

BEFORE THE
CALIFORNIA BUREAU OF STATE AUDITS (BSA)

In the matter of

Citizens Redistricting Commission (CRC)
Applicant Review Panel (ARP) Public Meeting

555 Capitol Mall, Suite 300
Sacramento, CA 95814

THURSDAY, AUGUST 12, 2010

9:15 A.M.

AM SESSION

Reported by:

Peter Petty

APPEARANCES

Members Present

Nasir Ahmadi, Chair

Mary Camacho, Vice Chair

Kerri Spano

Staff Present

Stephanie Ramirez-Ridgeway, Panel Counsel

Diane Hamel, Executive Secretary

Candidates

Manuela Albuquerque

Richard Thompson Ford

Carl J. Luna

Leland T. Saito

Ann Marie (Amber) Machamer

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1 PROCEEDINGS

2 MS. RAMIREZ-RIDGEWAY: Good morning. The hour
3 being 9:15. We have with us today Manuela Albuquerque.
4 She is here for her interview. She understands we will be
5 getting started right away.

6 Are you ready, Ms. Albuquerque?

7 MS. ALBUQUERQUE: Yes, I am. Thank you, counsel.

8 MS. RAMIREZ-RIDGEWAY: Please start the clock.

9 What specific skills do you believe a good
10 Commissioner should possess? Of those skills, which do
11 you possess? Which do you not possess and how will you
12 compensate for it? Is there anything in your life that
13 would prohibit or impair your ability to perform all of
14 the duties of a Commissioner?

15 MR. ALBUQUERQUE: Thank you. First of all, thank
16 you for inviting me to this interview. I feel very
17 honored, and I appreciate it. And all the staff work and
18 the transparency has been wonderful so far. So thank you.

19 I'll answer the last part of the question first,
20 which is there is nothing in my background that would
21 impede my ability to fully perform the duties of this
22 position, because as I explained in my application, I
23 retired from a very hectic job at the end of 2007. I have
24 lots of time to devote to this. I have a lot of passion
25 and enthusiasm for it. So that's not a problem.

1 Now I will turn to the specific skills part of
2 the first question. Obviously, there are many skills that
3 I won't be listing. I'll just be highlighting what I
4 think are the five most important ones. And before I
5 start going into them, I'll say quickly why I'll be saying
6 this. First thing I read in the L.A. Times that the time
7 line is such that you will pick the first November 18th,
8 then you'll be picking the other six some time after that
9 right when the Thanksgiving and the holidays. And you
10 need to be ready to hit the ground running on January 1st
11 to produce three maps by September 15th. And if
12 Proposition 20 passes, you have to produce four maps by
13 August 15th, which I have been reading all along all of
14 those provisions so I have been very concerned about not
15 being asleep at the wheel. Should I make it through this
16 process, you know, Thanksgiving after turkey I'm going,
17 oh, my God, I better get up to speed. So what I feel is
18 very important for Commissioners to do because, for
19 example, analytical ability is a key element of the
20 qualities to get on top of what these responsibilities
21 are.

22 Even though I'm a lawyer and very accustomed to
23 reading these documents quickly and absorbing them, I find
24 that I have to read and reread and each time I focus on
25 different things. So I think it's very important that

1 people have read and understood what their
2 responsibilities are.

3 So the first one is people should be studying and
4 doing their homework now. And I'd like to tell you how I
5 meet that requirement. I believe lawyers often live in
6 constant fear of malpractice. So I have been studying
7 hard, and I have read and reread the Voters First Act
8 many, many, many times. I carry it around every time I
9 have to refer to something. I have read Prop. 20 on the
10 November 2010 ballot. I know it would add Congressional
11 districts. So it would increase our responsibilities to
12 four maps and advance the deadline to August 15th.

13 I've also realized that Proposition 27 could
14 abolish us entirely, so I could have done all this work
15 and we won't exist. So that's a territory, so I'm
16 starting anyway.

17 I have read the transcripts and watched the
18 related videos involving presentations by Justin Levitt
19 and Kristen MacDonald of the NAACP, Karen McDonald and
20 Nicole Boyle of the Statewide Database and the Chair of
21 the San Diego Redistricting Commission.

22 I have read the Rose Institute's April 2010
23 report on redistricting. I will be continuing to expand
24 and deepen my understanding of all these laws and issues,
25 for example, by trying to understand better the four

1 pre-clearance five counties, Monterey, Merced, and Kings.
2 Since what maps we will prepare will have to be
3 pre-cleared by the Department of Justice.

4 Skill number two, I believe that you can read,
5 but if you don't understand what you're reading, then it's
6 pointless. So that's why analytical abilities is really
7 important, and that's why these presentations have been
8 very helpful, because, for example, I never really had any
9 experience under the Voters Rights Act before. So it's
10 helpful for me to understand Section 5.

11 So what I have understood now from reading all of
12 this is I mentioned already under the Voters First Act, we
13 have to produce three maps by September 15th, the Board of
14 Equalization, four districts, 40 State Senate districts,
15 80 Assembly districts.

16 I have already explained to you the impact of
17 what I found in Proposition 20. I also notice Proposition
18 20 fills one regulatory gap in that it defines communities
19 of interests, which is not defined in the Voters First
20 Right Act and therefore you would not have to adopt
21 regulations as some of the experts have recommended.

22 I notice that the Voters First Act requires that
23 you have to use 2010 census data. I notice that it
24 establishes a series of criteria in descending order of
25 priority. I notice that the first criterion requires that

1 the districts be reasonably equal in population, which is
2 derived from the equal protection clause of the U.S.
3 Constitution.

4 I recall Mr. Levitt saying that that means there
5 must be a 10 percent -- there cannot be more than a 10
6 percent difference between the most populated and least
7 populated districts.

8 I have noticed that the second criterion priority
9 is compliance with the Voting Rights Act, with which I was
10 not familiar. But I have spent a lot of time trying to
11 understand what all these various people -- the
12 presentations are saying. And I am probably going to do
13 more research.

14 What I understood is a distinction between
15 Section 2 and 5. Section 2 applies across the state. It
16 prohibits dilution of ethnic and racial voting blocks,
17 which you can do by either cracking and packing, splitting
18 the votes or putting them in one place so you can only
19 affect one district.

20 I understand that Section 5 is operation in four
21 counties: Merced, Kings, and Merced. And that means that
22 the whole -- all the maps will have to be pre-cleared, and
23 so we have to be very conscious of that.

24 I notice that the experts have given us advice or
25 given the Commission advice -- our advice on the

1 sequencing of the analysis and said don't start with
2 equalizing districts. Start with the Voting Rights
3 Section 2 implications. Look where the minorities and the
4 racial voting groups are so that you don't end up creating
5 districts and there is a violation.

6 I notice that they've urged us to start drawing
7 the smallest districts first. So start with the assembly
8 districts, because that is the only way to make sure that
9 you are not -- you're taking account of the communities of
10 interest and you're taking account of the voting rights
11 implications.

12 I notice that we may need to adopt a regulation
13 defining contiguity for islands.

14 I notice that they advise us that we should not
15 confuse the criterion of compactness with pretty shapes
16 and nice little blocks and that, in fact, we will actually
17 violate possibly the Voting Rights Acts. I thought the
18 example of the Chicago districts and the really strange
19 two districts where you both got the Latinos and the
20 African Americans, there was an elegant solution, but it
21 looked terrible on the map.

22 I notice examples of how if you follow
23 jurisdictional political boundaries, this could be a
24 problem. You're going to get irregular shapes, and I

25 notice the presentation.

7

1 So I found all this incredibly helpful, because
2 if I hadn't read any of that, I might have thought exactly
3 what they're telling you not to do.

4 And generally, they told us to not look for
5 pretty shapes. And I think, you know, as soon as they
6 said that, I realized I would be one of those people that
7 thinks something is gerrymandered because it looks funny.
8 So I quickly abandoned that prejudice.

9 The third skill I believe is that you must be
10 able to run -- unlike other Commissions, this Commission
11 is starting from the ground up. There is no organization.
12 There's no staff. There's no nothing. So you folks and
13 the Secretary of State staff providing some transition
14 assistance. So that means any Commissioner has to be
15 ready to develop a budget, to determine the proper mix of
16 staff and consultants, to adopt "clear criteria" for
17 hiring and removal, ensure at least counsel has extensive
18 experience in voting rights issues, enable establish
19 meeting rules for compliance with Bagley-Keene and the
20 Voters First Act, like the extra 14 days' notice
21 requirement, establish public notice and outreach
22 procedures, develop a sequence schedule to get the work
23 done on time, allowing for DOJ Department of Justice

24 pre-clearance review.

25 I believe I have these skills, because I have

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1 been the city attorney for the city of Berkeley which has
2 a \$200 million budget, and I managed my own budget of \$3
3 million, which coincidentally is the amount that the
4 Voters First Act establishes as a minimum to cover the
5 cost of redistricting incurred by the Board of Audits, the
6 Secretary of State, and the Redistricting Commission. So
7 these are numbers I'm very familiar with. I had to
8 monitor them all the time. I never ran over my budget.

9 Under the Berkeley charter, I was responsible for
10 overseeing contracting and providing advise and
11 representation on all city employment matters. I had
12 delegated authority to manage my department's staff of 14,
13 nine lawyers. And I was delegated authority to select
14 contract and terminate contracts with consultants. I
15 hired, disciplined, and fired staff at the final approve
16 of the city manager. I have written rules of procedure,
17 drafts contracts, and developed sequence schedules to
18 complete innumerable complex projects of the city. So I
19 think I have the skill that's -- a lot of my entire
20 professional career, that's what I've had to do for the
21 last 22.

22 Skill four: I think it's really important that

23 Commissioners listen well to each other, the public, the
24 Legislature, the staff. I say the Legislature not --
25 because although in some ways you may be perceived as evil

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1 here, the point is we're supposed to be coordinating with
2 them. They represent all these people all over the state,
3 so it's very important that we understand what everybody
4 has to say. Otherwise, we will do a rotten job. So we
5 must talk to the staff, the experts, the Commission
6 consultants, the public. And we must draw out the more
7 timorous or reserved members of the public or Commission.

8 I find that I believe this is a particular
9 strength of mine. In my 22 years as city attorney, I've
10 had to interact with the public with all different
11 backgrounds. Usually, when I'm interacting with them, I'm
12 having to deal with something complicated of a legal
13 nature. And I think I'm skilled at explaining things
14 simply to and drawing people out. When people often don't
15 know how to present their objection, they say something,
16 then I can try to translate that into what we're doing or
17 double check that.

18 So I think that this is very important whether
19 we're dealing with the Commission or we're dealing with
20 the public or whichever segments in the community have
21 something to say to us. Some of them will be skilled at

22 explaining it. Some will be not. So listening well is
23 very, very important.

24 Skill five: I think one has to develop ease with
25 redistricting software. I watched how it was all done.

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1 It doesn't seem intimidating. But I think even though the
2 staff will be doing this, it's not like 14 of us are going
3 to be running around doing our own little maps. I think
4 that would be chaos. But I think we need to understand it
5 well enough and be able to do it well enough to propose
6 some solutions that address, say, both community of
7 interest and not splitting ethnic minorities or something
8 like that. The voters didn't ask just experts to do this.
9 They asked 14 citizens to get on top of this. And I think
10 that's important.

11 I don't know how to do that. But in fact, I'm
12 going to ask staff where I can go to start looking at
13 this. I already been to the statewide database to get a
14 better idea. I'm ready to study that, but I don't know it
15 now.

16 MS. RAMIREZ-RIDGEWAY: We have about seven
17 minutes remaining.

18 Describe the circumstance from your personal
19 experience where you had to work with others to resolve a
20 conflict or difference of opinion. Please describe the

21 issue and explain your role in addressing and resolving
22 the conflict. If you are selected to serve on the
23 Citizen's Redistricting Commission, tell us how you would
24 resolve conflicts that may arise among the Commissioners.

25 MR. ALBUQUERQUE: The example I'll give you is a

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1 community group who gave us recommendations on regulation
2 of alcohol outlets. They made a big report. It was
3 referred to the staff. I was a lead department working
4 with the police and planning. We developed
5 recommendations.

6 I told my staff we must get the input of the
7 community group. We sent it out to them. They didn't
8 respond. We took it to the city council, as we already
9 wrote a draft report, and then the citizens came in with
10 comments. So I pulled the report, went back again to the
11 citizens, and then chaired a series of meetings which
12 started out antagonistic and then focused substantively,
13 okay, what do you want here? What do you need to have
14 done. At the end of it, we had a consensus report that
15 went back several months later. I think that's an
16 example.

17 And that was me insisting that we talk to these
18 people, being personally there, and trying to get them to
19 talk substance as opposed to there's the man and we are

20 suspicious of them, which sometimes citizens think of the
21 government as trying to push something down their throats.
22 So it's helpful if you're with them, with people, they can
23 see that you're listening. They can hear that you're
24 trying to come up with solutions. And once that dialogue
25 goes on for a period of time, I believe it's very helpful.

12

1 And this was an example in which I did that.

2 MS. RAMIREZ-RIDGEWAY: How will the Commission's
3 work impact the state? Which of these impacts will
4 improve the state the most? Is there any potential for
5 the Commission's work to harm the state? And if so, in
6 what ways?

7 MR. ALBUQUERQUE: Sorry. I just realized that
8 the prior question also had: What will I do, how would I
9 do this on the Commission? So it would be the same thing:
10 Listen, listen, talk. Sorry. I forgot that piece of the
11 question.

12 Back to this question. Question number three, I
13 think the impacts and benefits of redistricting is the
14 heart of our democracy is represented through government.
15 The constitutional right to elect representatives of our
16 choice include banning together with people of like
17 interest. And if this is -- many of these criteria are
18 exactly about that. The Voting Rights Act is about that.

19 The communities of interest is about that. So it will
20 give people a sense that connectively people who are --
21 have similar concerns are the ones who can affect who
22 they're being elected. So I think this gives people a
23 sense of a more vibrant democracy that they can actually
24 affect as opposed to being this lone voice.

25 I think that once you eliminate incumbency from

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1 redistricting criteria, you might get more competitive
2 districts and you might get less polarization. And I
3 think this would be very good.

4 Now, problems: That's if we fall down on the
5 job, we could create a lot of problems. The Commissioners
6 could all come here and I think I'm the Alameda County
7 representative. I just have to think about the things I
8 know. X has to think about the things they know. And it
9 becomes sort of some group of people advocating for their
10 own interest.

11 I feel very, very strongly that it has to be
12 communicated to people that it doesn't matter where you're
13 from, you must understand the entire state. You must
14 understand the whole landscape. So if we don't do that,
15 if you don't do the studying, if we don't look at
16 communities of interest, develop, for example, the data on
17 that -- and all of us are doing that -- then we could

18 cause a lot of problems and all the suspicions of the
19 Legislature and all the suspicions of the groups who feel
20 this could be undemocratic would have proved. We have a
21 tall order, and we should take it very seriously.

22 MS. RAMIREZ-RIDGEWAY: Describe a situation where
23 you've had to work as part of a group to achieve a common
24 goal. Tell us about the goal. Describe your role within
25 the group, and tell us how the group worked or did not

14

1 work collaboratively to achieve this goal. If you are
2 selected to serve on the Citizen's Redistricting
3 Commission, tell us what you would do to foster
4 collaboration among the Commissioners and ensure the
5 Commission meets its legal deadlines.

6 MR. ALBUQUERQUE: Okay. I'll give you an example
7 that I think is analogous to what one does on the
8 Commission, but may be not the same sort of outreach.

9 I was on the due process -- constitutional due
10 process requires certain fairness in administrative
11 hearings. And some cases started coming down -- a couple
12 of cases started coming down that started to impose very
13 peculiar and difficult and impossible to implement
14 requirements on the cities. There was generalized
15 consternation all throughout the state, and city attorneys
16 and everyone was really worried. We had done an academic

17 symposium. An academic committee I'm on had done this.
18 We wrote a lengthy paper on this. We had another panel.
19 We concluded we needed to figure out guidance to city
20 attorneys. I was on that Committee.

21 On the Committee -- it was in 2005. On the
22 Committee, there was two -- one point of view that took a
23 very sort of prescriptive let's have a model ordinance and
24 tell everybody to adopt this and do this. And we had --
25 we always have cities attorneys from all over the state

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1 representing different interests -- not different
2 interests, but different sizes. So we had one lawyer
3 from -- the city attorney from a solo office. He kept
4 pointing out to us all the problems with this prescriptive
5 approach.

6 So I basically have a grass roots view of
7 everything I do. So I said, look. We can't do this
8 unless you test it with city attorneys. We did. The city
9 attorneys didn't like this. We adopted an approach where
10 we criticized the law considerably and then we provided
11 guidelines, and we achieved both objectives. And many of
12 those things I identified.

13 MS. RAMIREZ-RIDGEWAY: The second part of that
14 question: If you're selected to serve, how will you
15 foster collaboration?

16 MR. ALBUQUERQUE: I think it's the same thing.
17 You have to listen. Each person is saying something. And
18 sometimes people think it's an either/or proposition, but
19 there's something else. There's usually multiple
20 alternatives, if you're listening. And I think everybody
21 was satisfied with what we came up with. Same thing.

22 MS. RAMIREZ-RIDGEWAY: We have just a few seconds
23 remaining. Shall we go ahead and extend time and ask the
24 fifth question?

25 MR. AHMADI: I think so.

16

1 MS. RAMIREZ-RIDGEWAY: A considerable amount of
2 the Commission's work will involve meeting with people
3 from all over California who come from very different
4 backgrounds and very different perspectives. If you are
5 selected to serve on the Commission, tell us about the
6 specific skills you possess that will make you effective
7 in interacting with the public.

8 MR. ALBUQUERQUE: Well, as I said, in my job, 22
9 years, endless public hearings, 3:00 in the morning, 4:00
10 in the morning, I've heard from all members of the public
11 on everything. I think it's really important. So I have
12 that skill.

13 I worked as a volunteer with the United Farm
14 Workers Union in its health plan. I worked with side by

15 side with a filipino farm worker. I still remember his
16 name. And I worked in the Union Service Center. So I
17 dealt with people -- I represented as a legal aid lawyer
18 the urban poor. I had all kinds of clients from all
19 different backgrounds. I had to talk to them and deal
20 with them.

21 I've created voters -- as you see from my
22 application, I've created voter registration programs
23 where I've actually gone out and registered people myself.
24 And the people were first time immigrants who had just
25 become citizens who I was registering or people who had

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1 been here a long time and citizens but were not engaged.

2 I created from the ground up a domestic violence
3 organization -- not a domestic organization; one that
4 combats domestic violence. We weren't like some vigilante
5 squad. And we took nine months, about the same amount of
6 time as this Commission. And it was rough. You know, I
7 was the only lawyer in the group, and it was a lot of
8 work. We had to educate ourselves on the whole problem of
9 domestic violence, what were we going to do. We had
10 hardly any money, how we're going to do this. Took us
11 nine months. We opened Narika, and it's still there.

12 So I think I had many different experiences
13 dealing with different kinds of people. And listen, deal

14 with people where they're coming from. Don't get hung up
15 with whether they understand something. Make them feel
16 like it's okay for them to talk. Encourage them. I
17 believe in that a lot. That's what my whole life is
18 about, is everyone gets to be heard.

19 MS. RAMIREZ-RIDGEWAY: Mr. Ahmadi, would you like
20 to begin your to minutes of questioning?

21 MR. AHMADI: Yes, thank you very much.

22 Good morning, Ms. Albuquerque.

23 You already answered a few of the questions I had
24 here based on the material I had reviewed. So let me get
25 to one of the questions. Part of the response that you

18

1 gave the question number one, if I heard you correctly,
2 you mentioned something about the starting the
3 redistricting work from the small districts. Did I hear
4 you correctly?

5 MR. ALBUQUERQUE: Yes. That's what I understood
6 the experts to recommend, the ones in your presentation.
7 The presentations to you. I went over all the transcripts
8 and they recommended -- I'm just educating myself based
9 upon the same materials that you had. And I understood --
10 I think both the -- I think the NC Fund presentation to
11 say that if you start at too large a scale, you're going
12 to miss splitting the communities of interest or the

13 voting blocks. So start at the smallest districts and
14 then go up. That's what I heard their recommendation is.
15 Maybe somebody else would have a different recommendation.
16 But that's what I was saying I learned from that
17 recommendation.

18 MR. AHMADI: Okay. Thank you for clarification.

19 But let me just ask you, do you have any -- I
20 know it's new for all of us and you probably haven't had a
21 chance to look at that detail. But do you have any ideas
22 about where to start should you be selected as a
23 Commissioner?

24 MR. ALBUQUERQUE: Well, I have lots of questions
25 in my mind. And I have a lot of humility about the fact

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1 I've done this before. So I don't like to start saying
2 here's my ten-point plan for doing this.

3 So, for example, I had a question that I haven't
4 seen addressed in any of the comments or presentations
5 that I have looked at. I may not have looked at
6 everything. I was thinking about the fact that one way
7 you could come at this is as though it's a blank slate,
8 you know. When we talk about money, we talk zero budget,
9 zero base budgeting. But this is what I was thinking.
10 I'm thinking about those people all over California and
11 I'm thinking they have already organized themselves this

12 way. They have relationships with different people who
13 represent them. And you know, what are you ---well, we
14 have some great communities of interest that we put in
15 here. We have to be careful about the existing landscape
16 and what the impact on citizens already who are organized
17 and doing things. So I hadn't heard anybody address that.
18 And I just wanted -- it's more that I had many more
19 questions about how we go about doing it.

20 So one of the things I was thinking is maybe we
21 start looking at the districts the way they are. We start
22 looking at what does the data show in terms of how many
23 districts are out. Then we start applying -- I'm just
24 doing this right now off the top of my head.

25 MR. AHMADI: I understand.

20

1 MR. ALBUQUERQUE: Please let me stress again the
2 humility part, okay. I want to hear -- if I were on the
3 Commission, I want to hear from the other 13 people and
4 all the public, because this could be totally wrong.

5 As I was trying to reason, I thought I get this
6 number. We look at what districts have changed. And then
7 we start looking at the Section 2 criteria, what's going
8 on. What's the effect on the four pre-clearance counties?
9 Okay. Say there's no problem with any of those with the
10 current districts. No problem with -- what, for example,

11 I heard -- I'm trying to think who was, which one of the
12 presentations. It could have been the NAACP person who
13 talked about coalition voting, that even if it's not a
14 strict Section 2 violation because there's not 50 percent
15 of somebody, but if the voting patterns are such that the
16 Latinos and the Filipinos vote together or something like
17 that and somebody votes together, and together they
18 constitute 50 percent that can drill it down to another
19 level of specificity. So I probably want to look at that
20 personally.

21 I feel that's important -- it's not about
22 complying with the law. It's all about empowering voters
23 to be able to band with one another. I want to look at
24 that and see what that impact is.

25 I would suggest maybe that would suggest there's

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1 a problem there, we've got there. But they're not
2 addressIng these new populations that I hear and the
3 changes in these populations. So I want to look at that.

4 And then that would give you -- then I was
5 thinking, I wish I could get -- this is my fantasy map.
6 It looks like this. It has a topographical map and it has
7 all the rivers and mountains, everything. It has the
8 districts imposed on top of it. It has these populations
9 imposed on it. I think we have to get data on the

10 communities of interest. That's what I heard. At the
11 local level, there's not data. There's some data from Los
12 Angeles. I have some thoughts about how this could be
13 done getting information from all the cities about whether
14 they have already identified either because they have
15 districts or anything else, community groups, or whatever
16 already function somewhere. So I would have that map.
17 You know, get that data. I'd like to look at all that.

18 And some of these things are going to conflict
19 with one another. I'd like to know -- somebody was
20 talking about the communities of interest, it's not
21 defined currently, but if 20 passed is economic, cultural,
22 all these commonalities.

23 Suppose everybody is interested in a dam or
24 something like that. And water, that could be an issue.
25 So special districts in California, water districts,

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1 things like that, we might want to know what do those
2 boundaries look like.

3 So I just feel like there is a lot of analysis to
4 do. And exactly what the right adjustments is will depend
5 on whether some of these are conflicting values, some of
6 them like, for example, the political -- you know, the Act
7 says do this, unless it's going to mess up something else.
8 So you'd have to see whether some of the criteria are --

9 come to different conclusions and how do you weigh that.
10 That's a process I would go through to get there.

11 MR. AHMADI: Thank you so much.

12 Looking back at your application, you mentioned
13 or state something about one reason that you became an
14 attorney was because you believed that the law could be an
15 instrument of social and economic inclusion. What
16 individuals or groups do you believe have been excluded
17 socially or economically?

18 MR. ALBUQUERQUE: Well, you know, just the
19 history of the United States or the history of California
20 is Native Americans. You can go just go through it.

21 And one time I mentioned here I did a program on
22 the elimination of bias for city attorneys. And I did a
23 lot of -- I read a lot about the history of California.
24 And the reality is pretty much everybody who's here, you
25 can look at anybody's ethnic group. Some other group was

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1 discriminating against them, and then somebody else came
2 in and they were saying, you know, all these racial
3 epithets and things about drunks or they're dumb or
4 they're lazy or whatever. I discovered that that kind of
5 treatment and that kind of suspicion has been part of the
6 whole history of the culture of the state.

7 At different times, different people have been

8 excluded or disenfranchised. And some of those people can
9 become the power brokers, and now some new group is
10 getting disenfranchised. So I think the Voting Rights Act
11 that -- I came to this country in 1970 and I -- many, many
12 laws. When I first came here, I would not have been able
13 to practice law just one -- because I was a resident alien
14 and I was not a citizen.

15 And so the laws have all changed sort of in my
16 adult life and that's what I believe in that. I believe
17 in including more and more people. And they don't have to
18 be ethnic minorities. They can be poor working class
19 whites, you know. And the minorities could be the upper
20 class in that area. There are very well-to-do Indians in
21 Fremont you know. But they're also people who are not
22 working class driving cabs or Ethiopians driving cabs.
23 You have to understand all of that. So you have to make
24 sure that everyone, you know, gets to -- that the
25 United States has a vision -- you know, send me everybody

24

1 from all your countries and we will include everyone. And
2 you know, I guess I'm one of those immigrants. I believe
3 all that, you know. Maybe Americans here, they become
4 cynical. I'm not. I was excited about it. Before I ever
5 came here, I wanted to work for the UFW in Delano. I just
6 believe in all of those things, and I want to make a

7 difference like that.

8 MR. AHMADI: Thanks again.

9 So should you be selected as a Commissioner, how
10 would you apply that principle within the Parameters of
11 the Voters First Act?

12 MR. ALBUQUERQUE: Well I think the Voters First
13 Act is mandating we do that. It says you must be
14 conscious of the diversity of the state in every way,
15 geographic, you know, some ethnically, in a variety of
16 different ways. So we must do that. It's an actual
17 mandate.

18 And some of the things I was telling you about,
19 getting this information, for example -- the Earl Warren
20 Institute did talk about that, but the statewide database
21 explained they're going to be analyzing all the
22 registration patterns and all that and giving us an idea
23 who are these people and where are they. I looked at the
24 Earl Warren Institute maps. And since I was in the San
25 Joaquin Valley, you know, 30 years ago, I was very

25

1 interested in that. You have the Asian farm workers right
2 there. Newer classes of different Asians.

3 I mean, Indians historically were called rag
4 heads, and they worked in the fields, you know. Rag heads
5 talking about the people who wear sikhs. They were called

6 rag heads. So they were the farm workers. Filipinos have
7 been the farm workers. All different kinds of people are
8 there. So you have to first understand who's there and
9 what are they doing. And we are going to get some data
10 through the voting patterns. Some of the analysis by the
11 Earl Warren Institute.

12 Whatever we can get, I want to understand that.
13 I want to know who are the community groups out there.
14 What can they tell us? And they may not be the ones who
15 are expert in redistricting. You have to get way down I
16 think. So how do you identify those people? How do you
17 identify where they are? What their concerns are? This
18 is something I'll be giving a lot of thought to and trying
19 to figure this out, you know.

20 MR. AHMADI: So any ideas how would you go about
21 identifying --

22 MR. ALBUQUERQUE: Well, one of the things I was
23 thinking is the one thing I know a lot about is cities.
24 And I have worked beyond my own city around the state.

25 So I think cities are a source of a lot of

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1 information. You can go to them. You can reach people
2 through there. You can go through the local elected
3 officials. You can find out what the community groups
4 are. You could maybe use the Institute for Local

5 Government at -- maybe contract with them to do some of
6 this work, which is a nonprofit arm of the -- separate
7 foundation of the League of California Cities; counties
8 and cities. That's -- since this is something that we
9 have to look at anyway and that's where some of that
10 information is going, I think the different ethnic
11 organizations may have contacts at the very grass roots
12 level that can say, you know, the Lao community X, Y, Z
13 group might be able to tell us something about what's
14 going on there. I think we have to look in a very
15 sophisticated way to all these sources to find out how do
16 we find those people? How do we go there? How do we talk
17 to them? How do we set up things in city council
18 chambers? How do we get out there to talk to people where
19 they are. It could be in hiring halls.

20 I used to work in the UFW in Delano. Forty acres
21 we used to call it. Should we ask the UFW tell me --
22 explain to us who are your farm workers and what's the
23 best way to get ahold of them. I don't know. We have to
24 include everyone who knows something to tell us that.

25 MR. AHMADI: Thank you again.

27

1 In response to standard question number three, if
2 I heard you correctly, you mentioned something about that
3 the diversity of the Commission itself.

4 MR. ALBUQUERQUE: Standard question number three.
5 Okay.

6 MR. AHMADI: So I just have a follow-up question.
7 Just to make sure it's clear in my mind.

8 MR. ALBUQUERQUE: Yes, thank you.

9 MR. AHMADI: So to what degree do you think that
10 the diversity of the Commission itself would cause a
11 problem?

12 MR. ALBUQUERQUE: Oh, no.

13 MR. AHMADI: How would you handle if there is a
14 disagreement?

15 MR. ALBUQUERQUE: You mean ethnic diversity or --
16 well, there's diversity of various kinds. There's
17 diversity. There could be class diversity. There could
18 be professional diversity. There could be ethnic
19 diversity. There could be the old north/south divide
20 diversity. There's the urban/rural diversity.

21 The way I see that is you can -- it's the -- this
22 is you when asked what are the problems the Commission
23 could cause. If you start thinking of yourself as a
24 representative of whatever diversity you represent and
25 each of the people of the Commission start looking at

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1 themselves that way, that is going to be a big problem.

2 That is wrong I believe.

3 What I think the diversity is designed to do,
4 it's designed to create as much different type of
5 expertise, different type of lenses, looking at it so
6 that -- sometimes I say to my husband between the two of
7 us we have a full brain. I'm missing something and he's
8 got it. He's missing something; I'm getting something.
9 Between the 14 of us, we could have a full brain that we
10 could not have.

11 Very often, a group process with lots of
12 different skills is not just -- what comes out is not just
13 the sum of the parts, you know. That interaction creates
14 something much better than what any one of those people
15 could do. And so that's what I think is great about the
16 diversity. And that's what -- I was thinking about like,
17 you know, there's some process stuff that we might want to
18 bring in somebody -- I was thinking of asking the
19 Secretary of State what they are thinking of doing. I'm
20 sort of worried that the Secretary of State will just be
21 telling us various things to do, and I want to make sure
22 that certain things we need right at the beginning to
23 connect with one another, to have respect for one another,
24 to see each other as a tremendous resource, like some of
25 the people on the -- someone is a tremendous -- great at

1 computers and databases and whatnot. Somebody else has

2 some other kind of background. Somebody else did some
3 plan with parents in some schools to reach them. Everyone
4 is going to have different skills. And I want the benefit
5 of that. So I think if we all look at it like that, it's
6 going to make a huge difference. And we could do a great
7 job if we all take it seriously.

8 MR. AHMADI: Thank you again.

9 When you worked on the city of Berkeley
10 redistricting, you followed the city charter. And the
11 main focus was equal population and redistricting. What
12 other factors did you have to consider or follow?

13 MR. ALBUQUERQUE: Well, you know, I would say
14 that it was a very -- unlike this, which is a much more
15 complex process, the city charter already mandated exactly
16 what could be done, and it was very narrow. But even
17 though it was very narrow, it was very confusing. That's
18 why that citizen wrote to me people proposing to move this
19 here and do this. That's the thing where I was trying to
20 explain this is how it all works.

21 The charter already mandated -- the districts
22 were adopted. We went from at-large to district election
23 by charter -- initiative charter amendment. So the
24 citizens wanted to make sure that the elected officials
25 didn't gerrymander for their own benefit. So they said

1 try to respect the boundaries that are already there to
2 the greatest extent feasible.

3 And then there were questions as they were moving
4 things as to what constituted equality. And even though
5 for equal protection purposes reasonably equal might give
6 you a ten percent deviation, my opinion was that you
7 needed to vary as little as possible under the city
8 charter. You should try to maintain as close as possible
9 equality. This also meant it was much more difficult to
10 manipulate the boundaries.

11 Now, what happened in that case, even though it
12 was consistent with the charter, there was a political
13 fight on what the council adopted, because they moved
14 certain student populations in a district that otherwise
15 wouldn't -- to make that one more competitive. There was
16 a referendum the council had to go back to the drawing
17 board and they didn't do that and it passed and nobody
18 challenged it. It was a much more simple redistricting
19 process. Nothing close to -- I never had to consider
20 Section 2 and Section 5. We weren't -- had any kind of
21 history of discrimination with district elections.
22 There's no problem about dilution. We had districts that
23 maximized ethnic minorities in the district. So I never
24 had to deal with any of those issues. And the charter
25 itself was very constricting.

1 MR. AHMADI: How much time do I have left? I'll
2 stop here.

3 MS. RAMIREZ-RIDGEWAY: Ms. Camacho.

4 MS. CAMACHO: Hello, Ms. Albuquerque. I was
5 concerned I wasn't going to say it right.

6 You suggested that one should judge each public
7 comment on its merits. Could you elaborate on that
8 statement?

9 MR. ALBUQUERQUE: Well, sometimes sort of -- I
10 hope you won't consider this to be too flip. I have said
11 to people even paranoids have real enemies. Okay. So
12 just because somebody might have said something absurd 20
13 times before, this 21st time, you have to listen because
14 they might be saying something important. So you must
15 never treat anyone like, oh, well, discount anyone who is
16 speaking. You judge what that person is saying in the
17 context of what you are dealing with.

18 And I -- you know, I didn't go around telling my
19 council even paranoids have real enemies. But I would say
20 that to people who were dismissive. We had some
21 interesting people who would come and speak at public
22 comment or at public hearings and who might had some
23 trouble. I was saying even those people must be
24 respected.

25 So the point is, whoever is speaking, whatever

1 they're saying, you need to listen. You need to hear it.
2 And I've had people from all kinds of backgrounds say
3 something that was incredibly useful to me in all the time
4 that I was at the city. If that person could have been a
5 garbage collector and he would have said something and I'd
6 go, that's a good point.

7 So that's my point is that it's very important
8 when you get public input to listen to every single person
9 whether they're organized or not. Whether they've
10 criticized the Commission in the past or not, whether they
11 seem to be gad flies or not. Because that day, they might
12 be saying something that's really important and you must
13 listen.

14 MS. CAMACHO: Okay. And then kind of taking that
15 and what you stated about listening to the Legislature
16 also because they have concerns, how would you look at
17 what they tell you and determine if it has merit and it's
18 unbiased?

19 MR. ALBUQUERQUE: Well, I think some people judge
20 other people by whether they think they have a hidden
21 agenda or not. I judge people based upon what they're
22 actually saying. They could say it because they want to
23 be the king of Transylvania. I don't care if they're
24 saying something that makes no sense, it's important.

25 So one of the things that I notice -- I was

1 trying to go into the history of the Voters First Act, and
2 I noticed that various groups have been critical, and all
3 through this process they've been critical. And there is
4 a measure on the ballot to repeal it. I was thinking,
5 okay. Are what are they worried about? What's the
6 legitimate things they might be worried about? Protection
7 of incumbency. I'm not going to worry about that, because
8 that's -- I'm not going to consider protection of
9 incumbency. I don't believe in that. And it's
10 specifically forbidden.

11 But what beyond the things that are not allowed
12 might they legitimately be saying something about? And we
13 are, in any case, required to coordinate hearings under
14 the Act. The Commission is supposed to coordinate
15 hearings with the Legislature on this. 20 passes, they're
16 doing the Congressional redistricting. They're going to
17 have to provide the database.

18 I've read various criticisms about how -- who are
19 these 14 unelected, you know, unaccountable -- who knows
20 who they are. And I appreciate that, because I'm also a
21 small D Democrat. Like how am I going to hold these
22 people -- how would somebody hold me accountable? How do
23 I make sure that I'm not off in some ivory tower if I'm on
24 this.

25 So that's -- these people who are elected,

1 they're not bad people. They're people who are elected.
2 They serve. They've been elected. Their constituents
3 felt they're important. I want to know what are they
4 worried that we might do that's bad. Tell me. What do
5 you think? I want to know what everyone thinks that might
6 be bad and what things they want us to do that would be
7 good. I want to know that spectrum, because just like
8 when I read all these reports, there's certain things I
9 wouldn't have thought of that I might do that was bad.
10 And I got educated by reading all this these materials.
11 So I want to hear that.

12 I want to set up some sort of process where
13 people can come in, including the Legislature. And the
14 only way we can deal with public input is at public
15 hearings. It's like, okay, come on over. Tell us what
16 you think we should be doing and shouldn't be doing. So I
17 want to make sure that irrespective of whether the Voters
18 First Act was suspicious of you guys doing redistricting,
19 you know, we're not writing you off because of that. We
20 want to hear from you. We're not going to hear anything
21 about protection of incumbency, but we'd like to hear
22 about the other criteria. You have expertise. You
23 represent a district. You might know stuff we need to
24 know.

25 MS. CAMACHO: And kind of like what you brought

1 up, getting this information from these various people,
2 would that only be in public hearings or would you be
3 taking any comments? Like since the Legislators are very
4 busy, would you take them at various other times?

5 MR. ALBUQUERQUE: Well, when I read this Act, I
6 had a legal question myself, which was it seemed to say
7 that you can't get any input except at public hearings.
8 And you know, what I find is every time I read this, I see
9 something new or come to something different. So let me
10 just say as a caveat there may be more there that I was
11 missing.

12 And I looked, for example, at one of the
13 regulations you just finalized -- the Board of Audits
14 finalized about the process for the eight picking the six.
15 I was reading that regulation. And I was noticing that it
16 allows for written comment which you can then post. But
17 it doesn't allow -- it doesn't say -- it says that you can
18 do certain things at a public hearing or you can submit a
19 written public comment.

20 So I had that question, which is I think it would
21 be really bad if we could never take written public
22 comment that we could post anywhere, because not everyone
23 can show up somewhere and say something. But I wanted to
24 look more closely at that and get some advise as to what

25 people thought that meant.

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1 But you know, the safest thing would be to make
2 them all come to a hearing, submit anything in connection
3 with a hearing, and give their comments at a hearing so
4 everyone can see. And the video is there. And there's no
5 like skullduggery behind closed doors.

6 I do think written testimony that is posted has
7 the same effect. I was a little worried about the whether
8 the Act even permitted that. But I see at least your
9 council must have concluded that that is not the case at
10 this stage of the eight picking the six. So I just had
11 that legal question in my mind.

12 But definitely we can get public testimony at a
13 public hearing. And I would definitely want to do that
14 anyway in addition to what we might want to also get
15 written comment.

16 MS. CAMACHO: Okay. Thank you.

17 You co-founded an organization that you were
18 discussing to combat domestic violence. What did you
19 accomplish? And also, what did you learn from that
20 experience that would help you as a Commissioner?

21 MR. ALBUQUERQUE: I think what we accomplished is
22 we created a place for immigrant women who are very -- are
23 dealing with the most traumatic thing that can happen in a

24 family, which is a person that you should be able to rely
25 on who's your family is actually beating you.

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1 And whereas, this is very traumatic for anyone,
2 it's particularly traumatic for immigrant women who might
3 be coming here because their husbands have a job or
4 something. And they may have language problems. The
5 culture is completely alien. They don't know how to
6 access any services, any of that. So that was a reason we
7 established it.

8 And we made a big difference. I'm not in these
9 kinds of things -- I'm not a person who is interested in
10 numbers. I felt that if one woman is not getting beat up
11 anymore and has someplace to go, that's good enough for
12 me. You know?

13 So that's what we did. We took what I would call
14 in Hindi -- like a mother/daughter is the translation sort
15 of approach. Like peer, like -- not I'm better than you
16 and I'm coming down to help you, but they're -- but for
17 the grace of God go I. We're going to be there like your
18 substitute family helping you figure out what to do and
19 providing you support and making you feel that you're not
20 the crazy person. You don't have to tolerate this. And
21 it might a big difference.

22 We dealt -- one of the people we dealt with and

23 we helped didn't speak any English at all. Was completely
24 isolated. And then some friend of hers at a mosque told
25 her about our ads in the South Asian newspapers and she

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1 called us. And we helped and got her out. We had an
2 Indian hotel owner first take care of her. She was eating
3 with them. Turned out she was from the same region. So
4 they were very welcoming. And we helped that woman. She
5 got a job and got English skills. And then she was
6 working with some other woman who was -- young woman who
7 had just come to marry some guy she was working with. And
8 she said, "Look, if he pulls anything on you, we'll call
9 up Narika and they'll help you." So here was this woman
10 who was a victim who was so empowered she was helping
11 other women. I thought that was such a great story.

12 We used to do support groups. And I talk to
13 these women. And sometimes it was just knowing someone --
14 like this one woman, we didn't have to get her a lawyer.
15 We didn't have to do anything. She was actually fairly
16 competent, but I spoke to her every single week for a year
17 for an hour or more at a time. And it was just that
18 presence of someone who cares about you, who can validate
19 what you're saying. So I think it -- I thought it made a
20 big difference.

21 I'm not on the Board and I'm not on the phone

22 calls and doing all those things anymore. I think it's
23 made a big difference to many womens' lives.

24 What I learn -- sorry. I thought that would be
25 helpful in the Commission. I think working with different

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1 kinds of people, you know. First of all, working with the
2 people to put it together. It was really hard work. All
3 these quirks when you're working like that and you get on
4 each other's nerves. So there is a lot of things about
5 just working with other people and continuing to go
6 through it, even if there's some rough times along the
7 way.

8 And we did this because we thought we were doing
9 something for other people. But we bonded together and it
10 was a very important experience for us. So I think
11 learning how to work with other people, different kinds of
12 people, that was useful.

13 Secondly, I think the work working with the women
14 themselves is useful because, again, it's reaching those
15 people who often don't have a voice. And this Commission
16 has got to make sure that we are talking to people who
17 might not have a voice. Make sure all those voices are
18 heard. So I think that would be useful.

19 MS. CAMACHO: Thank you.

20 Nasir kind of brought up and asked you some

21 questions about your involvement with the Berkeley's 2000
22 city's redistricting. From listening to you, you really
23 didn't have that much involvement with the Voting Rights
24 Act. Was it just because it was not one of the four
25 counties? Is that why?

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1 MR. ALBUQUERQUE: Under the Voting Rights Act
2 Section 5 deals with pre-clearance families. Section 2
3 has to do with either diluting voter ethnic or racial
4 voter blocks by either splitting or packing. That was
5 simply factually not an issue and no one
6 contended there was any kind of problem
7 with packing or any of that in our districts. I was
8 adjusting boundaries in a very slight way that had no
9 impact at all on that.

10 My legal advise had to do with the constitutional
11 requirements under the First Amendment under the -- none
12 of the changes that anyone was considering to deal with
13 proportionality had any such affect. So I didn't have to
14 worry about that. We didn't have to worry about that,
15 because the charter said move them only slightly to get
16 equality.

17 So that's why it just was not an issue. Nobody
18 argued that was an issue. We've never had any Section 2
19 problems in Berkeley.

20 MS. CAMACHO: Do you feel that the individual,
21 the voters, and the people within Berkeley are fairly
22 represented based on all their communities of interest and
23 population?

24 MR. ALBUQUERQUE: Very often, people believe that
25 it's the most representative to go from an at-large to a

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1 district, because then you can combine -- the communities
2 of interest are the district. Okay. That was the essence
3 of the citizen's charter amendment that was passed to go
4 from at-large to districts.

5 Now, at the time -- understand that my role as a
6 city attorney at that point was once a charter amendment
7 passes, that's the law of the city of Berkeley. And my
8 job is not to pick it apart. It's to defend it. And even
9 if there is some -- sorry -- even if there's some problem
10 with it, the only argument that I heard made during the
11 election debates is that with an at-large system, the main
12 ethnic group at the time -- and although our African
13 American population has now decreased a lot -- was the
14 African American population. There was a certain number
15 of Latinos, but it was not in any kind of large block like
16 that.

17 We had an African American mayor. We had African
18 American council members. I think there was some concern

19 that it would be much more difficult for that group of
20 people to affect as many seats across the city if they
21 went to a district. On the other hand, at least two of
22 the districts have a large proportion of African Americans
23 and ethnic minorities, and they have regularly voted in at
24 least two -- each of them has returned, African American
25 council members.

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1 So I think probably the people who are making
2 that argument considered whether or not to challenge it at
3 that time and realized they couldn't make the case,
4 because really, the districts actually increased the
5 ability to elect council members from those districts. So
6 that is why it just was never an issue.

7 Berkeley citizens feel strongly and passionately
8 and feel free to express their opinions about everything.
9 And the whole time that I've been there, no one has made
10 that claim. I think it has not been an issue in Berkeley.

11 And just from what I know about the demographics,
12 I don't see how they could make the case, because there's
13 no packing, there's no spreading.

14 MS. CAMACHO: One other comment that you made
15 with Nasir's redistricting question was you tried to
16 respect the boundaries that are already there. What
17 boundaries are those? I was just trying to --

18 MR. ALBUQUERQUE: The existing districts. I'm
19 just -- I just worried about if we're just act like
20 nothing is there and then we start drawing our own
21 districts, like with -- like we just arrived here and now
22 we're the new kids in town and we know everything. What
23 will we do to those -- don't we have to factor in at least
24 that there are existing districts? And existing people
25 have been banding together and electing people and holding

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1 people accountable. That has to be -- that has to be
2 something. We can't pretend that doesn't exist, I think,
3 because there is an impact.

4 The bottom line is we want to make sure that
5 people feel represented. So suppose you were over here
6 and you had all these impacts, and all of a sudden you're
7 over here.

8 One of the examples I was quite alarmed when I
9 was seeing -- this doesn't go to the existing districts,
10 but it goes to this having tremendous sensitivity to what
11 do those -- what will those people there feel about this?
12 What will those voters -- how will we affect those voters?

13 I saw an example when I think it was the
14 statewide data was moving boundaries and it was creating
15 the San Francisco district, and they were trying to figure
16 out how to create the second district and they took west

17 Oakland and put it in San Francisco. I was sitting in my
18 house watching this. And I worked in west Oakland. I was
19 a legal aid in Alameda County. I cannot image the -- I
20 know the community groups there. They'd have a heart
21 attack to be thrown across a bridge from San Francisco.

22 I was thinking maybe that it was a mechanical
23 exercise, but I'd want to know what those people felt.
24 That's what I mean. You have to think realistically
25 what's happening there, you know.

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1 Now, I happen to know that one. And I think -- I
2 happen to know that one, because I'm from that area and I
3 worked for the (inaudible) Alameda County and my office
4 was in west Oakland for a year. So it was alarming to me.

5 But someone was saying -- I think it was Karen
6 McDonald -- that's a person from the statewide database;
7 right? She was saying people have a tendency to start
8 adjusting things they know and not dealing with things
9 they don't know. So this is why I feel that we all must
10 understand the whole state and what these voters -- what
11 do these voters think about the impact of what the
12 Commission is going to do? Because we could be over here
13 in this, like, ivory tower land, even though we think we
14 know what we're doing. I think that's huge humility.
15 Maybe I should have said that, huge humility. And the

16 willing necessary to do your homework is what you have to
17 start with. You probably know nothing and you better
18 start working hard. Sorry.

19 MS. CAMACHO: Thank you.

20 MS. RAMIREZ-RIDGEWAY: Ms. Spano.

21 MS. SPANO: Did you need to finish.

22 MR. ALBUQUERQUE: I did.

23 MS. SPANO: I can see you're very passionate
24 about what you do.

25 Earlier you mentioned Narika and its impact on

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1 domestics violence and you tried to reach out and help
2 others. You describe that working with these different
3 kinds of groups to putting Narika together was difficult.
4 I was curious to know what the challenges were and how you
5 overcame them.

6 MR. ALBUQUERQUE: Well, some of them are actually
7 quite amusing in terms of what we learned, I don't think
8 the Commission has to do with this.

9 But we started out with this -- we're totally
10 non-hierartical. Everyone, come one, come all. We want
11 to hear all your ideas. And so what we would is -- I had
12 started with another woman years ago, South Asian woman
13 support group. And this idea grew out of a sub-set of
14 people who wanted to do that. It was actually not me,

15 because I thought it was a huge task and it would be very
16 irresponsible to start something and drop it because the
17 we would be doing a disservice. So I was worried we
18 couldn't pull it off.

19 We had everybody come to those -- I go to the
20 meetings anyway because I felt guilty. I would go, and
21 what would happen is X and Y would come to the meeting and
22 they go on and on about these different points. We'd all
23 discuss it. Then we'd have the next meeting, X and y were
24 and no longer there, and B would come. And they'd -- some
25 of them would raise the same points as X and Y, we already

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1 discussed. We went on this like this in this completely
2 erratic fashion getting nowhere. We thought maybe we
3 better re-think this no-hierarchical idea.

4 And the most embarrassing one was when we had the
5 Asian women shelter come and help us at one of these
6 meetings and some woman showed up there who had never paid
7 any attention, come to any of these things. And it was so
8 disruptive and so -- we were getting nowhere. We were
9 just spinning our wheels. At the end of that we thought,
10 okay, better re-think this. And we decided we're never
11 going to get anything done unless we pick a bunch of
12 people -- some people and it's like, okay, swear in blood
13 you will work every single day and you will not leave

14 until this is done. We'll give ourselves -- then they
15 kept trying to recruit me. I was a city attorney. I was
16 maybe the president of the Department of God knows what --
17 I was saying, "I don't think I have the time, then I'll
18 fall down on the job." And they said, "No, no. You won't
19 have to do anything." Ha, ha. "Just come. We just need
20 something who always come." I said okay.

21 So then another woman and I were very reluctant
22 to join this core group. Two of the supposedly passionate
23 core group people fell out in no time. So that was
24 like -- so there were six of us left. It was like, I
25 could hardly abandon them then. So I told one of my

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1 friends who is very passionate and I get told this all the
2 time, "You're champion guilty tripper, because what about
3 this? How do you leave now?"

4 So this other woman and I who had said -- we
5 really didn't have the time -- ended up staying and we
6 gave ourselves a target of nine months. We're going to
7 start now. We'll meet all the time. We have to meet on
8 weekends. In nine months, we're either having that baby,
9 you know, or we are just saying, okay, we can't do it.
10 And that's what we did. So we worked.

11 Now, sometimes what would happen is you have all
12 different personalities. We had one passionate film maker

13 type. Then you got, me you, know sort of organized
14 analytical person who can start getting driven crazy by
15 the erratic passion. We had one chemist, one academic.
16 So we all have of different ways we approached it. So we
17 had to learn that. We had to learn -- sometimes, you
18 know, the lawyer approach would feel picky only and a
19 normal thing to the other people. Sometimes passionate
20 erratic approach would feel annoying. We get on each
21 other's nerve periodically.

22 But we all really realized that we're all trying
23 to do the same work. And we would also -- we bond -- we
24 actually spent a lot of time eating meals which I don't
25 think -- I would be at my house cooking Indian food.

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1 But I do think there's something about a
2 relationship that I learned out of that, which is we can't
3 just -- it's a very hard job. People will be taking shots
4 at us. We have to get to know each other and feel some
5 level of comfort together. That's why I think some kind
6 of -- something to address that.

7 You know, I recently heard about a situation
8 where they brought in some process kind of person that had
9 to do with some issues of diversity. And once they went
10 through all of that, people became much more invested in
11 liking each other and going into to get the job done,

12 rather than demonizing each other. And they ended up
13 coming up with a consensus representation.

14 When I was at the Asian-Pacific American
15 Leadership Institute, there was a Hawaiian woman really
16 good at this. And at the end of it, I felt like I knew
17 these people differently than just, you know, reading here
18 are the supplemental application. Doesn't really quite
19 cut it, you know. You know about who they are really.
20 I'd like to know that. I'd like to have some opportunity
21 to do that, because I think that's what kept us going.

22 And in nine months, we did have the baby. We had
23 the fund-raiser at my house. We had like \$2,000 we
24 started with. And now we have grants. And Narika, they
25 have grants. I'm not on the Board. So I think

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1 relationships is probably something important.

2 MS. SPANO: How good do you think your consensus
3 skills were. I know this was a struggle for you to put
4 this together and quite a learning experience probably.

5 MR. ALBUQUERQUE: The thing is, sometimes there
6 are things that we can't actually come to a consensus
7 about, because there's going to be conflict. Because
8 whatever you're trying to do is kind of foreign to the
9 other people, you know.

10 And for me, it was oh, got to incorporate,

11 tax-exempt status. We've got to do this. I'm going to
12 take you to these lawyers and make sure we do things
13 appropriately. And some of that would make people -- they
14 just want to have a less structured sort of conversation.

15 But eventually, you know, they would do those
16 things and I would get them incorporated and get those
17 things done. And sometimes maybe they'll be focusing on
18 things that seem like a digression to me.

19 Ultimately, it's about respecting the other
20 person. I think knowing that I have this skill. I'm good
21 at this. And this person is good at this. And together,
22 we create a whole that serves the citizens. That's why I
23 think somehow building that relationship, building --
24 having people listen.

25 Sometimes people don't spoke up. I was in 14

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1 person or larger department head meetings regularly. I
2 think if you don't Chair these things well, what happens
3 is some people form little cliques. They whisper to one
4 another. They don't speak up. Other people talk too
5 much. So it's -- the Chair is very key to bringing
6 everybody together.

7 So I hope when we get there -- and even if there
8 is not a Chair sometimes I find when I'm in this thing, I
9 can start suggesting things, because I can hear what that

10 person is saying and that person is saying. And I can see
11 that there is some commonality that could solve it. So
12 then even if you're not running -- or you could say, "I
13 would really like to hear what Ms. Camacho has to say,"
14 you know. I mean, even if you're not the Chair, if you're
15 worried that some people are not speaking up and you don't
16 know what they're saying or they're getting frustrated or
17 whatever, there are many things that you can do.

18 But it's real important to get everyone talking
19 and not them feeling like that person talks too much and
20 they'll run over me and I don't say anything. And then
21 they become alienated. So I think that part I learned
22 through the department head meetings.

23 MS. SPANO: You know, it's possible if you are
24 selected as the Commissioner you may have similar
25 experiences. And are you comfortable knowing that? And

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1 drawing from what you've learned so far, how do you see
2 yourselves and in what role in the Commission?

3 MR. ALBUQUERQUE: I think that as a member of the
4 Commission, I can play all these different roles from my
5 experiences.

6 I think where someone is not saying something but
7 they're obviously uncomfortable with something, as long as
8 it's not a quorum of the Commission or it's not a serial

9 meeting, I can certainly go and talk to somebody
10 separately where they might feel more comfortable talking
11 with me and establish relationships of respect, trust. I
12 can do that.

13 I'm very comfortable -- if I ended up being a
14 Chair of something, I'm very comfortable with that,
15 because I've run lots of different -- as the president of
16 the city attorney's department, I had to run these
17 meetings. And one of my -- one of the things I did was to
18 try to get a directory of practitioners that any city
19 attorney when they're looking for specialized skill. And
20 there was a lot of fear, you know, about this. And
21 certain things there was a lot of fear about. And I put a
22 lot of attention into figuring out what will the agenda
23 look like? What subjects could we do that were not the
24 controversial ones so we could start feeling like this is
25 working pretty well. And I would be try to be listening

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1 for the people who would have the greatest fear in coming
2 up with solutions.

3 So I'm very comfortable with that. I've done
4 that many, many, many contacts. That's no problem at all.

5 But I think it's that sometimes people who are
6 Chairs see themselves as simply: Is there a motion?
7 Second. Or you know they just let the discussion go and

8 so it's not getting integrated into in any way. It's not
9 coming to some resolution.

10 I think other people can pay that role if that's
11 not happening. I was not the Chair of the Due Process
12 Committee I was describing. But somebody I respect a
13 great deal was. But I could see the split and I could see
14 the legitimacy of the concern. So I proposed these
15 different things. When we came back, again, it seemed
16 like we might have a stalemate. But once I saw -- and the
17 Chair wanted to impose this, you know, ordinance thing.
18 And I was saying, I see why they don't want that. They
19 don't want that, because then if they don't do it like
20 that, in some case, the Supreme court or something can
21 say, see. Even the League of Cities had this mandatory
22 beautiful ordinance and you didn't do it obviously. Bad,
23 bad city. So I could see that.

24 And I was able to persuade people that was a
25 legitimate comment and we should figure out something else

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1 to do. So I asked that person, "If I write a really
2 critical piece in the beginning about the law will that do
3 it for you? And still give the guidelines." And they
4 said yes. So you know, there is a solution. You don't
5 have to be the Chair. It's just listening.

6 MS. SPANO: Okay. Thank you.

7 Describe your experience as a legal aid attorney
8 in Alameda and provide us with examples of the types of
9 issues you encountered with its residents and the effect
10 it had on your viewpoints or beliefs.

11 MR. ALBUQUERQUE: Well, I think the first sort of
12 idealistic goal-meets-real-life experience was -- there I
13 was. I wanted to make a huge difference in people's
14 lives. That's why was there. And I had roomful of, like,
15 20 people at a time that I'd be interviewing. And a lot
16 of those people -- you know, I was in law school -- in the
17 first year of law school when the California Supreme Court
18 decided that if your home is defective, it's called the
19 implied warranty of inhabitability. Every landlord,
20 whether he or she says it or not, premises must be
21 habitable. And your rent -- you can reduce the rent if
22 it's not habitable.

23 So I had this visions of people will be getting
24 evicted. I would be asserting green habitability defense.
25 I would be preventing them from being thrown out of these

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1 defective houses and all of that. So I wanted to be able
2 the do manage for those people who are poor.

3 And I think the hardest thing was in many cases
4 they just had month-to-month tenancies. They didn't have
5 any money. And they couldn't pay the rent. And I had no

6 defenses I could assert. The best thing I could do was
7 buy them some time, get them some waiver fees. That was
8 very hard. That was a reality check.

9 On the other hand, I had clients -- the Alameda
10 County Housing Authority had clients were are coming in
11 with problems with the Alameda County Housing Authority.
12 And there I saw that the Housing Authority was regularly
13 violating various provisions.

14 In one case, I handled a case for a woman in a
15 subsidized housing project. And you know, I defended her
16 at trial and I won that case. She got to stay in
17 subsidized housing. That meant a huge amount to me.

18 And then there was another woman who was staying
19 in Housing Authority housing, and rain was coming in the
20 door. And they were not abating the rate or doing
21 anything to pressure the landlord. And I looked at all
22 the federal regulations. No question they were violating
23 everything.

24 So I filed a civil suit, as I recall, against the
25 Housing Authority as well as the landlord. And then I

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1 settled out for money for this client. And I made them
2 change their procedures. And so not only did I affect
3 that one person, I affected everybody. And then I felt
4 like some kind of a rich person's tax writer lawyer,

5 because she was a poor woman on welfare. And I didn't
6 want to get them getting throw off because I was getting
7 money.

8 So I figured out if you put this much money over
9 here, that's exempt. If you put this much money there --
10 so I get her settlement in a way that fit right within her
11 exemptions. So I felt great about that. That woman felt
12 great about it. So these are really good.

13 I had a truck driver who -- this is one of my
14 favorite cases. This woman was a cosmetologist and then
15 went she and got training under the employment under like
16 a state type of program to become a truck driver.

17 Okay. And then she got laid off. She was making
18 a huge amount of money. She went to get unemployment and
19 you have to look for work as a condition of unemployment.
20 They told me her to go look for work as a cosmetologist.
21 She said, "I'll never get a truck drive job if I do that."
22 This is not comparable. I would outraged. They would
23 make her doing that after the government has given money
24 to this woman.

25 So I just went to bat totally to this woman in

1 the employment development department. I says this is not
2 comparable work. She's a truck driver. He's not a
3 cosmetologist and I won that. And I was friends with that

4 client for a long time, because I felt like that was
5 really a ridiculous. And I made a difference in her life.

6 And I saved some other women. You know, there's
7 woman from being taken from her under the homestead laws,
8 and it was a landmark case. And the banks all appealed
9 it. And they had every bank in California going to file a
10 mecus brief. And the judge said to the guy, "Do you want
11 to be known as the lawyer who lost a really important case
12 for all the banks in California? This is only in trial
13 court. Did you consider this?" So they settled out, and
14 I saved that woman's house.

15 So I had many good experiences, but I also had a
16 reality check on what I could do.

17 MS. SPANO: Of your experiences like Narika and
18 this experience with Alameda and your elections law
19 experience, how is that, do you feel, going to impact your
20 decision-making on the Redistricting Commission, if you're
21 selected as a Commissioner?

22 MR. ALBUQUERQUE: I think all of these things
23 teach me different things. All of those things are going
24 to be important to me in the ways I've answered.

25 Caring about all those kinds of people and being

1 conscious constantly of their interest and what do they
2 see in finding the input that's from the community that

3 need it the most. The poor, education them.

4 The election law and the analysis and the city
5 attorney makes it easy for me to digest this stuff and
6 start to do the analysis. So I think all of it helps in
7 different ways. And getting along with people, figuring
8 out how to work with people is all the city attorneys,
9 department worker, League of California Cities. I've done
10 for the league of California cities as well my work as a
11 city attorney for the 40 boards and Commission I've
12 represented and all of the public. That helps.

13 MS. SPANO: Okay. How much time do I have again?
14 Two and a half.

15 I'm not sure I can get through some of mine in
16 two minutes. I am going to relinquish one time and think
17 about others. Thank you.

18 MS. RAMIREZ-RIDGEWAY: We have about ten minutes
19 for follow-up.

20 Panelists, do you have follow-up at this time or
21 shall I proceed?

22 MS. CAMACHO: You can proceed.

23 MS. RAMIREZ-RIDGEWAY: Thank you.

24 I have a couple quick questions that are probably
25 easy for you and some that will maybe take a little

1 longer.

2 I noticed you had given your position as city
3 attorney. I wondered what connections if any do you have
4 with politicians, either current or aspiring?

5 MR. ALBUQUERQUE: You mean at the state
6 legislative level or anywhere?

7 MS. RAMIREZ-RIDGEWAY: At the state level.

8 MR. ALBUQUERQUE: Really none. I mean, I think
9 Nancy Skinner, who is one of our representatives at the
10 assembly, she used to be a counsel member. I ran into her
11 husband at a restaurant. I don't know when I've seen
12 Nancy since she was elected.

13 So I know these some of these people Senator,
14 Loni Hancock was the mayor in Berkeley. I don't know that
15 I've even seen her since my retirement party, because
16 she's married to the mayor. So I ran into the mayor when
17 I just a couple days ago -- a week ago when my legal
18 secretary retired in my office. And I went to the lunch
19 and I ran into him in the elevator.

20 But the only conversations I ever have with him
21 anyway I have about the city of Berkeley, if I do run into
22 them somewhere. I might run into local Berkeley counsel
23 members here and there over the years.

24 MS. RAMIREZ-RIDGEWAY: Okay. And I noticed --

25 MR. ALBUQUERQUE: Sorry. Let me just make sure.

1 Sometimes I might run -- Alex -- I might have run
2 into Alex Padilla, who is a Senator from Los Angeles who
3 used to be the president of the League of California
4 Cities. And I was on the Board when he was on the Board,
5 and I might run into him at some league event or
6 something. But I never talk any legislative stuff with
7 any -- I mean, it's only because of these other connection
8 to the League.

9 MS. RAMIREZ-RIDGEWAY: Do you anticipate that
10 you'll be getting phone calls if you're placed on the
11 Commission from any of these people who may have an
12 agenda?

13 MR. ALBUQUERQUE: Well, you know, I have no
14 difficulty you know tell them no.

15 One of the things my idea -- I had to advise them
16 on ex parte contacts in land use hearings. So I'm going
17 to -- they've heard that ex parte that words for me from
18 decades. They'll say, oh, this, this. She is going on
19 about ex parte. Here we go on again. I'd say no contact,
20 if I'm actually on the Commission. And even before that,
21 I would -- I'm uncomfortable talking about this.

22 I don't think they'd call me though.

23 MS. RAMIREZ-RIDGEWAY: You talked a little about
24 how when you came to this country in 1970 and as an
25 immigrant you still very strongly believe in the concept

1 of equality and America being a welcoming place for all
2 different kinds of people. And so many native-born
3 minorities have sort of given up on that. I wonder why do
4 you think that is and what, if anything, the Commission
5 can do to change that perspective here in California?

6 MR. ALBUQUERQUE: Minorities like majorities
7 spans a huge spectrum of people and different views. So I
8 know many people who believe passionately still in these
9 rights and asserting them.

10 Now, they might be ready to challenge certain
11 sorts of practices they feel are discriminatory. I think
12 that's part of the American way. The democracy gets more
13 vibrant and better, like this Act right The citizen's put
14 this Act on, because they didn't like the way it was done
15 before, the Voters First Act.

16 So it all has to do with you can have a house on
17 all different levels, just like that group that I talk
18 about the alcohol group that we met with. They can be
19 sort of a dynamic way like question authority or this is
20 bad. You can go into that mode. Or you can go into
21 the -- I notice Mr. Ahmadi once asked one of the people --
22 I watch one of these things -- about what happens when you
23 talk into a meeting and everybody is mad at you and hates
24 what happened before? I think the thing is you can turn
25 into a half-full. You can say to the person, "What were

1 the things that really bothered you about that? What are
2 you worried we're going to do? Let me tell what you we
3 can and can't do." It's gradually getting that person to
4 understand this is not that and this is this. And here,
5 this is why we are here. And so talk to me. Tell me, you
6 know.

7 Following up in my group, not only did I meet
8 with them and at first they were very resistant, because
9 it was like they had their idea of what should happen and
10 they didn't understand what the implications of some of
11 this was. We had already addressed some of these things.
12 So once we started breaking it down, they became engaged
13 in the substance rather than the polarization. That's my
14 experience with almost everything that I have done. So if
15 you can reach people that way, people know whether you're
16 genuine or not. That's my experience. If you're actually
17 listening to them and you're actually -- it's not like
18 you're over there to run over them. So I'm hopeful.

19 MS. RAMIREZ-RIDGEWAY: You talked a little bit
20 about contracting out to help the Commission identify
21 where people are and how they're grouped. Are you at all
22 concerned that any agenda that may be held by the
23 contractors could end up shaping the maps in a way that
24 may or may not be good?

25 MR. ALBUQUERQUE: I think that -- yes, I think

1 employees can shape it that way. I think contractors can
2 shape it that way. I think organized groups can shape it
3 that way.

4 So I think when I was thinking about the
5 combination of staff and whatnot, that's why I think first
6 of all we, the Commission, would have to be very educated
7 themselves and very interested in looking at things.

8 Secondly, I think in my case, I always
9 monitored -- I was very careful about who I hired and who
10 I didn't hire on the contracting front. I checked them
11 out. They would be good. They do something for me. If I
12 had any kind of problems with that firm, I'd never retain
13 that firm again. You may not want to put all your eggs in
14 a particular basket.

15 You know, you need to have some staff -- like one
16 of the people was talking about either you need to be able
17 to understand how the maps work and the data works or you
18 need to have somebody. Now, you don't think -- it should
19 be three levels. We're having a contractor. Somebody on
20 the staff should know what that contractor is doing and
21 the Commission should know enough to be able to check all
22 those things, because nobody turned this over to some one
23 contractor. So I think it's very important you figure out
24 who's a contractor. What's their background. What are
25 they doing. And do you want to put all your eggs in that

1 basket. So the more of a variety of different people you
2 have.

3 And then I remember another question -- I'm
4 answering other people's questions. One of the questions
5 Mr. Ahmadi asked, which I thought was a really good one,
6 what are you going to do if a contractor is not doing
7 something? So I think that's a reason if you put all your
8 eggs in the basket, that's it. You're dependant on them.
9 I've had these experiences myself advising city
10 departments. So I think all that has to be carefully
11 thought through. There's not a simple answer to that.
12 Who's got an agenda? Who may not have an agenda but might
13 not be really delegating and that person might mindlessly
14 resist you when you're saying you've missed. What about
15 these people over here and what's the impact on them? And
16 then they're just -- they invested not because they had a
17 hidden agenda, they invested in their own ego way.

18 So all these tricky things I think happen. And
19 the more eyes are checking the next group of eyes are
20 checking the next group, the more accountability and the
21 more you can avoid it. Just being aware of that and
22 thinking how can you address it I think is very important.

23 The communities of interest want the Institute
24 for Local Government -- I'm familiar with the person who
25 runs it. This is your base. She does ethics training.

1 It's like, you know, the super-not-agenda person. So I
2 happen to know that. But it could be that we get it from
3 more than one source. We ask the legislators can you give
4 us all the people that you know of.

5 The information starts cross-checking each other.
6 So that's why I say, the more we know -- we can never know
7 enough. That's my take.

8 MS. RAMIREZ-RIDGEWAY: We have about a minute and
9 20 seconds.

10 Panelists, do you have any follow-up questions?

11 MS. CAMACHO: No.

12 MR. AHMADI: I don't.

13 MS. SPANO: Just curious questions here.

14 We touched it on earlier about the training you
15 provided to lead the city attorneys department and
16 training on the elimination of bias. And I was curious to
17 know what the circumstances were that led to this
18 training.

19 MS. RAMIREZ-RIDGEWAY: One minute.

20 MR. ALBUQUERQUE: It's required by the State Bar
21 rules. We have to have training on various things. It's
22 called mandatory minimum continuing legal education.
23 That's what prompted it. We always try to provide it.

24 We did a survey and then we did the training. We

25 wanted to make it real, not just some canned thing. So we

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1 did a survey of city attorneys. And then we broke up and
2 discussed these hypotheticals.

3 MS. SPANO: Okay. And quickly, with regard to
4 the enforcement in the state and election laws in
5 conjunction with the Berkeley election reformat, can you
6 briefly tell me about the challenges you had enforcing
7 these laws with respect to the candidates for elective
8 office and the members of the Berkeley city council?

9 MS. HAMEL: Twenty seconds.

10 MR. ALBUQUERQUE: What that had to see I'm doing
11 it to everybody, not just then. I'm sorry, they might be
12 already elected, but they have to comply and try to tell
13 them in the gentlest way, I'm sorry, but this form is
14 wrong. Have staff -- it's like correct this, correct
15 that. And I would go myself to protect the person --

16 MS. RAMIREZ-RIDGEWAY: Time. I'm sorry we have
17 to stop you. We do have a maximum.

18 Thank you so much for coming to see us today, and
19 let's go recess until 10:59.

20 MR. ALBUQUERQUE: Thank you all of you. I
21 appreciate it.

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1 MS. RAMIREZ-RIDGEWAY: It's 11:00. We're back on
2 record.

3 We have Mr. Richard Ford. Are you ready to
4 begin, Mr. Ford?

5 MR. FORD: Yes, I am.

6 MS. RAMIREZ-RIDGEWAY: What specific skills do
7 you believe a good Commissioner should possess? Of those
8 skills, which do you possess? Which do you not possess and
9 how will you compensate for it? Is there anything in your
10 life that would prohibit or impair your ability to perform
11 all of the duties of a Commissioner.

12 MR. FORD: I would divide the skills that a
13 Commissioner needs into three sets: Analytic skills,
14 organizational skills, and social or political skills.

15 In the category of analytical skills, I'd say the
16 important factors are an understanding of the
17 reapportionment process and understanding of state
18 politics and an understanding of local communities.
19 Because ultimately what we should be trying to do it seems
20 to me in drawing these districts is to represent local
21 districts, communities of interest, communities that

22 people experience in their day-to-day lives, and an
23 understanding of those things and the ability to analyze
24 the problems and the complexities and the conflicts that
25 will arise in the context of drawing districts. Those are

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1 the analytical and intellectual skills I think are
2 necessary.

3 In terms of organizational skills, obviously
4 there will be a huge amount of information that the
5 Commission will be required to gather and analyze. And
6 they'll be a number of constituencies with whom the
7 Commission will have to meet or meetings will have to be
8 organized and information will have to be synthesized. So
9 the ability to organize that information in an effective
10 and efficient way will be a skill that Commissioners will
11 be required to have.

12 And finally political skills, in order to elicit
13 information and in order to inspire confidence, the
14 confidence of the public that the process is fair, that
15 the process is responsive, and that the Commission is open
16 to and sensitive to the concerns of the citizenry, one
17 will need political skills, the ability to listen. It
18 seems to be more important than the ability to talk a good
19 line; the ability to work with different groups, diverse
20 groups, works of varying viewpoints, and groups that are

21 organized in different ways will be an important skill;
22 the ability to work with community leaders and politicians
23 and to gather their information, while at the same time
24 not being overly influenced by any particular constituency
25 or any particular leader so that ultimately the process

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1 represents the outcome, furthers the best from the state's
2 voters of a whole and not any particular constituency.
3 That's important. So I put those under political skills.
4 I think I possess all of these skills in varying degrees.

5 And in terms of analytical skills, I've worked on
6 local politics and voting rights issues in my academic
7 work. So I have an understanding of the way the process
8 works and understanding of what's at stake and
9 understanding of how local politics and local community
10 operate. So I think I have the analytical skills.

11 And to the extent I don't -- and maybe I would
12 argue this is more important. I know where to look. I
13 know which questions to ask and where to look. So for
14 instance, I'm not a statistician. I don't have deep
15 knowledge of demographic science. I'm not a geographer,
16 although I've studied geography and it's interesting to me
17 and my work.

18 You know, the those questions will be important
19 that we need to have access to. For instance, geographic

20 information systems that will enable us to look at the
21 effect of changing district lines and what effect that
22 will have on the distribution of citizens in the district.
23 So I would know we need to find someone with that
24 expertise. I know the questions to ask.

25 But same thing goes with legal questions. I've

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1 studied voting rights issues. I can't claim that I can
2 recite the Voting Rights Act off the top of my head or
3 every relevant case. But I know where to look for them
4 and I know which questions to ask. And I think I would
5 know when we're confronting something that might raise a
6 red flag or might be an issue. And I think that's most
7 important in the context of analytical skills.

8 In terms of organizational skills, scholarship
9 requires a great deal of organized. What has to be
10 organized in order to pull together a piece of
11 scholarship, and I think I've demonstrated my capacity to
12 do that.

13 I've also worked in collective bodies, both at
14 the university level and in public. I worked for a period
15 of time on the San Francisco -- the Commission of the San
16 Francisco Housing Authority. I also worked with the city
17 of Cambridge to help reform its rent control laws. And in
18 those capacities, I had to organize a great deal of

19 information.

20 I've served on Stanford's Appointment Committee
21 which appoints faculty to new faculty to the law schools
22 for many years. And once again, organization is key.
23 What's important in bringing a case forward to the Faculty
24 is to have your information well organized and so the
25 questions -- when questions arise in a faculty meeting,

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1 you're not in a situation of not knowing something. There
2 is the fact that you don't have access to.

3 And then finally, political skills. Once again,
4 my work in public life and in the university requires
5 political skills. Anyone who's been in a university
6 faculty meeting knows one's dealing with very opinionated
7 people, people not easily led. And yet ultimately in
8 order to make decisions, the people have to be brought
9 together to focus on the common good. And those kinds of
10 political skills I believe I could bring to the
11 Commission.

12 But in addition, I've worked with people from
13 broad walks of life, as a Commission, are on the Housing
14 Authority. For instance, we dealt with everybody from
15 contractors who wanted to do work on public housing to
16 federal officials, to State and local officials, to the
17 residents of public housing, and had to find ways to both

18 respond, to listen to their concerns, synthesize the
19 information, and ultimately make decisions. So in each of
20 those respects, I do think I have the skills that I've
21 described.

22 MS. RAMIREZ-RIDGEWAY: Is there anything in your
23 life that would impair you from being able to perform all
24 the duties of a Commissioner?

25 MR. FORD: No. Not that I know of.

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1 MS. RAMIREZ-RIDGEWAY: Describe the circumstance
2 from your personal experience where you had to work with
3 others to resolve a conflict or difference of opinion.
4 Please describe the issue and explain your role in
5 addressing and resolving the conflict. If you are
6 selected to serve on the Citizen's Redistricting
7 Commission, tell us how you would resolve conflicts that
8 may arise among the Commissioners.

9 MR. FORD: Well, as the father of young children,
10 I'd say every day I'm resolving conflicts among people.
11 But I'll give you an example that involves adults.

12 When I worked in the city of Cambridge on rent
13 control, I was dealing with -- I dare say -- the most
14 contentious issue in city politics at that time. Rent
15 control was highly controversial. It was fiercely
16 defended by the tenants and tenants unions in its existing

17 form. And they wanted no alterations or anything for
18 tenant friendly laws than we already will. And it was
19 fiercely opposed by virtually every landlord in the city.

20 And there seemed to be no room for middle ground.
21 The landlord want rent control abolished, and the tenants
22 wants it expanded. My task was to talk to the various
23 groups involved and present recommendations to the
24 Cambridge City Counsel for reforming rent control. The
25 mandate was we would keep rent control, but we want to

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1 keep it responsive to the legitimate concerns of landlords
2 who say in many cases they were losing money on the
3 apartments because of their rent control.

4 So I met with a variety of different groups and
5 the first reaction often was digging in of heels. The
6 landlords would say, the fix is in. We know they're not
7 going to get rid of rent control. I don't know why we
8 bother talking to you. This is just for show. And so it
9 required the over time to try to gain the confidence of
10 the landlords by listening to their concerns and trying to
11 find elements of their concerns that we could work with.
12 We couldn't get rid of rent control.

13 But for instance, one landlord said, "I'm losing
14 money on half my units because of rent controls." Well,
15 the rent control ordinance is designed to ensure that you

16 make a reasonable return on your investment. How is that
17 so?

18 "Well, I don't trust the city. And I know I
19 could in theory apply for rent increases, but you know, I
20 think as soon as the city is involved, it's just going to
21 be worse for me. So I don't do anything. I don't apply
22 for the rent increases. Or I don't even understand how
23 the system works. And I don't have time to figure it out.
24 It's just too complicated."

25 So there was an example of something we could

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1 work with. We could find ways to give landlords
2 confidence the system, could work for them to make it
3 easier for them to apply for the rent increases they were
4 entitled to in order to make sure they get a fair return
5 on investment.

6 We could find ways to reach out to landlords who
7 didn't understand the process and make sure they did
8 understand it so they didn't feel like they were going
9 through a bureaucracy to get anything done. That was one
10 of the reforms that we put in ultimate reform package.
11 So that's just one example.

12 Now did it please everybody? No. It certainly
13 didn't. And ultimately one has to call the question when
14 dealing with conflicts. It won't make everybody happy in

15 contentious situations. But it does seem to be that we
16 did better by listening and by incorporating what we could
17 in various groups concerns and that that was the task that
18 was time consuming and I think required some sensitivity
19 and I'm proud of the result.

20 MS. RAMIREZ-RIDGEWAY: How will the Commission's
21 work impact the state? Which of these impacts will
22 improve the state the most? Is there any potential for
23 the Commission's work to harm the state? And if so, in
24 what ways?

25 MR. FORD: I would hope that the Commission's

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1 work would affect the state by making politics less
2 polarized. One of the consequences that we currently do
3 redistricting is there is a tendency for legislators to
4 want to create safe seats. And so we set up the districts
5 so that it's so heavily slanted into the direction of one
6 political party or the other that it's a sure bet for that
7 party.

8 Now, that may be good for particular incumbents
9 or particular members of the political party, but I think
10 it's bad for democracy and leads to polarization and leads
11 to one getting candidates that are more extreme than the
12 average voter in local communities in one direction or the
13 other, so when they get to the Legislature, surprise,

14 surprise, they fight and squabble. And you have gridlock,
15 which now the state government has become unfortunately so
16 famous for.

17 I think we could improve that by making the
18 districts in many cases more competitive. And that's not
19 to say that making the districts competitive to be the
20 overarching goal. But that if the districts simply
21 reflected the -- more accurately reflected the real
22 political communities of localities in neighborhoods that
23 we would have less polarized politics and more
24 representative politics and politicians that people felt
25 they recognized, that they could recognize some of their

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1 own views and their own concerns. And what the
2 politicians are doing that unfortunately is not always the
3 case today.

4 I'd like to think that the Commission could give
5 the public more confidence in both the reapportionment
6 process, would also give more knowledge of the
7 reapportionment process, because the average citizen
8 doesn't know how much about it. It's kind of a black box.
9 But by having a public commission working on it, we could
10 educate them on what we're trying to do and hopefully give
11 them more confidence that the process is fair and not
12 rigged in some way.

13 Voters cynicism is a serious problem, and it's
14 fed by processes that are opaque and that seem to be the
15 domain of insiders. And so by bringing this process out
16 into the open and making it clear to the public that it's
17 not the domain of insiders, but it's their process, I
18 think that could do a lot to improve civic engagement.

19 And finally, I think we could encourage more
20 community engagement in the political process, if we do
21 this right and we draw the districts in such a way that
22 they really do reflect for the most -- to the extent they
23 can people's lived experiences and people's lived
24 experiences, then they could become more engaged in
25 statewide politics. One of the problems in state politics

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1 is quite distant from most people's lives and as opposed
2 to local politics.

3 But the representative, it should be the bridge
4 between people's day-to-day experiences and what's going
5 on in Sacramento. And if those districts are drawn in
6 such a way that reflect people's community interests, the
7 Legislature could be a more effective bridge between the
8 local community and Sacramento and that would improve
9 politics. So those are the things that we could do to
10 help the state.

11 Could it make things worse? Yes. Yes. If you

12 do it wrong, it could make things worse because if the
13 process appears to voters to be corrupt or captured by
14 special interests, then it will just confirm everyone's
15 worst suspicions. If it's disorganized and inefficient,
16 then it will confirm people's worst ideas about
17 government, and it will also lead them to have little
18 confidence in the process and to be alienated from the
19 districts that are eventually drawn and therefore from
20 their legislators. And it will -- and if we do it in such
21 a way that it increases polarization, of course we'll have
22 done the opposite of what I take it this Commission was
23 designed to do.

24 Thank you.

25 MS. RAMIREZ-RIDGEWAY: Describe a situation where

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1 you've had to work as part of a group to achieve a common
2 goal. Tell us about the goal, describe your role within
3 the group, and tell us how the group worked or did not
4 work collaboratively to achieve the goal. If you are
5 selected to serve on the Citizen's Redistricting
6 Commission, tell us what you would do to foster
7 collaboration among the Commissioners and ensure the
8 Commission meets its legal deadlines.

9 MR. FORD: I'll try to be brief in give one
10 example.

11 As part of my role on the Appointments Committee
12 at Stanford Law School, we're consistently bringing very
13 contentious -- the most contentious decisions before the
14 faculty, who we're going to hire, what's going to shape
15 the law school for the future. Add to that, the fact that
16 many times the individual faculty members tend to identify
17 or disidentify with candidates. So the discussion can
18 kind of become personal. So very often there's the
19 potential to have long drawn-out meetings that are quite
20 inefficient and that can alienate the faculty from each
21 other.

22 But I think we've done a good job in avoiding
23 that by doing several things. One, everyone is reminded
24 in the end it's the common interest what's most important.
25 What we're trying to do is improve the law school and

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1 keeping that in the forefront helps people to put some of
2 the other concerns in the backdrop.

3 Two, when we come to meetings and present the
4 case to the faculty, again we have our ducks in a row. We
5 have the answers to relevant questions. We have a file
6 that's complete. We're all organized. So we don't spend
7 time debating factual questions where there is an answer
8 out there, which is what happens when you don't have all
9 the facts.

10 And three, we've come up with a rule that all our
11 meetings end at 6:00. They start at 4:15 and end at 6:00,
12 no matter what. People have kids to pick up. This is
13 where the rule came from. The result is people start to
14 get real efficient at about 5:40. And by the end, in most
15 cases, we come to a consensus. Not a vote where it's up
16 or down and some people lose, but a consensus where people
17 agree. That's the overwhelming result in these meetings.

18 Now, sometimes you just have to call the
19 question. And it's important to see when that happens.
20 When you start seeing the same arguments over and over
21 again, it's time to call the question. But people are
22 willing to live with it, because they respect the process.
23 And I like to think that those experiences, among others
24 I've had, I could bring to the Commission.

25 MS. RAMIREZ-RIDGEWAY: A considerable amount of

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1 the Commission's work will involve meeting with people
2 from all over California who come from very different
3 backgrounds and very different perspectives. If you are
4 selected to serve on the Commission, tell us about the
5 specific skills you possess that will make you effective
6 in interacting with the public.

7 MR. FORD: Well, I interact with the public quite
8 a lot, not only in lecturing, both at the university and

9 I've also given many public lectures to much larger groups
10 and groups outside the university on fairly contentious
11 topics, some involving racial justice and civil rights.

12 I've also occasionally appeared on television and
13 radio, talk radio where one interacts with the public. In
14 addition, in my Commission work with the Housing Authority
15 and my work with the city of Cambridge, I dealt with the
16 public quite regularly again on very contentious issues
17 where emotions ran high. And people from a broad cross
18 section of society, not just standard students, but people
19 who lived in public housing. People who lived in
20 low-income housing in Cambridge. I grew up in the central
21 valley, so it's not as if I'm a San Franciscan with the
22 coastal kinds of viewpoint. But I also spent much of my
23 life in the central valley where there is a very different
24 lifestyle, very different culture. And I think I got
25 along well with people in that environment as well. So I

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1 dealt with people in various races, income backgrounds,
2 and what have you in discussing issues of importance.

3 MS. RAMIREZ-RIDGEWAY: Mr. Ahmadi, would you like
4 to begin your 20 minutes?

5 MS. RAMIREZ-RIDGEWAY: Yes, thank you. Good
6 morning, Mr. Ford.

7 MR. FORD: Good morning.

8 MR. AHMADI: I have a few questions, two of them
9 relates to the material in the application. So I'm going
10 to start off with those. And I have a few follow-up
11 questions.

12 First off, you claim to be an objective and
13 balanced thinker when it comes to politics.

14 MR. FORD: Yes, I like to think so.

15 MR. AHMADI: How significance a role does
16 objective and impartiality play in the Commission's work?
17 At a public meeting, for instance, what is the importance
18 of the Commissioner's appearing impartial?

19 MR. FORD: I think it's very important. The goal
20 of this Commission, as I understand it, is to take the
21 reapportionment process away from institutions that were
22 at least perceived to have vested interests in the
23 outcome, to avoid the situation where the districts are
24 rigged in order to benefit one party or another, and to
25 instead create a process that is fair to everyone, as fair

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1 as possible, and to create districts that have other
2 interests and not just the interest of entrenched groups.

3 And in order to do that, we have to be impartial.
4 We have to be able to look and think about a successful
5 process, a democratic process that's responsive, and to
6 believe in that process more than the outcome. If we

7 start to get focused on the outcome, then we've lost sight
8 of what the Commission ought to be doing and the project
9 will be a failure. And if the public believes that we're
10 focused on the outcome, then the public will lose
11 confidence in what we are doing and rightly so.

12 MR. AHMADI: Thank you, sir.

13 You have produced some scholarly work on race,
14 politics, and tutorial divisions. To what extent that
15 experience and knowledge will add value to your work as a
16 Commissioner should you be selected?

17 MR. FORD: Oh, I should hope it will. I
18 understand what's at stake in the reapportionment process
19 and some of the pitfalls that have occurred in the past.
20 So for instance, the history of racial gerrymandering is
21 something I'm familiar with. And that lets us understand
22 how the Voting Rights Act, for instance, ought to effect
23 our work. That we need to be sure that in drawing
24 districts we're sensitive to existing communities and
25 we're sensitive not to divide their vote or dilute their

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1 vote.

2 In addition, the problem of drawing districts for
3 political ends, which is acceptable under federal law and
4 under the constitution but clearly is what we are here to
5 help avoid. I understand why that happens. And I

6 understand how we need to work to avoid that. So I know
7 how the process works and I know what's at stake.

8 I also know about local government, about the
9 virtues of local government, about the virtues of
10 responding to communities where people actually live and
11 which they experience as their immediate social and
12 political and trying to ensure that our political
13 subdivisions to the extent they can correspond with what
14 the average citizen thinks of as their community.

15 Now, of course, there are constraints. And part
16 of the work that I've done also makes me aware of those
17 constraints. The districts have to be equally populous.
18 That's a side constraint. That's going to mean it's going
19 to restrict our ability to have the districts correspond
20 to what we need perfectly as a community. We have to
21 ensure that we don't inordinately dilute the voting
22 strength of the minority groups. That's another side
23 constraint that's an important one.

24 In addition, the question -- and this is another
25 place where my work plays a role. Defining a local

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1 community is hard to do. It's not as if there is an easy
2 answer to that or we can just go look it up in a book or
3 something like that. There will be disagreement about
4 what counts as a local community. There will be different

5 criteria that could be considered, and it will be
6 important that we weigh all of these criterion in order to
7 create the districts that are best all things considered.
8 It will be a question of making compromises. But my
9 academic work has led me to understand what those
10 compromises are and the kind of conflicts we'll face.

11 MR. AHMADI: Thank you.

12 So any ideas in your mind how would you approach
13 to define communities of interest?

14 MR. FORD: Well, I would look to existing
15 institutions, neighborhood institutions, and cities that
16 have neighborhood clubs and institutions. I'm thinking of
17 San Francisco where there are many, many very active
18 neighborhood institutions that could give us an idea
19 immediately of what people in the city -- the grassroots
20 think of as their community.

21 We need to talk to community leaders who could
22 give us insight. The existing members of the Legislature
23 and the Senate will be an invaluable resource. I'm sure
24 they know about their existing districts than almost
25 anyone else.

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1 Now, in that respect, of course, it's going to be
2 important to take that information but make sure that
3 we're not unduly swayed by interests that -- the interest

4 of the people in getting re-elected or partisan interest.
5 That has to be kept out. Never the less, the information
6 that they could provide would be invaluable.

7 I also want to look at existing scholarship about
8 the nature of local communities. There are people in
9 urban planning and in various civic institutions that have
10 done work to determine, you know, who communities where
11 from which neighborhood. How tightly university are
12 various neighborhoods. What are the patterns of mobility.
13 And those kinds of questions would be relevant as well.

14 MR. AHMADI: Thank you.

15 In your mind, is it important to preserve the
16 current political boundaries?

17 MR. FORD: When you say current political
18 boundaries, you mean local government boundaries, not the
19 legislative districts?

20 MR. AHMADI: Direct cities and counties?

21 MR. FORD: It is, to the extent we can. I think
22 that's a criterion that deserves significant weight.
23 Trying to keep -- because the existing local government
24 boundaries are political subdivisions with which people
25 are familiar in which they participate. And so we -- in

1 that sense, we already have a built in proxy for
2 communities to some extent and that's community.

3 But it can't be the only criterion. It can't be
4 the only criterion in part because the districts have to
5 be equal populous and it's not going to be possible to
6 respect it mathematically. It's not going to be possible
7 to respect all existing division boundaries while at the
8 same time drawing equal populous districts.

9 Two: There are other interests that may well be
10 as important or more important. There are ethnic
11 communities, for instance, that are real communities that
12 meet across local government boundaries. In a state like
13 California where mobility is too great across local
14 government boundaries, in many cases, people's lived
15 community doesn't correspond to the local government
16 boundaries.

17 You can talk to people in the Silicon Valley or
18 in Southern California who don't know the name of the city
19 they live in.

20 And so that's not the only criteria. What we're
21 really trying to do is capture again communities of
22 interest. And I know that's a fuzzy term. But local
23 government boundaries are going to be relevant, but not
24 the only consideration.

25 MR. AHMADI: Thank you.

1 There are certain state laws/provisions of the

2 state law that impose limits on the redistricting work or
3 practice. How would you approach and resolve a potential
4 conflict due to those limitations of the state law?

5 MR. FORD: I'm trying to think of an example.

6 I think that the task of the Commission overall
7 is going to be constantly negotiating these types of
8 conflicts. We'll be dealing with a large number of
9 constraints from constitutional law, federal law, and
10 state law that will affect our ability to draw these
11 districts. And one simply has to accept the constraints
12 and work within them. That will require us in some cases
13 to draw districts that are not ideal on other criteria.

14 And it's a matter of balancing a variety of
15 interests that seems to be what inevitably is at stake.
16 And what's important in doing that is to have listened to
17 and heard from the people affected so that we have some
18 capacity to appropriately weigh the various criterion. It
19 will just vary from district to district.

20 In the abstract, I can't give more of an answer
21 than that. We need to have listened. We need to have the
22 information at our fingertips, and we're going to have to
23 make some tough calls.

24 MR. AHMADI: Okay. So how important are the
25 current districts lines should be or would be when you

1 start redistricting in 2011 should you be selected? How
2 important is it?

3 MR. FORD: They're relevant. And I think we
4 begin with the current district lines and try to
5 understand why they were drawn the way they were. In many
6 cases, we'll find that those lines for the most part make
7 sense, I suspect. And they do, in fact, reflect relevant
8 communities.

9 In no way would I want to toss out the work of
10 past legislators in drawing those districts and claiming
11 that we have to start with a completely clean slate.
12 That's valuable work that we can build on.

13 However, in some cases, the district lines may
14 not make sense from the criterion that we want to impose.
15 I think there's little doubt that those lines were down in
16 part for political reasons in order to help various
17 political parties obtain safe seats. This is widespread
18 in the United States. California is far from unique in
19 that respect. And to the extent they reflect those kind
20 of considerations, they need to be re-thought and
21 re-considered because that's not what we're supposed to be
22 doing I would think.

23 So yes, the current -- now, another way in which
24 the current lines are important is for Voting Rights Act
25 purposes. When you have a majority/minority district, one

1 has to be careful not to dilute the interest of the racial
2 group in question by re-drawing the district so it's no
3 longer a majority/minority district. That's not always an
4 absolute constraint, but it's a significant legal
5 constraint that has to be taken into account.

6 MR. AHMADI: Okay. Thanks again.

7 From your experiences in your career, to what
8 extent, if any, have you had any contact with the
9 Legislature, the state's Legislature?

10 MR. FORD: The state's Legislature? No. I
11 haven't had any direct contact with the state Legislature.

12 MR. AHMADI: Okay. Thank you again.

13 MR. FORD: Thank you.

14 MR. AHMADI: I don't have any other questions at
15 this point.

16 MS. RAMIREZ-RIDGEWAY: Ms. Camacho.

17 MS. CAMACHO: Thank you.

18 Hello, Mr. Ford.

19 MR. FORD: Hi.

20 MS. CAMACHO: I've seen in your application that
21 you studied about the legal and policy complexities
22 involved in drawing legislative districts. Could you
23 describe what you considered the most important legal
24 considerations facing the Commission?

25 MR. FORD: The most important legal

1 considerations. Much of my work had to do with conflicts
2 between the Voting Rights Act and the 14th Amendment. And
3 those will be important for this Commission as well.

4 The Voting Rights Act is designed to ensure that
5 legislative districts are not drawn in such a way as to
6 unfairly disadvantage minority groups. And the history of
7 that is, of course, blatant racial gerrymanders that took
8 place in the south, but also in other parts of the
9 United States where the districts were drawn and rigged in
10 order to ensure that the minority group couldn't get
11 representatives of its interest elected.

12 Now what's important is that that was done in a
13 context that which racially polarized voting was obvious.
14 So you had -- to make it easy -- a black group and a white
15 group with divergent political interests. And if the
16 white group is in charge of the legislative process, they
17 draw the districts in such a way to ensure that no
18 representative of the black group can be elected.

19 That's what the paradigm of what the Voter Rights
20 Act is designed to prohibit. So in our context we have to
21 make sure that in context where there is racially
22 polarized voting where racial groups are voting as a
23 group, we don't draw the districts in such a way as to
24 inordinately dilute the influence of any racial group.
25 That's a legal constraint.

1 But at the same time, the 14th Amendment
2 constrains the capacity of government to make decisions
3 based on race. So on the one hand, the Voting Rights Act
4 says you have to consider race in order to ensure you're
5 not diluting the strength of minority groups. But if you
6 go to far -- for instance, if you draw the district solely
7 in order to make sure that the minority -- you've got a
8 minority/majority district without considering any other
9 factors, then you're likely to have run afoul of the Equal
10 Protection Clause. And that was tension -- was the part
11 of the subject of one of my articles. And so that's one
12 of the main tensions that the Commission will be charged
13 with navigating in context where we're dealing with racial
14 communities. We want to make sure they get fair
15 representation, but it's not acceptable to gerrymander the
16 district in order to ensure that you get a
17 majority/minority district without consideration for other
18 factors. So that's those are two of the major legal
19 constraints. Now, of course, there are others. There's
20 state law constraints that will effect our work as well.

21 MS. CAMACHO: Thank you.

22 When you were talking about the considerations
23 and making sure that the 14th Amendment is not overlooked
24 and also ensure that the VRA is followed, how would you
25 see your role as a Commissioner with that knowledge?

1 MR. FORD: That's a great question. I thought a
2 lot about this. It's a delicate balance in bringing legal
3 knowledge -- and legal knowledge is unique -- in bringing
4 legal knowledge to bare as a political official without
5 becoming counsel for the Commission. The old saws is
6 anyone who is their own lawyer has a fool for a client,
7 but that's nowhere more true than in the context of a
8 public commission. We have to have independent legal
9 representation such that anyone on the Commission can ask
10 an objective lawyer who's not on the Commission for legal
11 advise. That has to be the legal advise the Commission
12 follow, not me if I'm on the Commission. I can't be the
13 Commission's lawyer. That's a conflict of roles.

14 But of course, at the same time, I would bring
15 some knowledge to the table that would help us to flag
16 issues. It would help us to be aware of things in advance
17 before calling in counsel. And I think that knowledge
18 would be valuable in guiding the discussion.

19 But again, ultimately, I'm not going -- if I were
20 on the Commission, I can't be the lawyer.

21 MS. CAMACHO: Could you describe the likely
22 similarities and differences between the role on the
23 San Francisco Housing Authority and this Commission?

24 MR. FORD: Similarities, I suspect will involve
25 dealing with the public. We conducted public meetings and

1 there are challenges involved in conducting public
2 meetings and fielding public comment, which can take a
3 variety of forums, from polite to intemperate, to well
4 informed, to not so well informed, and expect we might
5 encounter some of that on this Commission as well. That's
6 a similarity.

7 Dealing with a variety of political interests
8 whose cooperation one needs and whose information can be
9 invaluable, but at the same time who may have interest
10 sometimes that are not in line with the interest of the
11 organization.

12 So the negotiating that, you need to work with
13 various public officials, various groups that might have a
14 stake in the matter. Because people have a stake in the
15 matter are a ones who know a lot about it. And their
16 stakes are valid, but have to be appropriately weighed
17 with other concerns. But avoiding letting the process
18 become captured by, you know, established interest and
19 that was true in the housing authority. It will be true
20 here too.

21 The differences, one of the major differences is
22 that this Commission will be involved in a very discrete
23 task, a complicated task, but a discrete task: Redrawing
24 the electoral boundaries for the state and a relatively

25 finite set of questions that we'll be dealing with over

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1 and over again and trying to accomplish that task.

2 Whereas, with the Housing Authority, we dealt
3 with a whole different set of different issues, everything
4 from federal regulations, local regulations, contracting
5 issues, employee issues, architecture, construction, a
6 whole range of things. And so in that sense, the work on
7 the Housing Authority necessarily required us to, for the
8 most part, defer to people who are on the ground dealing
9 with each of these specific issues. We couldn't be
10 directly involved in contracting and directly involved in
11 employee relations and directly -- that's not possible.
12 There is a huge administrative bureaucracy that did that
13 work. And we set policy.

14 In the context of the Redistricting Commission,
15 we are responsible for the districts that are drawn. That
16 will come from us. So, in that sense, we'll be closer to
17 the work I imagine than was the case sometimes on the
18 Housing Authority.

19 MS. CAMACHO: Thank you.

20 I have seen that you've had many collaborative
21 experiences where you functioned not as a professor but as
22 a team member working on a common project. Can you give
23 us some of those team and group experiences that you did

24 have?

25 MR. FORD: Oh, sure. The rents control example

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1 in Cambridge comes to mind, in part because it was so
2 contentious and very much in the public eye. So that
3 reminds me of what I imagine work on this Commission would
4 be like.

5 In doing that work, I worked as a consultant but
6 with a team of three other members of the city counsel who
7 formed a rent control subcommittee, and we worked together
8 in order to develop the ultimate proposal. So I gathered
9 information talking to the public, presented analytical
10 subcommittees. But ultimately, the legislative proposal
11 was the result of a team effort. And that team consisted
12 of the mayor and two city counselors, one who was more pro
13 rent control and one who was skeptical about rent control.
14 So our work was to bring together a consensus product that
15 we could all stand behind.

16 That was tough work. And the collaboration
17 entailed constantly churning over the details in order to
18 determine what each person's most important interests
19 were. What was the deal breaker for you? And what can
20 you compromise on? And start from there. But also
21 constantly reminding people of the constraints, which is
22 important.

23 Well, you think we should repeal rent control,
24 that's not on the table. Let's talk constructively. So
25 some someone wants us to make one district bigger than the

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1 other, that would be really great. Let's remind ourselves
2 we can't do that. So that's one example.

3 We were constantly working in a group setting on
4 faculty committees. And again, these are different
5 committee, but perhaps similar in the sense that you have
6 people with various wrong opinions who are not easily led
7 and who have tenured and therefore can't easily be
8 disciplined. And they have to be brought together.

9 And we work typically at Stanford on a consensus
10 model. We tried to come to consensus, rather than just
11 have people who get voted down. We can't always do it,
12 but we usually do. We usually do it.

13 And I think that -- I mean, that's an
14 accomplishment that I and the whole faculty are quite
15 proud of. When people walk away from a meeting, usually
16 everyone feels that the outcome was okay. Even if it
17 wasn't the outcome they went in feeling they wanted, they
18 felt that the process was fair and that the other members
19 of the group have the best interest of the institution at
20 heart. And that's what I think we would strive for here
21 too, that in the end, we all care about California. We

22 love California, and we want California to have a better
23 political process than it does now. That's the goal, not
24 whether we get more Republicans or more Democrats, not
25 whether my group gets more than yours. But in the end, we

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1 need to all think about the best interest of the state and
2 believe in the political process. And if we have
3 Commissioners who believe that, I think we're in good
4 shape.

5 MS. CAMACHO: As you know, the Commissioners are
6 going to be from various different backgrounds. So they
7 are probably not going to be all professors or counsel or
8 any commonality. Do you see that being an issue with
9 working with them?

10 MS. CAMACHO: Well, an issue -- I think that
11 that's a strength, given what the Commission ultimately
12 has to do. We need people from various backgrounds to
13 bring their perspectives to bear. But if the Commission
14 were all professors, the outcome would be skewed in ways
15 that would be unacceptable.

16 Now, there are always challenges of working with
17 people from diverse backgrounds who may not share one's
18 approach to issues, who may not share one's basic
19 understandings of issues. But what I found in my
20 experience in working with people from very different

21 backgrounds is that when you get beneath the surface,
22 there's more agreement than you thought. Not unanimity on
23 every issue to be sure, but more agreement than you
24 thought if you can burrow beneath the initial posturing,
25 if you can get past the initial presentations. And if you

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1 can get past divergent ways of putting something, that you
2 can start to get to consensus more than one imagined with
3 people who may be very, very different views and
4 backgrounds.

5 The work I've recently be doing, because I think
6 many people dealing with race relations think there is
7 another group that are just evil. And you know, they're
8 racist and therefore there's nothing to be learned from
9 them. There's nothing that you can talk with. They just
10 have to be defeated. And there are such people, but there
11 are fewer of them than a lot of folks think. And saying
12 that leads one not to listen and it leads one to discount
13 whatever they say.

14 Whereas, if one doesn't begin with that type of
15 assumption, even about people who one might think, well,
16 I'm going to have a hard time getting along with this
17 person, you find that they are -- that they can frame
18 issues in a way that is enlightening, that you can see,
19 now I see what you're getting at and perhaps you can come

20 to some sort of consensus after having seen the legitimate
21 interest that you might not have seen at first. And I
22 think that's the challenge of working in any group that's
23 quite divergent. And you know, I think I can do that.

24 MS. CAMACHO: Thank you.

25 There's one question I have that I'd like to ask

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1 about a statement that you made. I just want to get a
2 little bit of clarification. When you were talking about
3 working with the politicians, when and in what
4 circumstances would you work with the politicians?

5 MR. FORD: Well, I mean, for example, when we're
6 thinking about redrawing legislative districts, we have a
7 group of legislators who work in those districts now who
8 were elected from those districts. They're going to have
9 information about the districts and the political process
10 that very few other people have. They'll have insight
11 that very few other people have, and it will be important
12 to talk to them. It would be silly to say we are not
13 going to talk to you, even though you're the person that
14 maybe knows the most about it. But it's also important to
15 ensure that you keep critical distance.

16 The legislators that are elected now will have an
17 interest in being re-elected. They'll have an interest in
18 improving the prospects of their party at the expense of

19 the other political parties. That's natural. There's
20 nothing wrong with that. That's the way politics work.

21 But what is wrong is if it effects our work
22 because our work has to ensure that those kind of
23 considerations are not what's driving the process. And so
24 we need to get information, but we also have to make sure
25 that we keep the various vested interest at enough of a

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1 distance that they not unduly influence the process and
2 make sure to work to filter the information that we're
3 getting to ensure that we're getting pure information and
4 not information that's tainted by interest.

5 MS. CAMACHO: Thank you.

6 That's all the questions I have.

7 MS. RAMIREZ-RIDGEWAY: Ms. Spano.

8 MS. SPANO: Good morning.

9 MR. FORD: Good morning.

10 MS. SPANO: I'm curious, tell us about how it was
11 for you growing up in Fresno.

12 MR. FORD: Well, I mean it was interesting. We
13 moved to Fresno when I was six years old from Buffalo, New
14 York. And of course growing up in Fresno I didn't have
15 enough to compare it with I was six. And I got along
16 fine.

17 It's funny a lot of people -- when say people who

18 grew up in New York or San Francisco and Fresno, really
19 how was that? They expect terrible horror stories. No,
20 that wasn't the case. I had good relationships with many,
21 many people there and that I still care a lot about.

22 Fresno was less diverse when I was growing up
23 there in the 70s than it is now. It's been a very, very
24 diverse community now. But it was diverse. There was a
25 large Latino community, significant Asian community, and a

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1 large black community, although -- well, significant black
2 community, although not where I lived. I lived near Cal
3 State Fresno and the large black community was on the
4 other side of town.

5 Most of my school setting there weren't that many
6 African Americans. There was a handful really. Because
7 that's what I knew, it didn't seem remarkable to me. It's
8 only later that the idea that, wow, there were only four
9 black kids in the AP class or something like that two
10 black kids -- that that became something that I would
11 remark on. At the time, it seemed normal.

12 But there was racism. There were some people who
13 were racist and there were some people who are
14 subjectively racist in a variety of ways. Race was an
15 issue. It was something that had to be confronted and
16 negotiated, particularly as I got older. Or at least I

17 recognized it more when I got older. But it wasn't
18 crippling.

19 And it didn't -- and it wasn't the case that it
20 was a day-to-day burden. That wasn't it. It was a
21 problem that occasionally had to be dealt with and then
22 one moves on.

23 And so all in all, I had a happy childhood. And
24 Fresno is in many cases a warm and nurturing community
25 full of great people. And I'm glad I grew up there.

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1 MS. SPANO: Do you have a group of friends that
2 you were close to that were made up of a diverse
3 backgrounds and different ethnicity?

4 MR. FORD: It's one of those things that I
5 wouldn't -- at the time didn't think enough about it.
6 When I look back, I had two or three white friends,
7 four -- I'm taking a small groups -- the big group of
8 friends, but in a relatively small group of friends, four
9 or five white people, two Latinos, three Asians. You
10 know, I could break them down now by various ethnicity.
11 One was fill Filipino. One was Vietnamese. But that
12 doesn't really matter. But very diverse group.

13 I found I was drawn to just a wide variety of
14 people I would like to say without regard to race. I
15 don't think that was a criterion for me in maintaining

16 friendships.

17 MS. SPANO: Did you reach out to the other
18 African Americans in other towns?

19 MR. FORD: Yes. And you know, the couple things
20 about that. There was a small group of African Americans
21 in my neighborhood. It's interesting. When you were
22 mentioning diversity, I didn't mention that that's not
23 makes the group's diversity.

24 But there were also a group -- larger group of
25 African Americans who were bussed in from west Fresno and

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1 integration of that group was more problematic. I would
2 say the integration of the kids who were from my
3 neighborhood was relatively smooth. Those kids were well
4 integrated into football, cheerleading, the newspaper, all
5 the institutions. The kids that were bussed in had a
6 harder time integrating. They tended to stay to
7 themselves. So I had a few friendships with some of those
8 kids. But for the most part, they weren't in my classes.
9 And they weren't in the organizations that I was a part
10 of, which is a shame.

11 And it's one of the regrets I have about the way
12 integration proceeded there and the way it proceeded in a
13 lot of places that you can get integration on paper, but
14 in fact the groups don't mesh. A lot of that had to do

15 with socioeconomic status. Those kids were much less well
16 off than the typical kid from the schools I went to. And
17 I think that they were nervous and uncomfortable and the
18 other kids uncomfortable. And high school kids just
19 aren't that attuned to these kinds of things, how to deal
20 with them.

21 MS. SPANO: How would the experience benefit you
22 as a Commissioner if you are you're selected?

23 MR. FORD: Well, I think it will benefit me in
24 many ways. One, my first inclination is not to judge
25 people on the basis of race. I've had enough experiences

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1 that contradict any racial stereotype that those are not
2 part of the way I view the world.

3 And so I'll be able to confront people and look
4 at them as people and not as representatives of their
5 racial group. I think that's invaluable.

6 But at the same time, race and ethnic difference
7 is relevant. It matters to people. It matters in their
8 lives. It matters in their communities. Sometimes it
9 matters in their politics. Sometimes it has to be taken
10 into account. So I don't imagine that we could go about
11 doing this type of work and being color blind. There is a
12 racial community, but we're not going to pay any attention
13 to that. One, the law doesn't allow. In addition, it

14 would be a mistake, because we're trying to represent
15 communities of interest and those might include racial
16 communities. Nothing wrong with that.

17 And my own experience is -- and in the work I've
18 done, I've studied these issues enough to know that and to
19 try to work through the delicate balance of taking into
20 account these divisions, when they're relevant and when
21 they're valuable, but not making too much of them. Not
22 letting them drive us apart.

23 MS. SPANO: Thanks.

24 The CRC will be required to hear from groups and
25 individuals from hugely diverse views and backgrounds.

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1 Describe your experience working with diverse groups and
2 how do you see your experience as enabling you to take on
3 the work of the Commission.

4 MR. FORD: I've had a lot of experiences in this
5 respect. I just got through talking about one.

6 Throughout my educational experience and my
7 career, I've dealt with diverse groups. And, indeed, they
8 become more diverse over time. If we look at Stanford
9 University, when I was a student, the number of non-white
10 students -- the percentage has grown dramatically from the
11 early 80s when I was there to now. And in almost every
12 thing I do as a faculty member, there's negotiations that

13 involves issues of racial diversity. We have racial
14 student organizations, black student organizations, Asian
15 students, what have you. They have interest and concerns
16 that are brought to the faculty, and sometimes those
17 interests and concerns, clash, and have to be negotiated.
18 And yet, we need to keep the atmosphere one that's civil,
19 and we're -- ultimately, the educational experience comes
20 first.

21 On the Housing Authority, there were many, many
22 issues of racial diversity. There were conflicts between
23 various racial groups within the developments that had to
24 be worked out and the Commission had to confront. They
25 were not only between racial groups, but related conflicts

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1 that had to be negotiated.

2 MS. SPANO: Did you participate in those, working
3 out those conflicts?

4 MR. FORD: I did to some extent. For instance,
5 we met with representatives of Asian groups and the Asian
6 law caucus when there were conflicts between African
7 American residents and Asian residents in some of the
8 developments. And it worked out -- and heard concerns and
9 tried to work out settlements and negotiations to keep
10 those -- to keep those conflicts from boiling over.

11 You know, I have to say, the solutions were not

12 always ideal. So separating the groups was certainly not
13 my preferred solution, because that's segregation and --

14 MS. SPANO: What were the issues exactly?

15 MR. FORD: Well, there was kind of gang
16 conflicts, basically what it boils down to. Gang
17 conflicts in which racially targeted attacks. And a big
18 part of the question was to determine to what extent race
19 was the variable as opposed to other things that played
20 out in racial terms.

21 But certainly the perception was this played out
22 in racial terms. And sometimes we were not -- we didn't
23 have ideal options available to us. But we did what we
24 could. And you know, sometimes the solution had to be to
25 separate the two groups. Sometimes the solution was more

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1 security. You know, sometimes the solution was to work to
2 evict troublemakers. And none of those are attractive
3 solutions.

4 Now, as the Commission, we were responsible for
5 broad policy, not specific decision. So the Commission
6 would never say this person gets evicted or we're going to
7 bring in security to this unit in this way. But we did
8 guide -- we did try to set policy in order to tamp down
9 these kinds of conflicts.

10 MS. SPANO: Okay. Have you ever conducted any

11 outreach efforts to increase the awareness about the
12 importance of voting?

13 MR. FORD: I'm trying to think about the range of
14 activities that might entail. I mean, I haven't done
15 canvassing and that type of work. Much of my work has
16 involved public speaking and writing editorials and things
17 like that.

18 I have done work in trying to educate the public
19 about the importance of the electoral process. Several
20 years ago, there was a big conflict involving voter fraud
21 and pole workers. So you might remember that the
22 Republican party sent in pole watchers to police voter
23 fraud in various voting places. But the question was
24 whether they were intimidating voters to keep them out of
25 the poles. I wrote a bit about that for Slate and some

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1 other publications.

2 I wrote about the Gubernatorial recall back many
3 years ago for -- I believe it was the San Jose Mercury.
4 Might have been the Chronicle. So that's been a lot of
5 the work that I've done in kind of what you might call
6 outreach.

7 MS. SPANO: Thank you.

8 Describe for me the factors that constitute
9 community of interest in your mind.

10 MR. FORD: Well, there would be several. I think
11 geographic proximity matters. So we begin with
12 neighborhoods. And the thing about neighborhoods is that
13 it sounds a little amorphous. There's no formal
14 designation of a neighborhood for the most part.
15 Sometimes there is. But for the most part, there's not.

16 But studies have shown when you talk to people,
17 there's widespread agreement about where the neighborhood
18 begins and ends. Down to, like, the block there's
19 agreement. People would say, you know, okay, Forest Hills
20 ends here and Saint Francis Woods begins there and they're
21 going to agree. So neighborhood is one of the things that
22 people identify with.

23 Sometimes in some environments they'll be ethnic
24 or national origin or racial dimensions to a community
25 that will be quite important to many people in the form of

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1 cultural group. And that will be relevant.

2 But again, it's important to make sure that it
3 doesn't overwhelm other factors. And often you'll find
4 people might say this is a black neighborhood, but then
5 when you talk to them a little more, it's a black and
6 southeast Asian and Latino neighborhood. But sometimes
7 those factors are relevant.

8 Economic factors and interconnectiveness that if

9 the community often involves commercial institutions,
10 either employers or stores or what have you, the people in
11 the communities think of as their institutions, that's
12 important. Church may be relevant, and in other types of
13 non-profits community groups.

14 But the kind of things that people do on a
15 day-to-day basis -- now the tricky part about all this is
16 once you move away from that, then you get into the hard
17 questions of whether the commuter patterns are relevant.
18 People from this neighborhood tend to commute to downtown.
19 One time we might have been able to say something like
20 people from various neighborhoods in San Francisco tend to
21 commute downtown to work. Now they also commute to Marin
22 County or Palo Alto, so you have a more complicated
23 question about what counts as a community of interest.

24 And that I think is one of the biggest challenges
25 that we're going to face, that that degree of mobility

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1 means it's going to be impossible to capture all of the
2 relevant communities of interest in a single district.
3 They'll be divided by necessity.

4 But what will be important will be to be aware of
5 that and to try to reflect the most important
6 characteristics in the legislative districts. And it's
7 still fair to say based on all the research I've read that

8 where one's residence is paramount even more than job. So
9 we beginning with residential neighborhoods and work from
10 there.

11 MS. SPANO: Do you have any hands-on experience
12 working with communities of interest?

13 MR. FORD: Well, depending on how you define it.
14 Yes, my work in the Housing Authority in San Francisco and
15 in Cambridge with rent control involved working with
16 various groups that I would define as communities of
17 interest.

18 When we did rent control work in Cambridge, there
19 were ethnically defined communities that had interest in
20 how rent control changes would affect their community.
21 The black communities in Cambridge was worried if you
22 relax rent control, we were going to basically drive the
23 black community out of the city. They would be priced out
24 of the city. That was -- so we met with black community
25 leaders. And certainly in the Housing Authority in

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1 San Francisco, there was a lot of work with, you know, a
2 variety of neighborhood groups, groups that were defined
3 by race, groups that were defined according to religious
4 entities and other -- groups that defined communities. So
5 we started to get a sense of what the communities were and
6 how they felt about the public housing that was in their

7 neighborhood.

8 MS. SPANO: Thank you.

9 How do you see the role of the Commissioner
10 impacting your current lifestyle?

11 MR. FORD: Well, that's an interesting question.

12 I'm not certain how the responsibilities of the
13 Commission will be organized. I expect that we will be
14 required to attend meetings, and we'll want to attend
15 meetings in various parts of the state, various times so
16 there will be some traveling involved.

17 And it will therefore -- I also expect that we'll
18 want to have these meetings at times when most of the
19 public can attend and that won't be during the workday,
20 but instead will be on weekends and at night. So in that
21 sense, it will probably cut deeply into leisure time.

22 And I expect there will be public attention to
23 the Commissioners, that reporters and the media will want
24 to know about us. And so we'll get some attention that
25 we're not used to having and some scrutiny that we're not

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1 used to having in our private lives. And that will change
2 things for us as well.

3 And I expect that we'll be potentially inundated
4 with both questions and lobbying from various sides. So
5 we may spend a lot of time fielding phone calls and this

6 type of thing and have to stand up kind of psychologically
7 to pressure from both sides.

8 MS. SPANO: What do you think the most
9 challenging responsibilities will be of a Commissioner?

10 MR. FORD: I expect that the -- two things. The
11 dealing with conflict both among the Commission and
12 between the public, and the vested interest in a
13 constructive way without letting the pot boil over, that
14 will be a challenge.

15 And making sure when things heat up, that we keep
16 focused on the central task of the Commission, that we
17 don't get pulled aside in a whole variety of what are
18 likely to be very compelling side agendas. There are many
19 people who have an agenda about how this is done, and
20 we'll have to keep our focus on how do we do this for the
21 best interest of all concerned and not get pulled away
22 into other agendas which may well be compelling to us as
23 well as individuals.

24 MS. SPANO: How much time? One minute.

25 Can you tell me briefly what the most difficult

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1 and challenging decision you ever had to make, either in
2 your professional life or personal.

3 MR. FORD: The most difficult -- that's an
4 interesting question.

5 MS. SPANO: Or complex decision.

6 MR. FORD: Right.

7 One issue that we had to confront in the Housing
8 Authority was the question of setting policy about
9 evictions. Now, we had some constraints because federal
10 law, they had some requirements about evictions. But
11 never the less, the tough calls, the tough policy
12 decisions involve questions where somebody had violated
13 the terms of the lease in some fairly severe way like they
14 had a weapon.

15 MS. SPANO: Well, thank you for starting that.

16 MS. RAMIREZ-RIDGEWAY: We can let him finish his
17 answer if you'd like.

18 MS. SPANO: Would you mind?

19 MR. FORD: Sure.

20 Someone violated -- they had a weapon or a
21 dangerous animal or something that was a violation to the
22 lease. But the person who did that wasn't the person
23 who's going to be evicted. Was like a relative. And the
24 question was will we evict the person for that. It's a
25 formal violation. But should we have a policy that you're

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1 evicted if someone else comes into your unit with drugs
2 and gets caught. Maybe it's a grandmother or old lady or
3 something like that. That was a very hard decision.

4 And you know, in my ultimate judgment about that
5 was that certain types of offenses were so threatening to
6 the health of the entire development that you had to
7 proceed with the evictions, as harsh as it was, that you
8 couldn't allow in a context where you had gang violence,
9 for instance, you couldn't take excuses about weapons in
10 the building that were prohibited.

11 And these were extremely hard decisions, because
12 in some cases you were talking about someone who was
13 already in pretty dyer straights who would be evicted.

14 MS. SPANO: Yeah. So had you to throw out
15 grandma sometimes?

16 MR. FORD: Yeah.

17 MS. SPANO: Okay. Thank you.

18 MS. RAMIREZ-RIDGEWAY: Panelists, do you have
19 follow up questions you'd like to ask? We have about 20
20 minutes. I know I have some questions. I didn't know if
21 you did.

22 MR. AHMADI: Not at this moment.

23 MS. RAMIREZ-RIDGEWAY: Mr. Ford, I look at your
24 application and I thought, wow. And I'm sure you've heard
25 we've had a number of people who have said to you, that

1 the Commission needs to be comprised of just regular Janes
2 and regular Joes. And given all of your accomplishments,

3 do you think you're the kind of person that the public
4 envisioned when they passed Prop. 11? And I guess as a
5 follow-up to that, how will you reach out to the poor and
6 the uneducated and be approachable to them?

7 MR. FORD: These are great questions.

8 In terms of do I think I'm the kind of person
9 that the public envisioned, I'm not sure that the public
10 envisioned a particular type of person as much as someone
11 who would be able to engage in this task without bias,
12 would be able to engage in this task without allowing
13 themselves to be captured by -- again by vested interest.
14 You know, I mean I think that's the main criteria.

15 And to that extent I think I'm a good
16 representative, because -- you know, I combine some
17 knowledge and expertise. And I do expect many people
18 would be dismayed if there was a Commission composed of
19 people that didn't have knowledge and expertise about the
20 issues.

21 But at the same time, I'm not connected with any
22 vested interest. I don't hob-nob with politicians. I
23 don't know them on sight. They don't have their phone
24 numbers in my Rolodex. It's not as if I'm going to be
25 influenced by them where many other people that have the

1 familiarity with the issues would. So in that sense, I

2 think I'm the type of person that the public envisioned.

3 Now, in terms of well, okay, Stanford professor,
4 what have you. I would -- I believe that I can talk to
5 people from a variety of backgrounds and a variety of
6 socioeconomic backgrounds as a regular person. And you
7 know, I wasn't born a Stanford professor. I grew up in
8 the middle class environment and went to public schools.
9 And so it's not as if I'm removed from the lives that the
10 average person lives in any way. And even now, you know
11 college professors aren't rich. It's not as if -- so I do
12 think that -- and I think that I've done that in other
13 capacities, talked to people from a variety of backgrounds
14 in a way that we can relate to you.

15 One other thing about that. A lot of the work
16 I've been done recently, the academic work has involved
17 taking academic issues and make them accessible to the
18 public. The work I do for Slate is about doing that.
19 Many people in the academy won't talk to anybody who's
20 outside their discipline. They talk in academic speak and
21 jargon and find it very hard to somebody who might be
22 watching CNN or who might be just reading the newspaper or
23 what have you. And I've worked hard to not to be that
24 kind of academic, not that there's anything wrong with it.

25 But I aspire to talk to a wide variety of people,

1 to talk to a broad audience, whatever I do. I'll aspire
2 to do that whether I'm on the Commission or not.

3 But I think that work -- and you can look at my
4 op-eds and my work for Slate, in the book, and some of my
5 TV appearances to see that's something I care about.

6 MS. SPANO: I want to take you back to a
7 conversation that you had in response to one of Ms.
8 Camacho's questions. Because as an attorney, this is
9 something that peaks my interest.

10 How are you going to transition from law
11 professor with an expertise in voting rights issues to
12 client? And how will you find counsel that you trust to
13 give you advice you can rely on?

14 MR. FORD: That's a great question.

15 It seems to me that the Commission is going to
16 require counsel that is independent of other political
17 influence. I don't know whether we'll hire our own
18 counsel or whether we'll find counsel employed by the
19 State that can fill that role.

20 But that it will be important that we trust that
21 the counsel is working for us as the client and not for
22 somebody else. And it will be important that we know that
23 when we ask for legal opinion we're going to get an
24 unvarnished legal opinion from the attorneys.

25 And there are many, many, many attorneys who can

1 do this. I worked with attorneys from the San Francisco
2 attorney's office, for instance, that, you know, I would
3 trust with any legal issue I can imagine. And so I know
4 that there is such public attorneys out there, and that's
5 probably what we'll wind up doing.

6 But it is important. You're absolutely right to
7 have absolute confidence that the attorney is working for
8 you and they're very good so you don't second guess.

9 And you know, in that respect -- but in the end,
10 I want to defer on these issues. I don't want to become
11 my own lawyer. It's something I very much want to avoid.

12 When I was on the Housing Authority people would
13 say, "You're a lawyer. What do you think about this?"
14 And you know, I can tell you a little bit, but I don't
15 want to be in the position of the giving legal advise to a
16 Commission on which I sit. That's a catastrophe I think.

17 MS. RAMIREZ-RIDGEWAY: I don't want to pry too
18 much in your wife's what I think are attorney/client
19 relationships. But I do wonder whether she has any
20 clients who are either affiliated with public relations
21 firms, public policy, politics, et cetera.

22 MR. FORD: Not that I know of. My wife is a
23 trademark lawyer. So she doesn't work in public
24 administration or public contracting or, you know,
25 government in any capacity. She works with private firms

1 protecting their intellectual property. And as far as I
2 know, there are -- none of those firms are lobbying firms
3 or anything of that sort. They're mainly high tech and
4 other types of commercial businesses.

5 MS. RAMIREZ-RIDGEWAY: Okay. You talked a couple
6 of times when you were describing some of the work that
7 you've done elsewhere about inefficiency. And it peeked
8 my interest, because I tend to be kind of an efficiency
9 nut. I'm envisioning these meetings that the Commission
10 has where you might hear for hours on end the same story
11 over and over. And you won't be able to say, well, it's
12 6:00. How will you deal with that?

13 MR. FORD: I mean, there are a couple questions
14 here.

15 One, in my experience, Commissions have a Chair.
16 And I assume this Commission will elect Chair. And it's
17 mainly the Chair's responsibility. And so it's important
18 to respect that and not to step on the toes of the Chair.
19 So if I'm not the Chair, then I need to stay out of it for
20 the most part.

21 I do think there are ways you can gently tell
22 people we've heard that before. Or yes, yes, we
23 understand that point. Can we move on? Time is short.
24 Those kind of reminders are valuable.

25 You know, there is a limit to the extent you can

1 do that, particularly when you're dealing with the public
2 because you want to be sensitive as well. If somebody is
3 telling you their story or their concern, you want to
4 listen, even if you've heard something similar. And so
5 there is a balance to be struck.

6 But as far as the Commission goes, I would
7 just -- I would want to constantly remind everyone that we
8 have a lot of work to do and a relatively short amount of
9 time to do it. And hearing the same argument over and
10 over again doesn't moving the ball. We know how you feel
11 about this, but we've got to move things along.

12 And you know again, I don't envision myself being
13 in charge and able to impose things. But sometimes you
14 have to call the question. We've heard all the arguments
15 and now we've got to vote. And sometimes it comes to yea
16 or nay vote and that's that. Everyone won't be happy.
17 You never get anything done if you're not willing to do
18 that sometimes.

19 MS. RAMIREZ-RIDGEWAY: Do you have a vision of
20 how the Commission should reach average citizens and
21 solicit their input?

22 MR. FORD: Well, I imagine we need to do that
23 through a variety of mechanisms. Public meetings held in
24 various community centers around the state would be
25 valuable -- I mean invaluable. I think we have to have

1 that. And I expect that we need to have several where the
2 entire Commission sat in different parts of the state.

3 But in addition, I can envision individual
4 Commissioners reaching out to communities that they're
5 most familiar with already and serving as sort of a
6 liaison to the Committee. This can become -- one has to
7 be careful about that, because you don't want -- you don't
8 want the perception that there's some kind of an inside
9 track between a particular Commissioner and one group.
10 And you don't want it to become, I'm the Commissioner
11 who's going to represent the black, the African American
12 interest. That would be bad. In order to get the ball
13 rolling and to gather information so that we know where to
14 look next.

15 I also imagine new media and new technology could
16 be a powerful ally that we could set up a website in which
17 people could post public comments. We could set up online
18 dialogues in order to bring in information from people who
19 might not otherwise -- we might not otherwise reach.
20 Because I think it will be relatively easy to reach the
21 groups that you know are already organized. And where you
22 know can you go to a particular community organization.
23 And in fact, a lot of them will come to you once the
24 Commission is formed.

25 The problem is going to be reaching those

1 citizens who aren't the members of any of those groups,
2 and that may be a majority of the citizenry. And new
3 media and things like that would be extremely useful I
4 think, because people are used to it now and it's not that
5 time consuming. So rather than having to show up a
6 meeting that may be miles away and somebody could send an
7 e-mail or get onto a website relatively quickly and could
8 be a very good way to get a hold of things.

9 I imagine we're going to need to do advertising
10 of some kind in order to make sure that citizens know what
11 we're doing and how to get in touch with us. They
12 know when the meetings are held and what have you.

13 And then working with existing community groups,
14 that's obvious that we'll need to do that. And again
15 striking that balance between doing that, but not getting
16 captured or pulled into what seems to be a special
17 relationship.

18 MS. RAMIREZ-RIDGEWAY: Very good.

19 Panelists, do you have additional questions?

20 MR. AHMADI: No, I don't.

21 MS. CAMACHO: I don't have any.

22 MS. SPANO: How much value do you see in getting
23 one-on-one contact with the public and getting their input
24 on the Commission and their interests they feel are very

25 important when they have that attitude that nobody really

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1 listens to me?

2 MR. FORD: I think that is very important. And,
3 you know, so it's got to be done in a variety of ways.
4 Certainly public meetings are crucial. And where people
5 can actually show up and talk to the Commission face to
6 face and voice their concern.

7 But it can't be the only thing that we do. We
8 can't imagine that, well, we had a public meeting and it
9 was noticed, so that's that. We heard from the public.
10 We need to reach out.

11 And it seems to me that, you know, again new
12 media would be a great way to do that. Where it may not
13 be face to face, but still be one-on-one in the sense that
14 you have an online dialogue. I've done online dialogue on
15 questions with something set up by Slate in the Washington
16 Post and there were great ways to connect with people that
17 were interested in the issue and who I'm sure would not
18 have -- many of them wouldn't have had the time to show up
19 to a public lecture or wouldn't have bothered to write an
20 e-mail. And I would assume if they did write an e-mail, I
21 wouldn't respond. That's a way that we can do in a
22 relatively low cost to everybody involved and would be
23 quite effective.

24 But I think we need a variety of approaches.
25 Some people aren't comfortable with technology. We need

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1 something else. But I think it's very important that the
2 public feel that they can make their concerns heard to the
3 Commission.

4 MS. SPANO: Okay. Thank you.

5 MS. RAMIREZ-RIDGEWAY: We have about six, almost
6 seven minutes remaining if you care -- if you wish to make
7 a closing statement.

8 MR. FORD: Okay. Great.

9 Well, thank you for inviting me here. It's an
10 honor to have been selected to give these interviews. And
11 I enjoyed talking to all of you. Really interesting
12 questions.

13 I want to say I think this has the potential to
14 be an historic opportunity, that in -- in the history of
15 democracy, there aren't that many moments where something
16 truly innovative with the potential to improve the process
17 comes along. And this might be one, if we do it right.
18 This is a problem that's confronted representative
19 democracy for centuries. And it's well known in the
20 political science literature and well known among the
21 public, the difficulty of drawing these districts in a way
22 that's fair and unbiased. And we have a chance to really

23 lead here.

24 And we have a chance to give the state of
25 California in one small way the kind of political process

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1 that it deserves. This is a great state. It's a
2 remarkable state with so many resources and virtues, and
3 there's no reason that we can't get this right and there's
4 every reason that we can.

5 We've got lots of people the draw on. If I were
6 a Commissioner, I would cast a pretty broad net and try to
7 bring in people from a technology, from a variety of minds
8 from academia, and get the best mind on this problem. I
9 have no doubt if we really could get the best minds
10 working on this problem and hear from all of the people in
11 the state and draw in the resources that we have that we
12 could make this work and be something that will be a model
13 for the nation.

14 So again I'm honored and humbled to be here.

15 Thank you.

16 MS. RAMIREZ-RIDGEWAY: Thank you so much for
17 coming to see us. We'll go into recess until 12:59.

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