ARKANSAS BOARD OF APPORTIONMENT
HOPE PUBLIC MEETING
MAY 31, 2011

The following is a transcript of the public meeting which was held at City Hall, 206 W. Avenue A, Hope, Arkansas, by the Arkansas Board of Apportionment, which was emceed by Mr. Joe Woodson, Jr., Redistricting Coordinator.

MR. WOODSON: All right, let's go ahead and get started, if y'all want to work your way in. My name is Joe Woodson, I am the Redistricting Coordinator for the Arkansas Board of Apportionment.

UNIDENTIFIED SPEAKER: Joe?

MR. WOODSON: Joe. Do you need it louder?

UNIDENTIFIED SPEAKER: Yeah, louder.

MR. WOODSON: Louder? How's that? Okay. Joe Woodson, W-O-O-D-S-O-N. Thanks for coming. And we've got a lot of material to cover tonight so let's go ahead and get started. I wanna do a couple of things for the first fifteen minutes or so. I wanna cover what the law is and I think that's gonna help our conversation, give us some context; and then I want to briefly give you a demonstration on our map drawing software. That, too, will illustrate the difficulty in redistricting. And you all feel free to stop me or ask questions as we go along. I'll come back to this map here in a minute.

In a few minutes--I found out--we went to Jonesboro last week and I discovered that my map drawing software does not like being connected to a wireless Internet and it won't open for some reason, so when we get done here in a few minutes I'll connect to the Internet and we can go look at the website which is arkansasredistricting.org, O-R-G, and there's a ton of great information on that website. Most of what I'm saying tonight is on the website, including all the draft maps, and so if you wanna go back and look more closely at what we're about to talk about with respect to the law, or the maps, or the process, all of that is on the website, so please go to that.

Let me start by talking about our legal criteria. The first and most important, the cornerstone of all redistricting, is one person, one vote. Beginning, I think, in about 1964, the U.S. Supreme Court said that districts should be drawn so that they are as nearly equal in population as possible. I want to make a distinction between Congressional Districts and Legislative Districts. As you all know, the General Assembly just got through drawing the Congressional Districts. Those Congressional Districts are governed by this standard, the Apportionment Clause of Article 1. That standard is strict equality which means that the four Congressional Districts that we have in Arkansas have to be almost identical in population size, so they can have very little variance, if you will. What

we're doing tonight and what the Arkansas Board of Apportionment is concerned with are the Legislative Districts, and what I mean by that is Arkansas House and Senate seats. We are governed by the Equal Protection Clause of the Fourteenth Amendment. The court cases have said that we get an overall range of 10 percent plus or minus 5 percent from the ideal district size. So let's start at the beginning. The 2010 census said that Arkansas had a population of 2,915,918 people. You divide that number by 100 and you get the ideal district size for each House of 29,159, that's your ideal size. Now this standard right here says that the smallest district in the state that the board draws can be 95 percent of that figure, the largest district that we draw can be 105 percent of that figure. Another example of that is this: Let's say the ideal district size is 100 people. According to this standard we could have one district that had 95 people and one district--that would be the smallest district in the state; the largest district in the state could be as large as 105 people. So an overall range of 10 percent, that's the starting point for all map drawing.

UNIDENTIFIED SPEAKER: What's the smallest district?

MR. WOODSON: Right now I don't know, but it's within that 10 percent range. When they did it 10 years ago, it's within that 10 percent range.

The next two bullet points, the Voting Rights Act of 1965, that is a Civil Right legislation that made it illegal to draw districts that had a discriminatory effect based on race or language minorities. Now what does that mean. It means any policy or procedure or map that was drawn that had a discriminatory effect on a racial or language minority, that map or that procedure or that policy would be in violation of the Voting Rights Act of 1965. In Arkansas in 1989 we had Jeffers v. Clinton, and the Federal Court said that, in fact, Arkansas had violated the Voting Rights Act of 1965 and the Federal Court ordered the state of Arkansas to redraw several districts, both in the House and the Senate. There were four Senate minority districts that were drawn and 13 House districts, House minority districts that were drawn, and we have that legacy today and that's one of the things that the Board of Apportionment will be dealing with.

Next is the Equal Protection Clause of the Fourteenth Amendment. In the redistricting context what that means is, don't draw districts based primarily or solely on race. Now these two at first glance sort of seem to be at odds with each other. The Voting Rights Act says don't discriminate based on race. Through a series of U.S. Supreme Court cases the Supreme Court has said don't draw districts based primarily or exclusively on race and if you were to do that and if you were

to disregard all the traditional districting principles, then that could be a violation of the Equal Protection Clause. Exceptions to that, says the U.S. Supreme Court, are if you are drawing minority districts based on trying to avoid a Section 2 violation of the Voting Rights Act, Section 5 violation, or to remedy past discrimination. So those are two needles that we're trying to thread as we draw these new maps.

The next bullet point, next two, Geographically Contiguous Districts and Geographically Compact Districts, and that means exactly what it sounds like: all districts should be physically contiguous. In other words you can't have an island that's part of one district but completely physically separated from the rest of its own district. Same for geographically compact districts. I guess the ideal, if you had a picture, a circle or a square would be ideally compact. Now in practice we all know that districts have some irregular shape to them, but the more bizarre shaped your districts start to be the less the Courts like those. So again, as we're drawing these maps, those are some of the things that we're looking at.

Next we go to minimizing splitting political jurisdictions. The Courts have said we want to minimize as much as possible splitting political subdivisions--counties, cities, voting precincts. To the extent you cannot split those areas, that's better.

Maintain the core of existing districts. What's the core of a district; where have the lines traditionally been in the districts. To the extent that you can maintain that, that's good.

The same thing with continuity of representation. To the extent you can allow incumbents to stay in their own districts and run again the Courts have said that's good. The reason that's good, the rationale for that is, the Courts have said, "Well, if the voters of a particular district have chosen a particular representative, they ought to get the chance to choose that same person again; they ought to get to keep choosing that person, if possible."

Maintain Communities of Interest. This is one that I think we're going to be talking a lot about tonight because this is where you all come in. You come in with respect to all of 'em but you're gonna be telling us about what you like and what you don't like in district maps, what you can live with, what you can't live with, why a particular district would work, why it wouldn't work. And all of this gets into what's the economy like, where do people shop, what are the politics like, what's the school district like, what's the geography like. And so you folks know much better than we do what it's like to live in southwest Arkansas and so that's why we're here tonight is to hear from you on those issues and what you think.

Finally, last but not least, minimize partisanship. The Supreme Court has said that it is possible to bring a lawsuit based on partisanship--i.e. the Democrats discriminated against the Republicans in drawing their district lines or vice versa depending on which state you're in. The Supreme Court has said that's possible to bring that lawsuit, but what they haven't done is told us what is and is not legal in that context so there's a great deal of uncertainty with respect to this. In short, it's best to minimize partisanship in drawing these districts.

What we're trying to do when we're drawing these maps is we're trying to hit all 10 of these bullet points starting back up here with one person, one vote, and going through to the last, we're trying to thread the needle on all of those, because to the extent we can do that, that means they're gonna be legal and it's going to be legally supported. One caveat, nothing is absolute in redistricting. I guess that's true in life. It's especially true in redistricting. The first one, one person, one vote, that probably comes the closest to an absolute. Even that could be violated. You could theoretically go outside of that if you had to. Now I don't anticipate that we will in Arkansas, but if you had what the Courts call a compelling state interest you might even could get outside of these variances, and that is so much more true

for all of these other bullet points down below. The answer is, and this sounds like a lawyer, but the answer is it depends. You know, have you complied with all these; well, it depends. And so you've got to have some context to answer that. Nevertheless, these 10 bullet points are what we're striving for, what the Board of Apportionment is striving for and what the staff of the board is striving for. By the way, if you don't already know, the Board of Apportionment is the Governor, the Secretary of State and the Attorney General. In 1936 the Arkansas Constitution was amended and it gave the authority to redraw the state districts to those three constitutional officers. Any questions about the law so far? Okay, having said that, we just looked at the bullet points, they're all on the website, you can go back and study those at your leisure.

A picture is worth a thousand words. These are our current House districts, and that's what we call a heat map. All of these districts in green, you know, the whole bottom half of the state and a lot of the eastern part of the state, all of these green--these are yellow, you can't really tell on the screen--all of the green have lost population relative to the rest of the state, especially relative to central Arkansas and northwest Arkansas. The white, as we speak today, are within that 10 percent variance and theoretically the borders

for those white districts wouldn't have to be moved, but as you'll soon see, all of the districts are probably gonna have to move because of this. And what I mean by that is, because these are under-populated, these are less than the target population of 29,159, they're outside of that 10 percent range, and so you've got to add more people to all of these districts and the only way to do that is to go out and grab them geographically, so all of these districts down here, they have to grow geographically. And you can imagine what that's gonna do to these other districts, it's this ripple effect. As the whole southern half of the state grows geographically, well that's gonna push all of the other district lines. That's the House map and here's the Senate map. Any questions about that?

UNIDENTIFIED SPEAKER: Same problem. Two primary growth areas and everything else is gonna slide around it.

MR. WOODSON: That's right. Here's the current Senate districts in Arkansas but it tells the same story. All of this green up here has to grow geographically to get to the target number, which for a Senate district there's 35 Senate seats in Arkansas so that means there's got to be 83,312 people ideally in each Senate district, plus or minus 5 percent. So having said that, let me see if I can get our Internet going here. One of the things we wanted to mention--oh, I'm getting ahead of myself. I wanted to show you a map drawing first and my map

software doesn't like the Internet. Let me turn this off. Before I forget, this software right here that I'm about to open, this ArcMap and there's another program called autoBound, that's what I have on this computer and in my office and that's what the staff of all three of the constitutional officers have, this is expensive software and we ultimately need it because ultimately we've got to fine tune the final maps that the board adopts because when we get done we've got to hand it over to the county clerks so that they can get the voters in the right precincts and candidates have to figure out, you know, which district they're in so that they can run, and the filing period is coming up March of next year so there's a lot of downstream things that have to happen. We've got this fancy expensive software that we have to have, but if you are interested in drawing your own map you can go to daves redistricting--I'm not sure what the--just google daves redistricting and you can draw your own maps and you can see, within five minutes of starting to draw maps you become acutely aware of all the problems that come with drawing these new maps.

UNIDENTIFIED SPEAKER: So how do we stand in this county for the legislators and the senators?

MR. WOODSON: That's what I'm about to--let's look at that. The red lines here are the existing House districts, this is

what we currently have. And what I've just opened is our map drawing program called autoBound. Okay, right here, let's just start right here on the western border of Texarkana, House District #1, again for House districts, it's the total population divided by 100, so that's 29,159. Currently House District 1 has 28,441 people. That's only 718 people below this 29,159, or -2.46 percent. That's good, see, cause it's green. Green is good. That means it's within that plus or minus 5 percent, that 10 percent overall range that we talked about just a minute ago. So in theory we could leave House District 1 alone.

Now let's go to the next district, House District 2. Right here, all of this green. Again, here's your target population, here's the actual population. It's down 11 percent, that means House District 2 has to grow by 3,300 people. So how do we do that? I want to give you a little demonstration because when we start talking about moving all these district lines in a minute this will make a lot more sense to you. See what I'm doing up here if you can see my mouse or my cursor, I'm going to assign people to District 2 and I'm going to assign by what the software calls a VTD. It's actually just a voting precinct. And there it is. All these little yellow rectangles and polygons, those are voting precincts. And what we do is, we go over here and say, "Okay,

I'm gonna put--this is District 2 so I'm gonna add, I'm gonna add some people." I'm just gonna go to the south and see what happens. Okay, you see the color changed? And up here we were down 11 percent, now we're just down 6 percent. We're still outside the 5 percent range, we need to add 1,800 more people, so just for demonstration purposes I'll grab another precinct. And see, we're taking from 4 right now; we're taking people out of 4 and putting it in 2. So now we're barely inside that 5 percent. We're low but we're within the plus or minus 5 percent and so theoretically we could stop there. Well, what happened to District 4? Well 4 is now down 20 percent. Now we've got to add almost 6,000 people to 4. Okay, so here we go. Now you start to see that you can start chasing yourself all over the state to find 6,000 people. Let me change our district here to 4 and I'm gonna grab a couple of precincts to the north and these numbers right here should change.

UNIDENTIFIED SPEAKER: What makes you decide what precincts to select?

MR. WOODSON: I'm sorry?

UNIDENTIFIED SPEAKER: What makes you decide what precincts to select?

MR. WOODSON: Well, I mean at first you just do rough drafts, but at the end of the day those 10 bullet points are what drives the decision. I'm finished with my little demonstration

but that's the perfect segue to what we're doing here tonight. We don't want to arbitrarily or randomly assign geography to certain districts, we want to figure out does it make sense to add a particular location to District 2, for example. What are the communities like, what's the economy like, what's the politics like--I mean, all of those are valid considerations and so that's why we're here. And the way I do it and I think the way the other staff do it in general terms is you try to grab locations that would make sense, make sense geographically, economically, socially, politically, and you say these are what--one of those bullet points was communities of interest, and that's a good shorthand. The best shorthand way to summarize all of it is what do people have in common. The hard part--now this is a little bit counterintuitive--the hard part is the House district. There's 100 House districts and so there's a lot more of 'em you've gotta get right, but they're smaller and so it's easier to get things that are in common. When you get to a Senate district and you gotta have 83,000 people and you start having to grab population, you've got to gather in vast areas of geography sometimes just to get 83,000 people and so sometimes the answer is you say "what do these people have in common" and it's not a good answer. You say, "well, they've got more than these people but they don't have a lot," so there's sort of this constant balancing going

on. Yes sir.

UNIDENTIFIED SPEAKER: You just grabbed like precincts and moved them over. Is that typically a voting precinct gonna be the smallest unit that you would move?

MR. WOODSON: No, a great question. That program we were looking at takes in the census data. The Census Bureau gives out their data and you can drill down all the way to what they call a block level and you can go in to literally a city block or a street and you can grab just real small areas--you know, you can grab one or two people here or there--so, yeah, you can get lower. You can assign at the county level by the voting precinct level or at the block level. As a practical matter it's real slow. The software chews and chews and chews when you get down to the block level because my understanding is it's doing exponentially larger calculations to change that spreadsheet that I showed you, but ultimately we'll have to and ultimately any plan that's adopted will be fine tuned like that. For purposes of discussion and purposes of tonight it's usually easier to start with a rough draft and say what do you think in broad strokes.

UNIDENTIFIED SPEAKER: So what you're saying, what it come down to, you got it all done, the Governor and who?

MR. WOODSON: The Attorney General and the Secretary of State, those three people--

UNIDENTIFIED SPEAKER: That's the ones gonna make the final choice?

MR. WOODSON: That's the Board of Apportionment, per the Constitution, and they will make the final choice on which map to adopt. And by law, once they adopt a plan and file it with the Secretary of State's office, it becomes effective 30 days later.

Let me see if we can get connected to the Internet here and I can go to the website. That's pretty much it, that's what I wanted to show you all about the law and the process of drawing maps so I'm ready to open it up to you all for discussion, questions, comments. You can sit where you are to ask or you can go to the microphones. We do have a court reporter, and if you would, please identify yourself if you have a question or comment because we're making a record. You don't have to if you don't want to but it helps us go back when we digest all this. There's gonna be a lot of information exchanged tonight and we can't do it on the fly but we're gonna go back and reread what was said. We have folks from the Governor's office here today, Secretary of State's office, Attorney General's office, and they're acutely interested in what you all have to say about these maps.

You notice in the lobby I put up there just for comparison purposes some of the maps that have been drawn and I can go to

the website here in a second and show you where all of the maps are that we have so far. Any questions? Any comments? Go ahead, Alan.

ALAN: Joe, one thing I might point out, if any of you do use today's (indiscernible) and you go on and draw your own map, you may be interested in the entire state or just the area you live in, but if you come up with something that you feel like that the board needs to look at, you can send that to our website that Joe's about to show you, you can attach that as a file and send that on in. I mean we will finish up with this autoBound technology but we all work with daves also, but if you have a map you think the board ought to take some interest in then send it in, we're looking for input.

MR. WOODSON: Just real quickly, just for orientation and I'll get to the maps, this is our website, arkansasredistricting.org, Arkansas Board of Apportionment. You know the home page is this little introduction, it talks about what we've already talked about, how you divide the population by 100 and then 35. There's the Governor, Secretary of State, Attorney General, links to their website. About the Process, that's the law we just talked about, about Article 8 of the Arkansas Constitution, the Voting Rights Act, the Fourteenth, Fifteenth Amendment, on down. If you go to the last bullet point down at the bottom, those are the same bullet

points I just covered with you all and you can go back and look at those in-depth. We've got an Events Calendar, if you all just really want to you can come to another meeting. We're having seven all together and this is the second of seven. We've got a lot of resources. You can go to the Census Bureau. You can go back and look at what happened 10 years ago right there and all of that record is there. We've got Public Comment documents. This is consistent with what Alan just said; you know I've already gotten in our office letters and maps and things like that, those are all posted there, and you are free to send that in for consideration. There's a Public Comment page, Message Board, Blog and a Email. You can go to the Census Data and you can go to the Maps. Here are the current maps, 2001 maps, and then you can go to draft maps, okay, Senate maps. These are not in progression. In other words May 2 is not a more recent version of May 1, that's just the way we chose to designate the different version. So May 1 is independent of May 2, May 2 is independent of May 3 et cetera. Here's one that is for the Senate, I think it's a little bit slow. Okay, there you go, then it pulls up those PDFs. So that's where we are. There's three versions that I put out on the website today for the Senate for southwest Arkansas. And the question really becomes--again, the red lines are the existing district lines. Here, Senate District

21, you can see that to get the right population on this version they had to go up outside of the district boundary into Senate District 20. The question tonight is where to put the lines, where to push out. And we're not here to sell you a map or tell you we've got it figured out, that's what we want to hear from you is, you know, what do you think, what have you seen that you don't like, what have you seen that you do like.

UNIDENTIFIED SPEAKER: Is ours gonna change any, you think?

MR. WOODSON: I'm sorry?

UNIDENTIFIED SPEAKER: What about, you know, our district here in Hempstead--

MR. WOODSON: Yeah, yeah, absolutely.

UNIDENTIFIED SPEAKER: --is that gonna change?

MR. WOODSON: That's a good question.

UNIDENTIFIED SPEAKER: That's what I'm interested in cause that's where I live.

MR. WOODSON: We are in 26, right?

UNIDENTIFIED SPEAKER: I don't know.

UNIDENTIFIED SPEAKER: Twenty-one.

UNIDENTIFIED SPEAKER: Twenty-one? He said we was in 21.

MR. WOODSON: Hope is in--

UNIDENTIFIED SPEAKER: Twenty-one.

UNIDENTIFIED SPEAKER: Twenty.

MR. WOODSON: Twenty? Okay. And, you know, 20 has gotta grow

by 10,000 people. Yeah, go ahead.

UNIDENTIFIED SPEAKER: Dave Phillips, I work at the college here. The maps that y'all have currently published, are they primarily currently coming out of like the House and the Senate, or citizens? In other words who all can submit maps?

MR. WOODSON: Anybody can submit maps and I've started posting all the maps that I get from citizens and from legislators, those are posted under our document section of the website. The maps that are drawn by me, the Board of Apportionment staff or by any of the other three, those go on our draft map section of the website.

DAVE PHILLIPS: Okay. A follow-up question to that. Any map submitted has to comply with all of these guidelines or as best as possible?

MR. WOODSON: I mean anybody could submit any map whether it hit those criteria or not. Ideally and what we hope for is that when the board finally adopts a map it will comply with most if not all of those bullet points in some way. But, no, we don't have any sort of prescreening process where we say we're gonna reject that because it doesn't hit the criteria.

DAVE PHILLIPS: There'll be an overall analysis to make sure they all meet as much of the criteria as possible?

MR. WOODSON: Exactly. There's gonna be a lot of eyes looking at this to see that we can do exactly that.

UNIDENTIFIED SPEAKER: You don't have one of these that has the county boundaries on it as an overlay?

MR. WOODSON: I--

UNIDENTIFIED SPEAKER: Cause I suspect that a lot of people are having a hard time to know where their county boundaries are.

MR. WOODSON: I certainly can. This software that we have is--let me see if I can find one without having to open the software again. Well, I think I put Little River and Sevier together on one of these versions. The blue, in this map the blue are the county boundaries.

UNIDENTIFIED SPEAKER: I can't see up there too well like I did the other one.

UNIDENTIFIED SPEAKER: So this is current?

MR. WOODSON: The red are the current district boundaries and this is a Senate map. This is one of the many versions that are out there about what they could--the different colors are what they could be. Twenty-one could look like this. And just for purposes of illustration it could look like that, it could run over into Magnolia all the way over to the edge of El Dorado. It could look like this, stay within its current boundaries and push up north a little bit towards DeQueen.

UNIDENTIFIED SPEAKER: Now did you say that that was ideal because it kept the same physical boundaries?

MR. WOODSON: That's one of the--I'm sorry, who ask that?

UNIDENTIFIED SPEAKER: (Raising hand.)

MR. WOODSON: Yeah, that's one of the criteria to the extent you can, if you can stay within your current district or deviate from it as little as possible that's good, the Courts like that. And all of this is sort of on this sliding scale continuum. Like I said, there's no real good absolute answers, but the more you can hit all of those bullet points the better, the stronger your plan is, the more defensible your plan is. Yes, sir.

UNIDENTIFIED SPEAKER: Will the board attempt to hedge against the growth and the shrinking in the various districts by adding some to the districts that appear to be losing population and having less and grow in those areas?

MR. WOODSON: That's a great question and there's been a lot of discussion about that. I don't know the ultimate answer to that. In my view we have a hard enough time grabbing the right population number and hitting the other bullet points that we've talked about, but if we can do all that and hedge, you know, that would be almost a miracle. But we're certainly aware, everyone's aware of it and there's discussion about it, but I don't know what weight the board would ultimately give to that.

UNIDENTIFIED SPEAKER: (Indiscernible comment.)

COURT REPORTER: I didn't hear that at all.

MR. WOODSON: I don't think he's gonna repeat it.

UNIDENTIFIED SPEAKER: Does your software, once you choose theoretical districts does your software do anything to evaluate the effects and the compliance with the bullet points at all--

MR. WOODSON: No.

UNIDENTIFIED SPEAKER: --or is that simply all a manual process?

MR. WOODSON: It's all manual, it's all human equation. There's one limited function where you can hit a button and the software will draw 35 Senate districts for you, but number one, it takes a tremendous amount of time for the software to do that but nobody trusts it. That's not what this software does. It doesn't evaluate the legalese of all of this, it just does the map on the spreadsheet but it's laid on top of a mapping program.

DAVE PHILLIPS: Dave Phillips again. Isn't one of your complicating factors here is that many of your districts are very large because they're thinly populated, but the areas that grew are primarily in and around Little Rock and Fayetteville where you're gonna have to get down to the block level to start moving to push population out from the center and the northwest corner of the state?

MR. WOODSON: Yeah, absolutely. You know there's this one

analogy I use was central Arkansas and northwest Arkansas are like these huge planets in the solar system and they have their own gravity and they're pulling everything else towards them, everything's stretching that way and it has to because that's the only way you can put more people in any given district.

Well like I said, none of us here that work with the offices or myself, we don't have an agenda to try to convince you that we got the right map; it's quite the contrary, we don't have the right map. We want to know what you like and what you don't like. If you're not ready tonight to comment on that, you know, go back and study the maps at your leisure, at home, at your office and, you know, follow-up with us, let us know, because we are extremely interested in that because you can't sit in an office in Little Rock and draw maps and then pretend to know that, "oh, well, I know this will work for southwest Arkansas," because we just don't know that. You know there's a lot of things that we think we do know that we have a good guess about, but if there's something that sticks out like a sore thumb, you know, you need to let us know, we want to know. Say, "no, hey, don't do that because"--and that happened last week in Jonesboro, we had several people get up and say, "You know, we need to stay in the eastern part of the county because we associate more with this district," or vice versa, "we need to go with the district that's to our west."

UNIDENTIFIED SPEAKER: I think that's what we need to do here, we need to stay close within our district and not get too far away.

UNIDENTIFIED SPEAKER: I have a comment. This is more regarding along the lines of the May 5th version of the plan. What's that district? What's the two districts in brown in the--

MR. WOODSON: May 5th House or Senate?

UNIDENTIFIED SPEAKER: May 5th Senate. May 5th Senate.

MR. WOODSON: Okay.

UNIDENTIFIED SPEAKER: I do think that plan is probably, I think it's a good close fit, but I think if you want to tweak it a little bit the only way I would tweak it is to include Little River County in District 21 and drop off Ouachita County. I would still add in part of southwest Hempstead County and add in southern and western Magnolia--what is that, Columbia County?--and still leave, with District 4 I would add in DeQueen just because, you know, you'd still keep Hope, Nashville, Pike County, Sevier County, Hempstead County together, but you'd still have like District 21 in southwest Arkansas, District 24 to include more of Ouachita County in with Union and Calhoun County and so forth, and you'd still keep Columbia County tied to Nevada County by adding in Clark County almost similar, almost similar to what you got now.

MR. WOODSON: Yeah. And here's the current. Okay, thank you.
DAVE PHILLIPS: Besides just raw population numbers, is there also a level to the map that shows the various types of business and industry, i.e. this is primarily a agriculture area but there may be some production companies? In other words does that also give you communities of interest? You know, if it's all agriculture keep agriculture together or if it's heavy industry that has kind of a different mission.
MR. WOODSON: That is a very strong consideration, is this Delta, is this row crop country, is this piney woods, is this, you know, the Ozarks. Is it metropolitan versus rural population, that factors in heavily, too. It's not explicitly listed like that in the criteria, for example, the communities of interest, that's what that's talking about, the core of the existing district, that's part of what that's talking about. And if you go back and reread all the court cases, those are the kinds of factually driven things they get in to, you know, what does the row crop country have in common with the piney woods country or, you know, on and on and on like that. But, yeah, that's something that all of us that are involved in drawing the maps are similarly interested in.
DAVE PHILLIPS: But there's not map layered data that would show that particular information that's available in these maps?

MR. WOODSON: No, I haven't seen any like that. It might be somewhere but not loaded in like data like the census data, for example. Yes sir.

UNIDENTIFIED SPEAKER: Does the Board of Apportionment currently have a map (indiscernible) their best effort of what you think would work to suggest or any of the three offices involved in developing this?

MR. WOODSON: No, we don't have a map to put out and say "we're leaning toward this one, what do you think?" I mean that's why we're going on the road to talk to y'all first and say, "Okay, what about it. What do you think works and what doesn't work." Now we've put a bunch of different versions out but we don't have the map, if you will, if that's what you're asking. Yes, ma'am.

UNIDENTIFIED SPEAKER: How will you identify the map and how long will it be available to the public for review?

MR. WOODSON: I don't know. It depends on how much and how voluminous, I guess, the feedback is from these public meetings, on the website, the e-mails and all that sort of thing. A target date, the last public meeting is scheduled to end three weeks before our target date to adopt a map, so my best guess is those last three or four weeks we'll start to see a map come out that looks like it might be a final map.

UNIDENTIFIED SPEAKER: But you can't say what time frame the

public will be able to view that map?

MR. WOODSON: Not specifically. My best guess is those last few weeks but, no, I don't know specifically.

UNIDENTIFIED SPEAKER: Joe, my name is Toby Stephens and I'm with Columbia County, (indiscernible) Columbia County. I think that you have job security, I don't think that anybody really wants your job--

MR. WOODSON: Thanks.

TOBY STEPHENS: --and I wouldn't want to ever have to do it. God bless you for putting up with the headache of it. As a citizen, I would like to ask you to keep them as close as possible to the existing districts with as much latitude as you can, and in the end I hope y'all sorta kind of come to that.

MR. WOODSON: Thank you for that. Ideally we would love to. The problem is most districts are gonna have to change because just look at any one of those heat maps we put up and there's been substantial population shifts. The population density is a lot different than it was 10 years ago and the law dictates that we're gonna have to--to get to that one person, one vote within that 10 percent range, a lot of boundaries are gonna have to move. And no one's gonna be happy with the final product, but I hope everyone will be satisfied. What I mean by that is, I don't think very few people are gonna get what they want exactly, but I think that we have a good shot at making

everyone satisfied that what we did was legal, it was fair, and there was common sense behind it; that we threaded the needle on those 10 bullet points that made sense. And so, you know, we're aware that no one's gonna get exactly what they want, but our goal is to hit all those points as best we can so that at the end of the day everybody says, "well, I don't like some things about the map but I understand why they did what they did," that's our ultimate goal.

UNIDENTIFIED SPEAKER: (Indiscernible) I'm the county clerk (indiscernible). This is my third time to redistrict, and from a practical standpoint to keep it as close as it is now (indiscernible). And there is one map that shows, keeps basically the same boundary lines. And I have to say the census map and let you know that this corner has lost population the last two years so I understand the growth pattern is necessary, but practically speaking from the voter and those involved in the election process, to keep those boundaries as close as they are would be very nice.

MR. WOODSON: And thank you for that. The county clerks and the other election officials, county board of election commissioners, y'all have a very difficult job yourselves putting people in the right districts and the right precincts and all that. You know another thing that you reminded me of, consistent again with those bullet points to the extent we can,

we want to keep the same districts, we want to keep the same boundaries so that people, you know, they know where they're at, they know what district they're in, that it's easily identifiable either by a road or a river or some geographic boundary, you know, we're going to strive to do all of that as best we can given the limitations.

DAVE PHILLIPS: The base fact is, change is inevitable cause you've got to redraw the lines, the current lines (indiscernible) is equal in this district.

MR. WOODSON: It's inevitable. Change is coming.

UNIDENTIFIED SPEAKER: Whether you like it or not.

MR. WOODSON: Whether we like it or not.

UNIDENTIFIED SPEAKER: I have a question regarding a JP district. Is the Board of Apportionment going to be available to Columbia County?

MR. WOODSON: I probably will be. That's not something that my board has addressed specifically but probably yes and I think the Secretary of State's office, I think they also are interested in helping the counties after we get done with the state Senate and House districts. And, you know, we want to put this software in these computers to good use. Here and then up here.

UNIDENTIFIED SPEAKER: Yeah, I have a question as to where one of the houses at. (Indiscernible) present day District 5

carries all the weight of Lewisville and present day District 4 carries over into Texarkana. How much of Texarkana is proposed to go into District 4?

MR. WOODSON: Well not any necessarily at this point. It's possible that that could happen. District 5 is another factor. It's one of the majority minority districts. We haven't talked much about that, which we mentioned Jeffers v. Clinton. The Supreme Court has said that under certain circumstances you probably need to keep or maintain the majority minority districts. That is an added difficulty because this is a rule of thumb that we use: for minority districts you have to have in Arkansas a black voting age population of about 55 percent, and so the black population in Arkansas has, just like the rest of the population, has changed in the last 10 years, and so you have to go out geographically to find certain densities of black population so that you can maintain a majority minority status, for example, District 5, House District 5, and that's something that I anticipate the board will continue to do. In other words I think the board will continue to maintain those majority minority districts with the plan that they adopt. I don't know that for sure but I think that's where we're headed. Yes, ma'am.

UNIDENTIFIED SPEAKER: As patriots we certainly appreciate what you are trying to do by bringing the citizens and bringing the

government to the citizens. But my question is this, and with everything that we're looking at and with people submitting maps, at what point is the system going to be inundated with useless maps and at what point will it be and how committed are you to keeping it clean with maps that are truly being considered?

MR. WOODSON: Well I appreciate your point. My first response to that is all of the maps are being considered and none of them are being considered. There's not any of these maps that I'm aware of that are being looked at in the sense that they're thinking--when I say they, the board is thinking, "okay, we're probably going to adopt X version." So I don't think they're there yet is my limited point with that. I think the board has chosen to wait and see what happens, what comes out of this public meeting process. Does that answer your question?

UNIDENTIFIED SPEAKER: Well, you know, we as citizens can submit maps, and as you move across the state and concerned citizens start looking at these districts and taking part and being active, you know, in this process, how many maps have been submitted to-date and how many meetings have you had? So, you know, to quantify that by how many meetings you have to go. So, you know, when we go to this and actively participate in the process and know what you're doing and down to, at what point how will you designate those possibilities on that site?

MR. WOODSON: There's a lot to respond to. We have seven meetings scheduled in terms of the quantifying, this is the second of seven. If you go to the Documents tab on the website you can see six to eight partial maps that have submitted to the board just from like legislators and people like that. There's half a dozen Senate and half a dozen House maps that are already posted on the website for your consideration, that's probably the best answer I can give you. All I can say is that my understanding is that the board is waiting to see. They are trying to process as best they can, as best as humanly possible, all this information and all this feedback to arrive at a map that they can feel comfortable adopting. I don't have specific dates when that map is going to come out.

I will say this, one thing occurred to me while you were asking your question: those bullet points are 99 percent of the law with regard to redistricting, so I think if you have a particular concern it would be more persuasive to me individually, I think, and to the other staff, and ultimately to the board if you can articulate your support or objection for any given plan based on those criteria. It's one thing just to jump up and say, "I don't like that map, it's no good, you know, it's never been that way" and then just stop. That's not very persuasive. If on the other hand you say, "Well, you know, this isn't a community of interest, these folks don't

have anything to do with these folks." "This is row crop country, this is piney woods country. You know, we've never had this geography in our district." If you can articulate and identify your concerns or your support in the context of those bullet points, that's gonna get my attention individually a lot more so than somebody just saying, "Well, I just don't like that map." So that's what we're trying to solicit. I know that I'm catching you cold tonight, y'all didn't know that before you came in here tonight that we're interested in those 10 bullet points, but that's part of the reason we're out here is to say we're accepting information, these are the criteria that we're bound by legally, so tell us, you know, if you see something you like or don't like. Yes, sir.

UNIDENTIFIED SPEAKER: Joe, with being county judge of Lafayette County and you live in southwest Arkansas, you know we're kind of handicapped in growth; we can't go south and we can't go west cause we can't jump state lines, so we're gonna have to go either north or northeast with the growth. And what we're doing is we're eliminating our reputation because we have to take in people above us so the center part is gonna get smaller while the bottom part is gonna be bigger than the rest of these districts. My input to this would be is, you know, and I said Lafayette County, you know. I hate to see it somewhat go up into Little River County farther than Sevier

County. But, you know, select areas of likeness. You know, I'm a row crop, you know, primarily row crop generally as a county. And then you get up above us very far there's no row crops, there's timberland. You go east there's no row crops. So, you know, try to, I think, try to select people alike us as far as, you know, areas. And don't make it so oblong where you got 80 mile from one side to the other. You would want it more rounded or whatever, I would think.

MR. WOODSON: Absolutely, yeah. And that's a good point. Sometimes, just to tag onto that, it's very difficult not to go 80 miles because especially those Senate districts you gotta go across the countryside to get, you know, 10,000 people.

UNIDENTIFIED SPEAKER: Jerry Pruett from here in Hope. One thing along that same line I don't understand is that you'll have a map and one of 'em has been published where above the district is suggested to almost be like a line going east and west. I don't know why the board wouldn't say, you know, "That's not a feasible map and just move it to the side." It's hard for us to comment on a map when we don't know what map to comment on. I mean if you want us to comment on geographic areas, that's one thing, but to say, okay, we've got 12 maps, comment on 'em and we're looking at one of 'em, how can you comment on all 12?

MR. WOODSON: Well, and I understand your point and I don't

have a good response for that. I know that they've sorta taken the opposite approach so far but they may start to rethink that if they start to see it that way. The maps that are out there now I think are designed just to solicit comments to say, "What if it looked like this? What if it looked like that?" I mean your point is well taken that it's just too much and you can't zero in on any one thing, but, you know, I work for the board, they don't work for me so, you know, that's the approach they've taken.

UNIDENTIFIED SPEAKER: Well, you don't want to waste the process, and you could very easily waste the process with this current setup with there being no deletion or, you know, highlight of what is being considered.

MR. WOODSON: And that's a fair point. When we started out we were thinking about it from a different perspective but that's a valid point and I understand it and I've heard it raised before, too. Yes, sir.

UNIDENTIFIED SPEAKER: Bill Knoll. I'm in agreement with what's been said back here about them going from east to west. That doesn't seem like it's illogical approach at all. Why would it be included to cause some of us to be nervous and it's being considered?

MR. WOODSON: Well I think to get some feedback, and we've heard some feedback that that's not gonna work and I think

that's why it's there. That's why, for example, I've drawn several of those maps that are up there and personally that's why I do multiple versions just to see what triggers discomfort and what doesn't, and so, you know, if y'all are saying let's don't go east to west, you know, that's good information to have.

UNIDENTIFIED SPEAKER: Yeah, let me just have this input on this. And, Dr. Knoll, I hate the map you talked about that Jerry's talking about, I've looked at it. I think certainly we here in Hope and Hempstead County could all come to an agreement that that's a ridiculous looking map. The problem that Joe and everybody in this process runs into, someone liked that map somewhere. I don't know who but it wasn't anyone from here but someone liked that map--I think that's the first one I saw. First of all let me thank you for being here--

MR. WOODSON: Thank you.

UNIDENTIFIED SPEAKER: --and appreciate you all having these meetings. I sat on a panel last week in Arkadelphia, Beauty is in the Eye of the Beholder, you know, what some people like others don't, and the task is difficult. But I think--I see Representative Steel back here, Senator Malone, Senator Teague, Representative Roebuck, and we get input from constituents and I think that's helpful in the process, along with this, and I would encourage those folks in here that have a common interest

or geographic interest to, whether it's southwest Arkansas or southeast Arkansas or wherever to get with those sitting House members and Senate members and let them know what the process is. And I know that we've all discussed it in Little Rock; I know I've discussed it with Nate and Senator Teague and Representative Roebuck and so on. But I think the process, there's gonna be hundreds if not thousands of maps, whatever the number is going to be. But I think as we fine tune this process going forward, you know, in your future meetings, I think there's going to be some clarity at some point. But somebody loved that map that we all despise down here and that just adds to the difficulty in this process.

MR. WOODSON: Thank you for that. And you've got to start somewhere and I think that's part of the difficulty is we started somewhere and we're letting this thing evolve as we go.

UNIDENTIFIED SPEAKER: Well, Joe, one thing, it's all built on population and unfortunately we lost population. I'm sitting at the bottom of the state. I can't go but one way and that's up.

MR. WOODSON: You're landlocked.

UNIDENTIFIED SPEAKER: And like it or don't like it, you know, it just depends on who's going to be my representative or what area, you know, with it. And that's everything down here. What you add to the bottom half, you know, you're gonna take

some from the next level and he's gonna go up. Everybody's gotta step up or step sideways. So, you know, whether you like it or not, whatever you end up with is what you're gonna have to live with, and I think unfortunately with it due to the fact we lost population and that drives the whole crank here is the population. And Little Rock, northwest Arkansas has grown; southwest Arkansas has lost. And we can't go south, we can't go into Louisiana, we can't into Texas, so we've got to go toward Little Rock.

MR. WOODSON: Yes, sir.

UNIDENTIFIED SPEAKER: When I was looking at the map (indiscernible), it's not anything against El Dorado but I'm just saying is that I'm from Magnolia and (indiscernible) to be tied to El Dorado because their concerns are different than ours. Magnolia's concern is Southern Arkansas University first and then natural resources second, and El Dorado it's natural resources first because, you know, just like Southern Arkansas University. So that's why one of my concerns is do not tie us to El Dorado because their interests is gonna be different than ours because, you know, a lot of people with Southern Arkansas feel that we end up getting the short end of the stick anyway, and so speaking just from Magnolia if we get tied in with El Dorado then we won't have no voice or we won't have a say in regards to Southern Arkansas University.

MR. WOODSON: Okay.

UNIDENTIFIED SPEAKER: So where are you suggesting going? West, where's there's like four or five other universities?

UNIDENTIFIED SPEAKER: Like I said, the current House and Senate districts I think are pretty good. I seen one that was close to something that I liked. Like earlier I said where I would shave off and add on. Like in District 5 I don't see any problem with taking District 5 to Lewisville. Current District 4, current District 4 you will have to add in parts of Texarkana which still gives Magnolia a hand up as far as having adequate growth (indiscernible). With Texarkana you still have Texarkana, a city by itself with its own district. No matter what happens you still have Texarkana with its own district so its interest isn't hurt. They're still gonna be a voice no matter what. But like I said with District 5, yeah, we do have a representative from Magnolia in that district now, but, you know, like I said earlier, we have to share the district with Camden. District 4 is the only district that is heavily Magnolia but it's not a majority Magnolia district; we have to share half of it with Lafayette and Miller County which is mostly rural, I get that, because we have a lot of people that are from Lafayette County that do business and shop in Magnolia so that makes sense.

MR. WOODSON: That's a valid concern and it's a common one

because everybody realizes that most districts are dominated by a certain population center and so in any given district if the population center changes then that district is probably gonna dominate who gets elected from there. So that's one of the things that we look at closely and want to gather in that sort of information. And that's one thing that we were aware of but I think that's a good concern, valid concern.

UNIDENTIFIED SPEAKER: And one other point, too, with regards to southwest Arkansas you've got Texarkana set to get probably two more interstates and so it's going to become a real big economic hub in southwest Arkansas in the very near future. And I think that, you know, with Magnolia--Hope already has an economy that's tied to Texarkana, and I think Magnolia in the future will have growing economic ties with Texarkana and I think that, like I said earlier, it still makes sense to include parts of Texarkana into current House district 4 and you still preserve that district.

UNIDENTIFIED SPEAKER: Well what's it's gonna have to be is you're gonna get something you ain't gonna like. You're gonna keep something but you're gonna lose something. You're gonna pick up something and you'll lose something, so you're gonna have to put all that equation in there. When they do this you're gonna get something you like, something you don't, but you're gonna keep something you want but you're gonna lose

something you like, but overall they're doing a good job and you're just gonna have to not have your mind set against it and thinking about that, cause there's gonna be a change, there's a change a coming.

UNIDENTIFIED SPEAKER: Yeah, cause I played around with it a couple of times and I drew a couple of maps. I went to the U.S. Census and I went on the census tract data, and it was tedious work and I understand what you guys are going through cause it was tedious work and it takes a lot of brainstorming. It took me a week to come up with (indiscernible).

MR. WOODSON: Well, do we have any other questions or comments? If not, we're dismissed. I appreciate you all coming.

WITNESS my hand and seal this 6th day of June 2011.

Martha S. Richerson

Martha S. Richerson
Certified Court Reporter
Certificate Number 567