

U.S. DEPARTMENT OF JUSTICE SUBMISSION

**Community College Redistricting
Gila County, Arizona**

Submitted by

**Linda V. Eastlick, Director
Gila County Department of Elections**

November 21, 2011

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GILA COUNTY DEPARTMENT OF ELECTIONS

1400 E. Ash
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November 21, 2011

ORIGINAL SENT FEDEX: 8670 5830 1469

Mr. Chris Herren
Chief, Voting Section
Civil Rights Division
Room 7254, NWB
United States Department of Justice
1800 G Street, N.W.
Washington, D.C. 20006

Re: Submission Under Section 5 of the Voting Rights Act
Community College Redistricting for Gila County, Arizona

Dear Mr. Herren:

In accordance with the Voting Rights Act of 1965 as amended, and on behalf of Gila County, Arizona, we are requesting your review and preclearance for Gila County to adopt a new redistricting plan for the Gila County Community College. One member is elected from each of the five Community College districts. This cover letter is accompanied by an Exhibit Listing and two USB flash drives which contain all exhibits and audio for meetings detailed in the Exhibit Listing.

Pursuant to 28 C.F.R. § 51.34, Gila County requests expedited consideration of its preclearance request.

In reviewing the information contained in the exhibits, it will be apparent that Gila County conducted the Community College redistricting in concert with the Supervisorial redistricting. Therefore, meetings, public notices, and a majority of the background materials are relevant to both processes. The Supervisorial redistricting is the subject of a separate submission to the Department of Justice. Submissions will contain relevant

materials; however, many exhibits pertain to both redistricting processes and, therefore, will be duplicated in each submission as necessary.

Both the Supervisorial and the Community College redistricting processes resulted in precinct boundary changes. A third submission will be made to the Department of Justice requesting preclearance of precinct boundary and polling place changes.

For your convenience, further information is set forth as prescribed by 28 C.F.R. § 51.27 as follows:

A. COPY OF ENACTMENT:

The Board of Supervisors of Gila County, Arizona met on October 3, 2011 to approve mapping alternative "Plan 1 Rev 1" which will divide the County into five substantially equal populated districts named District 1, District 2, District 3, District 4, and District 5. On October 18, 2011, the Gila County Board of Supervisors ordered: (1) Plan 1 Rev 1 be adopted as the Gila County Community College Redistricting plan; (2) the Community College district boundaries be implemented and take effect upon preclearance by the Department of Justice; and (3) precinct boundary changes required as a result of the adoption of Plan 1 Rev 1 take effect upon preclearance by the Department of Justice. The Order can be found in Exhibit Item A-5. Plan 1 Rev 1 details can be found in Exhibit Item B-3. Plan 1 Rev 1 is referred to herein as "the proposed plan."

B. COPY OF EXISTING PROGRAM:

A map of the benchmark five-district Gila County Community College districting plan with 2010 Census population figures is included as Exhibit Item B-2.

C. EXPLANATION OF CHANGES:

Arizona Revised Statute §15-1441 states the Board of Supervisors shall establish five precincts in a community college district for the election of district board members from each precinct (aka district). Further, the statute states the community college precincts (aka districts) shall have the same boundaries as are defined for the election precincts. See Exhibit Item A-4.

Hispanics (17.9% of total population) and American Indians (14.8% of total population) are Gila County's largest minority groups.

Gila Community College was created in 2002. The first elections for the college's Governing Board were held in 2004.

Demographic analyses reveal that in the benchmark, precleared Community College districting plan, the College had one majority-minority district - Community College District 5. After the redistricting change, District 5 continues to be a majority-

minority district and is represented by a minority, Bernadette Kniffin (American Indian). This benchmark, and the proposed District 5, includes all of the San Carlos and White Mountain Apache Reservations that are in Gila County. These are the largest of the Indian Reservations in Gila County.

In total population, benchmark District 5 has 6,836 American Indians (60.06%) and 2,234 Hispanics (19.63%) with VAP between these two groups of 4,347 American Indians (55.19%) and 1,569 (19.92%) Hispanics. With more than 79% Indians and Hispanics and a 6.18% over-population, Gila County was concerned that this district may be packed with minorities. Gila County wanted to preserve the American Indian core of this district, which proposed District 5 does, while also moving some Hispanic voters out of a packed benchmark District, to strengthen Districts 3 and 4.

Compared to the benchmark, proposed District 5 increases the proportion of American Indian voters by 2.25% of total population, proposed is 62.31% and Benchmark is 60.06%. VAP in the proposed plan is 56.89% and Benchmark is 55.19%. Combined Hispanic and American Indian VAP in this proposed district is 68.2%, 5,102 people and 73.86% total population or 7,963 people. American Indians and Hispanics tend to support Democratic Party candidates since the large majority of both groups' voters are registered Democrats.

District 4 is not a majority-minority district in terms of numbers; however, analysis has shown that minority voters may have the opportunity to elect candidates of choice here. Definitive analysis is difficult because there has been only one contested election for the District 4 Community College Board Member, in 2010. District 4 is currently represented by an Anglo, Robert Ashford who was considered the candidate of choice of the district's Hispanic voters in 2010. A minority has never run for District 4 College Board Member.

Benchmark District 4 was significantly under-populated, by 16.3% from the ideal population. To bolster minority strength and avoid retrogression, Gila County chose to remedy this under-population by increasing the district's Hispanic population proportionately by more than the district's Anglo population. Proposed District 4's non-Hispanic Anglo total population is only 65 people greater than under the benchmark while the Hispanic population grew by 916 people compared to the benchmark. In addition, the Anglo VAP grew by only 137 people while HVAP increased by 714 people when compared to the benchmark.

Minority percentages in District 4 have been increased by reducing the number of Hispanics in the heavily minority-populated benchmark District 5 and shifting many of these residents to proposed District 4 to bolster that district's minority voting strength.

Benchmark District 4 has 3,085 Hispanics (34.38%), with HVAP of 2,082 (31.10%). Proposed District 4 increased Hispanic population by nearly 1,000 people to 4,001 (39.44%) and increased HVAP by nearly 700 people to 4,481(36.32%) when compared to the benchmark.

District 3 is also not a majority-minority district under the proposed or benchmark plans. However, Armida Bittner (Hispanic) currently represents District 3. She is the only Hispanic on the five-member board and is considered the candidate of choice of the district's Hispanics. Like Board of Supervisors District 2, Hispanic voters in College District 3 have been able to elect two Hispanics to the Board. In 2004, the first election for the College Board, Michael Pastor (Hispanic) was elected District 3 Board Member. Mr. Pastor left the College Board to run for the Gila County Board of Supervisors in 2008. Mr. Pastor was elected District 2 Supervisor in 2008. Ms. Bittner was elected District 3 College Board member in 2008.

Benchmark District 3 has 2,294 Hispanics (22.42%) and 1,613 (19.2%) Hispanics of voting age. Proposed District 3 increases both Hispanic total population and HVAP, 2,593 (23.63%) and 1,759 (20.07%) respectively.

The proposed plan also increases the proportion of all-minority VAP in District 3 (24.51%) and District 4 (41.8%) compared to benchmark District 3 (23.12%) and District 4 (35.12%).

With 69.34% all-minority VAP, proposed District 5 remains a strong majority-minority district. The incumbent District 5 Board Member is an American Indian and the minority voters' candidate of choice.

Districts 1 and 2 are overwhelmingly majority Anglo in the benchmark and proposed plans. Their current representatives on the College Board are Anglos. Minorities in these districts do not have sufficient population to elect their candidates of choice.

Gila County's one majority-minority College Board district where American Indian voters may elect their candidate of choice (Bernadette Kniffin) and two other districts where minorities may have the ability to elect minority candidates (District 3-Michael Pastor and Armida Bittner) and Anglo candidates (Robert Ashford) of choice is consistent proportionately with the County's overall minority population between Hispanics and American Indians of 32.7%. See Population Growth Rates in Exhibit A-9.

The total population deviation between the districts is:

Total Population	Before the Change	% Deviation From Ideal	After the Change	% Deviation From Ideal
Total Population, District 1	11,670	8.87%	10,930	1.96%
Total Population, District 2	11,342	5.81%	10,767	0.44%
Total Population, District 3	10,231	-4.56%	10,974	2.38%
Total Population, District 4	8,972	-16.30%	10,144	-5.37%
Total Population, District 5	11,382	6.18%	10,782	0.58%
Ideal Population	10,719		10,719	
Total % deviation from Ideal		25.17%		7.74%

Summary population percentages are contained in the following table. A detailed spreadsheet is contained in Exhibit A-9:

Population by District	District 1	District 2	District 3	District 4	District 5
Total Population, Benchmark	11,670	11,342	10,231	8,972	11,382
Total Population, Proposed Plan	10,930	10,767	10,974	10,144	10,782
Total Minority Population, Benchmark	11.59%	13.33%	26.92%	38.98%	80.68%
Total Minority Population, Proposed Plan	12.07%	10.84%	28.61%	45.39%	74.84%
Total Anglo Population, Benchmark	88.41%	86.67%	73.08%	61.02%	19.32%
Total Anglo Population, Proposed Plan	87.93%	89.16%	71.39%	54.61%	25.16%
Total Hispanic Population, Benchmark	8.00%	9.18%	22.42%	34.38%	19.63%
Total Hispanic Population, Proposed Plan	8.37%	7.75%	23.63%	39.44%	11.55%
Total American Indian Population, Benchmark ¹	2.18%	2.69%	3.11%	2.92%	60.06%
Total American Indian Population, Proposed Plan	2.26%	1.66%	3.50%	4.41%	62.31%
Total Voting-Age Population, Benchmark	9,789	9,364	8,401	6,695	7,877
Total Voting Age Population, Proposed Plan	9,106	9,075	8,765	67,699	7,481
Total Minority Voting-Age Population, Benchmark	8.97%	10.91%	23.12%	35.12%	76.31%
Total Minority Voting Age Population, Proposed Plan	9.36%	8.80%	24.51%	41.80%	69.34%
Total Anglo Voting-Age Population, Benchmark	91.03%	89.09%	76.88%	64.88%	23.69%
Total Anglo Voting-Age Population, Proposed Plan	90.64%	91.20%	75.49%	58.20%	30.66%
Total Hispanic Voting-Age Population, Benchmark	5.89%	7.24%	19.20%	31.10%	19.92%
Total Hispanic Voting-Age Population, Proposed Plan	6.19%	6.10%	20.07%	36.32%	11.31%
Total American Indian Voting-Age Pop, Benchmark	1.93%	2.37%	2.69%	2.40%	55.19%
Total American Indian Voting-Age Pop, Proposed Plan	2.01%	1.52%	2.97%	4.00%	56.89%

D. PERSON MAKING SUBMISSION:

On behalf of Gila County:

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Gila County Department of Elections
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E. SUBMITTING AUTHORITY:

Gila County Board of Supervisors, Gila County, Arizona

F. COUNTY AND STATE OF SUBMITTING AUTHORITY:

Gila County, Arizona

G. PARTY RESPONSIBLE FOR CHANGE:

The party responsible for making the proposed changes is Gila County.

H. AUTHORITY FOR MAKING CHANGE:

Arizona law provides the Gila County Board of Supervisors with redistricting authority for the Gila County Community College Board.

ARS 15-1441. Selection of precincts; district board members; terms;
qualifications; vacancies

A. The board of supervisors shall establish in the same manner as provided in section 16-411 five precincts in a community college district for the election of a district board member from each precinct. A precinct in a community college district shall be composed of the number of election precincts as determined by the board of supervisors and shall have the same boundaries as are defined for the election precincts under section 16-411. If the board of supervisors redefines the boundaries of election precincts under section 16-411 that are included within a precinct in a community college district, the board of supervisors shall redefine the boundaries of the precinct in the community college district to conform with the election precinct changes. The precincts shall be established in a newly organized district subsequent to the organizational vote, and the county school

superintendent shall appoint five members, one from each precinct, who are qualified electors.

All relevant Arizona redistricting statutes are included in Exhibit Item A-4

I. DATE OF ADOPTION:

Gila County adopted the proposed changes on October 18, 2011

J. EFFECTIVE DATE:

The changes will take effect immediately after preclearance by the Attorney General.

K. ENFORCEMENT OF CHANGE:

Gila County will enforce the proposed changes only after preclearance by the Attorney General.

L. SCOPE OF CHANGE:

The changes contained herein will affect Gila County.

M. REASONS FOR THE CHANGE:

Gila County redistricted its college board districts to comply with the U.S. Constitution's one person, one vote requirement, the Voting Rights Act, and Arizona state law.

N. ANTICIPATED EFFECT ON MEMBERS OF RACIAL OR LANGUAGE MINORITY GROUPS:

Gila County does not anticipate that the proposed changes contained in this submission will have a discriminatory effect on members of racial or minority groups in Gila County. Gila County does not have a retrogressive purpose in making the changes contained in this submission.

O. PAST OR PENDING LITIGATION:

There is no pending or past litigation concerning the change in this submission.

P. PRECLEARANCE OF PRIOR PRACTICE:

Gila County received preclearance from the Department of Justice for the creation of the five-member Gila Community College District governing board on June 3, 2002, (DOJ Submission # 2002-2218). A copy of the Department's letter of no objection is included as Exhibit Item A-3.

Q. REDISTRICTINGS AND ANNEXATIONS:

Arizona Revised Statute §15-1441 states the Board of Supervisors shall establish ... five precincts in a community college district for the election of district board members from each precinct (aka district). Further, the statute states the community college precincts (aka districts) shall have the same boundaries as are defined for the election precincts. See Exhibit Item A-4.

Gila Community College serves the educational needs of Gila County. Under the benchmark, precleared plan, the College is governed by a five-member governing board, with each member elected from one of five districts. Board members are elected to staggered, six-year terms. The precleared method and frequency of electing board members does not change under the proposed plan. Elections are non-partisan and there are no primary elections for Gila Community College Board. Candidates are elected during general elections.

Explanation of the Process

In preparation for redistricting of the Community College boundaries, Gila County began the redistricting process in November, 2010. During the ensuing eleven months, the following activities were undertaken to ensure an open process which encouraged public participation and resulted in the adoption of a plan which conformed to the U.S. Constitution and the Voting Rights Act of 1965:

- November, 2010 - Contracted with redistricting and mapping consulting firm Federal Compliance Consulting LLC. Consultants included Bruce L. Adelson, Esq. and R. Anthony Sissons.
- December, 2010 - Conducted informational meetings with County management, County elected officials, and special district elected officials. See Exhibit Item D-1
- January - March, 2011 - Board of Supervisors adopted Redistricting Principles, adopted the Redistricting Advisory Committee Selection Guidelines, and established the citizen Redistricting Advisory Committee (RAC). See Exhibit Items H-5 and H-7
- February - April, 2011 - Conducted nine redistricting public information meetings with the San Carlos Tribal Council, community college board members, various city and town elected officials, civic organizations and members of the public. See Exhibit D
- March - July, 2011 - Held seven Redistricting Advisory Committee meetings. Elections staff and consultants provided guidance and information to Committee. Discussions included the committee's role and responsibilities relative to the process, guidance and information relative to the legal complexities of redistricting (especially the Voting Rights Act), discussion of redistricting alternatives and project timelines. The committee reviewed public input, reviewed maps submitted by

citizens and determined which maps to recommend to the Board of Supervisors. See Exhibit E

- June - July, 2011 - Held eleven Round One meetings throughout the County to disseminate information to the public about the redistricting process, encourage public participation in the process, and explain how the public could participate and/or provide input. See Exhibit F

Eight College District maps were received from citizens. All were reviewed and evaluated by the Redistricting Advisory Committee. Maps were evaluated in accordance with the U.S. Constitution, the Voting Rights Act, and the Gila County Redistricting Principles established by the Board of Supervisors. Five maps were rejected by the Committee for the following reasons: 1 contained boundaries which were not contiguous; 2 resulted in population deviations in excess of 7%; 2 were retrogressive to varying degrees.

The Redistricting Advisory Committee chose to submit three mapping alternatives to the Board for consideration on August 15. They were:

Blaine Kimball Plan AZBandit CC02
K. Feezor Plan KLFCC06B
Tom Moody Plan TJM06

See Exhibit Item E-10 for the Redistricting Advisory Committee's report to the Board of Supervisors.

On August 23, 2011, the Board of Supervisors held a work session to review and discuss the mapping alternatives presented by the Redistricting Advisory Committee.

On September 6, 2011, the Board of Supervisors met to determine which maps would be sent out for public comment during a second round of public meetings. The Board elected to rename the plans, prior to public review, as follows:

Blaine Kimball Plan AZ Bandit CC02 became Plan 1
K. Feezor Plan KLFCC06B became Plan 2
Tom Moody Plan TJM06 became Plan 3

The Board voted 3-0 to release all three college district plans for public review and comment. See Exhibit Item B-5.

Round Two meetings were conducted throughout the County to display the three community college mapping alternatives and receive public input. During the public comment period, there were very few comments made regarding the Community College Plans. The public was much more involved and interested in the Board of Supervisors redistricting than in the college board redistricting. See: Gila County Redistricting Public Input Summary, attached as Exhibit Item A-13:

- 1 College Board member did not agree with Plan 3 at all
- 1 College Board member was OK with any of the three plans
- 2 Citizens preferred Plan 1

On September 20, 2011, the Board heard from Elections staff as to the pros and cons of each plan, reviewed public comments received to date and provided opportunity for citizens to once again express their opinions.

Additionally, at that same meeting, the consultants discussed the fact that all three community college maps appear to have too many minorities in District 5 than are necessary for minority voters to elect their candidates of choice and recommended further adjustments be made to reduce the Hispanic minority population in District 5 by adding Hispanic population to Districts 3 and 4. District 5 contains the Native American Reservations, which cannot be split. District 5 also contains a large number of Hispanics. The minority population in District 5, in each of the three plans, was well in excess of 70%.

On October 3, 2011, the Board of Supervisors met to review requested changes to the maps and to finalize its mapping choice. The consultants revised all three plans. The plan names changed accordingly to: Plan 1 Rev 1, Plan 2 Rev 1, and Plan 3 Rev 1.

Efforts to reduce packing in Plan 3 Rev 1 created an unfavorable reduction in Hispanic voting strength in District 3 and, therefore, that plan was not favored. Plan 2 Rev 1 did not achieve as much success as Plan 1 Rev 1. Plan 1 Rev 1 produced the most viable results in terms of alleviating the packing issue in District 5, strengthening minority voters' electoral opportunities in Districts 3 and 4, and preserving a strong majority minority District 5. Plan 1 Rev 1 was presented to the Board of Supervisors and is the proposed plan.

After hearing the above information, the Board of Supervisors began their deliberations to determine which plan would be adopted. The Board placed special emphasis on:

- Maintaining District 5 as a strong majority-minority district.
- Maintaining the current total minority voting strength in Districts 3 and 4
- Addressing the minority packing issue in District 5 by reducing the number of Hispanics in District 5 and moving them to Districts 3 and/or 4.
- Listening to citizen input to the process.

By a unanimous vote of 3 to 0, the Board chose Plan 1 Rev 1 as the Community College District new redistricting plan. An Order to adopt Plan 1 Rev 1 effective upon approval by the Department of Justice was signed October 18, 2011. See Exhibit Item A-5.

Data from the benchmark College Districts is included as Exhibit Item B-2. The proposed plan, Plan 1 Rev 1, is in Exhibit B-3. Plan 2 Rev 1 and Plan 3 Rev 1 are included as Exhibit Item B-4.

Electoral Performance

November 2, 2004 was the first general election in which Gila Community College Board members appeared on the ballot. There were elections in all five districts. There have also been College Board elections in 2006, 2008, and 2010.

No candidates were on the ballot for District 5 in the 2004 election. However, Bernadette Kniffin (American Indian) ran as a write-in candidate and was elected. Of the 433 write-in votes cast for this office, Ms Kniffin had 285, 65.8% of the vote.

In District 3, Michael Pastor (Hispanic) defeated three Anglo candidates and was elected to the College Board. Mr. Pastor won with 40.17% of the vote. His closest challenger, Jeri Byrne (Anglo), had 23.82% of the vote.

In District 4, Robert Ashford (Anglo) ran unopposed and was elected District 4 College Board member. In 2010, Mr. Ashford was reelected in a contested election, defeating Ray Webb (Anglo) 69.36% to 30.41%. Between the two candidates, Mr. Ashford was perceived as the candidate of choice of the district's minority voters. It should be noted that Mr. Ashford's wife is Hispanic.

In 2006, Bernadette Kniffin (American Indian) defeated Yvonne Lee (also an American Indian), 70.1% to 29.9%, and was elected College District 5 Board Member. Ms. Kniffin was considered the candidate of choice of District 5's minority voters. Today, Ms. Kniffin remains on the College Board and is the Board's only American Indian member.

In 2008, Armida Bittner (Hispanic) was elected College District 3 Board Member, defeating Roberta Johnson (Anglo), 65.67% to 33.97%. Ms. Bittner is the only Hispanic member of the College Board. Ms. Bittner was previously elected Gila County School Superintendent (a county-wide elected position) and served four terms, 16 years, from 1988 through 2004.

Northern and Southern Gila County Divide - Its Impact on the Process

Gila County's Community College redistricting was informed by a divide between the northern and southern parts of the County. There is a difference of opinion as to which precincts are in the "north" and which are in the "south". However, we will use the Roosevelt and Sierra Ancha Precincts for illustrative purposes. Total population for the Southern precincts in this example is 26,516. Total population for the Northern precincts in this example is 27,081.

The northern part of the County is predominantly Anglo. Payson and Star Valley are two of northern Gila County's largest municipalities. According to the 2010 Census, the Town of Payson has a total population of 15,301 people, 92% of whom are Anglo, 9.7% are Latino, and 2.3% are American Indian/Alaska Native. The Town of Star Valley has a total population of 2,310 people, 91.4% of whom are Anglo, 9.9% are Latino, and 1.5% are American Indian/Alaska Native.

The southern part has the County's largest concentrations of minorities: Hispanics, in the areas of Globe, Miami, Claypool, Hayden, Winkelman, and Christmas; and Native Americans on the San Carlos Reservation (San Carlos Precinct) and White Mountain Reservations (Canyon Day and Carrizo Precincts).

According to the 2010 Census: The City of Globe has a total population of 7,532 people, of whom 2,775 (36.8%) are Hispanic; the Town of Miami has a total population of 1,837 people, of whom 1,029 (56.0%) are Hispanic; the Town of Hayden has a total population of 662, of whom 589 (84.4%) are Hispanic; and the Town of Winkelman has a total population of 353, of whom 291 (82.4%) are Hispanic.

Additionally, the Claypool and Christmas precincts include: Claypool #1, which has a total population of 1,611 people, of whom 439 (27.3%) are Hispanic; Claypool #2 has a total population of 1,873 people, of whom 613 (32.7%) are Hispanic; Claypool #3 has a total population of 1,111 people, of whom 479 (43.1%) are Hispanic; and the Christmas precinct has a total population of 325 people, of whom 143 (44.0%) are Hispanic.

Of the 9,588 Hispanics in the County, 7,412, or 77.3%, live in southern precincts. Of the 7,975 Native Americans in the County, 7,354, or 92.2%, live in the southern precincts. The following table shows 2010 Census total population and applicable minority data by precinct:

Precinct	Total Population	Total Hispanic Origin	Total American Indian
Southern Gila County			
Globe #1	1,170	231	29
Globe #2	769	317	47
Globe #3	365	114	20
Globe #4	954	280	56
Globe #5	304	100	6
Globe #6	1,815	581	182
East Globe	1,263	424	39
Globe #7	891	257	36
Globe #8	1,096	580	40
Globe #11	1,222	323	58
Miami #1	862	441	33
Miami #3	1,290	696	29
Claypool #3	1,111	479	19
Central Heights	974	278	9
Claypool #1	1611	439	48
Claypool #2	1873	613	63
Hayden	662	559	2
Winkelman	353	291	9
Christmas	325	143	4
Roosevelt	354	10	16
Sierra Ancha	288	20	9

Canyon Day (Res)	1,549	30	1,510
Carrizo (Res)	127	1	124
San Carlos (Res)	5,288	205	4,966
South Subtotal	26,516	7,412 / 28.0%	7,354 / 27.7%

Northern Gila County Precincts			
Tonto Basin	1634	78	14
Payson #1	2430	436	71
Payson #2	2864	315	165
Payson #3	3102	151	98
Payson #4	1567	124	29
Payson #6	1590	178	42
Payson #7	1396	111	31
Payson #8	1793	151	20
Payson #5	2180	174	26
Star Valley	2836	239	39
Whispering Pines	305	11	4
Zane Grey	793	46	2
Gisela	886	34	16
Young	756	43	30
Pine-Strawberry	2949	85	34
North Subtotal	27081	2176 / 8.0%	621 / 2.3%
TOTAL / PERCENT	53597	9588 / 17.9%	7975 / 14.9%

When the redistricting process began this year, the perception among many northern Gila County residents was that the creation of the previous plans:

...gave southern Gila County effective control of the board of supervisors and Gila Community College board. That helps explain why Payson [northern Gila County] has inadequate county facilities and a shriveled share of county attention and spending. See: Payson Roundup Article, January 25, 2011, Exhibit Item A-13.

Press coverage and opinions such as the following continued:

A decade ago, adroit gerrymandering compounded by federal restrictions on splitting the San Carlos Reservation between two Supervisorial Districts gave the south county area two votes on the three-vote board [of supervisors]. See: Payson Roundup article, March 4, 2011, Exhibit Item A-13.

And See: Payson Roundup Article, "County caught pulling new reistricting scam," March 11, 2011, Exhibit Item A-13..

And: Payson Roundup Article, "County Redistricting is a Politically Charged Process," April 8, 2011, Exhibit Item A-13.

And: Payson Roundup Article, "County Sees Few District Changes," June 21, 2011, Exhibit Item A-13.

In 2011, Gila County used a Redistricting Advisory Committee, consisting of volunteer members selected by the Board of Supervisors, to prepare proposed redistricting plans and maps. See February 18, 2011 DOJ no determination letter concerning the creation of this Committee attached as Exhibit Item A-6.

During its many deliberations, the RAC wrestled with the federal requirements that govern redistricting. Reflective of the north/south split in Gila County, some committee members were concerned about the requirements of Section 5 and the Voting Rights Act. For example:

... I still come back to the fact that someone in times past, created Districts that packed the minorities in such a way that we cannot realign anything in the supervisor districts without running afoul of a perceived "damage" to minority rights.

... It gets worse with the College Districts.... some of these HAVE to be changed, and any change in the Southern areas WILL affect minority concentrations.... These districts are so far out of balance that they must be changed. However, Districts 3-5 have significant minority populations. Any changes will decrease the concentration of minority voters. However, if we don't change them, we are ignoring the "one person, one vote"... in favor of a Voting Rights Act restriction (which, in my mind, should come AFTER keeping the Constitutional requirements [sic] met).

See: June 14, 2011 Email from RAC member Mac Feezor to Gila County Election Director Linda Eastlick, Exhibit Item A-9.

Demographic analyses reveal that in the benchmark, precleared Community College districting plan, the College had one majority-minority district - Community College District 5. After the redistricting change, District 5 continues to be a majority-minority district and is represented by a minority, Bernadette Kniffin (American Indian). This benchmark, and the proposed District 5, includes all of the San Carlos and White Mountain Apache Reservations that are in Gila County. These are the largest of the Indian Reservations in Gila County.

In total population, benchmark District 5 has 6,836 American Indians (60.06%) and 2,234 Hispanics (19.63%) with VAP between these two groups of 4,347 American Indians (55.19%) and 1,569 (19.92%) Hispanics. With more than 79% Indians and Hispanics and a 6.18% over-population, Gila County was concerned that this district may be packed with minorities. Gila County wanted to preserve the American Indian core of this district, which proposed District 5 does, while also moving some Hispanic voters out of a packed benchmark District to strengthen Districts 3 and 4.

Compared to the benchmark, proposed District 5 increases the proportion of American Indian voters by 2.25% of total population, proposed is 62.31% and Benchmark is 60.06%. VAP in the proposed plan is 56.89% and Benchmark is 55.19%. Combined Hispanic and American Indian VAP in this proposed district is 68.2%, 5,102 people and 73.86% total population or 7,963 people. American Indians and Hispanics tend to support Democratic Party candidates since the large majority of both groups' voters are registered Democrats.

District 4 is not a majority-minority district in terms of numbers, however, analysis has shown that minority voters may have the opportunity to elect candidates of choice here. Definitive analysis is difficult because there has been only one contested election for the District 4 Community College Board Member, in 2010. District 4 is currently represented by an Anglo, Robert Ashford who was considered the candidate of choice of the district's Hispanic voters in 2010. A minority has never run for District 4 College Board Member.

Benchmark District 4 was significantly under-populated, by 16.3% from the ideal population. To bolster minority strength and avoid retrogression, Gila County chose to remedy this under-population by increasing the district's Hispanic population proportionately by more than the district's Anglo population. Proposed District 4's non-Hispanic Anglo total population is only 65 people greater than under the benchmark while the Hispanic population grew by 916 people compared to the benchmark. In addition, the Anglo VAP grew by only 137 people while HVAP increased by 714 people when compared to the benchmark.

Minority percentages in District 4 have been increased by reducing the number of Hispanics in the heavily minority-populated benchmark District 5 and shifting many of these residents to proposed District 4 to bolster that district's minority voting strength.

Benchmark District 4 has 3,085 Hispanics (34.38%), with HVAP of 2,082 (31.10%). Proposed District 4 increased Hispanic population by nearly 1,000 people to 4,001 (39.44%) and increased HVAP by nearly 700 people to 4,481 (36.32%) when compared to the benchmark.

District 3 is also not a majority-minority district under the proposed or benchmark plans. However, Armida Bittner (Hispanic) currently represents District 3. She is the only Hispanic on the five-member board and is considered the candidate of choice of the district's Hispanics. Like Board of Supervisors District 2, Hispanic voters in College District 3 have been able to elect two Hispanics to the Board. In 2004, the first election for the College Board, Michael Pastor (Hispanic) was elected District 3 Board Member. Mr. Pastor left the College Board to run for the Gila County Board of Supervisors in 2008. Mr. Pastor was elected District 2 Supervisor in 2008. Ms. Bittner was elected District 3 College Board member in 2008.

Benchmark District 3 has 2,294 Hispanics (22.42%), and 1,613 (19.2%) Hispanics of voting age. Proposed District 3 increases both Hispanic total population and HVAP, 2,593 (23.63%) and 1,759 (20.07%) respectively.

The proposed plan also increases the proportion of all-minority VAP in District 3 (24.51%) and District 4 (41.8%) compared to benchmark District 3 (23.12%) and District 4 (35.12%).

With 69.34% all-minority VAP, proposed District 5 remains a strong majority-minority district and the incumbent District 5 Board Member is an American Indian and the minority voters' candidate of choice.

When comparing the other two revised plans and the three plans the RAC submitted to the Board of Supervisors to the proposed plan, all six plans have virtually identical American Indian population and VAP in District 5.

By transferring Hispanic voters from District 5 to strengthen minority voting opportunities in proposed Districts 3 and 4, the proposed plan has the highest percentage of HVAP in **both** proposed Districts 3 and 4 of any of the 6 plans presented to the Board of Supervisors. Currently, District 3 has an elected Hispanic Board Member and also elected an Hispanic to the College Board in 2004.

Outreach to Minority Groups

There are no formal Latino groups in Gila County and, therefore, we did not meet with any formal groups. Meeting notices and public participation materials were published in English and Spanish. Spanish and Apache language interpreters were available at public redistricting meetings.

Gila County Elections staff met with the San Carlos Tribal Council on February 3, 2011 and again on August 19, 2011 to disseminate redistricting information and to request Tribal input and participation. Additionally, we conducted a Round One meeting on the San Carlos reservation on June 8, 2011. Elections staff had a number of detailed conversations with Mr. Steve Titla, San Carlos Tribal Attorney and Mr. Titla attended two Board of Supervisors Meetings, August 15, 2011 and September 6, 2011. Elections staff provided Mr. Titla numerous copies of maps and other information he requested for further Tribal Council discussions. It is our understanding discussions were held with the San Carlos, White Mountain, and Tonto Apache Tribal Councils in a joint meeting held at the Hon Dah Casino and Resort in Hon Dah, Arizona on September 9, 2011.

Elections staff met with the White Mountain Tribal Council during Round One meetings on July 6, 2011 and again during the Round Two meetings on September 7, 2011 to disseminate redistricting information and to request Tribal input and participation. The Council stated they would consider sending a representative to the Board of Supervisors meeting held on September 20, 2011, however, no representative was present.

Elections staff met with the Tonto Apache Tribal Council on June 21, 2011 to disseminate redistricting information and to request Tribal input and participation. This Tribal Council did not submit a college board redistricting map for consideration. A

request to appear before the Council during Round Two meetings was declined through a message from the Tribe's Business Manager/Comptroller, Mr. Jerry Holland.

Census Data

Census data is contained in Exhibit Item A-9

Voter Registration Data

Voter Registration statistics before the change and after the change as well as an Excel file of registered voters are contained in Exhibit Item A-10.

Election Returns

Gila County Community College Board Members are elected every six years. Board Member elections since the last pre-cleared change occurred in **2004, 2006, 2008 and 2010**. Election returns, by precinct, and applicable voter registration statistics for all presidential preference, primary, and general elections held in 2002, 2004, 2006, 2008, and 2010 are included in this submission and detailed in the Exhibit C.

R. SUPPLEMENTAL INFORMATION:

Minority Contacts

Below is contact information for minority contacts concerning the change contained in this submission.

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The entire submission, including all exhibits, is available for inspection at the Gila County Elections Department from 9 am to 5 pm Monday through Friday. The Notice of Submission availability, in English and Spanish, is being provided at the County Elections Office and in newspapers of general circulation. Spanish and Apache language assistance will be available.

If you need additional information or have any questions regarding the content of this submission, please contact the Gila County Department of Elections at (928) 402-8708.

Respectfully,



Linda V. Eastlick, Director
Gila County Department of Elections

Attachments