 CHAIRPERSON LETT: So we know what we're up
16 against, don't we?

17 MS. MATHIS: Yeah. I would say in Arizona,
18 we had to unfortunately send our executive director, hat
19 and hand, to the legislature to request more funds to
20 defend the commission in suits that we were bringing
21 against us. So it was crazy. And it was sad, frankly,
22 that we had to keep going back to them for more money
23 all the time, because they wouldn't fund us. They gave
24 us very minimal seed money to get started. And then --
25 and then it was up to us keep going back and asking for

1 more money, which, you know, created a spectacle. So it
2 was too bad. But -- oh, and briefly also just on --
3 back on the lawsuits that we -- our commission was
4 successful in all five. We had a clean sweep and was --
5 and prevailed in all of them. It's important you stay
6 encouraged that --

7 MS. DAI: Yeah. Well, it's important that
8 you extend the winning streak of independent commissions
9 against people who bring lawsuits against them. So just
10 to clarify, in California, our starting budget was
11 \$3 million, which was based on what the legislature
12 officially spent on redistricting, which, of course, was
13 done in smoking back room with no public input and no
14 road show or anything like that. And I think it ended
15 up costing us about -- what were we at? A little over
16 ten million.

17 MR. PARVENU: Ten million.

18 MS. DAI: So we did go to the legislature
19 and get money. And, fortunately, in our constitutions,
20 it required to fund us. It required to give us money to
21 defend against litigation and all that. So I'm pretty
22 sure with Michigan's constitution will model similarly.

23 CHAIRPERSON LETT: Yeah. MC, you had some
24 more?

25 COMMISSIONER ROTHORN: I do. So the second

1 question or maybe -- yeah, is we -- the idea of the
2 website. One of the questions that's been posed to us,
3 again, in the orientation materials is should we stick
4 with the state sponsored website, so to speak? Or
5 should we go with an independent? And I guess I'm
6 wondering if you found that there were advantages or
7 disadvantages in, yeah, how you all decided to go with,
8 yeah, which address?

9 MS. MATHIS: We did face that exact
10 conundrum when we started out too. Because the State
11 had offered to host that, and we thought that's kind of
12 fraught with peril in some ways, given they were sort of
13 adverse to us even from if beginning. So we weren't
14 sure how to handle that. I think -- I think the way it
15 worked out was the Secretary of State's office did host
16 the site for us. And I think they still do now, but I'm
17 not sure. I'll check that for you and supply that back
18 to Sally, 'cause I don't know the official ownership of
19 the website currently. I know we've been successful in
20 getting them to keep it up, because we want it to act as
21 a resource for everybody. And so it's a great question
22 and one you should consider.

23 MS. DAI: And in California, like I said,
24 we're another state agency, so we use state agency
25 resources. The California auditor's office, who was

1 responsible for the selection process, had created a
2 URL, wedrawthelines.ca.gov. The minute the commission
3 was selected, we took it over. And it's the underlying
4 infrastructure supported by California's Department of
5 Technology. We also, by the way, did create a Facebook,
6 you know, presence immediately, because it took us
7 months to get control of our website, because our
8 procurement ability was not independent and was
9 dependent on state processes, which were running far
10 slower than the commission needed to run. So we went
11 ahead and did our own Facebook thing just to have a way
12 to communicate with the public while we were waiting to
13 press control of our website away from the state.

14 CHAIRPERSON LETT: Doug, you need to unmute.

15 COMMISSIONER CLARK: Yes. I've noticed that
16 you've -- both states have hired a number of consultants
17 to help out in the process. How did you make the
18 determination of what areas that you needed consultants
19 in, and what areas you didn't? And were you dependent
20 on maybe Secretary of State resources or, you know,
21 other government resources?

22 MS. MATHIS: Go ahead. Either way.

23 MS. DAI: Yeah. Again, so we're an
24 independent state agency, so we're not supported by any
25 other agency.

1 COMMISSIONER CLARK: Okay.

2 MS. DAI: So we had to hire our own staff.
3 You know, the line drawing is a very specialized task.
4 Even the legislature hires their own consultants, so
5 you're going to have to go out for that. The
6 requirement to hire independent Voting Rights Act
7 counsel was specified in the constitution, so we went
8 out for that. You know, we used independent
9 videographers, but we had a staff. So we mostly hired,
10 you know, state employees to do the operations and, you
11 know, handle our fees and procurements and --

12 COMMISSIONER CLARK: Okay. Where you saw a
13 need, you went out and hired a consultant?

14 MS. DAI: Well, like I said, we generally
15 used our own staff. We only hired consultants where it
16 made sense to hire consultants and where they were
17 required.

18 COMMISSIONER CLARK: Okay.

19 MR. BARABBA: One of the benefits we had as
20 well was that we had the statewide database that is
21 operated by the assembly, but it's located at the
22 University of California of Berkeley. And they were
23 really well prepared to fundamentally answer any of our
24 questions as it related to the census data and about the
25 state of California. And having access to that volume

1 of information in the form in which they had it was
2 extremely helpful.

3 MR. PARVENU: And we decided to break down
4 into various subcommittees so that we had finance and
5 administration. We had public outreach, public input,
6 community outreach. We had a legal subcommittee. So
7 those individuals among us who were best or most
8 qualified in determining what our internal needs were
9 that surpassed what we were capable of providing
10 ourselves would bring those issues to our general
11 meetings. And we would discuss what our overall needs
12 were in addition to what we were provided initially.

13 MS. MATHIS: And in Arizona, it's a bit of a
14 hybrid. Initially, the State did help us with, like,
15 the Arizona Department of Administration, the AG's
16 office provided legal counsel. They helped us find
17 office space, things like that, and get our staff hired.
18 But once that occurred, once we had a staff, we then
19 hired technical consultant, the mapping, and then legal
20 consultant. And part of that was just based on we knew
21 what the previous commission had done. So following in
22 their footsteps, we knew we needed those two things.
23 And Cynthia mentioned an important thing too. We also
24 hired a voting rights expert, because Arizona had a
25 special hurdle to clear being preclearance Section 5 of

1 the Voting Rights Act. So we really wanted to make sure
2 that we could clear that hurdle, and we wanted to hire
3 somebody with a lot of expertise in that area. So that
4 was part of our legal team.

5 MS. DAI: And just to clarify, we had Voting
6 Rights Act counsel. And then we also had polarized
7 voting expert.

8 MS. MATHIS: Oh, and we did, too, correct.
9 Same thing to do the analysis on racially polarized
10 voting.

11 MS. DAI: Right.

12 COMMISSIONER CLARK: Those are two separate
13 consultants that you had?

14 MS. DAI: Yes.

15 COMMISSIONER CLARK: Okay.

16 MS. DAI: Usually the people who perform
17 racially polarized voting analysis are academics.

18 MS. MATHIS: Yep. Ours was.

19 COMMISSIONER CLARK: Okay. For example,
20 let's take -- let's take the budget for example. Did
21 you have one of your people deal with a budget, or did
22 you get somebody from the state to deal with it?

23 MS. DAI: Oh, no. Again, we had our --
24 we're our own, you know, state agency. So we had our
25 own staff to do all the functions that we needed.

1 COMMISSIONER CLARK: Okay. So one of us
2 would keep do the budget and keep track of the budget
3 and so forth?

4 MS. DAI: No. When I say "us," I mean our
5 staff.

6 COMMISSIONER CLARK: Okay. I gotcha.

7 MS. MATHIS: And our staff handled it too.
8 We had an executive director and deputy executive
9 director, and they handled the budget almost exclusively
10 so they report --

11 COMMISSIONER CLARK: Okay.

12 MS. DAI: They hired accountants. They
13 hired, I mean, they ran the operations. They made sure
14 they picked our, you know, venues. They made sure they
15 were set up before we got there, you know.

16 COMMISSIONER CLARK: Okay. So we do that
17 type of situation or organization so that we can spend
18 our time analyzing data, collecting data, doing the
19 mapping, and so forth?

20 MS. DAI: Yeah. You're decision makers.
21 Your staff are going to do all the operational piece.

22 COMMISSIONER CLARK: Correct. Okay.

23 MR. BARABBA: Having a staff have a keen
24 understanding how the government operates and what
25 information is where it was very, very helpful.

1 COMMISSIONER CLARK: Okay.

2 CHAIRPERSON LETT: Okay. We've come to the
3 end of our time on this. I want to thank Colleen,
4 Vince, Cynthia, and Andre very much for taking time out
5 of their day to help neophytes in Michigan who,
6 depending on which ad you're listening to right now,
7 we're either really brilliant or really stupid. We'll
8 probably figure it out before we're done. But, again,
9 thank you very much for that. And we have come to a
10 break. And we'll take five minutes and we'll be back
11 here at 5:05.

12 MS. MATHIS: Don't worry. You'll be all
13 brilliant by the end. Don't worry about the names
14 you'll be called. Thanks for the opportunity.

15 MS. DAI: Good luck, everyone.

16 CHAIRPERSON LETT: Thank you.

17 (Brief recess.)

18 CHAIRPERSON LETT: Okay. It appears we have
19 everybody back. And at this stage, we move into the
20 final agenda item, which is the public comment. A few
21 notes about public comment. If you are just happened to
22 be joining us, because this is a virtual meeting,
23 members of the public had to sign up in advance to
24 address the commission. Staff at the Department of
25 State will unmute each member of the public who signed

1 up to provide public comment for up to 90 seconds on a
2 first-come, first-serve basis. When your time has
3 elapsed, we will allow you to finish your sentence
4 before we move on to the next speaker. And I am told we
5 only have one speaker and -- so it is my understanding
6 that that is Anthony Schanel (sic). And if someone
7 would turn Anthony on, we would be happy to listen to
8 his comments.

9 **THE WITNESS: Hello. Good evening.**

10 MS. MARSH: Hi, Anthony. This is Sally
11 Marsh from the Department of State. You are unmuted and
12 able to address the commission for 90 seconds.

13 **THE WITNESS: I appreciate it. This is a**
14 **bridged version of the written comments I gave. But**
15 **first off, just congratulations to everyone here and the**
16 **Secretary of State's office. You're -- everyone's doing**
17 **a great job. But I just see this as overall taking back**
18 **control of our democracy as a state and as a country as**
19 **people do it state by state. And as I see it, this**
20 **two-party hedge money currently dictating policy in the**
21 **country is perhaps the most destructive force in our**
22 **society, if not just our politics as it gives way to an**
23 **endless, back and forth, finger pointing, blame passing**
24 **of accountability to decisions made in the course of**
25 **governance come each subsequent election pointing of**

1 blame. Even the presumptions of this very commission's
2 conception are based on the fault pretext of a certain
3 composition of Democrats, Republicans, and independents,
4 as if those could accurately accommodate a country of
5 about 330 million people. The next steps to regain
6 control of our democracy are to rid the elections of
7 bottomless corporate money to enact a form of rank
8 choice or runoff voting so that we may have the choices
9 we deserve in presidential, legislative, and other
10 elections. And congratulations again. Thanks.

11 CHAIRPERSON LETT: Thank you, Anthony. We
12 appreciate your comments today. Are there any -- that
13 was our only public comment and that basically is the
14 end of our agenda. Are there any comments or questions
15 by the commissioners? Head nods? Anything? Okay.
16 Well, I want -- number one, thank Anthony again for
17 participating as a public comment. And at this stage,
18 unless anybody has something else to bring for the good
19 of the group, I would entertain a motion to adjourn.
20 Somebody?

21 COMMISSIONER WITJES: Move.

22 COMMISSIONER EID: I'll second the motion.

23 CHAIRPERSON LETT: Who made the motion?

24 COMMISSIONER WITJES: Dustin.

25 CHAIRPERSON LETT: Dustin, you make the

1 motion?

2 COMMISSIONER WITJES: Yes, sir.

3 CHAIRPERSON LETT: And second. Anthony, are
4 you seconding?

5 COMMISSIONER EID: Yeah.

6 CHAIRPERSON LETT: All right. All in favor,
7 please say aye.

8 ALL: Ayes.

9 CHAIRPERSON LETT: All opposed, the same
10 sign? All right. The motion is made, seconded, and
11 carried unanimously. And we will see everybody tomorrow
12 morning. Sally, can I talk to you off either on the
13 phone or somehow let's still keep the site up?

14 MS. MARSH: Absolutely. Commissioners, if
15 you have any questions before tomorrow, feel free to
16 call or text or email our team at the Department of
17 State. Thanks for your time, everybody.

18 (Meeting concluded.)

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1 STATE OF MICHIGAN)

2)

3 COUNTY OF WASHTENAW)

4

5 CERTIFICATE OF NOTARY PUBLIC AND COURT REPORTER

6 I, Caitlyn Hartley, do hereby certify that the
7 foregoing audio sent to me was duly recorded by me
8 stenographically and by me later reduced to typewritten
9 form by means of computer-aided transcription; and I
10 certify that this is a true and correct transcript of my
11 stenographic notes so taken.

12 I further certify that I am neither of counsel to
13 either party nor interested in the event of this cause.

14

15

16



17 Caitlyn Hartley, RPR, CSR-8887

18

Notary Public,

19

Washtenaw County, Michigan

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My Commission expires: August 15, 2021

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