

STATE OF CALIFORNIA
CALIFORNIA STATE AUDITOR'S OFFICE (CSA)

In the Matter of:

2020 CITIZENS REDISTRICTING COMMISSION (CRC)
Applicant Review Panel (ARP) Public Meeting

621 Capitol Mall, 10th Floor
Sacramento, California 95814

THURSDAY, MARCH 12, 2020

9:00 A.M.

Reported by:
Peter Petty

APPEARANCES

Members Present

Ben Belnap, Chair

Ryan Coe, Vice Chair

Angela Dickison, Panel Member

Staff Present

Christopher Dawson, Counsel

Shauna Pellman, Auditor Specialist II

Applicants

Jonathan Birk

David Holtzman

Greer Bosworth

Anthony Coe

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1 PROCEEDINGS

2 9 a.m.

3 CHAIR BELNAP: Good morning. It's close
4 enough to 9:00. We'll get started. I see that
5 the -- all members of the Panel are present.

6 Just a reminder to silence all cell phones
7 and other devices. Restrooms are here in the
8 hallway. In case of an emergency, just follow us,
9 a CSA staff member down the stairwell.

10 I want to welcome Jonathan Birk here for
11 the interview.

12 And Mr. Dawson will read the standard
13 questions.

14 MR. DAWSON: Thank you, Mr. Belnap.

15 Mr. Birk, I'm going to read you five
16 questions that the Panel has asked each Applicant
17 to respond to. Are you ready, sir?

18 MR. BIRK: Yes, sir.

19 MR. DAWSON: First question: What skills
20 and attributes should all Commissioners possess?
21 What skills or competencies should the Commission
22 possess collectively? Of the skills, attributes
23 and competencies that each Commissioner should
24 possess, which do you possess? In summary, how
25 will you contribute to the success of the

1 Commission?

2 MR. BIRK: Beginning with the three
3 criteria of being impartial, embracing the
4 diversity in California, and the -- having the
5 ability to be analytical, which I feel that the
6 Panel here is taking care of, there's other traits
7 that I believe that collectively, whether it's the
8 entire Commission members or just individual
9 members should have.

10 The first one is taking ownership of the
11 process. This is a very big deal for California
12 and it has a lot of -- because of the strategic
13 impact that this has, there's a lot of detractors,
14 people putting their own inputs in that could,
15 potentially, the decisions that are made by the
16 team, could impact individual members.

17 By taking ownership of the process and
18 taking ownership of the process of becoming a team,
19 I feel that the Commission, each member, feels that
20 their decisions is based on a team process and not
21 each individual. So if there is criticism with
22 this process, they can come together as a team and
23 say this is the reason we did this, not this is the
24 reason that person did that and this is the
25 decision, why I made that decision.

1 So that's probably the first, most
2 important, is taking that ownership and becoming a
3 team to take that ownership.

4 Secondly, I think each collective member
5 needs to have the ability to identify personal
6 bias, as well as bias in others, and some of this
7 comes to being impartial. We all have our personal
8 biases, our own motivations that drive some of the
9 decisions we make.

10 But if we had the ability to identify what
11 our personal biases are, maybe what the biases are
12 of other members on the Commission, the biases of
13 those that are speaking, we have the ability to
14 identify, let's step back a second and think, well,
15 why I am making this decision? Am I being biased
16 in this approach? Is the person speaking the
17 motivations they have? Is there some bias in this
18 or is there the truth that this really involves
19 their community of interest?

20 And by identifying -- being able to
21 identify these biases, it does take time to
22 identify your own self-biases, but you can start
23 identifying others and it helps create that
24 cohesive team, that even though you have your
25 differences, you can take the external and internal

1 conflicts and bring them together and find where
2 the middle ground is between those different biases
3 that people have on different sides.

4 Another trait that I think Commission
5 members need to have is taking the -- having the
6 ability to work together, as well as having faith
7 in this process. You're bringing in people from
8 various backgrounds, various geographic backgrounds
9 growing up, where they live now, cultures. And
10 what it does is, with this Commission, by having
11 these 14 members, you bring them together, and
12 having the ability to work together, seeing --
13 appreciating and respecting what people bring to
14 the table.

15 Some people are going to be great at
16 public speaking. Some people are going to be great
17 at analytics. Some people are going to have
18 already been within the political process and
19 understand how things work. And knowing the
20 strengths and weaknesses that each member has, it
21 allows them to come together as a team. Instead of
22 fighting against each other, you work with each
23 other's strengths and weaknesses.

24 And having Commission members that can
25 respect one another for what the strengths and

1 weaknesses are of each member, as opposed to who
2 that member is, it will help create a more strength
3 -- or will strengthen the ability of the Commission
4 to work appropriately.

5 And, lastly, I think that the Commission
6 needs to have some of the servant-leadership
7 attitude. We're coming here as -- we're applying
8 for this Commission to work on the behalf of the
9 State of California and the citizens to make sure
10 everyone has the appropriate fairness in voting,
11 that they feel that the person that's representing
12 their district matches the same characteristics
13 that they have.

14 And the main way that we can do that is
15 when you have the Panel that's servant leadership,
16 it means throwing away your R or your D or your
17 Independent or non-party tag and coming in and
18 working on behalf of the citizens and not any
19 partisan parties, any political motivations or
20 personal biases or personal agendas that you might
21 have of coming onto this Commission. And by having
22 that servant-leadership attitude it can continue
23 carrying the torch towards the next Commission ten
24 years from now that will continue to shake
25 California and, possibly, even shake the nation as

1 they see how this process work.

2 Now out of the traits that I mentioned, I
3 feel that I have strengths and weaknesses in some
4 of them -- or strengths in some of them, weaknesses
5 in some of them. However, what I feel I can
6 contribute with some of the strengths that I do
7 have is, number one, I'm a servant leader.

8 The main reason I'm applying for this
9 Commission is because I want to serve the State of
10 California in this redistricting. I love history
11 and I see the problems that redistricting has had
12 throughout the nation from the time it was -- the
13 nation began, even in this state and some of the
14 issues that we've had with redistricting. And I
15 feel that this is one way that I can do my part to
16 ensure that an independent Commission can ensure
17 that redistricting is done right and not based on
18 political bias.

19 Secondly, I'm very analytical. I can go
20 through volumes of data and find the pertinent
21 information that's needed and can get it to the
22 people that need to get that information and help
23 make decisions faster. Or, if I'm making the
24 decisions myself, can find that data and make the
25 decisions faster.

1 I'm also a people person. Part of my job
2 in the military is I, as a Group Superintendent, I
3 have to take care of the morale and welfare of our
4 troops. And in order to do that, you have to be
5 able to talk to people, you have to be able to
6 engage with people of different backgrounds for all
7 the different problems that people are having.
8 With over 850 troops, that's 850 different problems
9 that people could have. And you have to be able to
10 speak to them and know how to help them with their
11 particular problem, whether it's an administrative
12 problem or it's a personal problem and try to find
13 the best solution for them to find.

14 Lastly, I have faith in this process. I,
15 as I mentioned, I want to be a part of this because
16 I want to redistrict California. I believe what
17 the 2010 Commission did was set a great precedent.
18 And I feel that if we can improve on the great
19 success that the 2010 Commission had, that we can
20 continue this process going for the next generation
21 of voters in 2030 and, possibly, continue to expand
22 this process across the nation, that this is the
23 way that California is doing things, this is the
24 way that the nation, maybe, should consider doing
25 things and take a lot of this political bias that

1 goes on in other states currently.

2 MR. DAWSON: Thank you. Question two.

3 Work on the Commission requires members of
4 different political backgrounds to work together.
5 Since the 2010 Commission was selected and formed,
6 the American political conversation has become
7 increasingly polarized, whether in the press, on
8 social media, and even in our own families.

9 What characteristics do you possess and
10 what characteristics should your fellow
11 Commissioners possess that will protect against
12 hyper-partisanship? What will you do to ensure
13 that the work of the Commission is not seen as
14 polarized or hyper-partisan and avoid perceptions
15 of political bias and conflict?

16 MR. BIRK: I personally feel that if a
17 person, whether they're a Republican, a Democrat,
18 an Independent, a non-party, that the majority of
19 us all have the same personal goals in our life of
20 success, having kids, or whatever. We all have
21 kind of the same end place. I think what makes us
22 differently politically is the methods that people
23 think is the best way to get there. And the hyper-
24 partisanship comes from people not being able to
25 see the middle ground sometimes in the way that

1 those methods work.

2 I feel that the background that I have is
3 probably my best asset to fighting hyper-
4 partisanship. I've, you could say, I've been on
5 both sides of the political spectrum in terms of
6 certain factors that create some of those methods
7 that I discussed that make people go certain ways.

8 I grew up poor. I was -- I grew up in a
9 single-family home in the middle of Yermo,
10 California. If you've never been there, it's
11 halfway between Barstow and Las Vegas on Interstate
12 15, 1,000 people. I grew up on welfare. And my
13 mom would have to play roulette sometimes to see
14 what utility was going to be on that particular
15 week. So I have that ability to see that
16 perspective where you might have people that think,
17 oh, welfare is bad. Well, I'm a product of that
18 and was able to succeed from that.

19 But I've also seen the other aspect of it
20 where, today, I don't have the worry of my
21 electricity bill being off because I can't pay the
22 bill or was fortunate that my mom went to college
23 over time, was able to get off of welfare, and was
24 able to get me into that process where I wanted to
25 go to college and escape Yermo, as they call it,

1 and get a degree and become something of myself and
2 to have that ability.

3 From my background of growing up in that
4 to where I am today, I feel that gives me the
5 ability to kind of see down the middle. And where
6 the hyper-partisanship starts when people start
7 throwing out all the different things that make us
8 different and seeing we're really not all that
9 different in the end, just one side believes this
10 much, this is the way to do it, and the other side
11 believes this is the way. And I feel that, again,
12 taking that personal bias out and seeing what your
13 personal bias is and try finding that middle ground
14 is one way to fight the hyper-partisanship.

15 So if it's something that happens within
16 the Commission, themselves, where all three sides
17 can't agree with each other, it's one of those
18 moments where we just need to kind of step back and
19 think, why are we thinking this way? What are the
20 actual facts that need to find what the middle
21 ground is and not what the partisan feelings are in
22 this sense?

23 The one way that I think that the
24 Commission can ensure that this work isn't partisan
25 is, as I mentioned earlier, having this front, that

1 we're not five Democrats, five Republicans and five
2 Independent/non-party, that we're 14 Commissioners
3 that are serving the State of California and
4 that's, basically, all that we are. We just -- to
5 keep the process fair you have to have five, five
6 and four, but we're here to serve the state and not
7 our partisan feelings on how we may vote in each
8 election.

9 MR. DAWSON: Okay. Thank you. Question
10 three.

11 What is the greatest problem the
12 Commission could encounter and what actions would
13 you take to avoid or respond to this problem?

14 MR. BIRK: I think the biggest problem the
15 Commission could encounter would be similar to what
16 the 2010 Commission encountered. After the
17 redistricting was done there was an article that
18 came out that there were members of the press that
19 were -- or members of public groups that were
20 coming to these public hearings and possibly
21 influencing the Commissioner members to possibly
22 start redistricting towards -- that shape towards a
23 certain political party.

24 As hyper-partisan as we've become today in
25 2020, I could foresee this continuing to be a

1 problem, even here in California. And the best way
2 to fight this would be using the precedent the 2010
3 Commission did in their arguments against this
4 criticism. They basically did everything that they
5 were supposed to do. They followed all the
6 criteria that were in the Voters Right Act. They
7 kept everything open and transparent. They held
8 public meetings. And, basically, everything they
9 did allowed them to defend themselves, that this
10 was done based on everything in the law.

11 And based on that, they were able to,
12 basically, detract their -- the criticism against
13 them, as well as all the litigation that was placed
14 against that particular Commission's decisions was
15 thrown out of court because they followed the law.
16 They were open and transparent and did everything
17 that they were supposed to.

18 And if the 2020 Commission can do that,
19 follow everything that they did, I feel that that
20 would prevent any possible criticisms of the
21 Commission of 2020.

22 MR. DAWSON: Thank you. Question four.

23 If you are selected you will be one of 14
24 members of the Commission which is charged with
25 working together to create maps of the new

1 districts.

2 Please describe a situation where you had
3 to work collaboratively with others on a project to
4 achieve a common goal? Tell us the goal of the
5 project, what your role in the group was, and how
6 the group worked through any conflicts that arose?
7 What lessons would you take from this group
8 experience to the Commission, if selected?

9 MR. BIRK: I've been in the Air Force
10 Reserve and I've been in for 19 years. And being
11 in the military, you have a lot of opportunities to
12 work in a group collaborative project.

13 The most recent one I worked on was
14 working in a group of multiple individuals that
15 were establishing requirements for emerging needs
16 for reservists for certain positions, as well as
17 deciding, what were the current positions that we
18 needed to keep, and it involved various individuals
19 with personal agendas, budgets, various things. So
20 we would have people representing the Reserves, Air
21 Force Reserve, people representing the active duty
22 unit that that that reserve unit supported. You
23 had civilians, civilian agencies, as well as the
24 Army, Navy, Coast Guard and Marines having their
25 inputs as well. So you can see various

1 organizations and each one having a little piece of
2 the puzzle that they think that they need a part of
3 and putting inputs on this.

4 And my role in this particular meeting was
5 to act as a subject matter expert for the Air Force
6 Reserve, as well as provide the data behind some of
7 the things of the emerging requirements that we
8 were asking for. There was a lot of conflict in
9 this, as you could imagine in a lot of military
10 meetings, where we discussed certain things, units
11 needed this, units didn't need this, certain ranks,
12 positions.

13 To give you an example, one conflict that
14 we had involved the Reserve portion of it, we
15 wanted to have a position that was at the Major
16 rank and the Active Duty side wanted to have that
17 same position at the Captain rank, which is one
18 rank lower than a Major. And there was conflict in
19 this particular decision. And the discussions, we
20 basically opened it up and we allowed each side to
21 have their discussion, give everything based on
22 facts, and come to a conclusion.

23 On the Reserve side, we basically stated
24 that we needed to be a Major position because most
25 people getting out of active duty are Captains at

1 the ten-year mark, which makes them eligible for
2 Major, so we're providing the facts to show why we
3 back that. And you're at least dangling a carrot,
4 that you get the most experienced people.

5 In the Active Duty side, their facts were
6 we didn't want this Reservist to outrank any of our
7 Active Duty members, which is the fact. They don't
8 have any Majors at that particular position.

9 After that the leadership closed that
10 argument discussion going on, opened up to the
11 entire group now where we couldn't argue and banter
12 back and forth but it was discussing the facts.
13 What is the best opportunity that this particular
14 position at this rank would benefit our unit? And
15 after much discussion, it came to the conclusion
16 that we needed to get the most experienced person
17 into this position, even if that means that person
18 outranks Active Duty, they have no leadership over
19 those Active Duty members, so it allowed us to have
20 a conclusion. And there was multiple conflicts
21 like that with the various 10 to 12 positions that
22 we established. And this took a couple weeks for
23 us to go through.

24 My takeaway from that particular meeting,
25 as well as other things that we've done in the

1 military, is it -- there always seems to be that
2 process that works the best. There's been meetings
3 where it's just been arguing, arguing, arguing over
4 leadership decisions and nothing ever gets fixed,
5 where in the end someone just says, this is the way
6 we're going to do it because I'm the Colonel and I
7 said so.

8 The best meetings have been the ones
9 where, like the example I just gave you, where they
10 allow each side to give the facts. And then we, as
11 a group, work together to figure out, what's the
12 middle ground based on these facts, to find the
13 best conclusion? And I feel that's the best
14 process.

15 And having experienced that, both sides of
16 that many times over my career in the military,
17 that would be a great solution that I could bring
18 to the Commission, too, if we ran into that issue
19 where everyone's just arguing back and forth.

20 MR. DAWSON: Madam Secretary, could I have
21 a time check please?

22 MS. PELLMAN: We have about 12 minutes and
23 50 seconds.

24 MR. DAWSON: Thank you.

25 Question five.

1 A considerable amount of the Commission's
2 work will involve meeting with people from all over
3 California who come from very different backgrounds
4 and a wide variety of perspectives.

5 If you were selected as a Commissioner,
6 what skills and attributes will make you effective
7 at interacting with people from different
8 backgrounds and who have a variety of perspectives?
9 What experiences have you had that will help you be
10 effective at understanding and appreciating people
11 and communities of different backgrounds and who
12 have a variety of perspectives?

13 MR. BIRK: As I mentioned, I feel I have a
14 very diverse background as far as growing up and
15 with the military career. I can say,
16 geographically, within the state of California,
17 I've been a lot of places in this state, from
18 southern to central to northern.

19 I can say, growing up as a high school
20 student, one of your best things is being at a
21 small school in the middle of nowhere. For
22 example, to go to football games, to be there at
23 seven o'clock, if you were going to Mammoth or
24 Bishop from Yermo, you basically show up to school,
25 get on the bus at ten o'clock, and drive all the

1 way up 395 to get up to there to go play your
2 football game. Or even better was during baseball
3 games, which started at three o'clock, you
4 basically would show up to school and get on the
5 bus to drive to Inyo County to go play some of the
6 schools there.

7 So when comes to rural areas, I feel I
8 have some of that diversity where I grew up in that
9 area. Eventually, when I turned 18 and moved to
10 college, I moved into -- I went to San Diego State
11 for a year, moved down there, realized what city
12 life was like and, since then, have pretty much
13 resided either in cities or in the suburbs, where I
14 live now. But I feel geographically, I provide
15 that diverse background where I know what it's like
16 to live in the rural areas. I've been to the
17 Central Valley so many times and have family that
18 live there that I understand some of the problems
19 they face with the agriculture and water.

20 Every time I've come up to Northern
21 California, too, for business or for military,
22 appreciate the beauty that Northern California
23 offers and can see some of the difference that
24 Northern California and Southern California has in
25 a variety of matters.

1 So geographically, I feel I have that
2 diverse background where I can be a part of the
3 rural communities, as well as the suburbs and the
4 cities, and understand some of the motives that go
5 behind the public speakers from those particular
6 regions.

7 From a cultural and other background that
8 individuals have, I -- pretty much everywhere I've
9 been you come across different people, different
10 cultures, different backgrounds. My wife is half
11 Armenian, half Egyptian, so I got a little bit of a
12 Middle East influence once we got married and found
13 the different cultures and customs, even within
14 that community, where you have some members of her
15 family that are from Sudan and some of them that
16 are from Egypt and the differences that are there.
17 And even on her Armenian side, family that comes
18 from Syria and Lebanon and Armenia itself, and
19 Turkey, and you see the differences in the customs
20 that come just from all of that and it makes you
21 appreciate everything.

22 I live in Westminster, California, which
23 has a very large Vietnamese population. And I have
24 quite a few Vietnamese friends, one of them that
25 actually came over on the boat as a child when the

1 North Vietnamese invaded Saigon.

2 And so you get this perspective of,
3 basically, everyone, especially here in California
4 that other areas, you might not get. And I feel
5 that with my background and, currently, how it is
6 today, that it just allows me to see people, not
7 necessarily as you're this certain gender or you're
8 this certain race, you're this certain culture,
9 that I just see people as people, that you're not -
10 - your customs and traditions are great and that's
11 what makes you, you, and that's what helps you
12 contribute to society, but it makes you no
13 different than me. We all have the same color of
14 blood and we're just, we'll all people.

15 MS. PELLMAN: We have --

16 MR. BIRK: The experiences that have, as
17 far as help me be effective, again, going back to
18 my military career, I've been all over the world
19 and even in the United States. The great thing
20 about the military is it brings people from various
21 backgrounds, upbringing, cultures together and you
22 have to learn to work with that.

23 I'll give you an example. At basic
24 training there was an individual on our flight of
25 60 people that didn't like Black people. And our

1 T.I. recognized this because this individual made
2 it very apparent. And so he stuck all the African
3 Americans in the back next to this individual and
4 made us bunk with him. Over time we realized it
5 was just a bias that he had as to why he didn't
6 like African Americans. He grew up in a rural part
7 of the south, had never been around African
8 Americans, and was basically taking the perceptions
9 that his family had made of what African Americans
10 were like. And by the time the six weeks was up he
11 realized, you know what, you guys are great guys,
12 and we became great friends from that.

13 And throughout the military, you come
14 across people that sometimes have biases because of
15 the way they were brought up. And working with
16 people with these various backgrounds, it's always
17 helped.

18 Same thing with going into these various
19 countries. Some of the countries I've deployed to,
20 you've been allowed to go out and meet with the
21 locals, spend time with them.

22 I still remember going into a shop in
23 Turkey and the guy asking, "Where are you from?"

24 I said, "California."

25 He's like, "Oh, you're a big surfer."

1 I don't surf. I don't even really like
2 going in the ocean, unfortunately, but it's
3 that -- you have to see the perceptions that others
4 have of us, that, oh, you're from California,
5 you're a surfer guy, and it helps kind of explore
6 their customs and you learn a lot of what makes
7 them, them, as well.

8 MS. PELLMAN: We have about seven minutes.

9 MR. DAWSON: Well, I think we're done with
10 the formal questions then.

11 We will now go to questions from the
12 Panel. Each Panelist will have 20 minutes to ask
13 his or her questions. And we will start with the
14 Chair, Mr. Belnap.

15 CHAIR BELNAP: Okay. Thank you for being
16 here. I want to talk to you about your educational
17 experiences, in particular, your latest one with
18 the American Military University where you received
19 your master's degree in Strategic Intelligent
20 Studies. Tell me a little bit about American
21 Military University. I'm not familiar.

22 MR. BIRK: So American Military University
23 is an all-online school. If you ask people within
24 the military, some say it's one of those for-profit
25 schools. Some people would say it's not. I went

1 there, mostly, because I got my bachelor's degree
2 from there. During the time, I, unfortunately, was
3 kind of, with school, jumping around and a lot of
4 it had to do with deployment. So I joined the Air
5 Force before -- the Air Force Reserve before 9/11,
6 expecting that I was going to go to basic training,
7 go do my schooling, and then come back and I'd just
8 go back to school and do my one weekend a month.
9 Then, unfortunately, 9/11 happened which kind of
10 changed everything.

11 And so while I was going to all these
12 different schools, I kept having to withdraw
13 because I had to keep going on deployments. And
14 this was before online school was becoming more and
15 more popular within the universities themselves.
16 And so I decided I needed to go to an online school
17 so I didn't have to keep ending my education and
18 keep prolonging getting my degree.

19 So I went to American Military University.
20 It was an online school. And at that time it was
21 the only school that was offering intelligence
22 studies degrees which is kind of more military
23 intelligence studies-focused and I felt that that
24 was the best thing to do.

25 After I received my bachelor's, I waited a

1 few years, then I decided I wanted to get my
2 master's in intelligence studies. And again, at
3 that time, there was only a couple places that
4 offered it. One of them was the National
5 Intelligence University but, unfortunately, you
6 have to be an active duty member or you have to go
7 on active duty for three years and move to
8 Washington, D.C. to go to that school. And I was
9 in the -- taking care of my mom, who was very ill
10 at the time, and I just couldn't get up and move to
11 go to that school.

12 So I went back to the American Military
13 University and, basically, pursued the degree from
14 there, mostly because it was online and it was
15 focused on something that I did do within the
16 military and had a desire to do in the civilian
17 sector as well.

18 CHAIR BELNAP: So tell me a little bit
19 about what you learned in strategic intelligence
20 studies? Again, I'm not familiar --

21 MR. BIRK: Yeah.

22 CHAIR BELNAP: -- with that degree.

23 MR. BIRK: So it's a -- it takes the -- if
24 you think of the intelligence collection process of
25 the military, we take all the various human

1 collection, basically going and interviewing
2 humans, using the satellite imagery that we get,
3 the signals that we get from satellites and
4 airplanes and boats and everything. And,
5 basically, so my bachelor's was kind of focused on
6 what all this is. And then what the master's did
7 from a strategic level is it takes everything from
8 a strategic level.

9 So if you think of kind of how a
10 puzzle -- and as an individual member of the
11 military, we're all each a piece of that
12 puzzle -- and some people are just that middle
13 piece that maybe is the sky, and there's lots of
14 pieces of the sky, so it's hard to figure out. And
15 some people actually make different parts of the
16 picture.

17 And what the strategic intelligence part,
18 to kind of give it some semblance, is it takes you
19 from being one of those pieces in the middle to
20 maybe a piece on the edge or, eventually, maybe
21 even that corner piece, where you're the one that's
22 kind of driving that person putting the puzzle
23 together.

24 And the same thing goes for the strategic
25 level. So you take everything that's brought in

1 from all these different collection points and you
2 look at everything from a strategic level.

3 So if, for example, let's take the
4 Afghanistan withdrawal, most people see it as,
5 okay, we're withdrawing troops from Afghanistan.
6 But when you have to look at it strategically you
7 look at it, not only are we withdrawing troops from
8 Afghanistan, but how does that affect the entire
9 region? How does that affect some of our potential
10 adversaries? Does Russia have to come in now and
11 fill in the gap of things that we're leaving? You
12 have to look at some of our partners. We have NATO
13 members that are there. Are they going to start
14 pulling out?

15 So you kind of look at it from a bigger
16 picture of how it affects all the different things
17 and not just the little minutia that, oh, we're
18 pulling 8,000 troops out and these guys get to come
19 home.

20 CHAIR BELNAP: Okay. Just out of
21 curiosity, and I don't want to forget this
22 question, but where were you deployed?

23 MR. BIRK: I've been on seven deployments,
24 some of them were nice, some of them not so nice.
25 The ones I can mention, I've been to Oman, Turkey,

1 Kuwait, Spain. And then I had a couple home
2 station deployments, one, when I was working with
3 the Predators, basically flew over Iraq every day.

4 So I've had the fortunate, I guess you
5 could say as a military person, not having to go
6 into Iraq and Afghanistan. I've been to those
7 countries, fortunately, just for a day or two. But
8 I've been all over the world. I worked with Air
9 Mobility Aircraft, which are the big cargo planes.
10 And so through them, while I've been deployed in
11 those places that I mentioned for a long time, I've
12 also been in a lot of different countries, just
13 traveling for a few days with the military for
14 various reasons.

15 CHAIR BELNAP: Okay. So as a profession,
16 you're an Intelligence Analyst. Do you -- you do
17 that -- you've done that for the military.

18 MR. BIRK: Yes.

19 CHAIR BELNAP: Also, you're doing it for
20 private, for AT&T?

21 MR. BIRK: Yeah. So for AT&T it's more we
22 provide the subpoena compliance service. And then,
23 as an additional service, we give them the ability
24 to go through and analyze records that they've
25 received from subpoena compliance. And if you've

1 never seen phone records before, they're very
2 difficult to read. And so we just offer, as an
3 additional service, to go through and take those
4 records that they receive from subpoena compliance
5 and figure out what they're trying to tell you.

6 CHAIR BELNAP: I'm trying to piece together
7 what --

8 MR. BIRK: I'm sorry.

9 CHAIR BELNAP: -- subpoena compliance might
10 be.

11 MR. BIRK: So --

12 CHAIR BELNAP: Yeah.

13 MR. BIRK: -- so it's when law enforcement
14 needs to request phone records they -- it's mostly
15 called subpoena compliance with the different
16 companies -- they send in a court order or search
17 warrant to subpoena compliance to show that they
18 have reasons why they need to obtain these phone
19 records for a criminal investigation. And then
20 subpoena compliance goes and processes them and
21 gives them to the law enforcement agency that's
22 requesting them.

23 And then what we offer, as an additional
24 service, is the ability to go through and analyze
25 those records they received and help them figure

1 out, whether it's placing someone at the scene of a
2 murder or trying to find where someone, a fugitive,
3 is.

4 CHAIR BELNAP: So how big is a dataset like
5 that?

6 MR. BIRK: It varies. Sometimes it could
7 be as few as just ten records. There's many that
8 have been millions of phone records. I helped with
9 a case once involving IRS fraud where they got
10 records back and they handed me, and this was back
11 in 2007, so it was a lot, ten gigabytes of data.
12 And it took over six months to get through it but
13 was able to help them get through that data and
14 find the answers that they needed.

15 CHAIR BELNAP: And what kind of software do
16 you use?

17 MR. BIRK: We basically use Excel, mostly,
18 but we have other software that other agencies use
19 that are geared towards phone records. The biggest
20 one is PenLink.

21 CHAIR BELNAP: Okay.

22 MR. BIRK: But mostly we use Excel.

23 CHAIR BELNAP: Okay. And in your military
24 career did you often use large data sets? And, if
25 so --

1 MR. BIRK: You have --

2 CHAIR BELNAP: -- how did you use them?

3 MR. BIRK: You get large datasets. You get
4 stuff from different collection points and it will
5 be in a variety of data, whether it's text, and
6 then you've got to export it into Excel to make it
7 readable. We'd be dropped with a 300-page
8 PowerPoint or a 300-slide PowerPoint presentation
9 and have to go through and find out the data that's
10 pertinent to us.

11 You'd get things, such as an air tasking
12 order, where it tells you, this is where your
13 planes are flying today and the coordinates they're
14 going to. And this would be a text file that would
15 be almost a gigabyte large. So you if you think of
16 a large-scale war, every airplane that's in that
17 theater, every single unit, this is a tasking order
18 for every one of those. And we'd have to go
19 through that data and figure out where our unit
20 was, which planes were flying, where they were
21 flying to and then, after getting that data, go and
22 get other data to see what threats are our planes
23 flying into and start getting that data, so we
24 could brief the pilots before they went into
25 danger.

1 CHAIR BELNAP: And you mentioned in your
2 analytical essay that you've dealt with various
3 mapping and imagery programs. Can you give us an
4 example?

5 MR. BIRK: Yeah. So with, for example,
6 helping law enforcement with the records they get,
7 we do a lot of mapping. If they're trying to put
8 devices at a scene of a crime, they get the records
9 from subpoena compliance, and we just provide that
10 additional service on mapping that particular data.

11 But, especially in the military, you get,
12 for example, you get that air tasking order and
13 they have where the plane is flying and now we have
14 to go and map all those threats that we know are
15 along that way, whether it's -- they've been
16 shooting stuff from the ground at airplanes, you
17 have to know where the -- for example, with the
18 Iraq War, we had to know where the forces were so
19 that if our plane happened to get shot down, that
20 we could tell them that this is the furthest
21 coordinate that we know that you'll be safe.
22 Otherwise, if you go over these, you could possibly
23 be landing in enemy territory.

24 So throughout the military and in my
25 civilian career we do a lot of different types of

1 mapping. We've used ArcGIS, which I'm not a big
2 fan of. We've used other mapping software that
3 allows you to map these products. And whether it's
4 putting a bomb on a target or finding where a
5 criminal was at a certain incident.

6 But I have a lot of experience with maps
7 and love maps.

8 CHAIR BELNAP: All right. Thank you. So
9 I'm going to shift gears from analytical over to
10 the appreciation for diversity essay.

11 MR. BIRK: Yes.

12 CHAIR BELNAP: You talk a lot about your
13 travels. And, also, today you've talked about
14 where you grew up and the impact that it has on
15 you.

16 I want to talk about your volunteer work.

17 MR. BIRK: Yes.

18 CHAIR BELNAP: I think you mentioned some
19 of that more in your activity section. But what
20 I'd like you to do is describe a few examples of
21 your volunteer work and talk about how that shows
22 your appreciation for diversity.

23 MR. BIRK: Yes. So when I was a teenager,
24 I -- that's when I started getting into volunteer
25 work and I volunteered at the Veterans Home of

1 Barstow. I did the -- one, I had -- it was around
2 the time when Saving Private Ryan came out and so
3 it gave me a big appreciation for our veterans.
4 And a lot of the veterans of World War II were
5 starting to go into the veterans' homes at that
6 time. And it kind of opened my perspective on a
7 lot of different things because you had people that
8 were in the military, went to war, came back, and
9 they'd tell some great war stories.

10 But the even better stories were their
11 stories after they came back from the war and how
12 they lived their lives. And a lot of them ended up
13 becoming my adopted grandmas and grandpas because
14 of the great stories they had. And that kind of
15 opened the door, one, to me wanting to volunteer
16 for various things, but also to have that
17 perspective of how different we all really are.

18 In my adulthood, my biggest volunteer
19 thing was working with the Big Brothers and Big
20 Sisters Program. Growing up in a single-family
21 home, I had a lot of mentors, male mentors that I
22 feel helped get me to the point where I am. And I
23 felt that this was my way to give back to someone,
24 or at least to this agency, to allow a child to --
25 maybe he's in the same situation like me and could

1 engage with them.

2 And so I -- when I showed up to the
3 agency, I had just come back from the Iraq War.
4 And they liked me, of course, because I was
5 military. And they gave me a kid that, actually,
6 reminded me a lot of my best friend growing up. He
7 was being raised by his grandma because his mom and
8 dad were in and out of jail. And he -- it showed
9 me a different perspective than I had because, even
10 though I didn't have my father, I always had my
11 mother in my life and she was always my rock,
12 whereas he didn't have either, and he had his
13 grandma and he had to share her with six other kids
14 in the house. And it kind of gave me a new
15 perspective of I've really got to be here for this
16 kid because he doesn't have anybody.

17 And I was the only Big Brother, Big Sister
18 that stayed with -- in that family. There were
19 multiple ones with his other cousins and his
20 brother and sister that would come in and they'd
21 leave. Some of them wouldn't even go into the
22 community that he lived in. His grandma had to
23 take them to the community they lived in because
24 they were afraid to go there. But I always went
25 into the community. I picked him up and we went

1 and did great things. And he's the only one out
2 of, unfortunately, those four kids that was able to
3 stay out of jail. He's now working at a school
4 district, helping out disabled kids, helping them
5 with their education.

6 And that's helped give me the perspective
7 that, you know what, I made a difference in his
8 life, that now he gets to make the difference in
9 other people's life. And I hope that he pays it
10 forward, whether it's through being a Big Brother,
11 or even just helping these kids, that other people
12 see it. And even though we came from different
13 backgrounds, he grew up in the city, I grew up in a
14 rural area, we were able to come together as one
15 and help formulate this kid that is now a
16 contributing member of society.

17 CHAIR BELNAP: So I'm going to go back to
18 an answer you gave under question two and give you
19 an opportunity to address something. I think you
20 recognized at the time when you gave your answer,
21 you said, "We all have the same personal goals,"
22 the you listed having kids. And then there was a
23 bit of hesitation there when you switched it over.
24 What was that hesitation about?

25 MR. BIRK: Because I have friends that have

1 no desire to want kids. And I know for a lot of
2 people it's we all want to have kids but there are
3 people that don't want to have kids. And that's
4 where that hesitation came from, it was, wait, and
5 I thought about the friend, it was like they don't
6 want to have kids. So it's -- the majority of us,
7 some of us want to have kids, but the ultimate goal
8 is that we just want to be contributing members to
9 society, that we want to help each other out.

10 And I think that's what the majority of
11 people want to do is we're all motivated in our
12 ways to get to this ultimate goal which is we've
13 lived a great life. We can go and say that we did
14 this for our city, our neighborhood, our state, our
15 family, our friends, and it's just we have our
16 different ways that we feel that we need to get
17 there to reach that end goal.

18 CHAIR BELNAP: Okay. Thank you.

19 How much time, Madam Secretary?

20 MS. PELLMAN: We have 5 minutes and 30
21 seconds.

22 CHAIR BELNAP: Okay. I'll come back to
23 another question if there's time. But I'll end my
24 questions now and turn it over to Mr. Coe.

25 VICE CHAIR COE: Okay. Thank you, Mr.

1 Belnap.

2 Mr. Birk, good morning.

3 MR. BIRK: Good morning.

4 VICE CHAIR COE: I wanted to talk a little
5 bit about your participation in Toastmasters
6 International.

7 MR. BIRK: Yes.

8 VICE CHAIR COE: Tell us a little bit about
9 what your role was with that organization and
10 anything that could have come from that role that
11 would be of use to the -- to this Commission?

12 MR. BIRK: Toastmasters was a great thing
13 for me. And I recommend to people that they go
14 into it. I joined Toastmasters. A colleague of
15 mine said, "You're a great public speaker but there
16 are certain things that I think you could fix and
17 Toastmasters is the way you could do it."

18 So I went to Toastmasters to go and try
19 and improve my public speaking. But what I
20 actually got out of it was some of the leadership
21 stuff that they offer. And in various roles, the
22 first role I took was as the Vice President of
23 Membership where you, basically, as a guest walks
24 in, you meet that guest and you introduce yourself
25 and you welcome them to the club and kind of talk

1 about what's going to take place in the club, and
2 you get to meet the person. You engage with them a
3 little bit. You talk, find out, why are they are
4 that club? Where are they from? What are they
5 looking to get?

6 And so that allowed me to be a lot more
7 open. Because at that time, I could say I was
8 pretty shy where I would engage people but it
9 wouldn't be one of those things where I'd talk to
10 you for no reason. But after doing that particular
11 role for a year, it opened my horizons where now I
12 have -- I'm willing to openly engage people and
13 learn about them and kind of get an idea of who
14 they are, so when they say certain things, you kind
15 of get an idea, oh, this is probably why they said
16 that because they grew up here.

17 From that role, I became the club
18 President where now you had to manage everything
19 going on in the club, plus you had to deal
20 with -- they break it into districts, so you had to
21 go to district meetings and explain why your club
22 isn't doing certain things.

23 And one of the -- probably my favorite
24 things that came from it was another club that I
25 joined when I moved to Lakewood, California was

1 they were doing community outreach events. So we
2 went out to a business that was offering -- they
3 called it a Speech Craft series. And you'd bring
4 people in. A lot of them were mostly engineers
5 that don't really get into public speaking. And we
6 were able to get them up and start talking and
7 learn about stuff.

8 And I remember helping one individual, he
9 was a Sikh, and he got up and gave a speech and it
10 was a great speech. And I was his evaluator, so
11 after -- during the evaluation, even if someone
12 gives a great speech, you still got to find a
13 couple places to criticize them.

14 And being that I appreciate military
15 history, I knew about the contributions that the
16 Sikhs have provided throughout a lot of British
17 history and told him, "Hey, you left that part out.
18 You guys are great warriors that have been awarded
19 for many things."

20 And he's like, "You know about Sikhs?"

21 And so it kind of opened it up to where we
22 had more discussions.

23 Or we had another individual that he was a
24 smoker and he's like, "I don't know what to write
25 my speech on."

1 And we started talking about it a little
2 bit. And I was like, "Well, what if you talk about
3 that you're part of that class now that people
4 shun?" Because if you're a smoker, you have to go
5 smoke pit that's 150 feet away and you only get to
6 hang out with your own kind of people now. And so
7 he made it into this great, funny, humorous speech
8 off of someone that smokes and that continually is
9 trying to quit.

10 And that was probably my favorite thing
11 that I got out of Toastmasters was doing that
12 community outreach and getting to teach people how
13 to speak. And I took some of what we learned from
14 that and used it in the military and on the private
15 sector, we're teaching people how to be public
16 speakers. Because if you can speak really well you
17 can be a great leader and help move things, whereas
18 if you're just sitting there like this the whole
19 time nothing's going to happen.

20 VICE CHAIR COE: So in your examples there
21 you talked about meeting different people and,
22 through their speeches and then your work with
23 them, gaining a little bit about their perspective.
24 You spoke a little bit, too, about your personal
25 life and your professional life, having met diverse

1 groups of people.

2 What do you think you've most learned
3 about the perspectives of people from different
4 backgrounds?

5 MR. BIRK: I think a lot of it has to -- it
6 creates the perceptions that people have about
7 certain things.

8 For example, when I lived in Yermo, we
9 would hear things going on in Los Angeles and it
10 was like, we don't really care about it. And even
11 there today, things go on, and here in Sacramento,
12 things go on in Los Angeles, it's like, oh, it's a
13 big city, it doesn't really affect us. But then as
14 I got older I had that bias, when I was youth, I
15 was young, but also living out there where it was
16 like these things don't really affect me. But then
17 as I got older and kind of started seeing more of
18 the world, you see that certain things do,
19 ultimately, affect you. It trickles down, the
20 things that happen here.

21 Or going to other countries. For example,
22 being in Spain and living among the community
23 there, you see certain things and you see -- I was
24 there when things were kind of winding down in
25 Iraq. And you talk to the people and they're like,

1 why are you guys in Iraq still? Saddam Hussein is
2 gone. And you could just see kind of the
3 perceptions that they have towards me. And we have
4 the ability to talk because they instantly think,
5 oh, you're a diehard, go military, wanted to kill
6 Saddam and do all that, and I'm not necessarily
7 that kind of person. But it gave us the ability to
8 where they told me that and it allowed me to now
9 engage them, that, well, let me give you these
10 points and let's see if we can find some middle
11 ground. And a lot of times we were able to find
12 that particular discussion.

13 I was coming back from a business trip on
14 a plane with an individual from Philadelphia. And
15 we were just having conversations about the clouds
16 outside. And I looked at them and I was like, "Oh,
17 are you a meteorologist or something?"

18 And he's like, "No. I'm a political
19 science major at" -- I forget which university it
20 was.

21 And we started getting into conversations
22 when he found out I was in the military and he
23 started talking about how he was very anti-
24 military. And by the end of the conversation, he
25 asked for my business card because he was like,

1 "You know what? You're a very open individual.
2 You didn't really argue any of the things that I
3 was telling you. You just kind of threw some
4 things in there."

5 And so I think traveling and everything
6 has just given me that broad perspective that
7 people come at you with what they feel they
8 perceive and it gives you the ability to maybe open
9 their mind a little bit. And if not, you can at
10 least say you tried and carry on with your day.

11 VICE CHAIR COE: I wanted to shift gears a
12 little bit and talk about your impartiality essay.
13 In that essay, you discuss how your time in the
14 military saw you considering many variables,
15 including the input of other stakeholders, in order
16 to make decisions for the greater good.

17 Could you provide us with maybe a specific
18 example where you did this where, perhaps, it
19 involved you having to set aside your first
20 preference on a matter?

21 MR. BIRK: Well, one, I could take, give
22 you a good example of the most recent one is across
23 the Air Force there was the issues where they were
24 having problems with mold in the dorm rooms. And
25 that became an issue where the entire Air Force was

1 discussing it at a leadership level, where they
2 were seeking input, even at the level that I'm at.
3 And it became a problem where people were blaming
4 the young people, that it's their fault that
5 there's mold in there. And in my opinion, it was
6 more kind of a generational bias that people were
7 having, that they don't know how to do stuff.

8 And then the younger people are saying,
9 but these buildings aren't safe. And I can tell
10 you, I've been in those buildings and I've stayed
11 in those buildings, and a lot of them were built in
12 the '40s and '50s and may not have some of the
13 stuff that is required to keep mold from growing.

14 And what, ultimately, we worked to the
15 conclusion was is it's kind of both people's fault
16 where we have these old buildings, we need to
17 either fix them or do something with them, which
18 they ended up tearing up those buildings and fixing
19 them, but it also became an educational process for
20 the younger people where sometimes the mold is
21 created by you.

22 There's many times where you do dorm
23 inspections and you go in and you see food that's
24 weeks old in some people's rooms and mold growing
25 on it. And that mold creates spores that they

1 don't understand and gets sucked into the HVAC.
2 And then you have 300 people in these dorms and
3 that's how the mold starts. Or they go to PT and
4 they come home and just throw their soaking-wet
5 uniform on the ground and worry about it later.
6 And now that mold starts growing in the carpet and
7 starts growing other places.

8 And so it became a thing where had to
9 realize, you know what, our buildings aren't
10 situated to handle this, but we also need to
11 educate the troops, that this is how we prevent the
12 mold. If we can at least prevent it, then we can
13 help to fix all this stuff and work it out.

14 And you get multiple factors like that
15 where people have issues.

16 One of the things -- another problem that
17 we have is the resiliency issue. And some of that,
18 I think, also comes with the generational bias that
19 some people have. They think that people today,
20 that the younger generation are weak-minded, that
21 they don't -- they're not tough, they can't do
22 things. And it's trying to get that generation
23 over that bias that, hey, they're still people too.
24 Maybe they haven't experienced some of the things
25 that we have that have helped them build that

1 resiliency to be able to handle things.

2 I once had a troop come up to me and say,
3 "Sir, I want to change career fields." And I asked
4 her, "Why?"

5 And she said, "I'm tired of waiting,"
6 because she was waiting for her paperwork to go
7 through so she could finally start doing her job
8 and she had been waiting four months.

9 And I said, "You know what, sometimes,
10 unfortunately, it takes six to eight months."

11 But she's like, "I'm just tired of
12 waiting."

13 It was like, "So you're going to go back
14 to school for another six months to learn a
15 completely new job and then probably have to sit at
16 this next duty position for the same thing, for
17 another six to eight months to get the paperwork."

18 So it's working with individuals that are
19 bringing you these various things and figuring out
20 where the problem is. And that's where I feel that
21 I'm impartial in that because I see why some people
22 think this way and why some people think that way
23 and trying to route them together to both see the
24 common goal, that this is the way that we need to
25 do things.

1 VICE CHAIR COE: Kind of within that same
2 light, I want to go back to something you said in -
3 - to the first question Mr. Dawson asked earlier.
4 You indicated that it was going to be important to
5 be able to identify personal biases within yourself
6 and also identify bias in others. So just kind of
7 a multi-part question.

8 How do you go about identifying bias in
9 others?

10 MR. BIRK: I think a lot of it has to do
11 with talking and engaging with a person and in an
12 open discussion, not just if it's something that
13 becomes political or talking about something. Like
14 if you and me were to have a discussion with each
15 other and we're talking, we're -- I start asking
16 questions to learn a little bit more about you and
17 kind of get an idea, okay, this is where you grew
18 up.

19 And granted, based on some of the answers
20 you tell me, I'm creating a bias within myself of
21 who I think you are, but it at least starts giving
22 me a better idea of where if you just came up and
23 told me something that maybe I don't agree with,
24 that at least maybe I could open it up for more
25 discussion to get an idea of why you think that

1 way.

2 And it's -- it takes some time to identify
3 personal biases in other people. So you,
4 necessarily, won't have that opportunity if you
5 have a speaker coming up and saying things but
6 that's where you kind of start doing the research.
7 So if you have someone from a certain group coming
8 up you at least know that, okay, these are the
9 different groups that may speak today. I can kind
10 of get an idea of this is why they're coming up to
11 speak. Are they involved in this community? Or if
12 you have just a member of the community coming out
13 and speak, doing some research.

14 For example, there are some counties in
15 California I've never been up to. For example,
16 Humboldt, I know I've never been there before. So
17 if we were to go to have a public session there, do
18 research, figure out the history of the city.
19 What's the current events of the city? What are
20 some of the problems that city is having? What
21 community they belong to. So when I get there and
22 a person comes up to speak I can understand that,
23 hey, this is why this individual is discussing this
24 particular matter because this is an issue that
25 this particular county is having.

1 And the same thing with, for example, in
2 the military. People come up. Again, you don't
3 always get the ability to talk to them and engage
4 and figure out what their bias is, so sometimes you
5 just have to go off what they're talking about and
6 do some research, even after the case, and then get
7 back to them, that, you know what, this is probably
8 the best way to solve this particular problem.

9 VICE CHAIR COE: How does a person go about
10 identify bias within themselves?

11 MR. BIRK: It takes time. It's not
12 something that we instantly do. I got training
13 through the military, as well as through my
14 education, doing the intelligence studies where you
15 identify this bias so you don't make issues. The
16 best way to probably have it is you have at least
17 one or two people that can identify that.

18 To give you an example, one issue people
19 have had is a group-think bias. When the Syrian
20 Civil War started, a group of our analysts, we came
21 together and we had to give an assessment, when do
22 you think the Syrian Civil War is going to end?
23 Everyone was pretty much in consensus, oh, it will
24 be over in two to three months. And I don't have
25 the problem of playing the devil's advocate

1 sometimes. And I was like, wait. Stop. Why is it
2 going to be over in two to three months? Tell me
3 your reasons why?"

4 Well, what happened at that time was when
5 the Arab Revolution was going over and all those
6 countries that had the revolutions, two to three
7 months seemed to be the window, and we're like, oh,
8 this is going to be over. And it's like but let's
9 stop and think. What are some of these other
10 factors that could potentially influence that? And
11 when we brought in these other factors we realized,
12 you know what, maybe we should change our
13 assessment to two to three years, which we were
14 wrong in that instance as well.

15 But it's at least having someone within
16 the organization that can identify, hey, let's play
17 the devil's advocate for a second and help people
18 identify that, you know what, I'm being kind of
19 biased towards this.

20 VICE CHAIR COE: Have you identified biases
21 within yourself?

22 MR. BIRK: I can tell you too that I always
23 have. The first one is if you ask me a question
24 and I needed to give you my personal opinion on it
25 really quickly, I'll go with confirmational bias

1 because I feel, you know what, I know something
2 about this matter and I'll give it to you. I don't
3 like doing that because I like to kind of analyze
4 things a little bit. But I also take the ownership
5 that when I'm wrong with my opinion, I'll own up
6 and say, you know what, I was wrong, I didn't have
7 the chance to do some research.

8 The other thing I can get into sometimes
9 is group-think. And that's where when we get close
10 to reaching a conclusion, sometimes it kicks in,
11 like, wait, but what about this? And then everyone
12 gets pissed off at you because you've now just made
13 the meeting go for ten more minutes. But you need
14 that time to think, whether it comes from me or
15 someone else, to keep that kind of group-think from
16 happening.

17 And so those are the two that I know that,
18 if I don't think about it, that I can instantly
19 fall into. And before you know it, we're --
20 sometimes we make pretty hasty decisions without
21 thinking of all the different things that we should
22 have thought about.

23 MS. PELLMAN: You have about 4 minutes, 30
24 seconds.

25 VICE CHAIR COE: Thank you. I want to

1 switch gears a little bit really quick and talk
2 about something that's going to be real important
3 to the task of the Commission, and that's
4 identifying communities of interest throughout the
5 state. Some of those communities are going to be
6 easier to identify. Some are going to be harder to
7 identify.

8 How do you think the Commission should go
9 about identifying communities of interest and,
10 especially, how do they go about finding those ones
11 that are harder to find, that are maybe less
12 engaged, when they're doing their work?

13 MR. BIRK: I think the biggest thing would
14 be the framework of how to identify these
15 communities is, one, you take the census data. And
16 that's not going to be the final ultimate decider
17 but that will help at least identify those that are
18 out there. But as we all know, not everyone
19 participates in the census, so you do miss some
20 communities. So then that becomes, when it goes to
21 going to these counties, having these public
22 hearings and listening to the speakers or getting
23 the comments over the internet and seeing that, you
24 know what, these communities are tied, whether it's
25 through economics or their agrarian or cultural,

1 and that's the way that we'd have to figure it out.

2 There will be mistakes. It's not a
3 perfect process. But if you take the framework of
4 the census data and then build on top of that with
5 inputs from other data sources and people and
6 comments, that you can kind of start finding that
7 middle ground and lumping those communities of
8 interest together, at least within a margin of
9 error, but it won't be a perfect process. But I
10 feel it could be a successful process if you follow
11 the seven criteria based off the census data and
12 that other stuff, it could be a pretty valid
13 process.

14 VICE CHAIR COE: Okay. One final question.

15 If you were appointed to the Commission,
16 which aspects of that role do you think that you
17 would enjoy the most and which aspects of it do you
18 think you might, perhaps, struggle with a little
19 bit?

20 MR. BIRK: I think my favorite part would
21 actually be an educational process for me, that
22 there's -- I've been disengaged for politics for
23 various reasons. And I feel that it would give me
24 the opportunity to see how this Commission would
25 work, to get to go and engage with people of other

1 communities that I don't know about, for example,
2 to have an opportunity to go to Humboldt and learn
3 about the individuals there.

4 And also be able to share my experience
5 with other Commissioners as we go to other
6 counties, for example, if we went to San Bernardino
7 and talked to people in those areas, or Inyo, or
8 some of the other counties and just had the ability
9 to share my experiences well with the fellow
10 Commissioners.

11 I think that would be the exciting part is
12 seeing a team come together and come out with a
13 finished product and learn, myself, at the same
14 time.

15 I think the thing that I would probably
16 struggle with the most is seeing -- knowing that,
17 with the 2010 Commission, for example, they claimed
18 that people were coming, representing partisan
19 groups. And it would be basically playing the game
20 of trying to figure out, is this partisan based or
21 is this fact based? And I think that would -- not
22 necessarily struggle with identifying it but it
23 would be something that would kind of break my
24 heart, that we're trying to build this based on
25 community and not on partisan politics. And that's

1 the part that I wouldn't look forward to but -- and
2 would not necessarily struggle with but wouldn't be
3 my favorite part of the process.

4 VICE CHAIR COE: Okay. Thank you.

5 No more questions, Mr. Chair.

6 CHAIR BELNAP: The time is now yours, Ms.
7 Dickison.

8 PANEL MEMBER DICKISON: Okay.

9 All right, Mr. Birk, I am last, so they've
10 asked a lot of my questions, but bear with me just
11 a second.

12 I want to go to your activities essay.
13 One of the things that you talked about in there
14 was participation with the American Legion and the
15 Air Force --

16 MR. BIRK: Association?

17 PANEL MEMBER DICKISON: -- Association.

18 And then in your letter, your third letter of
19 recommendation, the person talked about how you
20 take time to participation in programs that provide
21 at-risk military members the resources and tools
22 needed to cope with the stressors.

23 How do you get those members to
24 participate in that process? What skills do you
25 bring to get them to participate?

1 MR. BIRK: It's a difficult process,
2 especially with the stigma in the military where if
3 you say you have anything with mental health, the
4 resiliency issues, there's a lot of people that
5 feel that it's going to keep you from getting your
6 next assignment, it may keep you from getting a
7 clearance, a lot of issues that go with it.

8 So the first thing is, basically,
9 educating. And one of the things that we did in
10 this particular program, the guy that actually
11 designed it and we took onto it, was we had the
12 people show up in civilian clothes. Because you'd
13 get a lot of younger people that are coming to this
14 program and they would see it as, oh, well, I'm
15 airman so-and-so or private so-and-so or airman so-
16 and-so, and they would see, oh, I'm going and
17 working with master sergeants or chief master
18 sergeants or command gunnery sergeants, so higher-
19 ranking people, and they really wouldn't want to
20 open up to them.

21 So we made it that you come in civilian
22 clothes, we come in civilian clothes, and it
23 creates a neutral concept where they don't know
24 what rank you are because all they know you as
25 Jonathan Birk, not Chief Master Sergeant Jonathan

1 Birk. And you don't know who they are, other than
2 what their name is and what their rank is. And so
3 that first stakes away some of that hostility that
4 people might have where I don't want to speak to
5 people of higher rank.

6 Then from that part, we would open it up
7 to -- you would have someone come up, whether it's
8 myself or someone else, and kind of tell some of
9 the things that you struggled with in your past
10 that have made you resilient. And I'd always talk
11 about my background and some of the other problems
12 that I've had growing up, and even some of the
13 issues that I have today, to show them that, you
14 know what, when I was in my twenties, I had a lot
15 of things that I struggled with. And even now, as
16 a parent, I have things that I struggle with now.
17 And I'm sure, as I move on in life, I'm going to
18 have even further things. But you open it up to
19 show, you know what, you're not alone. Although my
20 problems might be a little bit different than
21 yours, you're not alone.

22 And then we started open -- we basically
23 started some instruction classes and we did things,
24 such as teamwork building, so we'd go to an
25 obstacle course. And they would have to work as a

1 team to get through the obstacle course because you
2 can't do it alone. For example, you have monkey
3 bars that are 12 feet high. How do you get up to
4 these monkey bars? Well, there's a secret way but
5 you have to work as a team to figure it out because
6 a person typically can't jump the 12 feet to grab
7 onto the monkey bars and get all the way across,
8 but you have to get all the team members across,
9 too, in order for it to count.

10 So it was this team building process that
11 they started learning about each other and
12 realizing what strengths and weaknesses they had.
13 So then by the time we went back to the classroom
14 environment, they're all buddy-buddy and friends.
15 And these are all people that may or may not work
16 together, may be in completely different parts, and
17 they're sitting there eating pizza together and
18 talking about the games that they play. And now
19 you make them feel even more comfortable.

20 So now when you start getting into the
21 instructional stuff about, hey, how do I cope with
22 problems, how am I resilient, how do I budget, some
23 of the stuff that effects resiliency, they're open
24 and pertinent to it, that by the end of the class
25 they're like, this is the best thing I had. It's

1 even better than the Air Force one that we have
2 that is a two-hour thing that talks about
3 resiliency. And it opened it up where they were
4 comfortable. And it's all about making the person
5 feel comfortable and then they open up and absorb
6 that stuff and feel -- and realize, you know what,
7 this isn't the bad stigma that everyone makes it
8 out to be.

9 And you basically help them. And that
10 part is the big thing where you get to help them.
11 And they realize, you know what, I can do this.
12 And a lot of them end up staying in the military.
13 They get over their issues. And a couple of them,
14 actually, have become award winners, whether
15 quarterly awards or they received medals, because
16 they turned their work around. And usually they
17 were identified because they were problem
18 individuals, they weren't showing up to work, or
19 maybe they told their supervisor, hey, I'm having
20 some problems and I need some help. And that's
21 pretty much where they came from initially. And
22 then after they saw the success of the program,
23 more people were actually volunteering to come in.

24 PANEL MEMBER DICKISON: Do you think those
25 experiences and those skills will help you in

1 reaching out to members of the public and kind of
2 gaining their trust, maybe, in areas, say in
3 Humboldt, that you're not familiar with?

4 MR. BIRK: I think if a person understood
5 the background of some of the Commissioners, that
6 maybe they would open up to them and actually come
7 out. It would be a part of educating that
8 particular community that, hey, we're here to help
9 you to make sure that the people that are
10 representing you are just like you, at least mostly
11 like you, because you can't get everyone that's
12 always going to be someone like you, but that
13 they're there to represent you.

14 And I feel that I have a lot of the
15 experience, that whether it's selling for people to
16 come out through media or sending out emails to the
17 people in that community, like, hey, the Commission
18 is coming to your community, this is the way that
19 we can help shape it that you're represented well,
20 in various ways, that when they come in it can be
21 very engaging.

22 So as they're talking, you go to a lot of
23 city council meetings today and they're just
24 sitting there writing down stuff and not paying
25 attention to the speaker, where you can -- if

1 you're on this Commission, and granted, you're
2 sitting there taking notes, but you're still
3 engaging with the individual and you make them feel
4 like what they're contributing is appreciative so
5 when it comes to redistricting the lines, that one
6 individual that came and spoke can't say, you know
7 what, Commissioner Birk wasn't even looking at me
8 and I can see why Humboldt got split in half and my
9 community isn't represented.

10 So I feel that being able to engage with
11 people and understand what it takes to make them
12 feel respected would be a beneficial asset to the
13 Commission, that those coming and speaking or those
14 providing their comments would feel, you know what,
15 they are listening to us.

16 PANEL MEMBER DICKISON: Thank you. So
17 you've talked about traveling all over the world in
18 different places and working with different people
19 through the military and your other experiences.

20 Based on those experiences, do you believe
21 there's certain influences that might -- or certain
22 factors that may influence somebody's preference
23 when they're looking for representation?

24 MR. BIRK: I believe there is. And that
25 kind of goes back to the whole trying to reach that

1 goal where, for example, in San Bernardino County,
2 people feel a certain way of political leaning and
3 they want to find a representative that looks like
4 them. But possibly, there's someone on the other
5 side that maybe matches everything but there's just
6 one criteria that makes someone that particular
7 political party and they won't vote for them just
8 because they have a letter in front of their name
9 and not because of the stances that they have.
10 And, unfortunately, there's a lot of people that
11 have that perspective.

12 I can remember in middle school, in eighth
13 grade, we took a test that basically listed all the
14 Republican stances at the time, all the Democratic
15 stances at the time, and you went through and
16 filled out what you believed in. And whatever had
17 the most, that's what you were. And a lot of
18 people believed that that's what it was, that there
19 was no middle ground, that I'm a Republican, I'm a
20 Democrat. There wasn't anything for any
21 Independents.

22 And that's what a lot of people feel is,
23 you know what, I'm a Republican because my parents
24 were a Republican. And even though maybe this
25 Democrat has a lot of moderate tendencies but he's

1 a Democrat because he believes in this certain
2 stance and Republicans don't agree with it, I'm not
3 going to vote for that guy.

4 So I feel that people bring these
5 perspectives where they want to elect people that
6 they think will be completely for them and then
7 they vote -- so they vote on that party line but
8 maybe they miss out on a candidate that's actually
9 more like them, it's just because they're a
10 different political party.

11 So it would be trying to figure out these
12 perspectives that people have and trying to fight
13 through that to make sure you're getting a
14 community of interest and not a community based on
15 their political feelings and ensuring that you get
16 a candidate that actually does match, closely match
17 them, not just because of what political party they
18 are.

19 PANEL MEMBER DICKISON: Thank you. So the
20 first eight Commissioners are drawn by lottery.
21 And then they are tasked with choosing the
22 remaining six Commissioners to round out the
23 Commission.

24 So if you were one of the first eight,
25 what would you be looking for in choosing the next

1 six?

2 MR. BIRK: I think the first eight would
3 need to come together and identify, what are our
4 strengths and weaknesses.

5 For example, I can tell you, my weakness
6 would be, hey, I don't really -- I'm not in this
7 political system. I don't have experience. I
8 know, from looking at some of the other candidates,
9 some of them have been in and have some political
10 experience and have dealt with politics or the
11 various things, and that would be one of my
12 weaknesses. And if someone else in that first
13 eight didn't have that particular strength, let's
14 look at some of these candidates that you guys have
15 basically taken out the ones that you don't feel
16 are qualified. And out of the ones that are left
17 we can now find, hey, you know what, this person
18 has this strength and this will fill some of the
19 weaknesses we have. Or if we have a lot of people
20 in the first eight that are -- six of the eight are
21 really good at analytics but only two of them are
22 good at public speaking, we need some more people
23 that have engaged themselves in the community,
24 whether it's doing public work or they've held
25 leadership positions.

1 That would be the main thing, is finding
2 what the strengths and weaknesses are of the first
3 eight and then entrusting the process that you guys
4 have taken to give us a great pool of candidates
5 that we can now go and select people based on their
6 strengths and weaknesses, remove that bias out of
7 it, make sure we're filling in the structure, that
8 you need so many Republicans, Democrats and non-
9 party, but again, trying to take that out of the
10 picture, that we're just hiring people that are --
11 that represent that political party but will come
12 into this thing and be just like us, one team
13 that's here for California and not for a particular
14 political party.

15 PANEL MEMBER DICKISON: Thank you. I have
16 one last question for you.

17 What would you ultimately like to see the
18 Commission accomplish?

19 MR. BIRK: I think being able to improve
20 upon the success of the 2010 Commission. I think
21 they did a great job and looked at some of the maps
22 and how they drew them and some of the reasons
23 behind why they drew some of them. And as all the
24 demographics have shifted, I'm sure, since 2010,
25 trying to take the process that they took and,

1 whether it's improving upon it or figuring out how
2 to make the process better, that there's very
3 minimal litigation, very minimal criticism about
4 the process.

5 But, ultimately, coming up with something
6 that seems very fair, very impartial, that the
7 majority of the citizens of the state could say,
8 you know what, this is a great process, California
9 is doing something right, and let's continue to
10 shape the rest of the nation and get them to engage
11 in that process, so when 2030 comes around there's
12 no detractors thinking, you know what, we've done
13 this right twice, the third time is going to be
14 just as great, if not greater.

15 PANEL MEMBER DICKISON: Thank you. No more
16 questions right now.

17 CHAIR BELNAP: Thank you.

18 Mr. Dawson?

19 MR. DAWSON: And thank you, Mr. Chair.

20 Good morning again, Mr. Birk.

21 MR. BIRK: Good morning.

22 MR. DAWSON: I wanted to follow up on
23 something that you'd said during your answer to the
24 standard question one.

25 You said it would be important for

1 Commission members to have an attitude of servant
2 leadership. Could you define that and apply that
3 to the role of the Commissioner?

4 MR. BIRK: So servant leadership is,
5 instead of taking the leader role and basically
6 saying this is how we're going to do things, a
7 servant leader is how can I -- giving up your
8 personal agendas at times to how can I help serve
9 you?

10 So being a Commissioner, I feel you need
11 to have that servant leadership, where you're not
12 coming into this role because I want to redraw the
13 lines for various reasons.

14 I want to come in to serve the State of
15 California. And that's my goal is to be that
16 servant leader to the State of California to ensure
17 that everyone's getting their fair voting and they
18 feel that those people actually represent them.

19 And so you're basically giving yourself to
20 the process, as opposed to coming in and,
21 basically, being that leader that demands stuff,
22 that doesn't really care about how this affects
23 other people. Because there are a lot of leaders
24 that are like that, where it's my way or the
25 highway, and it could have negative ramifications.

1 Whereas a servant leader, it helps everyone feel
2 like they're engaged in the process and that they
3 have a say and that if they ask, why, the leader is
4 willing to tell them why and not say, oh, because I
5 said so.

6 MR. DAWSON: All right. Thank you.

7 Following up on your response to standard
8 question three which was about hyper-partisanship,
9 and also following up on a response to a question
10 from Mr. Coe, you identified one of the challenges
11 to the -- the potential challenges to the
12 Commission would be identifying partisan groups
13 that would come to public meetings pretending to be
14 grassroots, for example.

15 What would you be looking for? What clues
16 would you be seeking that might help you sniff out
17 such groups?

18 MR. BIRK: I think the biggest thing would
19 be doing the research to know a little bit about
20 the community that you're going into. So if you
21 were to go to Humboldt or you were to go to Inyo
22 County, that you know that these are the problems
23 that this particular community is having, whether
24 it's criminal, water, population issues, that you
25 know going into that.

1 So when people come up and talk and they
2 start talking about something completely different,
3 it can at least raise that warning flag that, hey,
4 this isn't what we kind of understand as this. We
5 need to look more into this and see, is this
6 actually a problem? Is this what everyone else in
7 the room is talking about? And it at least will
8 make it stand out if you go into each community
9 meeting knowing what that particular community has
10 -- what makes them an interest, so if you do have
11 these groups that come in that it will stand out
12 pretty apparently that this person isn't a part of
13 that community and is trying to do something for
14 their own gain.

15 MR. DAWSON: I see. Thank you.

16 So you talked about how you grew up in a
17 little town called Yermo --

18 MR. BIRK: Yes.

19 MR. DAWSON: -- in San Bernardino County.
20 Did you grow up in town or did you grow up in the
21 country?

22 MR. BIRK: I -- so I grew up in the
23 "developed" area of Yermo. Within Yermo, you
24 have -- I lived in the neighborhood with curbs, as
25 we called it, curbs and sidewalks. But there are

1 people that lived in Yermo that didn't have
2 sidewalks. And there was people that lived even
3 further out in Yermo where your next neighborhood
4 was three miles away. So I had the fortune of
5 living in the neighborhood with curbs and
6 sidewalks. But we would have to, as my mom would
7 always say, go to town, basically drive into
8 Barstow if you wanted to go to Stater Bros. or get
9 groceries or pretty much do anything. And if you
10 wanted to go to Target, you had to drive 45 minutes
11 to go all the way to Victorville, which we called
12 the big city, so --

13 MR. DAWSON: So I ask that question as a
14 fellow small-town kid where that in-town versus
15 country --

16 MR. BIRK: Right.

17 MR. DAWSON: -- distinction is meaningful.
18 And so it leads to my next question, so
19 now you live in a more suburban-urban area?

20 MR. BIRK: Yes.

21 MR. DAWSON: What is it about small town,
22 rural California that suburban-urban California
23 doesn't know?

24 MR. BIRK: I would say, if I looked at it
25 from the things I missed, how slow it is.

1 I took my son to where I grew up to go see
2 my old home. And the first thing he said was,
3 "Dad, those kids are playing in the street."

4 And I said, "Well, up here, there's no
5 cars, really, so you can play in the street."

6 And so there's that slowness where you
7 grow up naive to things. And it makes me feel kind
8 of bad, where my son can't ride his bike in the
9 street because we live on a corner that has a lot
10 of traffic that goes through. And so there's the
11 slowness.

12 There's also the beauty of it. I tell
13 everyone where I'm from, even my wife's family, and
14 they look at it as, when we drive through, drive to
15 Vegas, they're like, "You grew up out here?
16 There's nothing to do."

17 And I'm like, "here's a lot to do out
18 here. It's a beautiful place." There's a lot of
19 beauty, a lot of plants. They just look like
20 desert shrubs but in the spring, when it rains,
21 they produce beautiful flowers.

22 And the people out there have -- are out
23 there for different reasons. My mom's -- or my
24 grandpa moved out there because he was looking for
25 jobs when he came back from World War II. And that

1 was the only place he could find a job, was at the
2 Marine base that was out there. Some people were
3 out there for the railroad or for the military
4 bases that are out there.

5 Some people are out there for the
6 entertainment -- or the hospitality industry. For
7 example, Yermo used to be a really big town that
8 had seven gas stations and a lot of people drove
9 through there. But when they built Interstate 15, a
10 lot of people stopped going through Yermo and just
11 bypassed it and it became a dead town.

12 So I used to see pictures from my mom
13 growing up where it was this big, vibrant, little
14 town that did a lot of things. If you think of the
15 movie, Cars, once they built that interstate, they
16 were struggling to get anybody to come there. And
17 even today, they're still struggling to get people
18 to come in. They just opened a Welcome Center.
19 And I don't know how many people actually go in
20 there.

21 But it's just one of those small towns
22 that's struggling but there's a lot of great people
23 that still live there and do quality things for
24 that region and contribute for the suburbs and the
25 cities as well.

1 MR. DAWSON: In your impartiality issue,
2 you highlighted putting aside certain differences,
3 including cultural, gender, and geographical
4 differences. You also mentioned generational
5 differences. And I noticed that that was also part
6 of your answer to one of the Panel's questions.

7 The regulations that govern this process
8 define diversity as including ethnic and geographic
9 and economic but not generational. Do you think
10 maybe they should?

11 MR. BIRK: I see that from my experiences,
12 in the military and in the private sector, that you
13 have a gap where there's certain -- that there's
14 the older generation and the younger generation.
15 That you -- it's something that necessarily doesn't
16 need to be a community interest because we all need
17 to live and integrate together, but it's something.

18 When it comes to bias, for example, if
19 someone came up and spoke why so many people are
20 driving up all the housing costs in certain areas,
21 and it's because a lot of young people are leaving
22 the cities and moving to the suburbs because they
23 can't afford to live in the city, and it's not
24 necessarily something that needs to be considered
25 in the, I feel, in the criteria but something, when

1 you're working with the community, that you're
2 understanding that, you know what, the reason that
3 there's so much flight, for example, from certain
4 parts of Los Angeles into the suburbs and now it's
5 driving up housing costs there, it's due to because
6 younger people can't afford to live with these
7 higher costs and so they move to the suburbs or
8 they leave the state completely.

9 So I don't believe it should be,
10 necessarily, a criteria. But it's something that
11 the Commission should be cognizant of that may
12 factor into some of the comments they receive,
13 whether publicly or over the internet.

14 MR. DAWSON: All right. Thank you. That's
15 all I have.

16 We have, roughly, 11 minutes left. Do any
17 of the Panel members have any further follow-ups?

18 CHAIR BELNAP: Thank you.

19 VICE CHAIR COE: Your role -- I do have
20 one, really quick.

21 CHAIR BELNAP: Oh. Okay.

22 VICE CHAIR COE: Your role in the Air Force
23 Reserve, you're still active in that role; right?

24 MR. BIRK: Yes.

25 VICE CHAIR COE: How would that role and

1 the responsibilities with that role effect the
2 responsibilities of the Commissioner, should you be
3 appointed?

4 MR. BIRK: My role in the Air Force
5 Reserve, I'm a -- they call it an Individual
6 Mobilization Augmentee. So it's a very flexible
7 position where, typically, if elected to the
8 Commission and I was given a schedule of these kind
9 of tentatively when we're going to have these
10 public hearings or this is when we need to come and
11 have you work within the -- with the Commission,
12 it's flexible enough that I can either move my time
13 to another period. I basically have to do 36 days
14 out of the year, out of the 365, with my Air Force
15 Reserve commitment. So it's pretty flexible on
16 when I could actually do those particular days.

17 The only issue would be is if we went to
18 war and it was a full-scale mobilization, then I
19 wouldn't be able to serve on the Commission because
20 I'd be activated and have to fight that. But the
21 chances of that are pretty low, unless -- it would
22 take a full-scale war for -- in the position that I
23 am in to get mobilized.

24 VICE CHAIR COE: Okay. Thank you.

25 Mr. Chair?

1 CHAIR BELNAP: Ms. Dickison?

2 PANEL MEMBER DICKISON: I don't have
3 anything.

4 CHAIR BELNAP: Okay. So I saved a question
5 because it's easier for me to ask this question
6 after Ms. Dickison asks the question that she
7 sometimes does.

8 So if you were not randomly selected as
9 part of the first eight Commissioners, why should
10 those eight select you for one of the remaining six
11 openings?

12 MR. BIRK: I feel, based on my experience,
13 of my background, all the diversity that I have,
14 the analytical skills that I have, and that I've
15 lived in rural California, I live in the suburbs of
16 the city, that that at least meets the three
17 criteria that they're looking for in that aspect.

18 And then after that it would -- hopefully
19 some of the strengths that I have, whether it's
20 public speaking, being able to engage the public
21 when they -- assuming they'll watch the video of
22 some of the candidates that they pick, that they
23 could see that, you know what, he's very engaging.
24 It could be a great asset to getting people of
25 certain communities to talk to us. And seeing that

1 he doesn't -- that I don't get into group-think,
2 that -- and I'm willing to raise that red flag and
3 say, hey, let's think about this a little bit more
4 before we make this final decision, that -- and
5 also could be the, hey, you know what, let's stop
6 this arguing and let's figure this out, instead of
7 going back and forth if we're not getting anywhere.

8 That's one of the worst things that I hate
9 about meetings is just when people are arguing and
10 you're not getting anywhere. And it's, let's stop,
11 let's talk about this, and let's move on. And it's
12 one of those things that if the meeting did become
13 very partisan, that I feel I have the leadership
14 skills of working within the military and on the
15 private sector that kind of rear them in, like, hey
16 guys, let's calm this down and let's focus on what
17 the job is and not this continuous banter.

18 CHAIR BELNAP: Okay. Thank you. I have no
19 further questions.

20 MR. DAWSON: Thank you.

21 Mr. Birk, we have 8 minutes remaining in
22 the 90-minute period. Would you like to make a
23 closing statement to the Panel?

24 MR. BIRK: Sure. I feel honored to be
25 invited to be part of the final 100 -- or the next

1 round of the 120, to come up here and just be a
2 part of this process. It is a very learning
3 process for me. I did a little bit of research
4 before I came, just to kind of get an idea of what
5 this process is, so I'm learning more about it.

6 I do appreciate the work that you guys
7 have done as a Panel to narrow it down to the 120
8 and, as you go through, to get it down to the final
9 60. That, even if I'm not picked, I feel that this
10 process is the way it should be done, bringing
11 people from wherever they are in the state to come
12 in and do this, it's a great process and I
13 appreciate all around that we're doing it.

14 I feel that this is a great way to prevent
15 the past. I love history and I've seen the
16 horrible things that it's done to our country with
17 gerrymandering. And I think that this is a great
18 way to help prevent that.

19 And thank you all.

20 CHAIR BELNAP: Yeah. And thank you for
21 being here. We appreciate your time and your
22 interest.

23 We're going to go into recess now and
24 reconvene at 10:44 a.m.

25 (Thereupon the Panel recessed at 10:22 a.m.)

1 10:45 a.m.

2 CHAIR BELNAP: Seeing all the Panel members
3 are here, we're going to welcome David Holtzman to
4 his interview.

5 MR. HOLTZMAN: Thank you.

6 CHAIR BELNAP: And I'll turn the time over
7 to Mr. Dawson for the standard questions.

8 MR. DAWSON: Thank you, Mr. Chair.

9 Mr. Holtzman, I'm going to ask you five
10 standard questions that the Panel has asked that
11 each --

12 MR. HOLTZMAN: Um-hmm.

13 MR. DAWSON: -- applicant respond to.

14 MR. HOLTZMAN: Um-hmm.

15 MR. DAWSON: Are you ready, sir?

16 MR. HOLTZMAN: I am ready. Thank you, Mr.
17 Dawson.

18 MR. DAWSON: First question: What skills
19 and attributes should all Commissioners possess?
20 What skills or competencies should the Commission
21 possess collectively? Of the skills, attributes
22 and competencies that each Commissioner should
23 possess, which do you possess? In summary, how
24 will you contribute to the success of the
25 Commission?

1 MR. HOLTZMAN: Oh, thank you for that
2 question, Mr. Dawson. It's a good question.

3 The first skill that I think all
4 Commissioners should possess is people skills. And
5 because I, you know, I think people skills are
6 important, I just want to first acknowledge that I
7 have some people I know watching today. And I just
8 wanted to let them know I appreciate that and wave.

9 So people skills, I think, involve
10 listening to what others are saying, taking an
11 interest in others, being friendly, presenting
12 information in an engaging manner so that people
13 understand what you're talking about, the points
14 you're trying to make. You have to have some self-
15 awareness. At the same time, you have to be
16 thinking of the effect on others that what you're
17 doing, what you're saying might have. So as part
18 of that, I think you should have a little bit of a
19 sense of humor.

20 So I did want to say that the first time I
21 read this question, I thought to myself, wait a
22 minute, you're the Applicant Review Panel. Aren't
23 you supposed to tell me what skills are required
24 for the Commissioners or aren't you supposed to
25 figure it out for yourself? And then I realized,

1 yeah, at first, that's the first part of it. But
2 if I'm selected to be one of the original, the
3 first eight Commissioners, then, essentially, I'll
4 become part of an Applicant Review Panel, become
5 part of the group that's choosing more members.

6 So you've got the people skills.

7 And I think analytical skills are very
8 key. You want someone who's comfortable with
9 numbers, with maps, basic computer skills. I think
10 I wrote about some of this in one of my essays.
11 Someone who's comfortable with doing research.
12 Someone who's comfortable doing research with
13 reading, writing up findings. Basic Google skills
14 would be helpful. Probably, we'll get access to
15 other databases if we need to.

16 And I think you just have to have an
17 appreciation for the factors that are laid out in
18 the statute, including California's diversity, et
19 cetera, et cetera, the geographic and cultural and
20 ethnic diversity. I think I have pretty much
21 everything I've mentioned so far.

22 Collectively, I think this Commission
23 should have some skill at supervising. By that, I
24 mean supervising staff or any consultants that we
25 might hire. And that's one place where maybe I'm a

1 little short. I've supervised one employee when I
2 was President of the League of Women Voters of Los
3 Angeles. I've never had formal training in doing -
4 - supervising. Excuse me.

5 But leadership, I have leadership skills.
6 I think the Commission should have leadership, some
7 sort of collective leadership skill. I've run a
8 whole bunch of board meetings, moderated candidate
9 forums for the League of Women Voters. I'm quite
10 comfortable running a meeting, telling people that
11 they should wrap up their comments, what have you.
12 And I think that's an important part, so you give
13 everybody a fair hearing.

14 I've actually had formal training in what
15 it is to give a fair hearing to people because I
16 was, basically, in an Administrative Law Judge role
17 when I was on the Hearing Board at the South Coast
18 Air Quality Management District. So they sent me
19 to what's called the National Judicial College in
20 Reno, Nevada and for a couple of weeks of training
21 in what they call -- I think the course was called
22 Administrative Law Fair Hearing, and learned a lot
23 about how to listen to people of -- who have
24 difficulty communicating, say, people who are
25 perhaps not from the same cultural background as

1 you are, so you have to be interested in that.

2 Of relevance to today's Coronavirus time,
3 one of the things they taught was how to hold
4 hearings by telephone or by videoconference. And
5 there's special things you have to do to make sure
6 you've heard what someone is saying and that you've
7 communicated well to someone on the other line when
8 you're doing hearings by phone. I imagine some of
9 our testimony might end up being taken as in
10 teleconference if this Coronavirus scare continues
11 -- outbreak, I should say. I'm a public health
12 person, so I'm very conscious of what's going on.
13 It's been a strange couple of days and weeks, as
14 you know.

15 So listening, I think, is a very important
16 skill. And listening involves hearing what people
17 say. If you can have -- and you have the time to
18 do it, maybe reflect a little of what they said
19 back to them to make sure you've heard them right.
20 In a meeting situation, give people more time, if
21 needed. And be able to ask questions that might
22 elicit more information from people you're talking
23 to.

24 So I've taken a long time on this
25 question, I know. I think I possess the skills,

1 attributes, competencies, et cetera, that a
2 Commissioner should possess. And I think I could
3 contribute to the collective work of the
4 Commission.

5 And how will I contribute to the success
6 of the Commission? I will give it my best shot. I
7 will bring what I have to offer to the table. I
8 think that's the best answer I can give.

9 MR. DAWSON: Thank you. Question two.

10 Work on the Commission requires members of
11 different political backgrounds to work together.
12 Since the 2010 Commission was selected and formed,
13 the American political conversation has become
14 increasingly polarized, whether in the press, on
15 social media, and even in our own families.

16 What characteristics do you possess and
17 what characteristics should your fellow
18 Commissioners possess that will protect against
19 hyper-partisanship? What will you do to ensure
20 that the work of the Commission is not seen as
21 polarized or hyper-partisan and avoid perceptions
22 of political bias and conflict?

23 MR. HOLTZMAN: All right, so this is a
24 difficult question. It's very relevant to today.
25 And my first thought when I read it was, hey, we're

1 powerless, really, to do anything about hyper-
2 partisanship and to get into the internet realm,
3 the trolling, the social media, et cetera, et
4 cetera. As a Commission, there might be some
5 things we could do to try and counteract some of
6 that but we're not going to cure society's hyper-
7 partisanship as a Citizens Redistricting
8 Commission.

9 My response, my thoughts before I got this
10 question about how to tamp down hyper-partisanship
11 and misinformation, falsehoods, deception online,
12 et cetera, et cetera, was to go back to with what
13 I've had as one of my dream foundations. One of my
14 dream foundations would be advertising resistance
15 education. Kind of like, you know, there's drug
16 abuse resistance education, advertising resistance
17 education would educate people about the tricks
18 advertisers use to suck you in, maybe make you buy
19 their product, but would further realize that
20 pretty much every time somebody's posting something
21 on social media, it's a form of advertisement.
22 People are advertising themselves or whatever they
23 want people to learn.

24 So there are, you know, studies helping
25 advertisers know what to say to convince people or

1 to upset people or what have you, you know, key
2 words and things like ten things you need to know,
3 click here, or what have you. Learn this simple
4 trick or what have -- or being provocative.

5 And so, anyway, I think it would be great
6 for society if society had some education in how to
7 -- if people in society had some education in how
8 to recognize when they might be being manipulated
9 and respond to that.

10 As far as what the characteristics I
11 possess that would sort of help the Commission
12 avoid hyper-partisanship, first of all, I would
13 treat my work on the Commission as not having
14 anything to do with partisanship, just having to do
15 with fair elections. I've been interested in fair
16 elections for so long. I think starting in high
17 school. I actually ran elections when I was in
18 high school. I was head of the Elections Committee
19 there.

20 But I have a good capacity for critical
21 thinking, data analysis. I'm pretty good at
22 distilling information so that people will
23 understand it without having to have any technical
24 knowledge. And using all that, I think I will be
25 able to elicit from, maybe, fellow Commissioners or

1 public commenters things about what they're really
2 saying, where they're coming from. What are the
3 assumptions you're basing what you're saying on?
4 And then maybe, if we unearth some assumptions that
5 are not right, impermissible in terms -- in the
6 context of redistricting, we can tease those out
7 and point those out.

8 I mean, the best things you can do to
9 counter hyper-partisanship is to point it out.
10 I've, in my past, I've worked well with people on
11 both sides or all sides of the aisle. I know
12 people in the Green Party, for instance.

13 What would I do to ensure that the work of
14 the Commission is not seen as polarized? The thing
15 I would do is try and make sure the Commission
16 understands that what we're doing is a group effort
17 and that the public understands that what we're
18 doing is a group effort. We're all committed to
19 fairness in elections, fairness in drawing lines,
20 making sure that municipalities, communities of
21 interest can band together to elect
22 representatives, or at least try to, of their
23 choosing.

24 So I think one thing in this regard that
25 is key to keep in mind, that I will keep in mind,

1 is that the message of the Commission will not go
2 directly to members of the public. The public will
3 not be hanging on every word, watching every
4 meeting. But the message will be mediated and
5 communicated to people through the media.

6 So one important point there would be for
7 the Commission to maintain a good relationship with
8 the media but also a good enough relationship so
9 that people -- that the Commission can point out
10 when the media, perhaps, is being a little over-
11 sensational or what have you. That's the best you
12 can do. I'm sorry that society is falling prey to
13 a lot of this hyper-partisanship and I'll leave it
14 at that.

15 MR. DAWSON: Thank you. Question three.

16 What is the greatest problem the
17 Commission could encounter and what actions would
18 you take to avoid or respond to this problem?

19 MR. HOLTZMAN: I came up with two things in
20 response to this. I'll just briefly touch on my
21 second choice, and that would be a budget
22 shortfall. And I'm really only mentioning that
23 because if there was some sort of budget shortfall,
24 the State Auditor's Office would have to jump into
25 action and say, hey, what happened here? And then

1 it would have to get more funding.

2 But really number one, and it occurred to
3 me right away, even before this Coronavirus time,
4 would be some sort of failure of the census to come
5 up with complete and accurate data for us to use as
6 a basis for drawing the maps. And people are
7 saying the Coronavirus might actually be able to
8 provoke some sort of low response rate to the
9 census. People might not answer their doors if
10 enumerators come around.

11 But it's not just that. It might just be
12 that, because of administrative snafus, technology
13 snafus, we might not get the data in time. And in
14 that case, my, honestly, my thought was lawyers,
15 guns, and money. You'd have to -- we'd have to
16 hire lawyers to figure out what we could do with
17 the incomplete data. We wouldn't really need guns
18 unless the state police needed to protect us. But
19 we might actually need more money to hire some sort
20 of consultants to update the data, to validate
21 data, to generate more data.

22 I know if worse comes to worse in the
23 statutory and constitutional framework of the
24 Commission, the State Supreme Court would get
25 involved and we would appoint special masters or

1 something to do that. But perhaps we could jump in
2 and try a little bit of that ourselves.

3 If there is no official census by whatever
4 it is, November 15th of 2021, well, we might
5 actually look for some sort of -- we'd have to look
6 to the legislature. But the thing is, in this
7 instance, the legislature isn't, you know, the one
8 that sits over in the Capitol, whichever direction
9 that is from here, it's the people. It's the
10 people who voted in the proposition. And if there
11 is some provision for amending, it's determined by
12 the Legislature, but you can't do that in a year
13 that ends in '01, apparently.

14 So we might actually have to see about
15 going to the people, having the Legislature put
16 something, put either maps that we've drawn to the
17 people for approval or some other procedure that
18 we'd like to do to the people for approval.

19 That would be my greatest fear, you know,
20 a census failure. I think you might all agree that
21 would be kind of scary.

22 MS. PELLMAN: We have about 13 minutes.

23 MR. DAWSON: Thank you. Question four.

24 If you are selected you will be one of 14
25 members of the Commission which is charged with

1 working together to create maps of the new
2 districts.

3 Please describe a situation where you had
4 to work collaboratively with others on a project to
5 achieve a common goal? Tell us the goal of the
6 project, what your role in the group was, and how
7 the group worked through any conflicts that arose?
8 What lessons would you take from this group
9 experience to the Commission, if selected?

10 MR. HOLTZMAN: Again, when I looked at this
11 question, Mr. Dawson, I thought of two things right
12 away. The first is that I did manage public --
13 responses to public comment, summarizing public
14 comments, and rewriting of a document that was
15 going to be used by the State Air Resources Board
16 about diesel exhaust. And I thought, well, wait a
17 minute, this Panel probably knows all about how the
18 state works and all of the levels of review that
19 you have to go through and what have you.

20 So I thought I'd mention something else at
21 the more local level, something that came up when I
22 was president of the League of Women Voters of Los
23 Angeles -- and I'll keep you in suspense as I have
24 a sip of coffee -- it was something called the
25 Voters Bill of Rights. There was a City

1 Councilman, one of 15, in Los Angeles named Jose
2 Huizar, who reached out to me and some other civic
3 organizations to put together a package of
4 electoral and election reforms that would be put on
5 the ballot and adopted, perhaps, as a charter
6 amendment. And you probably all know that charter
7 cities can make their own rules with regards to
8 elections.

9 I have been, as I think I mentioned, I
10 know I mentioned in my application, an advocate of
11 what's called rank choice voting or instant runoff
12 elections, instant runoff voting. And Mr. Huizar,
13 Councilmember Huizar knew that. He also knew that
14 I had recently gotten the League of Women Voters of
15 Los Angeles through a long process, the League has
16 long processes, to advocate instant runoff voting
17 for single-member elections, single-winner
18 elections in the City of Los Angeles. And Mr.
19 Huizar liked instant runoff voting and he wanted
20 that to be one component of this Voters Bill of
21 Rights. But there was also going to be something
22 on ethics and campaign contributions and public
23 financing of elections and some other things.

24 And so, anyway, I think one of the reasons
25 Mr. Huizar liked instant runoff voting, rank choice

1 voting, is that it's something that Princeton
2 University uses to elect alumni trustees. When I
3 was an undergrad at Princeton, we voted using rank
4 choice voting for offices. And once you learned
5 it, once you've done it, you can understand its
6 advantages.

7 It makes elections more fair in terms of
8 making sure the people who got elected have a true
9 majority type of coalition and voters for other
10 candidates wouldn't willingly combine their support
11 to elect someone else than, say, a small plurality
12 winner. And it lets voters more fully express
13 their preferences because you can show who your
14 second choice in an election and your third choice
15 in election and, if necessary, that information
16 would be taken into account.

17 So I'm digressing a little bit but he
18 liked this reform. I liked this reform. And we
19 had meetings in his office with the various other
20 groups, representatives of the various groups, and
21 we put together a package called the Voters Bill of
22 Rights, put up one of those graphic displays on an
23 easel. I think it kind of looked like a
24 constitution with the scrolls and what have you.
25 The voters should have the right to do this, do

1 this, do that.

2 And then we had to sell it. We had to
3 help lobby other councilmembers. And I liked the
4 thought that maybe councilmembers who didn't agree
5 with everything would still agree to put the whole
6 thing to the voters to see what the voters thought.

7 And I worked as a team. We had
8 assignments, which councilmembers we would talk to,
9 what have you, and offered and took suggestions
10 about how to approach what we were doing.

11 So there weren't too many conflicts that
12 arose, really, except with, perhaps, some of the
13 resistant councilmembers. But the real problem
14 sort of occurred at the end and I couldn't do too
15 much about it and that's that Councilmember Huizar
16 put each of the reforms to the full council
17 separately and I really wanted to get
18 councilmembers on the record as to how they thought
19 about instant runoff voting. So I was waiting for
20 Councilmember Huizar to put that one to a vote of
21 the council. And he was about to do it but he
22 withdrew it without taking a vote, so I was a
23 little disappointed with that part of the outcome.
24 But still -- and I, you know, I was not entirely
25 happy with that but I didn't go ballistic or

1 anything like that. With Jose Huizar, I think we
2 were still on good terms.

3 And, well, you wanted to know the lessons
4 I would take from the experience.

5 First of all, it's not over until it's
6 over. Until the very end, I thought maybe we would
7 have the records and number of votes to put the
8 thing on the ballot. Kind of like a 12 Angry Men
9 jury selection sort of thing. I know you've got to
10 get a supermajority on the Commission. And I think
11 if we can't at first, for the maps that we're
12 drawing, if we can't at first, I think persistence
13 and patience counts.

14 The other thing is you've got to sell it.
15 You have to sell it. You have to realize that you
16 have to sell it and, probably, to more than one
17 audience. And I think in retrospect, I could have
18 done a little better job of selling it to various
19 audiences.

20 I did want to mention part of the outcome,
21 though, was that I signed the ballot argument when
22 the measure went to the public without my favorite
23 reform. I was able to put aside my somewhat
24 disgruntlement, somewhat disgruntled state. And
25 also the fact that I wasn't, you know, entirely

1 thrilled with at least one part of the measure.

2 But as part of the whole process, I had to
3 go back to my board, the League of Women Voters
4 board, to see how they felt about the various
5 pieces and what have you and get buyoff. And then
6 the board voted to endorse the measure, the League.
7 And one of the reasons that Jose Huizar wanted the
8 League of Women Voters along was that, as you may
9 know, the League of Women Voters is a respected
10 name. And having the League of Women Voters as an
11 endorsement for a ballot measure, that's going to
12 help get your ballot measure past the electorate.

13 So thank you, Mr. Dawson.

14 MR. DAWSON: What is the time check,
15 please?

16 MS. PELLMAN: We have 4 minutes and 50
17 seconds.

18 MR. DAWSON: Thank you.

19 Fifth question.

20 MR. HOLTZMAN: Um-hmm.

21 MR. DAWSON: A considerable amount of the
22 Commission's work will involve meeting with people
23 from all over California who come from very
24 different backgrounds and a wide variety of
25 perspectives.

1 If you were selected as a Commissioner,
2 what skills and attributes will make you effective
3 at interacting with people from different
4 backgrounds and who have a variety of perspectives?
5 What experiences have you had that will help you be
6 effective at understanding and appreciating people
7 and communities of different backgrounds and who
8 have a variety of perspectives?

9 MR. HOLTZMAN: All right, so I know this is
10 very important. And I think one of the things that
11 I could bring to the table is I'm kind of outgoing.
12 I'm often willing to chat people up in public
13 places or on trains or planes. I had a chat with
14 the couple across the aisle this morning on the
15 flight here.

16 I think I maybe get that from my mother
17 who would chat people up on New York City buses all
18 the time when we'd go into the city or when she'd
19 go into the city and made some friendships that
20 way.

21 Yeah, I used to embarrass my wife
22 sometimes, but I like to, you know, just get to
23 know people of different -- just different people.

24 And sometimes I'd actually find myself
25 making an effort to start up conversations with

1 people who seem to be of minority groups of ethnic
2 groups or what have you, just show friendliness,
3 you know, try and integrate the world a little bit.

4

5 So my people skills. My eagerness,
6 actually, to do this job and listen and understand
7 what communities of interest, when they come
8 forward, have to say. I think that's a big deal.

9 I've, well, worked a little bit with
10 people who have disabilities. I had a resident,
11 when I was president for the condo board, who was
12 in a wheelchair. And that made maintenance of the
13 elevators on the condo board very important in the
14 condo.

15 Disabilities is very important in the
16 context of election equipment, as you might know.
17 There's a move to make election equipment so that
18 people with disabilities can vote privately and
19 independently, the same way as everybody else. And
20 I've been very involved with election equipment and
21 election procedures because of the League of Women
22 Voters' stuff.

23 I have a family that values civil rights.
24 I don't know, my sister-in-law, my brother's wife,
25 you know, clerked for Thurgood Marshall. And my

1 brother, himself, worked for the Lawyers Committee
2 for Civil Rights Under Law after he worked for the
3 NAACP Legal Defense Fund.

4 And, you know, a whole subcurrent of this
5 independent redistricting thing, as you probably
6 know, is to stop politicians from being able to
7 choose their voters and to stop things, like
8 cracking or packing of minority groups. So I'm
9 pleased to be, possibly, someone who will be
10 involved in doing districting in a different way,
11 in a more independent way and more transparent way
12 and, perhaps, some of that will continue.

13 So I've got --

14 MS. PELLMAN: You have about 50 seconds.

15 MR. HOLTZMAN: Okay. Thank you.

16 So I'm, you know, I'm one of these people
17 who's outgoing. I'm good with waiters at
18 restaurant. You see some people don't want to pay
19 attention to them.

20 And plus my grandmother, I wanted to
21 mention, it turns out was a Suffragist back in the
22 day. I found that out when I joined the League of
23 Women Voters because of the work of others in my
24 family. But I'd be offended if groups were
25 excluded, some groups were excluded from the

1 process.

2 So, yeah, I'm also comfortable with
3 discussing social class and I think that's
4 important.

5 I'll tell you; I was -- I'm in the middle,
6 I'm almost divorced, let's put it that way. I have
7 a very wealthy wife. We're going to be divorced in
8 a couple weeks. It's all final. But in the
9 process of getting divorced, I've --

10 MR. DAWSON: Mr. Holtzman, I'm sorry, I'm
11 going to have to cut you off --

12 MR. HOLTZMAN: Um-hmm.

13 MR. DAWSON: -- so we can have time for the
14 Panel members.

15 MR. HOLTZMAN: May I finish the sentence?

16 MR. DAWSON: Please.

17 MR. HOLTZMAN: In the process of getting
18 divorced I kind of stepped down a couple of rungs
19 in social class. So I wanted to point out that
20 eventually you might want to demote me in the
21 income category that you've been tallying or that
22 you've been putting people into.

23 Thank you, Mr. Dawson.

24 MR. DAWSON: Thank you.

25 At this point we'll go to Panel members'

1 questions. Each Panel member will have 20 minutes
2 to ask his or her questions.

3 And we'll begin with the Chair, Mr.
4 Belnap.

5 CHAIR BELNAP: Okay. Thank you for being
6 here.

7 MR. HOLTZMAN: You're welcome.

8 CHAIR BELNAP: You received a bachelor's
9 from Princeton and a master's in Public Health from
10 University of Michigan.

11 MR. HOLTZMAN: Um-hmm.

12 CHAIR BELNAP: Fifteen years later you got
13 a JD from UCLA. Why did you go back to law school?

14 MR. HOLTZMAN: The short answer is that I
15 wanted more tools to work with to be able to better
16 influence the direction of policy to protect public
17 health and to protect civil rights, et cetera, et
18 cetera. I thought that the combination of science,
19 which I already had, plus law would help me get
20 into the policy arena. And that worked pretty
21 well, although my employability is becoming a
22 little more limited as I get older in policy
23 matters.

24 Also, the wife I'm getting divorced from
25 was a -- is a consultant for the media industry.

1 And living in Los Angeles, which is very easy, puts
2 you, you know, a ways from here, Sacramento, where
3 state policy is made.

4 So -- but that was my intention. That's
5 why I went back to law school.

6 Briefly, I should say I was also
7 frustrated because I was managing the revisions and
8 responses to public comment about a document. The
9 document was about the health effects of diesel
10 exhaust. And if it became official, it would
11 trigger regulations to reduce diesel exhaust
12 exposure of the public and protect public health.
13 And eventually it did become official, but it was
14 going -- it was being -- because of higher-ups or
15 whatever, it was being made to go through more
16 rounds of public comment and revision that I
17 thought was really necessary. So it's another
18 reason, you know, when your office is not really
19 being able to do its job, you think about what else
20 you're going to do, so --

21 CHAIR BELNAP: Yeah. And what areas of law
22 did you practice?

23 MR. HOLTZMAN: The first thing I did when I
24 got out of law was also related -- law school was
25 also related to my experience with state service.

1 You know, I guess it was Proposition 209 or
2 something, whatever it was, there -- maybe it
3 didn't have to do with Proposition 209. I'm kind
4 of a geek, love computers, love working with them.

5 When I joined the office that I worked for
6 it was part of the State Health Department at the
7 time, then it became part of CalEPA's Office of
8 Environmental Health Hazard Assessment, they turned
9 to me to help set up computers, train people on how
10 to use computers. And I kind of became the
11 computer buying agent for my office.

12 And because of state rules and
13 preferences, what have you, there was a man who put
14 his business in his wife's name and was able to
15 underbid for a whole bunch of computers that I was
16 getting to implement a pretty significant new air
17 pollution program, the Air Toxic Hot Spots Act. He
18 was able to underbid and, again, he got the bid for
19 these computers, and they were supposed to work;
20 right? And about half of them, when they got
21 delivered, didn't work right. And I was kind of
22 upset that the system would let this happen.

23 But the worst part of it was that you
24 couldn't just return them and say this is, you
25 know, unacceptable, give us something that works,

1 whatever. I had to keep going through his repair
2 guy, et cetera, et cetera.

3 So one of the things in the back of my
4 mind, I have been thinking about since then, was
5 maybe getting a lemon law for computer things. So
6 software and hardware, it used to be you'd find a
7 bug in software and then they'd say, oh, thank you
8 about -- thank you for telling us about it. Now
9 buy the update when we come out with it and it just
10 wasn't fair to the consumer.

11 So I wanted to pitch this idea to the guy
12 who is most associated with lemon laws, and that
13 was Ralph Nader. Ralph Nader was coming out for a
14 campaign rally around the time I was studying for
15 the bar. I left my bar class and ran out to the
16 beach where he was talking, I think about
17 unionizing the Loews Hotel or something there, but
18 I had a letter for him. And he's a Princeton guy,
19 too, so I think maybe I used that connection.

20 But I handed him a letter and in it, it
21 said, "I'm a bit of a computer geek and I'd really
22 like to explore getting a lemon law for computer
23 things because I think that would be very helpful
24 for consumers, so you could return or get
25 compensated for your inconvenience, et cetera, et

1 cetera, if stuff didn't work." Stuff works a lot
2 better now but there's still some problems back
3 then, it was a big deal.

4 And he saw my letter. And I mentioned
5 that I was a bit of geek, in those words. He said,
6 "Oh, you're a geek? We need a geek."

7 So he sent me over to his friend, Harvey
8 Rosenfield, who runs what's now called Computer --
9 Consumer Watchdog, he and Jamie Court out of Santa
10 Monica. So the first area of law I practiced was
11 consumer rights law. We were going to lobby for a
12 lemon law, but the state energy crisis hit and that
13 was a big deal for Consumer Watchdog, then the
14 Foundation for Taxpayers Consumer Rights. So I did
15 some work with regards to energy.

16 And, also, junk faxing which was another
17 one of those problems that's sort of gone away but
18 used to be that your fax machine could be clogged
19 up with unwanted ads. And I was proud to and
20 pleased to prepare a guide for the worldwide web,
21 which was still sort of new at the time, telling
22 people what they could do to stop junk faxing and,
23 if they could find the people sending them to you,
24 sue to get some statutory, like \$500 a fax
25 compensation, so I did that.

1 And then I didn't -- my father passed away
2 and I didn't practice too much law after that. I
3 went into environmental consulting, which was a
4 little more of a hot topic, but I learned about
5 CEQA. I wasn't practicing law in CEQA, the
6 California Environmental Quality Act, and I wrote
7 parts of and edited parts of environmental impact
8 reports to help projects move forward.

9 And then with the League of Women Voters,
10 obviously, I got into this election law stuff. And
11 now I'm practicing for someone I know who has
12 overflow legal work and we've worked on cases from
13 consumer rights in the mortgage lending context to
14 a case having to do with public access to parkland
15 where I'm indirectly working for the Regional Parks
16 Agency.

17 CHAIR BELNAP: So I want to go on a tangent
18 of what you had talked about, environmental justice
19 work -- or environmental consulting. You were on
20 an environmental justice committee.

21 MR. HOLTZMAN: Um-hmm.

22 CHAIR BELNAP: What are some of the key
23 concepts of environmental justice? What is that
24 about?

25 MR. HOLTZMAN: Well, originally, I thought

1 it was all about data and numbers. And you could
2 find environmental justice just by -- injustice
3 just by overlaying maps of people's exposure to
4 pollution and demographics of the people who are
5 exposed. But environmental justice is also about
6 how people are treated, the less measurable parts
7 of the situation that they're exposed to because
8 they're near industry or what have you.

9 To practice in the environmental justice
10 field, you really have to listen to the concerns of
11 communities. Some of environmental injustice may
12 just stem from overall social inequities. And
13 you've got to understand that those are important.
14 People are facing tough challenges.

15 In my work, I've had to use maps and such
16 to measure the distance between pollution sources
17 and what are called sensitive receptors, people who
18 may be vulnerable because of their age, their
19 socioeconomic status, genetics or what have you.
20 But I've also tried to think of creative solutions
21 to address environmental justice.

22 And one thing I don't like particular is a
23 lot of loud noise. And I've noticed that, partly
24 from my work on the Air Quality Management Hearing
25 Board, that residents would be complaining, not

1 just about the smells or the pollution or whatever,
2 but the noise, which meant they had to keep their
3 windows closed at night, or what have you, but they
4 didn't have any air conditioning. So I was
5 thinking that it might be a great idea to have
6 electricity tariffs and subsidies for air
7 conditioning units so that people can keep their
8 windows closed at night and maybe sleep better.
9 And, you know, sleep deprivation is not always one
10 of the things that scientists study as a variable
11 when they're looking at environmental problems.

12 So anyway, that's a suggestion. I'm
13 probably putting it out there, hoping somebody
14 picks it up today if they're watching me.

15 But environmental justice is about not
16 just unequal exposure but respect and understanding
17 the difficulties of what are called environmental
18 justice communities. And that's a term of art now
19 --

20 CHAIR BELNAP: Um-hmm.

21 MR. HOLTZMAN: -- when it comes to CEQA
22 analyses, and so that --

23 CHAIR BELNAP: Do you see any, I guess,
24 similarities between your work and environmental
25 justice and the work you'd be doing as a

1 Commissioner?

2 MR. HOLTZMAN: Absolutely.

3 CHAIR BELNAP: In what way?

4 MR. HOLTZMAN: Because it's the listening
5 to community concerns, understanding what
6 communities go through when they're trying to get
7 heard by legislators, or if they're trying to elect
8 a candidate of their choice, and maybe having, you
9 know, felt that a district was drawn unfairly
10 because their community was split between two
11 districts, what have you. It's -- you know, I
12 can't say as salient for society, as environmental
13 injustice, but I think political injustice is very
14 important and needs to be addressed.

15 So as a Commissioner, I would definitely
16 be interested in listening to concerns of
17 communities that claim to be disadvantaged, for
18 whatever reason, and that I could -- and I'm sure
19 there will be communities that I can see myself
20 have been disadvantaged. In the past, California
21 hasn't been that bad as other places in the country
22 of voter suppression, let's say, but that's the
23 sort of thing I'd be interested to hear about.

24 CHAIR BELNAP: And you mentioned in your
25 response, and also in your application, that you

1 have experience with maps and, also mapping
2 software.

3 MR. HOLTZMAN: Um-hmm.

4 CHAIR BELNAP: Can you describe some of
5 those experiences?

6 MR. HOLTZMAN: Well, certainly. When I was
7 doing the environmental impact report about a
8 proposed project, I would always go to Google Earth
9 and look on the maps to see where the closest
10 residences were, if there were schools there. And
11 in reverse, that's called -- I call it outgoing
12 risk, we had to also look at incoming risk for
13 projects. If we were going to be siting residences
14 near a freeway, we'd be, you know, a certain
15 distance to the freeway. We'd recommend certain
16 types of ventilation and sealed windows. But my
17 environmental consulting firm, PCR Services, was
18 also contracted with the L.A. School District at
19 the time to find places to put schools. And you
20 want to put schools in places that are far enough
21 away from sources of transportation pollution, et
22 cetera, but also from sources of potential accident
23 risk where hazardous stuff is stored or where the
24 earth is already contaminated, the soil is already
25 contaminated.

1 CHAIR BELNAP: Okay. Thank you.

2 How much time do we have?

3 MS. PELLMAN: Six minutes and forty
4 seconds.

5 CHAIR BELNAP: Okay. So, Mr. Holtzman, are
6 you aware that in the background check process,
7 Staff flagged some of your social media posts for
8 further review by the Panel?

9 MR. HOLTZMAN: Oh, I'm aware of that, Mr.
10 Belnap.

11 CHAIR BELNAP: Yeah.

12 MR. HOLTZMAN: I brought little
13 printouts --

14 CHAIR BELNAP: You have them?

15 MR. HOLTZMAN: -- of them. Yeah.

16 CHAIR BELNAP: Okay. So now that --

17 MR. HOLTZMAN: I --

18 CHAIR BELNAP: Yeah. Go ahead.

19 MR. HOLTZMAN: It's just I, you know, think
20 civic engagement and community engagement is
21 important. So, you know, where some might advise
22 someone in my position as an Administrative Law
23 Judge or President of the League of Women Voters to
24 get off Facebook entirely, I have -- I've made some
25 posts and what have you. Sometimes I left them

1 public.

2 So I have no shame about having
3 participated in social media. That's all I'm
4 saying.

5 CHAIR BELNAP: Yeah. And looking at the
6 social media posts that were flagged, from the lens
7 of being a Commission candidate --

8 MR. HOLTZMAN: Um-hmm.

9 CHAIR BELNAP: -- a Commissioner candidate,
10 do you see any cause for concerns for any of the
11 posts? And, if so, why? And if not, why is that?

12 MR. HOLTZMAN: Well, I think people might
13 be a little interested in knowing why I put the
14 thing up, the definition of fascism as my cover
15 photo. I don't know if in your copy you have the
16 profile picture that goes with it. But I put that
17 up after the recent election, the presidential
18 election, because it seemed like things were
19 getting pretty scary in society in terms of
20 treatment of minority groups and just to support
21 people in general. And I had read an article at
22 some point years before mentioning that the tie
23 between the business leadership and state
24 leadership as a key aspect of fascism that isn't
25 mentioned in a lot of more recent dictionaries.

1 I took courses in alcohol and drug abuse
2 studies. I have a certificate in that from UC
3 Berkeley Extension. And I remember, interestingly,
4 learning as part of that that in the Nazi days the
5 Nazis and Hitler were very anti-alcohol and for,
6 you know, just cultural repression of that sort
7 because their motivation was mainly because they
8 thought alcohol was making workers less productive,
9 less patriotic, et cetera, et cetera. And I kind
10 of liked talking about that, so I put that up there
11 as a conversation piece.

12 Yeah, you might -- you know, some people
13 might think, oh, no, you're putting that up there
14 to argument -- to be argumentative or what have
15 you, promote incivility. But I actually put it up
16 there just so people would, you know, be on the
17 alert for possible incivility, possible
18 intimidation and violence or what have you against,
19 you know, minorities. And I am of Jewish decent,
20 you know, so Nazi stuff is -- concerns me, you
21 know, (indiscernible).

22 I'm watching this new series called
23 Hunters about finding, you know, old Nazis in old
24 New York.

25 CHAIR BELNAP: So pushing pause on that for

1 a moment --

2 MR. HOLTZMAN: I know, we're running out of
3 your time.

4 CHAIR BELNAP: Yeah.

5 MR. HOLTZMAN: I'm so sorry.

6 CHAIR BELNAP: Any other posts cause you --
7 would cause you concern from the lens of being a
8 Commissioner?

9 MR. HOLTZMAN: You know, the stuff about
10 getting Trump out. If anybody was in that position
11 and was like him in terms of character and history,
12 you know, making money originally from selling
13 housing that was known to be for Whites only, et
14 cetera, and then not paying his workers and being
15 uncivil to women, et cetera, et cetera, and then on
16 top of that, doing stuff
17 like -- you know, doing behind-the-scenes foreign
18 policy to help his political fortunes, that was
19 particularly offensive. If anybody was like that,
20 I would not be -- I would not like that. I would
21 not want -- I would not be pleased with them being
22 president. So to flip --

23 CHAIR BELNAP: I have --

24 MR. HOLTZMAN: -- through these others --

25 CHAIR BELNAP: -- one more question for

1 you.

2 MR. HOLTZMAN: -- to just --

3 MR. DAWSON: Two minutes.

4 MR. HOLTZMAN: Okay.

5 CHAIR BELNAP: Yeah.

6 MR. HOLTZMAN: Anyway, I just wanted to
7 point --

8 CHAIR BELNAP: Oh, go ahead.

9 MR. HOLTZMAN: -- that the Michelle Obama
10 think is partly another Princeton thing. I like
11 her. I like having her in the public eye. And we
12 were at college at the same time.

13 CHAIR BELNAP: Understood.

14 So the third part of the question, still
15 related to social media --

16 MR. HOLTZMAN: Um-hmm.

17 CHAIR BELNAP: -- if you were selected as a
18 Commissioner, would you modify your social media
19 activity?

20 MR. HOLTZMAN: You know, given this Panel's
21 interest in my social media activity and every
22 little thing, yeah, I would modify my social media
23 activity.

24 CHAIR BELNAP: And how would you modify it?

25 MR. HOLTZMAN: I don't think I'd do too

1 many public posts, unless they were cat videos.
2 But I might do some other private-private posts.

3 I mean, I know if I was selected as a
4 member of the Commission, I couldn't run for
5 office. I couldn't take a political appointment
6 for five years. So I understand that impartiality
7 is pretty important. But, you know, you're going
8 to get applicants from different backgrounds. And
9 you're going to get applicants who are concerned
10 about politics, largely because they've been
11 concerned about policies. It's just the way it is.

12 CHAIR BELNAP: All right. Thank you. I
13 have no further questions.

14 Mr. Coe?

15 VICE CHAIR COE: Good morning, Mr.
16 Holtzman. Thank you for being here.

17 MR. HOLTZMAN: Good morning, Mr. Coe. Nice
18 to see you.

19 Nice to see you all in person, by the way.
20 I've seen you online.

21 VICE CHAIR COE: Since Mr. Belnap was
22 talking about it, I'd like to stick with the topic
23 of the social media posts --

24 MR. HOLTZMAN: Sure.

25 VICE CHAIR COE: -- if you don't mind?

1 MR. HOLTZMAN: Sure.

2 VICE CHAIR COE: In the second question
3 that Mr. Dawson asked regarding the Commission
4 avoiding a perception of hyper-partisanship --

5 MR. HOLTZMAN: Um-hmm.

6 VICE CHAIR COE: -- should you be appointed
7 to the Commission, since the posts are obviously
8 out there and published --

9 MR. HOLTZMAN: Um-hmm.

10 VICE CHAIR COE: -- and people can see
11 them, what effect, if any, do you think your posts
12 could have on the public's overall perception of
13 the Commission as somehow polarized or hyper-
14 partisan or politically biased?

15 MR. HOLTZMAN: I don't think the effect
16 would be strong. I know these posts are out there
17 and you can't take them back. I mean, they're part
18 of the record of this proceeding. You know, I
19 would probably mark them -- change their privacy
20 settings upon appointment.

21 But the fact that people know I've made
22 posts like this, I don't think it will be a huge
23 deal in the context of redistricting, A, because
24 the national presidency isn't the subject of
25 redistricting, B, because I hope that the

1 Commission -- and I anticipate that, I expect that
2 the Commission will work as a team without regard
3 to party affiliation. That's the whole point of
4 having the Commission. So I don't see people going
5 back to their party leaders for -- to check in on
6 how the maps are going or anything like that,
7 Commissioner.

8 And Cesar's (phonetic) is one where I was
9 really upset that the court closed their doors to
10 hearing challenges to gerrymanders. I think that
11 argues in my favor in terms of somebody who should
12 be on the Commission because it means I'm against
13 gerrymandering.

14 So, yeah, I think people will understand
15 that there are people out there, and a lot of
16 Republicans, who don't like the type of conduct
17 that President Trump is engaged in. That's what
18 most of all of this is about.

19 And then there's a post in here, which I
20 shared from a friend, about a photo album, about a
21 protest in Portland, Oregon where the media covered
22 it as a very violent confrontation, whereas, by and
23 large in this photo album, you can see it was a
24 nonviolent kind of humorous present demonstration.
25 So -- and I think that would just show people that

1 I'm interested in civility. I'm interested in, you
2 know, freedom of expression without violence, and
3 that we shouldn't sensationalize things too much
4 because that spirals into more sensationalism and
5 then they hyper-partisanship that we were all
6 talking about before.

7 VICE CHAIR COE: So the Commission, as
8 you're aware, will be made up, obviously, of people
9 of varying political backgrounds. It's a
10 requirement to --

11 MR. HOLTZMAN: And I know you're the
12 Republican.

13 VICE CHAIR COE: -- to be --

14 MR. HOLTZMAN: It says so.

15 VICE CHAIR COE: -- five Republicans, five
16 Democrats, and four people not affiliated with
17 either one.

18 MR. HOLTZMAN: I should say, though, just
19 to -- I am sure that your political affiliation
20 does not affect the work you do for the state. And
21 when I worked for the state, my political
22 affiliation did not.

23 VICE CHAIR COE: What -- should you be
24 appointed to the Commission, just in regards to the
25 social media posts, what effect, if any, do you

1 think that it would -- that they would potentially
2 have with working with fellow Commissioners because
3 there are going to be a variety of political
4 leanings?

5 MR. HOLTZMAN: Yeah. Look, I think,
6 really, the only thing in here is the Donald Trump
7 stuff that could cause some friction, if there are
8 some strong Donald Trump lover/supporters on the
9 Commission, so that could be some sort of an
10 effect. But I think one
11 could -- would -- could easily -- I could easily
12 work through that with a Trump supporter. I've
13 talked with Trump supporters and have some
14 understanding of where they're coming from.

15 So I'll just leave it that. I think -- I
16 don't think -- I really don't think the social
17 media posts would cause discord overall on the
18 Commission. And I, you know, I could see, you
19 know, people making some jokes about them, snarky
20 remarks. But I think once you guys select the
21 Commissioners and everybody selects a Commission,
22 you're going to have people who are dedicated to do
23 the work and are going to put partisan politics
24 aside.

25 VICE CHAIR COE: Okay. Thank you.

1 Switching gears a little bit --

2 MR. HOLTZMAN: Okay.

3 VICE CHAIR COE: -- actually, a lot.

4 In your application, you list a large
5 number of volunteer roles, including cleaning
6 restrooms in a state park.

7 CHAIR BELNAP: No, that was not volunteer.

8 I don't know if --

9 VICE CHAIR COE: That wasn't a volunteer
10 role?

11 MR. HOLTZMAN: No.

12 VICE CHAIR COE: Okay.

13 MR. HOLTZMAN: That was probably the best
14 job I've ever had because that was at a beach where
15 my friends would go use the beach. And I was
16 cleaning, I was picking up trash, cleaning the
17 restrooms. It was actually a Political Patriots
18 job back when that was still legal.

19 But, yeah, so that was -- that was paid
20 but I was very proud of it. It was a job I could
21 do. And I got a lot of, you know, good feedback
22 back from people about, you know, patriots and what
23 have you thanking you.

24 Sorry. I know you want to ask a different
25 sort of question.

1 VICE CHAIR COE: So in regards to that
2 role, volunteer or otherwise, you served as the
3 President of a chapter of the League of Women
4 Voters.

5 MR. HOLTZMAN: Um-hmm.

6 VICE CHAIR COE: And you volunteered, I
7 think it was volunteer, various beach-wetland-park
8 cleanups.

9 MR. HOLTZMAN: Um-hmm.

10 VICE CHAIR COE: And I'm curious, which of
11 your volunteer experiences do you think would bring
12 any benefit to the Commission, if any?

13 MR. HOLTZMAN: Well, the League of Women
14 Voters would be beneficial, Mr. Coe. As you know,
15 the League of Women Voters statewide was one of the
16 originators of Proposition 11, which created the
17 Commission in the first place. And the local
18 chapters helped advocate for that. And just my
19 connections from that keep me involved with people
20 who value the sort of work that the Commission
21 does. I think that might just, you know, reinforce
22 that.

23 Environmental cleanup, unless you could
24 say that a gerrymandered map is pollution, I don't
25 think it has that much to do with the work of the

1 Commission except, you know, if there are
2 communities that are concerned with particular
3 environmental challenges that want to be on this
4 side of a line or another side of line, I mean, I
5 suppose that would help me understand their
6 concerns.

7 You know, I don't want to take too much
8 time in this. I'm feeling a little rushed through
9 the entire process here because I heard 90 minutes,
10 I said, well, that's a lot of time, how are we
11 going to fill it? But then you chop it up into
12 these little 20-minute bits and each one feels a
13 little small, so don't let me stop you.

14 VICE CHAIR COE: Okay. So you talk, also,
15 about, in your application, you served as a
16 moderator on many --

17 MR. HOLTZMAN: Um-hmm.

18 VICE CHAIR COE: -- public candidate --

19 MR. HOLTZMAN: Um-hmm.

20 VICE CHAIR COE: -- or issue forums.

21 MR. HOLTZMAN: Um-hmm.

22 VICE CHAIR COE: Can you tell us a little
23 bit about your experiences in this role and how it
24 would benefit the Commission?

25 MR. HOLTZMAN: All right. I'm very proud

1 of having done that for the League of Women Voters.
2 That usual involves sort of crowd management,
3 making sure candidates and what have you stick to
4 the issues, stick to the time, taking questions
5 from the audience, sorting through them and seeing
6 which ones haven't been asked or are relevant and
7 choosing them. And, you know, most importantly, of
8 course, showing no favor or disfavor for any of the
9 candidates.

10 You know, if I have to reassure
11 Commissioners or the public that I'm able to be
12 nonpartisan, I can point to that. There have been
13 recent candidate forums where, even though they're
14 technically nonpartisan elections, the front
15 runners have been Republican versus Democrat. And
16 I usually get good reviews from both sides, from,
17 you know, from -- when it's two people, both sides,
18 or from a lot of the candidates.

19 At a candidate forum, you've got to sort
20 of assert yourself. And, you know, say if I was
21 chair of the Commission, that would be the sort of
22 time that I could use the skills I have at, you
23 know, keeping things on track, making people follow
24 rules, and make sure everybody gets a chance to
25 speak, et cetera, et cetera.

1 VICE CHAIR COE: Okay. Thank you. I
2 wanted to talk a little bit about an important role
3 that the Commission is going to have to play or an
4 important task their going to have to accomplish in
5 their work and that's
6 identifying --

7 MR. HOLTZMAN: Um-hmm.

8 VICE CHAIR COE: -- communities of interest
9 throughout the state.

10 MR. HOLTZMAN: Um-hmm.

11 VICE CHAIR COE: Some communities, as
12 you're probably aware, are easier to locate and
13 find, some are more difficult to identify.

14 How do you think the Commission should go
15 about identifying communities of interest and avoid
16 potentially overlooking some of the harder-to-find
17 communities?

18 VICE CHAIR COE: That's a good question,
19 Mr. Coe. Communities of interest is not a super
20 well-defined term in law or districting or in law
21 or, you know, the public mind. And I've decided,
22 personally, that I would go into the process of
23 redistricting with a completely empty mind, tabula
24 rasa, about what's a community of interest, what's
25 not a community of interest. I would imagine, I

1 really would image that communities of interest
2 would come forward, would sort of present
3 themselves in the process of all the hearings and
4 such that we're having, that we'd be having. And I
5 would let the public define communities of interest
6 that way, members of the public.

7 But I was thinking about this on the way
8 up here on the plane. Actually, I was looking down
9 out the window and I was seeing, you know, lots of
10 farmland and things. But in the middle of nowhere
11 there were just chunks of development, of, I want
12 to say, civilization in a sense, and like well-
13 planned communities. You could tell from looking
14 at them. And I was thinking, well, you really
15 don't want to break any of those up, even if
16 they're not -- you know, even if they may be parts
17 of different counties, what have you, cities, so I
18 would definitely say that some map work should be
19 involved.

20 And I think that looking at census data in
21 terms of whatever categories that the census uses
22 to categorize people in terms of ethnicity and
23 stuff would be useful. But, again, I would want --
24 I would think that the public would do the bulk of
25 the work of bringing the notion -- the communities

1 of interest and what communities of interest are to
2 the Commission. Of course, and then the Commission
3 would have to talk among itself in public,
4 obviously, to decide what will count as a community
5 of interest.

6 VICE CHAIR COE: What about the communities
7 that might not come forward, those ones that maybe
8 aren't traditionally civically engaged, that the
9 Commission may have to, first, locate and then kind
10 of make them feel comfortable coming forward, how
11 would you go about those?

12 MR. HOLTZMAN: I'd be a little
13 uncomfortable with that, with that process, because
14 who are you going to go reach out and how are you
15 going to decide who is a community of interest
16 before they've asserted themselves as a community
17 of interest? And people who are not particularly
18 civically engaged may not be that all interested in
19 elections anyway.

20 So I'm being honest about that. I know
21 there's a strong emphasis on outreach. When, say,
22 the County Registrar of Voters wants to go and
23 encourage voter turnout, he'll send out, you know,
24 popup tents and what you for voter registration
25 stuff to, you know, events in minority communities

1 and what have you. I'm not sure how he decides.

2 I'm not sure how the Commission would
3 decide something like that. But if there's a line
4 item in our budget, for instance, that says use --
5 we're going to use this for outreach to possibly
6 under-represented communities, or I wouldn't say
7 under-represented, but to possibly hard to reach or
8 hard to otherwise identify communities of interest,
9 I would definitely, I would take suggestions on how
10 to use that but -- to use those funds and do
11 outreach. But I would just want to be careful that
12 we're not being biased trying to, you know, promote
13 our own particular interested communities, the ones
14 where we like best.

15 VICE CHAIR COE: Thank you. What time?

16 MS. PELLMAN: Five minutes and twenty --
17 and, sorry, seventeen seconds.

18 VICE CHAIR COE: Okay. Thank you.

19 So if you were appointed to the
20 Commission, which aspects of that role do you think
21 that you would enjoy the most and which aspects, on
22 the other side of the spectrum, do you think you
23 might perhaps struggle with a little bit?

24 MR. HOLTZMAN: So I would very much enjoy
25 traveling throughout the state and hearing

1 perspectives from different people and groups. I,
2 you know, love the state of California. I,
3 obviously, I was in state service for a long time.
4 Just to get to different towns and what have you
5 and set up and feel it, I think that would be a
6 great pleasure, a great privilege. And to have the
7 opportunity to know I'm doing good work, to know
8 I'm helping improve or set an example for the rest
9 of the country, too, participating in something
10 like that would be great.

11 In terms of being a little worried about
12 what it would involve, I've, you know, been at
13 hearings, at meetings, even some cases where we had
14 lots of public testimony on the Hearing Board at
15 the Air Quality Management District. I mean, maybe
16 you've heard this answer before, but I would be
17 afraid that a lot of the comments would be
18 repetitive and that I might feel that my patience
19 was being tested. But I think I
20 would -- I would deal with it but that could -- I
21 could be a little frustrated if -- it could be a
22 little frustrating if it seems like the hearings
23 are too long and repetitive.

24 I like, you know, diversity of opinion and
25 I like integration of different groups. But, hey,

1 I can see where there would be times working on the
2 Commission that it would be tough.

3 Also, I would love the numbers work, the
4 data work and what have you. I would probably be
5 into checking math.

6 VICE CHAIR COE: Okay. Thank you.

7 No more questions, Mr. Chair.

8 CHAIR BELNAP: Ms. Dickison?

9 MR. HOLTZMAN: All right.

10 PANEL MEMBER DICKISON: Hello, Mr.
11 Holtzman. All right.

12 MR. HOLTZMAN: Hello, Ms. Dickison. How
13 are you?

14 PANEL MEMBER DICKISON: I am fine.

15 COURT REPORTER: Could you get closer to
16 your microphone?

17 MR. HOLTZMAN: I'm sorry, I was just
18 leaning down.

19 PANEL MEMBER DICKISON: I think it was me.

20 COURT REPORTER: My mistaken, Commissioner.

21 MR. HOLTZMAN: No.

22 PANEL MEMBER DICKISON: Is that better?
23 Okay.

24 MR. HOLTZMAN: Yeah.

25 PANEL MEMBER DICKISON: So you talked

1 about, in your essay, that, you know, you studied
2 voting behavior in different areas of the state.
3 You also mentioned using maps and voter lists in
4 election volunteer work that you did.

5 MR. HOLTZMAN: Um-hmm. Um-hmm.

6 PANEL MEMBER DICKISON: And then you talked
7 about using GIS maps to assess areas of exposure
8 for pollution and that type of thing.

9 MR. HOLTZMAN: Um-hmm.

10 PANEL MEMBER DICKISON: So thinking about
11 these experiences and using maps and GIS and
12 studying voting behavior and looking at voting
13 lists, what about these tools and knowing about
14 these tools do you think will help you with the
15 work at the Commission?

16 MR. HOLTZMAN: That's a good question, Ms.
17 Dickison. I think, obviously, working with
18 precinct maps shows that I understand the way
19 people are brought together. It's not the case as
20 much anymore but people in a precinct would usually
21 go and vote in the same polling place and election
22 days would actually bring people together.

23 And I would understand the sort of data
24 that political campaigns use when it comes time to
25 organizing their outreach strategies. I would know

1 the sort of data that are out there publicly that
2 are the Voter Registration Rules. I would know
3 we're not really supposed to take into account
4 party affiliation, but then there's age and gender
5 and things like that, that I would know it's out
6 there. And I would know that what the Commission
7 is doing would eventually affect operations, like
8 the Get Out the Vote operations. They would be
9 structured, obviously, by assembly districts, state
10 senate districts, et cetera.

11 Let's see how else I can answer that
12 question. I mean, I know it's relevant. I know
13 that there will be a lot of use of maps. I know
14 that overlays of groups and districts and what have
15 you would be very important to get right and I
16 could help with that.

17 Let's see. You know, sometimes I think
18 that one of the things that should be considered in
19 drawing districts is I know compactness is
20 important but would be the time it takes to get to
21 a legislators office if you wanted an in-person
22 meeting with your group or something like that. So
23 I understand the -- I've used the idea of how long
24 it gets -- it takes to get around and do things to
25 draw maps, to look at precinct maps and most

1 efficiently assign people, or do it myself, to
2 routes that are going to cover as many houses as
3 possible during the time you're out there
4 canvassing.

5 You know, it's something I'm interested
6 in, is mapping, and I like looking at maps and sort
7 of thinking about what people or what I would do if
8 I was going to visit an area, what routes I would
9 take and things like that. So, you know, to the
10 extent that that sort of consideration would go
11 into districting and how, you know, how people
12 would interact and things like that, would help.
13 To the extent of that sort of information, okay,
14 would go into districting, I think that that would
15 (indiscernible).

16 And I maybe took too long to answer that
17 question. I'm sorry. It's just --

18 PANEL MEMBER DICKISON: That's fine.

19 MR. HOLTZMAN: -- it seems sort of like
20 obvious that maps and using them is a big deal when
21 it comes to drawing maps.

22 PANEL MEMBER DICKISON: Okay. So you've
23 served on multiple boards. And some of those
24 boards --

25 MR. HOLTZMAN: Um-hmm.

1 PANEL MEMBER DICKISON: -- you talked about
2 in your activities --

3 MR. HOLTZMAN: Um-hmm.

4 PANEL MEMBER DICKISON: -- had to do with
5 your neighborhood or your council or --

6 MR. HOLTZMAN: Um-hmm.

7 PANEL MEMBER DICKISON: -- that type of
8 thing.

9 What did you learn about the needs of
10 communities and neighborhoods from working with
11 those organizations?

12 MR. HOLTZMAN: That they're different,
13 depending on the organization, the needs of
14 communities and what have you. I found at the
15 League of Women Voters there were areas that were
16 just very interested in having a voice in politics
17 and what have you and maybe didn't as much. I
18 learned that voter turnout is much higher in some
19 city council districts than others. In the City of
20 Los Angeles, there's a wide range, so I learned
21 that. And I don't think it's necessarily that the
22 other communities aren't interested, I just think
23 that they're not as -- politics isn't as --
24 politicians don't engage with them as much.

25 And of course, then there's also the

1 disenfranchisement and (indiscernible)
2 disenfranchisement that I had to, you know, worry
3 about -- well, I didn't have to worry about but I
4 had to understand when I was with the League of
5 Women Voters. But then, let's say, the South
6 Brentwood Group or the Brentwood Community Council,
7 I hate to say too much but, really, I think those
8 people are mostly concerned with the property
9 values and low crime as well.

10 I was a Public Safety Chair when I was on
11 the Neighborhood Council for West L.A. So, yeah,
12 property values in Brentwood north of Wilshire.
13 But when I was on the Neighborhood Council in West
14 L.A. there was, yeah, some crime concern, but what
15 was also a big concern was disruption from
16 construction. And strain on public resources,
17 particularly parking spaces, you know, in streets
18 because of new residences and commercial projects
19 coming into an area. So, okay, there's that.

20 I know the -- it's not really why, decline
21 to state or no party preference, but I know from
22 serving on the -- I don't know if I mentioned, I
23 was on the Board of Californians for Electoral
24 Reform. A lot of people involved in electoral
25 reform are from non-D/non-R parties. And I know

1 that there are people in those parties, you know,
2 wish they were taken a little more seriously and
3 had electoral systems that let voters show their
4 support for the ideas of those parties, even if
5 their candidates may not win, so there's that.

6 What were -- do you have any other words
7 that I haven't mentioned?

8 PANEL MEMBER DICKISON: I was more
9 concerned about, you know, what you could learn
10 from the needs, you know, learn about the needs of
11 those communities.

12 MR. HOLTZMAN: Um-hmm.

13 PANEL MEMBER DICKISON: And my next
14 question is --

15 MR. HOLTZMAN: Um-hmm.

16 PANEL MEMBER DICKISON: -- what did you
17 learn from that that would help you identify the
18 needs of the various communities throughout the
19 different regions?

20 MR. HOLTZMAN: I don't think it would be
21 too hard to learn that just by listening to what
22 the communities, different communities are saying.
23 I'd be very interested in learning that.

24 You know, when I went around the City of
25 L.A. which is, you know, very diverse to do that

1 program I mentioned, my application on the pros and
2 cons of instant runoff voting, I saw and learned
3 that there were different concerns in different
4 areas of the city, and some of which were related
5 to racial identity and what have you.

6 So I have experience, you know, from that
7 in getting various perspectives.

8 I think the harder thing for nonprofits is
9 really putting together diverse boards themselves
10 who are, you know, heterogenous boards, or whatever
11 you want to say, to get those perspectives directly
12 from board members. I know you're going to try and
13 do some of that, so I feel that will help this
14 Board.

15 I think I've answered the question as best
16 I can. I'm sorry if I'm taking too long on any
17 particular question. I know your time is short.

18 PANEL MEMBER DICKISON: Oh, I've got time.
19 It's okay.

20 So I wanted to talk about when you're
21 interacting with the public --

22 MR. HOLTZMAN: Um-hmm.

23 PANEL MEMBER DICKISON: -- and Mr. Coe kind
24 of talked -- touched on how your posts might
25 reflect or be reflective or affect your

1 relationships within --

2 MR. HOLTZMAN: Um-hmm.

3 PANEL MEMBER DICKISON: -- the Commission.

4 So -- but when you're interacting with the public -

5 -

6 MR. HOLTZMAN: Um-hmm.

7 PANEL MEMBER DICKISON: -- at public

8 meetings --

9 MR. HOLTZMAN: Um-hmm.

10 PANEL MEMBER DICKISON: -- how do you think
11 those might be taken by a member of the public that
12 was of a different view? And how would you broach
13 that issue to get them to trust you and enable them
14 to come forward and tell you about their needs and
15 what they identified as their community?

16 MR. HOLTZMAN: So we're back to my social
17 media posts that you've --

18 PANEL MEMBER DICKISON: Right, but in --

19 MR. HOLTZMAN: -- you've identified?

20 PANEL MEMBER DICKISON: -- relation to --

21 MR. HOLTZMAN: -- in relation to how I

22 would --

23 PANEL MEMBER DICKISON: -- the public.

24 MR. HOLTZMAN: -- how I think that could
25 come up in interactions with the public? I will

1 say that, based on past experience on boards where
2 people might have had -- some people might have had
3 things in their background or, you know, opinions
4 they expressed in the past or associations they've
5 had, I haven't really seen the public come at
6 individual board members with concerns like that
7 very much, so I don't think that would be too much
8 of a problem. But if it was, I would take them as
9 they come. I mean, I have, you know, notes on each
10 one of these posts that I could use to explain, you
11 know, why it doesn't -- isn't going to affect what
12 I'm doing here in drawing fair political districts.

13 I would -- I'm just thinking. I think I
14 probably would start by apologizing to fellow
15 members of the Commission for having had to spend -
16 - having to have spent Commission time on something
17 like that.

18 And I might appeal to other members of the
19 Commission for some support to say that, you know,
20 we know David, we know Mr. Holtzman, and we are
21 confident in his commitment to fair elections and
22 getting this right. And please don't hold his, you
23 know, previous civic engagement of this sort
24 against him.

25 PANEL MEMBER DICKISON: What steps could

1 you do to make sure that the member of the public
2 feels that you hear their concerns or -- and that
3 they can trust that the districts will be fair to
4 them?

5 MR. HOLTZMAN: Um-hmm. I think that gets
6 back to what I was talking about, about the
7 listening skills, reflecting what people are
8 saying, trying to summarize it and see if I
9 understand what people are saying. You know,
10 again, I took those drug and alcohol abuse studies,
11 courses, and some of that was about how to be a
12 counselor and how to help people with their issues
13 and draw people -- draw things out of people that
14 they might not have said originally, might want to
15 add after you've gained some trust with them.

16 I think your question goes to -- your
17 questioning so far is going to trust. And I would
18 do my best to see if I could generate trust with
19 whoever is talking about that, whoever's expressing
20 that sort of concern.

21 PANEL MEMBER DICKISON: Okay. Thank you.
22 All right.

23 MS. PELLMAN: We have 5 minutes and 53
24 seconds.

25 PANEL MEMBER DICKISON: Okay. So you

1 touched on, in question three, on the problems that
2 the Commission could face.

3 MR. HOLTZMAN: Um-hmm.

4 PANEL MEMBER DICKISON: You touched on the
5 failure of the census to provide accurate data, but
6 I think you were more targeted toward providing it
7 on time and whatnot. There's been some concern, of
8 course, about possible undercutting --

9 MR. HOLTZMAN: Um-hmm.

10 PANEL MEMBER DICKISON: -- undercounting of
11 certain groups. How do you think the Commission
12 should handle that concern?

13 MR. HOLTZMAN: I think if there is an
14 official census and people have some concerns about
15 that but there's no injunction against using the
16 official census, we're going to be kind of stuck
17 using the official census, even if the Commission
18 itself would agree that there have been -- there's
19 been undercounting.

20 But if there's some sort of injunction,
21 some sort of court case that's pending that makes
22 it seem likely that the numbers are going to have
23 change a little bit, again, lawyers -- ask the
24 lawyers what we can do about that or what we should
25 do with that? And then if need be, be proactive in

1 waiting for a judgment. I think the lawsuits about
2 that would be in federal court. It might be in
3 state court if it's somebody suing about what the
4 Commission can do with the numbers.

5 But I think the Commission has to use the
6 numbers that -- the counts that are official if
7 they are official. My concern was that the,
8 mainly, that the census would really fail to come
9 up with officialness or would be blocked because of
10 litigation from --

11 PANEL MEMBER DICKISON: Okay.

12 MR. HOLTZMAN: -- from being official.

13 PANEL MEMBER DICKISON: Thank you. So the
14 first eight Commissioners are selected by lottery.

15 MR. HOLTZMAN: Um-hmm.

16 PANEL MEMBER DICKISON: And then they're
17 tasked with selecting the remaining six.

18 MR. HOLTZMAN: Um-hmm.

19 PANEL MEMBER DICKISON: If you were
20 selected by lottery as one of the first eight --

21 MR. HOLTZMAN: Um-hmm.

22 PANEL MEMBER DICKISON: -- what would you
23 be looking for in the remaining six Commissioners?

24 MR. HOLTZMAN: I've addressed this in a
25 little bit in the answer to the first question.

1 I'd be looking for the attributes that I think
2 every Commissioner should have. I'd be looking at
3 the skills and competencies and representativeness
4 of different areas, groups, whatever, within the
5 state that the Commission should have collectively.

6 I mean, I know, and it's very important,
7 actually, because one of the things that the
8 Commission is doing to do by drawing fair lines is
9 going to reassure the public that the electoral
10 system and democracy is proceeding in a legitimate
11 manner and is not being "rigged" or gamed. So I
12 actually think it's, you know, kind of important a
13 little bit that the group picture is going to look
14 a little bit like the state, even though, you know,
15 that might not be the official meritocratic
16 perspective of the world if you were doing things
17 according to strict civil service criteria, for
18 instance.

19 But I think there's value in having a
20 Commission with members that are connected to
21 different communities, locations and, you know,
22 possibly ethnicities, just because you're going to
23 see them on news, in pictures, not necessarily,
24 again, communicating directly that there will be --
25 it would be good to have some sort of diversity

1 that way.

2 Yeah, and I probably -- I don't know if
3 we'd be allowed to, I'd probably consult this group
4 again to, you know, see if you have any specific
5 criteria that you'd suggest.

6 PANEL MEMBER DICKISON: Okay. Thank you.
7 I have no further questions right now.

8 CHAIR BELNAP: Okay.

9 Mr. Dawson?

10 MR. DAWSON: Thank you, Mr. Holtzman.

11 MR. HOLTZMAN: Um-hmm.

12 MR. DAWSON: I have a couple follow-up.

13 MR. HOLTZMAN: Um-hmm.

14 MR. DAWSON: I wanted to ask you about your
15 work on the South Coast Air Quality Management
16 District.

17 MR. HOLTZMAN: Oh, yeah. Um-hmm.

18 MR. DAWSON: What geographic area did that
19 cover?

20 MR. HOLTZMAN: So the South Coast Air
21 Quality Management District covers all of Orange
22 County, the urban areas of Los Angeles County, you
23 know, not the other side of the pass to Antelope
24 Valley. It doesn't cover Lancaster, et cetera.

25 MR. DAWSON: Okay.

1 MR. HOLTZMAN: And it also covers the urban
2 parts of Riverside and San Bernardino Counties and,
3 you know, Riverside out to past Palm Springs, so --

4 MR. DAWSON: So --

5 MR. HOLTZMAN: -- a pretty large --

6 MR. DAWSON: I'm sorry.

7 MR. HOLTZMAN: It's a large area, that's
8 what I'm saying, it's --

9 MR. DAWSON: It is a large area.

10 MR. HOLTZMAN: Um-hmm.

11 MR. DAWSON: But that is mostly urban-
12 suburban and not --

13 MR. HOLTZMAN: Right.

14 MR. DAWSON: -- so much rural? Okay.

15 How many members were on the panel, on the
16 review?

17 MR. HOLTZMAN: Five.

18 MR. DAWSON: Five?

19 MR. HOLTZMAN: There were five members.

20 MR. DAWSON: You acted as an ALJ in that
21 role?

22 MR. HOLTZMAN: Yeah. And, you know,
23 collectively, we were an ALJ. We were all --
24 sometimes ALJs make decisions individually.

25 MR. DAWSON: Um-hmm.

1 MR. HOLTZMAN: We made them collectively,
2 but it was an Administrative Law Panel.

3 MR. DAWSON: Did they -- did the decisions
4 seem to be unanimous?

5 MR. HOLTZMAN: They tended to be unanimous
6 because we had good leadership and discussion would
7 continue until the chair was comfortable that there
8 would be -- you know that everybody's gotten what -
9 - to say what they had to say. And the cases were
10 usually straightforward. So he wouldn't have a
11 particular member call for a vote. He would say,
12 okay, now I'll entertain a motion because we've
13 talked this all out. Sometimes there were some
14 dissents. I think I wrote a couple dissents, a
15 few. I know I wrote a few dissents myself.

16 But, yeah, we were good at that. And I
17 was very -- I'm kind of proud that the board, which
18 had people with different perspectives from
19 different professions and different regions within
20 the district, the big air quality basin, the South
21 Coast Air Basin, worked together pretty well. And
22 we worked very well with staff, too, and I think
23 that's an important thing to consider when you're
24 trying to put together a panel, like the Commission
25 or that panel.

1 MR. DAWSON: Okay. Thank you. We just
2 have 1 minute and 30 seconds and I wanted to give
3 you an opportunity to make a closing statement to
4 the Panel if you want.

5 MR. HOLTZMAN: Okay. I don't really want
6 to -- I don't think I need to take much more time
7 but I was -- I was just wondering if anybody would
8 ask about my flag, my sort of (indiscernible) flag.
9 And I got this in Nashville recently at the Ryman
10 Auditorium, which is where the Grand Ole Opry used
11 to be broadcast from.

12 And I think, you know, relevant to this
13 proceeding, it was -- I recently took a trip from
14 New Orleans through Natchez and Clarksdale,
15 Mississippi to Memphis and Nashville and
16 experienced the diversity of musical styles, mainly
17 focusing on blues, et cetera, et cetera, and
18 different cuisines than I might normally always
19 have. But as I mentioned in my application, I'm
20 appreciative of gastronomic tours and different
21 diversity, the way you can learn about cultures
22 from visiting them, talking with people, et cetera,
23 et cetera.

24 I know my time is now running down but
25 I'm, you know, proud to show the flag, and I like

1 this particular one. I probably could have gotten
2 something like it at Graceland with maybe more
3 jewels. I don't know.

4 Again, thank you. Thank you all for your
5 time. And thank you for considering me. Thank you
6 for advancing me so far in the process, as you
7 have. I really appreciate it, all three of you and
8 Mr. Dawson and staff here, I appreciate it.

9 CHAIR BELNAP: Thank you.

10 MR. HOLTZMAN: Thank you.

11 CHAIR BELNAP: Thank you for being here.

12 And, yes, we noticed the flag, just didn't ask the
13 question.

14 MR. HOLTZMAN: You just didn't ask the
15 question.

16 CHAIR BELNAP: Yeah.

17 So we're going to go into recess and be
18 back here at 1:14 p.m. Thank you.

19 (Thereupon the Panel recessed at 12:16 p.m.)

20 (Whereupon the Panel reconvened at 1:44 p.m.)

21 CHAIR BELNAP: All appear to be present.

22 We will come back out of recess. We want to
23 welcome Greer Bosworth to the interview stage.

24 And Mr. Dawson, if you'd start with the
25 five standard questions.

1 MR. DAWSON: Thank you, Mr. Chair.

2 Ms. Bosworth, I'm going to ask you five
3 standard questions that the panel has asked that
4 each of the applicants respond to. Are you ready?

5 MS. BMS. BOSWORTH: Yes.

6 MR. DAWSON: First question. What skills
7 and attributes should all commissioners possess?

8 What skills or competencies should the
9 Commission possess collectively?

10 Of the skills, attributes, and
11 competencies that each commissioner should possess,
12 which do you possess?

13 In summary, how will you contribute to the
14 success of the Commission?

15 MS. BOSWORTH: Thank you. So in my
16 opinion, I think the Commission should be able to
17 work collaboratively to be able to reflect and
18 understand the diversity within the State of
19 California in terms of socio-economic areas,
20 geographic, as well as racial and ethnic diversity.
21 The ability to understand those different contexts
22 and to use the experience of whatever experience
23 they've had in life to listen and to study, and to
24 review the data that's presented so that we can
25 ensure a transparent process in determining the

1 boundaries and the districts for the State of
2 California.

3 So basically I believe that the Commission
4 should be able to -- to manage different viewpoints
5 and support a smooth process to ensure that we are
6 doing the best to ensure that various viewpoints
7 are considered in determining what works best for
8 the Commission or the state as a whole as opposed
9 to any individual interest.

10 In terms of the skills that I possess is I
11 believe that my work as an attorney allows me to
12 use these skills on a regular basis. The ability
13 to review a significant amount of data, to analyze
14 that data, and to draw conclusions that are in line
15 with whatever the objective is. And so the
16 objective in this case is to ensure that we're
17 transparent and fair in our determinations.

18 In terms of how I can contribute to the
19 success of the Commission is I think I will able to
20 identify the differences between the individuals
21 that are part of the Commission and to work with
22 each of the members collaboratively to ensure that
23 we achieve the results that are intended to be
24 achieved.

25 MR. DAWSON: Thank you.

1 Question 2. Work on the Commission
2 requires members of different political backgrounds
3 to work together. Since the 2010 Commission was
4 selected and formed, the American political
5 conversation has become increasingly polarized
6 whether in the press, on social media, and even in
7 our own families.

8 What characteristics do you possess and
9 what characteristics should your fellow
10 commissioners possess that will protect against
11 hyper-partisanship?

12 What will you do to ensure that the work
13 of the Commission is not seen as polarized or
14 hyper-partisan and to avoid perceptions of
15 political bias and conflict?

16 MS. BOSWORTH: Similar to my earlier
17 response, I think the critical point is to be
18 transparent and to respect the views of others.
19 It's my understanding that the committee has had
20 the opportunity -- the panel, rather, has an
21 opportunity to note that on social media, it's
22 patently clear what my political positions are.
23 That said, I believe that notwithstanding my
24 partisan beliefs, that I recognize importance
25 of -- or understanding the other side of the aisle

1 as well as the various independent viewpoints that
2 might be expressed. To that end, I have removed or
3 at least made private my posts and will continue to
4 keep it private during the selection process and
5 ensure that no future posts are made that would
6 suggest polarization or could be perceived as
7 polarizing. I've made an effort to hide those
8 posts but it's taking significantly longer than
9 I've had, than I have had time to spare to do it so
10 I haven't gotten very far to actually hide those
11 posts. But I have made the posts private. Going
12 forward as well as through the remainder of this
13 process, I will not be making any new posts that
14 could be deemed polarizing by others or individuals
15 who may see those. And I think that each committee
16 member, Commission member, has to maintain
17 transparency and be open-minded and be willing to
18 put aside political beliefs and work together as a
19 team.

20 One of the things that I think is
21 different now than maybe even four years ago is
22 that my impression is individuals are not willing
23 to discuss their differences and rather just go
24 their separate ways. But in this instance for this
25 Commission, we're going to have to walk through and

1 talk through those issues so my effort will try to
2 build consensus. If we can't build unanimity, then
3 at least try to build a consensus so that we ensure
4 that all viewpoints are heard and are used in any
5 decision-making process that goes forward as part
6 of our objective.

7 MR. DAWSON: Thank you.

8 Question 3. What is the greatest problem
9 the Commission could encounter, and what actions
10 would you take to avoid or respond to this problem?

11 MS. BOSWORTH: I think being close-minded
12 and unwilling to consider everyone's point of view.
13 I know what it's like to be marginalized and I
14 think when I've had opportunities to work in groups
15 with various people of different backgrounds, I
16 make it a point to try to ensure that everyone's
17 engaged. Sometimes in groups as many with, this
18 group of 14, for example, there will be individuals
19 that will try to dominate or may just naturally
20 dominate the discussion. When I've been in
21 situations like that, then I make it a point to try
22 to encourage everyone's viewpoint to be heard and
23 to make sure that everyone's viewpoint is
24 respected. To try to be the person that's aware of
25 what's going on, to ensuring that everyone, all the

1 14 commissioners are participating, are being
2 listened to, and their comments are being
3 considered in whatever deliberative efforts
4 perceived from that discussion. So I believe it's
5 important for all of us to be open minded and
6 willing to work towards a common goal as opposed to
7 worried about being concerned about our own
8 individual preferences.

9 MR. DAWSON: Thank you.

10 Question 4. If you were selected, you
11 will be one of 14 members of the Commission, which
12 is charged with working together to create maps of
13 the new districts. Please describe a situation
14 where you had to collaboratively with others on a
15 project to achieve a common goal. Tell us the goal
16 of the project, what your role in the group was,
17 and how the group works through any conflicts that
18 arose.

19 What lessons would you take from this
20 group experience to the Commission, if selected?

21 MS. BOSWORTH: Most of my work on a daily
22 basis as a commercial attorney is collaborative
23 work. In many instances, it is working just with
24 my colleagues to achieve a common objective. But
25 in other instances, it's working with another party

1 where unlike in this case where presumably the
2 objective is the same, we may have different
3 objectives. But that said -- that being said, it's
4 really important to listen to everyone's viewpoint
5 and try to reach a consensus.

6 One of the more interesting projects I've
7 worked on in the last five years or so was
8 developing an RFP and an effort to retain the
9 services of a vendor that was going to provide
10 services to our U.S. employees. The company I
11 work for is an international company, so I've
12 worked for -- with people all around the world.

13 In this instance, we were looking for a
14 service provider for our U.S. employees and so we
15 presented an RFP, a request for proposal, out to,
16 out to certain vendors to get their -- to get their
17 performance and their -- for them to describe for
18 us how they could do the task that we needed them
19 to do. So this involved -- and I was chairperson
20 of that. This involved working with seven
21 committee members as well as the consultant to
22 first identify the issues that we need to cover in
23 the RFP, to identify the vendors that we wanted to
24 invite to participate in the RFP, to review the
25 data that was presented in response to our RFP,

1 which included various pieces of documentation not
2 only of them making statements about how they would
3 perform the services that we were asking them to
4 perform but getting examples of what those services
5 were, how they engage with the participants that
6 were going to be involved in the services they were
7 going to provide to our employees. And then
8 conducting meetings internally to first hear every,
9 all the seven -- all the seven committee members'
10 viewpoints of what they thought about the vendors
11 that were being presented to us, those who had
12 submitted the proposals.

13 And after that, we had to limit the
14 number. We may have had nine or ten vendors to
15 submit proposals to us, but we had to narrow that
16 down to about four or five that we were going to
17 actually interview and have an opportunity to see
18 them face to face and determine what their skills
19 were.

20 So first of all, it was a challenge
21 because a number us had different viewpoints about
22 what we were looking for. It was a challenge to
23 agree on those four or five vendors that were going
24 to present to us, but we were able to achieve that.
25 Once the vendors presented, were presented in

1 meetings with us, face-to-face meetings at our
2 offices, then after that we had to have, we
3 continued deliberations after each presentation and
4 ultimately selected a vendor. Notwithstanding the
5 fact that this was a very arduous task and
6 extremely challenging at some point, it was over
7 the course of several months, the good news is most
8 of the documentation came in online so each of us
9 could review it at our leisure and then we had our
10 meetings we were able to give our viewpoints.

11 But the good news, the good result of it
12 is that at the end of that task, we were able to
13 select a vendor with unanimous approval. And I'm
14 happy to say that vendor's still with the company
15 working with us now. So the point of that, of me
16 using that as an example is that at the beginning
17 of the process, we were not necessarily in
18 agreement on number one, which vendors to invite in
19 for the presentation, but by the end of the
20 process, we had achieved an objective of selecting
21 a vendor and with unanimous consent from the entire
22 committee to select this particular vendor to
23 perform the services.

24 The lesson I learned from that is it's
25 important to listen to everyone, to hear the

1 viewpoints, to acknowledge each person's viewpoint,
2 to try to understand and explain if my viewpoint is
3 X and explain why that's my viewpoint and allow the
4 other party to explain their viewpoint as well, and
5 then try to reach an agreement if not a unanimous
6 decision, at least try to reach a consensus about
7 how to move forward. And we were able to do that
8 in that process.

9 MR. DAWSON: Thank you.

10 And, Secretary, can I have a time check, please.

11 MS. PELLMAN: 18 minutes and 40 seconds.

12 MR. DAWSON: Thank you.

13 Question 5. A considerable amount of the
14 Commission's work will involve meeting with people
15 from all over California who come from very
16 different backgrounds and a wide variety of
17 perspectives.

18 If you are selected -- I'm sorry, did I skip 4?

19 MS. PELLMAN: No, you didn't.

20 MR. DAWSON: Oh, I'm sorry. Let me start
21 again, my apologies.

22 A considerable amount of the Commission's
23 work will involve meeting with people from all over
24 California who come from very different backgrounds
25 and a wide variety of perspectives.

1 If you are selected as a Commissioner, what skills
2 and attributes will make you effective of
3 interacting with people from different backgrounds
4 and who have a variety of perspectives?

5 What experiences have you had that will
6 help you be effective at understanding and
7 appreciating people of communities of different
8 backgrounds and who have a variety of perspectives?

9 MS. BOSWORTH: Well most of my professional
10 life in the private sector as well as in the public
11 sector when I first started my career in the 70s
12 has been working with people from various different
13 backgrounds. In most instances in my private life
14 -- in my private, working the private sector has
15 been where I was the minority and the only woman in
16 many situations. So I've had experience with
17 working with people from various backgrounds most
18 of my life.

19 My first job, after graduating from
20 college, was actually as one of the first five
21 women to work in a male penitentiary in the state
22 of Maryland. And when we were there, it was
23 patently obvious or the male officers were
24 outwardly offended, or I should say were hostile to
25 the young -- to the women, and I was young in my

1 20s, to the women that were working as correctional
2 officers. And despite that, I was able to, in the
3 months that I was there as a correctional officer,
4 to gain respect of my colleagues and we learned to
5 work together.

6 So I've been in some pretty hostile situations from
7 a very early age. As an adult in the private
8 sector, again, working with an international law
9 firm -- or international company, aerospace
10 company, I work with people from all over the
11 world. I have clients in the UK, in France, in
12 London, and I meant to say in all parts of the
13 United States, but also all around the world. And
14 even though in many instances we might be
15 colleagues and in other instances, it might be
16 negotiating with a customer, I'm able to try to
17 understand what we are each trying to achieve which
18 to eventually execute a contract. The point,
19 though, is to understand and respect what others
20 have to say, to listen to what they have to say,
21 and reach the goal that we're trying to achieve
22 which is to satisfy what a need is for our
23 business.

24 In this particular situation as a member
25 of the Commission, it will be to have transparent,

1 representative districts or boundaries for the
2 state of California which I think is critical to
3 allowing all of Californians to feel that their
4 vote counts, that is important that no matter what
5 background you come from, no matter your socio-
6 economic level, no matter your educational level,
7 your race, your ethnicity, whatever it is, where
8 you live rurally, in the rural areas or in the
9 cities, that it is -- that your vote counts and
10 that the decisions that'll be made by the
11 Commission is to ensure that there's no
12 partisanship or there's no other particular focus
13 that is to determine how those boundaries are drawn
14 other than to respect the rights of each individual
15 and to ensure that each individual feels that they
16 will have a say in what determines what happens not
17 only the state level, but the federal level as
18 well.

19 So I think that the importance of being
20 available to listen, to understand, to respect, to
21 evaluate data, and to draw conclusions that will be
22 beneficial to all citizens of the state of
23 California.

24 MR. DAWSON: Thank you.

25 So we will now go to questions from the

1 panel. Each panel member will have 20 minutes to
2 ask his or her questions.

3 And we will begin with the Chair, Mr.
4 Belnap.

5 CHAIR BELNAP: Thank you, Ms. Bosworth, for
6 traveling here and going through this long process.

7 You obtained a bachelor's in psychology
8 and criminology and then went on to get an MBA from
9 the University of Baltimore. Eight years later,
10 you obtained a JD from Stanford. Why did you
11 decide to go to law school and become a lawyer?
12 Why that transition?

13 MS. BOSWORTH: Well, to be honest, in
14 undergrad I wanted to be a psychologist, child
15 psychologist, but I didn't want to -- my parents
16 were working class, were working class, they
17 passed. And I didn't want to continue to be a
18 burden to them and decided I wanted to go ahead and
19 start my career. As I started my career, I ended
20 up in the criminal justice system and I enjoyed it.
21 I enjoyed being able to, you know, spend the money
22 I was making, and travel, and so I was in the
23 criminal justice system.

24 Law had been, I had taken one law class in
25 undergrad, but I thought the work that would be

1 required to become a lawyer was too intense. The
2 idea of being a lawyer was also -- was always
3 impressive to my parents. And so my mom
4 periodically would nudge me and say, well, you
5 know, you should really go to law school because
6 you would be a good representative for us as people
7 of color as an attorney. And when I -- when I,
8 before I went to graduate school at the University
9 of Baltimore, I actually considered law school and
10 I thought I would go part time because, again, I
11 wasn't willing to give up the working full time.
12 But I looked at the curriculum and decided that no
13 way that was going to happen.

14 And so after I'd been working as a -- my
15 last job with the criminal justice system in
16 Maryland was as a hearing officer. So I worked at
17 the parole commission, state of Maryland. In that
18 role I was required to, or one of my major
19 responsibilities was to interview inmates for
20 parole. Though all offenders except anyone serving
21 a life sentence or any murder conviction, they were
22 heard by commissioners. But as a hearing officer,
23 you heard every other case.

24 At that time, of course, the internet
25 didn't exist, you weren't doing things by WebEx, so

1 we physically had to drive to all of the jails and
2 prisons around the state of Maryland. And
3 sometimes that was a two- or three-hour drive that
4 required us to stay overnight. We had to stay,
5 maybe do two days' of hearings and so it became
6 very frustrating for me to have that kind of
7 situation, but primarily because the result that
8 you gave to the inmates was not always positive and
9 they would let you know in no uncertain terms.

10 And so as a young woman, I'm still, you
11 know, under 30, I'm thinking this isn't going to
12 work for me for the next 20, 30 years because it
13 was emotionally draining to, you know, have that
14 kind of negativity presented to me. And also part
15 of the concern was that there was so much repeat
16 offenders and psychologically I just didn't know
17 that I'd want to do that for another 20 years.
18 Unfortunately, I'd be retired by now if I had
19 because all of my colleagues who did, are now
20 retired.

21 So I looked at law school again, and at
22 that point, I got into Stanford. And I got into
23 University of, what's the school? Vanderbilt. And
24 I went to those schools and looked at them and when
25 I saw the campus at Stanford, I decided I was going

1 to go there. But primarily I wanted to go because
2 I wanted to be able to make decisions that would
3 benefit the community. And so even though it's my
4 law practice, I ended up doing corporate law, I've
5 continued to use my -- the knowledge that I gained,
6 the analytical abilities I've learned in law
7 school, in the volunteer capacity. I've worked in
8 various volunteer organizations and continued to
9 use those skills. This opportunity would allow me
10 to continue to do volunteer work in a way that I'm
11 using my analytical skills and my ability to be a
12 change agent or to be -- do something that would
13 help our community.

14 And so that's kind of the long around --
15 the background on going to law school.

16 CHAIR BELNAP: And then you mention in your
17 application that you decided to stay in California
18 after law school. I assume, based on your
19 schooling, that you are from Maryland.

20 MS. BOSWORTH: Correct.

21 CHAIR BELNAP: Okay. Baltimore?

22 MS. BOSWORTH: Yes.

23 CHAIR BELNAP: Okay. Why did you decide to
24 stay in California versus going back to Maryland,
25 for instance?

1 MS. BOSWORTH: The weather. In one word,
2 two words. I actually went back to work for a
3 judge on a Third Circuit Court of Appeals for two
4 years after law school and that helped me to kind
5 of cement whether I wanted to be that far away from
6 my parents.

7 What was interesting to me, when I was in
8 law school in my 30s, I was really quite sad those
9 years and now I understand how difficult it is,
10 even at 18, to go away to school because I'd never
11 been away from my family and it was shocking to me
12 how lonely it was, actually. And so even though I
13 was kind of thinking about
14 law -- about California and I knew I was going to
15 take the California bar, I went back to the East
16 Coast to ensure that, you know, I was going to be
17 okay with coming out here.

18 So at that time my parents were alive and
19 I said I was going to come to L.A., after I passed
20 the California bar, that I was going to come to
21 L.A. for five years. Because at that time after
22 five years, you could waive into any other
23 jurisdiction and so I was licensed in D.C. as well
24 so I could always come back to D.C. A short period
25 after I came to L.A., both my parents passed away

1 and all my sisters are married with children and so
2 I really didn't have any personal reason to come
3 back to the -- to back to Maryland and quite
4 frankly, I just got very used to the warm weather
5 and decided that this was better for me.

6 So it's really about the weather, it was
7 about the opportunities, of course, as an attorney,
8 as well as the different -- I especially love
9 Southern California because all the different
10 coastal benefits you have of living in this part of
11 the -- in that part of the country.

12 CHAIR BELNAP: I want to turn to a part of
13 your application that I'm really interested in. So
14 I don't want to go into all the detail, I'm going
15 to let you. But you served on the Christopher
16 Commission and also the Webster Study.

17 Can you tell us a little about what the
18 Christopher Commission is and also the Webster
19 Study and what did you learn from those
20 experiences?

21 MS. BOSWORTH: So the Christopher
22 Commission was the Commission to do an analysis of
23 how the police department responded to the riots.
24 And I happened to be working at a law firm when one
25 of the partners of the firm was assigned as a -- as

1 an attorney for the Christopher Commission and he
2 invited me to be, to work on that.

3 And what was interesting about the
4 Christopher Commission is that it was basically
5 evaluating data that was presented in all of the
6 different meetings that were conducted in analyzing
7 the police reports and analyzing -- not police
8 reports, I'm sorry, but analyzing the police
9 response to the riots.

10 My role was in the background. It wasn't
11 as if I wasn't a senior attorney then, I was right
12 out of law school then. And so I was responsible
13 for working with the partner who had assigned me to
14 reach out to the communities in L.A. to give a
15 forum for those communities, like the Black Women
16 Lawyers Association, the Women Lawyers Association
17 of Los Angeles, the Langston Bar Association, the
18 Chinese American Bar Association, to reach out to
19 those legal communities to give all of the
20 different groups an opportunity to speak and to be
21 heard about their thoughts about what occurred and
22 what L.A. could do to better respond to situations
23 like that.

24 The Webster Study, now at this point I was
25 now working at Metro-Goldwyn-Mayer and the

1 assistant general counsel there was invited to
2 participate in the Webster Study and she invited me
3 to participate in that. And that was, that was a
4 few years later. And that was the response to the
5 police response to after the incident when Rodney
6 King was beaten badly.

7 In that instance, my responsibility was to
8 -- similar to what happened in the, what I was
9 involved in the Christopher Commission, but more
10 concerned with the logistics of scheduling meetings
11 around different communities in L.A. Most of those
12 meetings were held in public schools and so it was
13 visiting those schools and making a determination
14 of whether it could hold the type of crowd that
15 would be anticipated to attend those meetings and
16 then actually to go to those meetings. And where
17 citizens were actually spoke about what they
18 believe were the issues with the Los Angeles Police
19 Department.

20 CHAIR BELNAP: And how do you think these
21 experiences demonstrate your ability to be an
22 effective commissioner?

23 MS. BOSWORTH: Those experiences allowed me
24 to see the value of listening to different
25 viewpoints, to understanding issues that may not

1 affect me personally, but affect other people. And
2 also to see where we are able to -- when you listen
3 to people, you're able to come to a result that the
4 community might view has taken their positions into
5 account. And I feel that it's important to be
6 involved in those type of activities so that I can
7 feel that I'm contributing as well as playing a
8 role in making society better.

9 CHAIR BELNAP: Okay. Thank you.

10 So I want to read a sentence, two
11 sentences from your application from first part of
12 your, the essays, part 1. You said, "Because
13 gerrymandering subverts democracy by creating safe
14 districts for one party or the other, it is
15 imperative that the Commission create districts
16 that bring ideas into competition at the ballot
17 box. Competitive election -- elections, in turn,
18 create interest from the electorate and resources
19 for candidates to get their messages out to the
20 voters."

21 So my question to you is, do you think the
22 desire to create competitive districts ever
23 conflicts with the desire to keep communities of
24 interest intact?

25 MS. BOSWORTH: So whether or not creating

1 competitive districts conflict with keeping
2 community interest?

3 CHAIR BELNAP: Yeah.

4 MS. BOSWORTH: Possibly, but I think that's
5 something that we have to strive to do because we
6 want to make sure that community interests are
7 considered but at the same time we need to ensure
8 that -- it can't be just 100 percent of what the
9 community interests are without considering what
10 impact that will have on deciding what those
11 districts should be.

12 For example, if -- and this is a way out
13 example, but it'll help me under -- or explain my,
14 what I'm trying to say here is that if a community
15 feels that having a district that's going to, if
16 it's an ethnically community, a community that's
17 ethnically singular, it's African-American, for
18 example, if that community feels that having a
19 representative that is African-American is what's
20 important to them, that may not be fair because
21 it's not going to be 100 percent African-American.
22 It may be just a majority or maybe it's a plurality
23 or whatever it is. It's not going to be 100
24 percent. So you can't assume that drawing a
25 district that would ensure that an African-American

1 would be allowed to win that district -- win an
2 election in that district is what we want to
3 achieve.

4 While taking into account what that desire
5 is, it still has to be balanced and fair and
6 consider the entire community, even if it is the
7 majority. So I think that, yes, there can be a
8 conflict but the goal is to balance that and
9 achieve an objective that is going to work for the
10 entire community and not just one group because it
11 happens to be the majority.

12 CHAIR BELNAP: Okay. Thank you.

13 So I want to come back to, you addressed
14 the social media concerns. You've already answered
15 some of my questions I would have asked you. But I
16 want you to think about the social media posts from
17 the lens of now, let's say you are selected to be
18 on the Commission, and as you think about -- number
19 one, have you seen the social media posts that were
20 flagged?

21 MS. BOSWORTH: I have.

22 CHAIR BELNAP: Okay. Do any of those
23 posts, do you think they would be problematic if
24 you were a Commissioner?

25 MS. BOSWORTH: I don't. I don't. I think

1 it's fine for a commissioner to have their point of
2 view known. Just as passionate as I am about my
3 point of view, I'm happy to engage with someone
4 that's just as passionate on the other side or has
5 a different point of view.

6 The key is to, in my apparent -- in my
7 opinion, is to be -- to be able to put those
8 personal interests aside and to make decisions that
9 are going to be fair and reasonable for the whole.
10 So I don't have -- in fact, I -- I -- I was
11 encouraged to remove the posts or at least to make
12 them private. I thought it would be easier just to
13 explain what I just said to say that I can make the
14 distinction. I've had to do that all my life.

15 In the criminal justice system, I'd be
16 interviewing women who just had a baby or has a
17 two-month old, and if it were my personal opinion
18 or I was able to act on my personal feelings, I
19 would want to grant her parole. But if her record
20 suggested that this is her fifth shoplifting
21 offense and she got 90 days or we didn't hear
22 unless they had 90 days, and she got two years,
23 then it wouldn't be fair because of the way the
24 guidelines worked for us to consider when granting,
25 making those decisions or whether to recommend or

1 deny parole, that I, even though personally I think
2 it was shameful that she's not with her child.

3 But I have to look at the data and make a
4 decision that is based on reasonable and objective
5 standards. So by the same token that I don't think
6 anything that was posted was offensive, it may have
7 been -- what's the word I want to use? It was
8 significantly different from somebody else who is
9 supportive of this administration, let's say. It's
10 definitely opposed to that. But I don't think that
11 that should be a reason not to be considered or not
12 to be a commissioner -- or as a member of the
13 Commission because we want people with viewpoints,
14 I would think.

15 So is -- is -- is the decision, then, that
16 the person who could be unable to make, which I
17 don't even know how you determine that, but you
18 risk getting someone who is unable to make a
19 distinction if you don't even know what their
20 positions are. If you can't ask them this
21 question, you're asking me.

22 CHAIR BELNAP: Uh-huh.

23 MS. BOSWORTH: And hopefully I can, I'm
24 giving you an explanation that suggests that I know
25 how to put that aside.

1 So I'm comfortable with what I've posted
2 and I -- but -- but -- but for the sake of avoiding
3 any possible interpretation, that that would be
4 considered an unreasonable basis to select someone,
5 that is why I made them private. So I will be able
6 to defend those, though.

7 CHAIR BELNAP: Okay. Thank you.

8 And just to go back to your original
9 comment. Going forward, your intention is to not
10 put political posts up.

11 MS. BOSWORTH: Correct.

12 CHAIR BELNAP: But hearing your two
13 statements, what -- I guess I'm wondering, well,
14 well why not just continue to post your political
15 viewpoints even as a commissioner?

16 MS. BOSWORTH: Because I think the -- I
17 think that what we want to show as a -- the
18 Commission as a whole is that we are being
19 transparent and we're trying to be neutral. And so
20 if a member, if I'm a member of the Commission, I
21 would want to be seen as that.

22 But you -- it's -- it's -- it's a kind of
23 thing where you make a statement and you can
24 explain that statement, but you may not repeat that
25 statement in the future if you -- if you realize

1 that it could be offensive to someone.

2 CHAIR BELNAP: Okay. Thank you.

3 So I have no --

4 How much time do I have, by the way?

5 MS. PELLMAN: 3 minutes and 40 seconds.

6 CHAIR BELNAP: Okay. Well I'm very curious
7 so I'm going to back to it, something I didn't have
8 to ask. But I'm interested in your perspectives on
9 Maryland versus California in terms of just the
10 societal differences that you might have seen there
11 growing up and then coming to California. In
12 particular, in the area of diversity.

13 MS. BOSWORTH: California is a little bit
14 more progressive. LBTG community, for example, is
15 going to be more accepted here in California than
16 it would be in Maryland. I mean, just generally
17 that --

18 CHAIR BELNAP: Yeah.

19 MS. BOSWORTH: -- I think it tends, I mean,
20 I go back to Maryland all the time. I think
21 politically, it's not as progressive as the -- as
22 California. I think some of the issues that
23 continue to haunt Maryland relate to maybe more
24 apathy, I think. I don't know what the numbers are
25 in terms of voting in Maryland per, you know, per

1 capita, but if I had to guess, I would say that
2 California voters, particularly this year I
3 understand we're almost up to 50 percent, would be
4 significantly higher than the voting per capita in
5 Maryland.

6 So I think there's less engagement
7 politically in Maryland than it has been, that I've
8 seen in my 30 years in California.

9 CHAIR BELNAP: Okay. Thank you.

10 I spent some time in Maryland in my
11 younger years, in Baltimore in particular. So that
12 was my interest.

13 Mr. Coe.

14 VICE CHAIR COE: Thank you, Mr. Belnap.

15 Ms. Bosworth, good afternoon.

16 MS. BOSWORTH: Hi.

17 VICE CHAIR COE: Thank you for being here.

18 I wanted to also ask a few questions about the
19 social media posts, specifically within the context
20 of Standard Question Number 2 that Mr. Dawson posed
21 earlier.

22 So you spoke about -- spoken about them
23 already, but my question is, since they're already
24 there and they're already published and they've
25 already been put there for people to see. Within

1 the context of Question 2 about the appearance of
2 the Commission as being polarized, hyper-partisan,
3 or politically biased in some way, do you think
4 that this could affect the appearance of the
5 Commission should you be appointed to it in that
6 context?

7 MS. BOSWORTH: I think if the idea is to
8 allow and understand that different viewpoints are
9 important for the Commission to have, then I think
10 not. I think if the individual who may have that
11 position believes that you want to appear to be
12 neutral, then perhaps, yes.

13 I personally don't think that anything I
14 posted was inaccurate or was offensive. It was
15 just patently clear what my political position is.
16 And I think that, as I said earlier, I can defend
17 any one of those posts and recognize that my
18 personal positions on what's going on here in
19 California will not be effected by my ability and
20 responsibility to be objective and to make
21 decisions and encourage the other commissioners to
22 make decisions that are going to benefit the
23 citizens of California.

24 VICE CHAIR COE: Okay. Thank you.

25 What about working relationships of other

1 commissioners? As you are aware, the Commission's
2 required to be made up of five Democrats, five
3 Republicans, and four people not affiliated with
4 either one of those parties. So knowing that
5 you're going to be working with people from a
6 variety of perspectives on that front, do you think
7 this could affect working relationships with the
8 commissioners, other commissioners, if you were to
9 be appointed?

10 MS. BOSWORTH: No, and I think I addressed
11 that. I think that my comments earlier about to
12 the extent that we all recognize what the objective
13 is and that our responsibility is to work together,
14 that that will be what I will do, make every effort
15 to do. And the fact that someone may think
16 differently from me is the reason we have this
17 Commission, is the reason it will be valuable and
18 that what we do will be beneficial to all of
19 California because we have the different
20 viewpoints.

21 And so that's what needs to be respected
22 and as long as we respect each other, it will be
23 fine. I mean, in my everyday work, I don't
24 necessarily agree with what someone's position is,
25 but I've got to keep at it until I achieve the

1 objective that we're searching for. In this
2 instance, we're trying to be transparent. We're
3 trying to create districts that are going to be
4 represented of the state and that includes both
5 Independents, Democrats, and Republicans. And so
6 those viewpoints all have to be taken into account
7 by all commissioners. And I will do my best to
8 ensure that my viewpoints are objective and
9 understood to be objective and work with everyone
10 else as well.

11 VICE CHAIR COE: Okay. Thank you.

12 Mr. Belnap asked some of the questions
13 that I was going to pose or you've otherwise
14 already answered them. But I wanted to talk about
15 your experience in other regions within California.
16 I know you said you moved to L.A. from -- from
17 Maryland and that's where you spent most, if not
18 all, of your -- your time resident -- as in a
19 residence since your move out here; is that right?

20 MS. BOSWORTH: No.

21 VICE CHAIR COE: No?

22 MS. BOSWORTH: No, I was in law school at
23 Stanford for three years --

24 VICE CHAIR COE: That's right.

25 MS. BOSWORTH: -- and I actually worked in

1 the Bay Area again for about three years in -- from
2 1999 to about 2004. So I've been in the Bay Area
3 as well as in Southern California.

4 But my work involves me working with
5 companies, we have companies in San Diego as well
6 as in Orange County. And so, as well as, we did
7 have companies up in the area between, not as far
8 as here Sacramento, but I've worked with companies
9 throughout the state over time, over the 30 years
10 I've been here. So I worked with people from all
11 those different areas in my work.

12 VICE CHAIR COE: And what did you learn
13 about the -- maybe the different perspectives of
14 the people in those different areas of the state?

15 MS. BOSWORTH: It's like any other state or
16 any other area where you've got people of different
17 opinions, different social and -- social
18 backgrounds, racial backgrounds, ethnicity. It's
19 the same in terms of people just think differently,
20 and I try to respect each person's opinion and
21 expect them to respect mine.

22 VICE CHAIR COE: Okay. Thank you.

23 One of the most important tasks the
24 Commission's going to have to face is identifying
25 communities of interest throughout the state. Some

1 of those communities are easier to find and some
2 are more difficult.

3 How do you think the Commission should go
4 about identifying communities of interest,
5 particularly some of those communities that may be
6 harder to locate or to find or maybe aren't as
7 civically engaged?

8 MS. BOSWORTH: I would imagine that we'd
9 have to reach out to certain community leaders
10 and/or use data that's been -- I am assume there's
11 research data that shows groups of individuals or
12 maybe groups of communities that are
13 underrepresented in the voting in California.

14 So it would be important to have a
15 research capability or access to research data and
16 to analyze that data and then maybe reach out to
17 community leaders. If not community leaders, you
18 can reach out to churches. You can reach to
19 nursing homes. You can reach out to different
20 athletic organizations. There's got -- there's
21 certainly ways that you can reach out to different
22 communities that aren't being representative. Once
23 you identify what the community is and you find out
24 who are those leaders in the communities or just
25 basically knock on doors, if that's what it takes,

1 to get those communities engaged.

2 But I think that one of the easiest ways
3 is I -- is reaching out to churches and athletic
4 organizations, perhaps. Maybe Boys and Girls
5 Clubs. There's got to be adults within those
6 organizations that can -- can tell you how to --
7 what their -- what their demographics are. What
8 they're -- who are the individuals that they
9 service, for example. And then reaching out to
10 their parents, et cetera, and things -- and thing
11 in that way.

12 So I think research is going to be
13 important. There's going to be a need to provide
14 certain data to the commissioners so that they can
15 try to tap into those communities.

16 VICE CHAIR COE: Some communities, for one
17 reason or another, may not be entirely comfortable
18 with coming forward to meetings like the Commission
19 might have to share their perspective.

20 Do you have any ideas on outreach to those
21 communities to encourage folks that may be
22 uncomfortable to feel more comfortable to come
23 forward and share their perspective?

24 MS. BOSWORTH: Well I think you do probably
25 have to go out to the community to find different

1 areas within the community to hold meetings, as
2 opposed to asking them to come to a location that's
3 maybe set. I mean, it's still going to be
4 something set, but you've got to find places, like
5 maybe you go to homeless shelters. I don't know.
6 I mean, I don't know what communities you're
7 specifically talking about but maybe you go to
8 those locations and provide information or you --
9 you rely on the leaders or, I mean, it may even be
10 just walking the streets. Who knows? I mean,
11 you've got to figure out ways, if you've identified
12 areas where there isn't participation, then maybe
13 you go to those communities and try to invite them.

14 The challenge with that is that if people
15 aren't engaged, it's hard to say they're going to
16 show up. So you have to figure out a way that
17 maybe you go to an event that that -- that
18 individuals attend and try to have a -- I don't
19 know, even if you can just put a table saying,
20 providing information about the Commission and what
21 the Commission's trying to do. And maybe have
22 questionnaires or maybe do a small, a short survey.
23 But try to go places where people are that haven't
24 been necessarily identified and just reach them
25 wherever they are.

1 VICE CHAIR COE: Okay. Thank you.

2 So if you were to be appointed to the
3 Commission, which aspects of that role do you think
4 that you would enjoy the most? And conversely,
5 which aspects of that role do you think you might
6 perhaps struggle with a little bit?

7 MS. BOSWORTH: Of those suggestions I gave?

8 VICE CHAIR COE: If you were to be
9 appointed to the Commission, what aspects of that
10 role --

11 MS. BOSWORTH: Oh, as a Commissioner --

12 VICE CHAIR COE: Yeah.

13 MS. BOSWORTH: -- I see. If it involves a
14 lot of travel -- I hope it doesn't involve
15 overnight travel. That would be a little bit
16 challenging if it's often. I think that would
17 probably be the most challenging thing for me.

18 What I would enjoy most is analyzing data
19 that's presented and working with the other
20 commissioners to evaluate that data and determine
21 how best to develop the boundaries that we're
22 charged with developing.

23 VICE CHAIR COE: So you mentioned overnight
24 travel being -- being a challenge. It's, I would
25 assume, entirely possible that there could be an

1 overnight trip involved as the Commission's going
2 up and down the state talking to various
3 communities. What would be particularly
4 challenging about that? Is it your career job that
5 would --

6 MS. BOSWORTH: Personal.

7 VICE CHAIR COE: Okay.

8 MS. BOSWORTH: Personal issues. But when I
9 say that, I mean significant. I don't mean like
10 over the course -- in my understanding is most of
11 the work is done in the first year, although it
12 could be longer. So what I would say would be
13 challenging is if four or five days a month for the
14 entire year I'd have to be traveling. If it's one
15 day a month or a couple days a month, that's
16 something I can manage. If it's more than that --
17 and it's my understanding, I thought the Commission
18 would decide what was going to be the best
19 approach. And hopefully we can reach a consensus
20 that works for everyone.

21 VICE CHAIR COE: Okay. Thank you.

22 No further questions.

23 CHAIR BELNAP: Ms. Dickison.

24 PANEL MEMBER DICKISON: Hi, Ms. Bosworth.
25 I'm losing my voice. Sorry. Thank you for coming

1 today.

2 MS. BOSWORTH: Thank you.

3 PANEL MEMBER DICKISON: Give me just a
4 minute. Mr. Coe, Mr. Belnap asked a number of my
5 questions.

6 So we've -- I'd like to kind of stick with
7 the communities of interest thought right now. So
8 you're -- you're in L.A.?

9 MS. BOSWORTH: I am.

10 PANEL MEMBER DICKISON: Okay. Just
11 thinking about L.A. and the different -- the
12 various areas around -- around L.A. What do you
13 know or what communities of interest in that area
14 are you aware of and what actually binds those
15 communities together? What are their concerns that
16 hold them together?

17 MS. BOSWORTH: I'm not sure I understand
18 what you mean by communities of interest?

19 PANEL MEMBER DICKISON: Just say
20 communities, then. Or if there's certain
21 communities or neighborhoods that have certain
22 issues --

23 MS. BOSWORTH: Uh-huh.

24 PANEL MEMBER DICKISON: -- what are those
25 issues? What's important to them that is the bind

1 that would maybe affect what they -- what they're
2 looking for in a representative?

3 MS. BOSWORTH: I would say in the community
4 I live in, it would be schools. It would
5 representatives that would respect the need to help
6 the public school systems in Los Angeles. And in
7 other areas of L.A. that I -- that I visit, I
8 think it would be schools.

9 I think the importance of -- of -- of
10 making changes to ensure that children receive the
11 best education possible. I think that in certain
12 other communities, I work in Simi Valley, for
13 example. And so I think maybe in Simi Valley, it
14 would be more concerned about business
15 opportunities.

16 The company I work for is one of the
17 largest companies in Simi Valley, but I can imagine
18 that they would enjoy having more businesses in
19 that area. So there needs to be representatives
20 that could respect that desire to -- to develop
21 more businesses there.

22 I think in certain other communities,
23 there are employment opportunities that would be
24 important. So it would have to be a representative
25 that would find ways to increase employment

1 opportunities similar to what I said in Simi
2 Valley, not from the business side as much, but
3 from the side in some parts of L.A. to provide
4 opportunities for average people to find decent
5 paying jobs.

6 I think healthcare is, of course, an issue
7 for all of us. And so I think there needs to be
8 representatives that would recognize importance of
9 evaluating and hopefully making changes to make
10 healthcare benefits more affordable for all
11 Californians.

12 I think that's kind of generally those
13 areas I would focus on as my top picks. Uh-huh.

14 PANEL MEMBER DICKISON: So as you're
15 traveling throughout the state in other areas and
16 other regions of the state, do you those -- those
17 things are looking for could be different?

18 MS. BOSWORTH: Absolutely.

19 PANEL MEMBER DICKISON: And in what way?

20 MS. BOSWORTH: I think immigration is
21 probably a more important issue for workers in the
22 valley areas because some of the seasonal workers
23 are needed to ensure that there is some adequate
24 resources to do the work that makes sure that we
25 have our food supply. So I think that could be an

1 important issue in certain parts of the state.

2 So absolutely they would be different
3 depending upon what area you're in.

4 PANEL MEMBER DICKISON: Okay. So I'm just
5 going -- when you're -- when you're reaching out to
6 the communities in community meetings, I just want
7 to touch on the social media a little bit here.

8 Mr. Coe touched on your interactions with
9 other commissioners and how you -- and you talked
10 about how you can, you know, have those
11 conversations to build the trust and reach
12 consensus within that group. But when you're
13 reaching out to the public, how would you -- what
14 could you do to encourage someone that maybe has a
15 different view from you to trust that you're going
16 to be taking their views into account and
17 respecting those views and that you're hearing what
18 they're saying?

19 MS. BOSWORTH: Well you have to provide a
20 forum for people to provide you with the
21 information that's important to them. You have to
22 give them an opportunity to say what they -- what
23 they're interested in. And secondly, you have to
24 then be able to somehow respond to that in a way
25 that lets the person who spoke know that you

1 understood what was said and the importance of it
2 to them.

3 And I think it's important to make sure
4 that whatever information's going out to the public
5 that is -- that is -- is routinely acknowledged
6 that the Commission is -- what the activity of the
7 group, of the Commission is going to be transparent
8 and that individuals are free to attend whatever
9 activities or whatever meetings or hearings are
10 being held to remind them that they, to provide
11 them a way that they can, if they can't physically
12 attend, that they can provide information to the
13 Commission.

14 So I think the key is to be clear that
15 they will have an opportunity to present their
16 viewpoint and then be clear that that viewpoint is
17 what is important to make the Commission work in a
18 way that benefits everyone so that not only are
19 they encouraged to speak, but that they are
20 encouraged to get their friends and family to come
21 forward and to provide information to the
22 Commission in whatever way they -- is easy for
23 them. Whether that's doing something online or
24 even there should be a write in ability for people
25 to, if they need to write letters or whatever way

1 it could possible if they're not able to physically
2 come and do a presentation that's recorded in that
3 way.

4 So I think the key is just making sure
5 that individuals know they have an opportunity to
6 present and know that they're repeatedly aware that
7 the information will be used to ensure that
8 everyone's position is considered in the process.
9 So it's really to try to make the process as
10 transparent as possible.

11 PANEL MEMBER DICKISON: Okay. Thank you
12 for that.

13 Let's see, what else? So you've talked
14 about your professional commitments. And I saw
15 something in one of your letters about your
16 community involvement and then your personal
17 commitments.

18 How would you balance all of that and the
19 work at the Commission?

20 MS. BOSWORTH: I think it's just
21 scheduling. My volunteer commitments are just
22 that, volunteer. So it's limited by what I'm able
23 to do. There's sometimes that my work may not
24 allow me to participate in a volunteer activity
25 that I may have otherwise wanted to do so. So I

1 have to make a choice of when I'm going to do
2 something based on where the priority is.

3 If selected for the Commission, this would
4 be the priority over everything, except for my
5 work. So it would be necessary for me to put
6 everything else behind that. Not that I would
7 forego those opportunities or those
8 responsibilities, but I would have to decide that
9 this is the priority.

10 PANEL MEMBER DICKISON: So the -- the way
11 it's set up is the first eight commissioners are
12 selected by lottery. And then they select the
13 remaining six.

14 If you were one of the first eight,
15 how -- what would you be looking for in those other
16 six commissioners?

17 MS. BOSWORTH: Well presumably because of
18 the categories of Democrat, Republican,
19 Independent, you'd have to first identify what
20 numbers were acquired to achieve the balance that
21 is required. I believe, I'm not sure, I don't know
22 what the number. How does the number separate out?

23 PANEL MEMBER DICKISON: So the remaining
24 six would already be set up to be two, two, and
25 two.

1 MS. BOSWORTH: Oh, okay. Okay. So once
2 that's set up, it's then to -- I would imagine I
3 have to know what the eight, what are the
4 characteristics of the eight individuals that have
5 selected.

6 Socioeconomically, whether they're from
7 the rural area or the cities. Where they fit
8 ethnically. Where they fit in terms of age, race.
9 All of those factors I think are important to
10 consider. And hopefully try to balance whatever is
11 lacking in those remaining six.

12 So -- because you don't want to have a
13 commission of all professionals, for example. You
14 don't want to have a commission of all 30-
15 somethings. You don't want to have a commission
16 of all, you know, seniors. So try to balance that
17 so we are incorporating every group within that's
18 part of California as a member of the Commission.

19 PANEL MEMBER DICKISON: Okay. Thank you.

20 One last question. What would you
21 ultimately like to see the Commission accomplish?

22 MS. BOSWORTH: To ensure that we have
23 boundaries and legislative districts that are
24 representative of all citizens and that take into
25 account whatever guidance there is required. I

1 understand, for example, there's a certain number
2 of state districts that have to be in a
3 congressional districts. So to ensure that
4 whatever those mathematical numbers are, that we're
5 complying with that.

6 But also ensuring that we are focusing on
7 objective standards in not necessarily any -- not
8 coming with any preconceived notions of the way it
9 should be but base it on what can be the most
10 objective outcome for all California.

11 PANEL MEMBER DICKISON: Thank you.

12 No further questions.

13 CHAIR BELNAP: Okay. We'll turn the time
14 over to Mr. Dawson.

15 MR. DAWSON: Thank you, Mr. Belnap.

16 Ms. Bosworth, I have a couple of follow-up
17 questions. I wanted to talk to you a little about
18 your work with the Christopher Commission and the
19 Webster Study.

20 Did I understand you to say that you were
21 invited by the partner in the firm that you were
22 working --

23 MS. BOSWORTH: Yes, for the
24 Christopher -- for the Christopher Commission, yes.

25 MR. DAWSON: So, as I understand it, these

1 are multi-membered bodies --

2 MS. BOSWORTH: Uh-huh.

3 MR. DAWSON: -- they were conducting
4 hearings in public. And obviously on issues of
5 intense public interest.

6 What lessons can you take from that work
7 that you could apply to your work on the
8 Commission, if selected?

9 MS. BOSWORTH: That was a very -- both of
10 those hearings or those Commissions were very
11 highly emotional situations had occurred.

12 And so one of the real challenges was to
13 ensure that -- because when the hearings were going
14 on, I was in the audience as the -- as those who
15 were, as the public was. You had actual
16 commissioners that were, as you all are, asking the
17 questions and listening to the public as they came
18 on board, or to present.

19 And one of the things that was probably
20 critically important for the commissioners was to
21 be patient with the public, to be respectful of the
22 public, and to just be attentive to what they were
23 saying. Some of those meetings became highly
24 charged at some point. And I think one of the
25 meetings had to be shut down because it was so

1 intense.

2 But at the same time, that didn't stop
3 future meetings from going forward because you
4 still had to provide an opportunity because they
5 were set up at different parts --

6 MR. DAWSON: Uh-huh.

7 MS. BOSWORTH: -- of the -- of the -- of
8 the city. And so just because there was a highly
9 intense meeting at one location, you still had to
10 get people in the other part of the city an
11 opportunity to be heard.

12 So the commissioners continued to do that.
13 And so despite any emotional reactions, that you
14 still have to be objective and you still have to
15 give people an opportunity to be heard. So you
16 have to put aside any kind of notion that this is
17 going to go as smoothly as you might want and
18 understand that it may be intense and it may be
19 emotionally challenging and to work through that.
20 Because the objective ultimately was to understand
21 the community's viewpoint. And that's going to be
22 the objective here, so understand what this
23 community needs or to feel that they are
24 represented and the boundaries are eventually
25 drawn. And so to be aware of that going into it is

1 important.

2 MR. DAWSON: Okay. Thank you.

3 Let me see, I wanted to ask you. You
4 currently work for a multinational aerospace --

5 MS. BOSWORTH: Yes.

6 MR. DAWSON: What does Meggitt-USA make?
7 Do they make?

8 MS. BOSWORTH: Yes. So Meggitt-USA is the
9 U.S. arm of a UK-based company called Meggitt PLC.
10 And I've been there it'll be 11 -- it was 11 years
11 this month. And when I first joined Meggitt, it
12 was holding company. Meggitt PLC was a holding
13 company --

14 MR. DAWSON: Uh-huh.

15 MS. BOSWORTH: -- so they tend to, it's in
16 the aerospace industry so it's not a company you
17 would necessarily hear the name of because we are
18 second-tier supplier.

19 So the simple example is United Airlines
20 will hire a company like Boeing to build the
21 aircraft. So Boeing builds the shell. Boeing will
22 then subcontract out to various suppliers like
23 Meggitt for the internal components, whether it's
24 the fire safety devices, whether it's the seals
25 around the doors, whether it's whatever sensors the

1 pilot is checking, the brakes. All of that.

2 So the company that I work for in the
3 beginning when I started in 2009, they were
4 acquiring companies that did those various
5 services, whether it was a company in Akron that
6 designs brakes, whether it was a company in Oregon
7 that does sensors that does the wireless for the
8 aircraft for you to get your -- your -- to be able
9 to listen to movies, or TV --

10 MR. DAWSON: Uh-huh.

11 MS. BOSWORTH: -- or whatever. And on and
12 on and on.

13 So they have companies that they acquired
14 all over the world that may have done one of those
15 functions. More recently in the last two, I would
16 say two to five years, they've begun to develop
17 specific -- rather than continue just to acquire
18 companies, there's growing more organically. So
19 they're trying to focus now on aerospace and they
20 had done other things as well.

21 Like we have train -- a system in Atlanta
22 that does the training devices that police officers
23 may use to practice their shooting, like a shooting
24 range.

25 MR. DAWSON: Uh-huh.

1 MS. BOSWORTH: And they develop weapons for
2 that. So the focus now and is on the aerospace
3 industry, commercial as well as military. So, yes,
4 we do build parts depending upon what business it
5 is and where it's located, what parts they actually
6 create.

7 MR. DAWSON: And your work is largely
8 transactional

9 MS. BOSWORTH: My work is --

10 MR. DAWSON: -- or is it IP?

11 MS. BOSWORTH: My work is primarily
12 intellectual property. The company has a number
13 patents --

14 MR. DAWSON: Uh-huh.

15 MS. BOSWORTH: -- globally, so I manage the
16 portfolio. So the different businesses the
17 engineers may come up with an invention. We have a
18 process for how that invention is evaluated and a
19 team of engineers that evaluate that and make a
20 decision about whether to file or not for patent
21 application or whether to keep it as just know-how
22 that is kept secret. And then the process for
23 managing for getting through the application
24 process and managing that portfolio comes from my
25 office.

1 In addition to that, we are doing
2 contracts all the time, the Boeing contracts or
3 whatever other customers we work with to sell our
4 parts. So I'm one of the contract managers or one
5 of the attorneys that evaluate and do certain
6 contract negotiations.

7 We have individuals within the
8 organization that do the day to day and there are
9 certain issues that escalate up to the legal
10 department. Because we have a legal department
11 here in the U.S. which is where Meggit-USA is and
12 we have a legal department in the UK. So those
13 attorneys issue -- certain issues escalated up --

14 MR. DAWSON: Uh-huh.

15 MS. BOSWORTH: -- to us. And then certain
16 other matters, we all just get engaged with.

17 So I have the responsibility intellectual
18 property. My boss does mainly acquisitions and
19 mergers. Someone else does HR, government
20 contracts --

21 MR. DAWSON: Uh-huh.

22 MS. BOSWORTH: -- things of that nature.
23 But we all do basic contract negotiation.

24 MR. DAWSON: So I would imagine with, you
25 know, your work being primarily IP, that is a lot

1 of technical information that you are taking in?

2 MS. BOSWORTH: It is. And to be candid, I
3 rely on my technical lawyers for that, my IP
4 attorneys for that.

5 MR. DAWSON: And that was my question is,
6 do you think that gives you experience and
7 advantage in relying on technical experts?

8 MS. BOSWORTH: Yes, I rely on technical
9 experts in various areas. In the intellectual
10 property area because it is very technical, most IP
11 lawyers who do this full time, they are engineers.

12 MR. DAWSON: Uh-huh.

13 MS. BOSWORTH: So they have that knowledge
14 of understanding and invention. I'm on those calls
15 and I facilitate those calls, but I'm relying on my
16 outside lawyer who is the engineer to actually
17 understand how this works because they've got to
18 draft the applications.

19 But even in the example I gave earlier
20 about the RFP process, I rely on consultants to
21 manage the financial analysis of our 401(k) plan,
22 for example. Because even though I'm the
23 chairperson of that committee, I rely on them to
24 evaluate how the funds are performing in terms of
25 their benchmarks and the rest of the market. So I

1 do rely on experts when you're talking about
2 something that specifically highly requires an
3 expert in that field. I'm more of a generalist,
4 except for the management of the portfolio for
5 patents and trademarks.

6 MR. DAWSON: Thank you.

7 Sort of along those same lines, talking
8 about your legal career, it has been observed that
9 there are many lawyers in the applicant pool. And
10 not only that, there are L.A. County is
11 particularly overrepresented. And that's a
12 potential criticism, I suppose.

13 Do you have any reaction to being a lawyer
14 from L.A. who remains in the pool?

15 MS. BOSWORTH: I have to say the
16 application process is geared toward lawyers. The
17 -- not the application process, let me stand
18 corrected. The application itself. I mean, it's
19 not challenging for a lawyer to fill that
20 application out, but I think for an average person,
21 the type of detail, and I understand the importance
22 of that. But relating that to the statutes in
23 terms of what that means by diversity --

24 MR. DAWSON: Uh-huh.

25 MS. BOSWORTH: -- what it means by

1 impartiality, I mean, that's what we do. So it's
2 much simpler for me to spend an hour and a half
3 doing that versus an average person that would --
4 that would just probably just pull their hair out
5 trying to figure out, okay, how can I respond to
6 this question intelligently.

7 And that is unfortunate. I don't know
8 what the solution is other than maybe to craft the
9 application so that it's a little bit more
10 simplified, but I'm not sure that you can because
11 you are looking for people that understand
12 diversity --

13 MR. DAWSON: Uh-huh.

14 MS. BOSWORTH: -- means and impartiality.

15 But as I was going through that process, I
16 was thinking -- I told my colleagues and my family
17 that this is just geared toward something that a
18 lawyer would do because that's what we do in all
19 our work. Analyze data, understand how to review
20 piles of data and then come to a conclusion after
21 evaluating that.

22 I -- I would hope that notwithstanding the
23 number of lawyers that are in the pool, that there
24 is still going to be a diverse group represented so
25 that lawyers are not the majority in this -- that

1 end up being selected. If that means that I'm not
2 selected, so be it. But I think if we want to have
3 a representative group in the 14 commissioners, we
4 cannot have the majority of them lawyers. I don't
5 view that personally as being diverse enough.

6 MR. DAWSON: Thank you.

7 I have no further questions. Do any of
8 the panel members have follow-up? We have roughly
9 24 minutes left in the period.

10 VICE CHAIR COE: I don't have any
11 questions.

12 CHAIR BELNAP: I don't either.

13 PANEL MEMBER DICKISON: I don't have any
14 additional questions.

15 MR. DAWSON: At this time, Ms.. Bosworth,
16 I'd like to offer you the opportunity to make a
17 closing statement, if you'd like, to the panel.

18 MS. BOSWORTH: I hadn't prepared a closing
19 statement, but of course I can talk forever about
20 most anything.

21 My interest in pursuing this was primarily
22 to have an opportunity to engage with and be part
23 of the selection process for determining how
24 districts are set up. We know it's a problem
25 around the country in terms of voter suppression,

1 as I said in one of my questions, or my responses.
2 And I think it's become more and more critical to
3 allow people, and in this case California citizens,
4 an opportunity to feel that their voice matters and
5 that there is nothing stacked against them.

6 And I think that the Commission has an
7 awesome responsibility and an awesome opportunity
8 to let Californians know that. And that we're well
9 ahead of other states in this regard. And I think
10 it would an awesome and a wonderful opportunity if
11 I'm allowed to participate as one of the
12 commissioners.

13 I think that it's an important task, it's
14 important to be objective. It's important to be
15 open-minded and it's important to be considerate of
16 everyone's position who is part of the Commission
17 regardless of our personal beliefs. And I think
18 that my past experience draws from that and I've
19 had the opportunity to do this from the early days
20 of my career. And it would be an honor and a
21 privilege for me to serve and to represent the
22 state of California.

23 Thank you.

24 CHAIR BELNAP: Thank you.

25 We're going to go into recess now and be

1 back at 2:59.

2 (Thereupon the Panel recessed at 2:22 p.m.)

3 (Whereupon the Panel reconvened at 2:59 p.m.)

4 CHAIR BELNAP: Seeing that all are present,
5 we're going to come back out of recess and welcome
6 Anthony Coe?

7 MR. COE: Yes.

8 CHAIR BELNAP: Okay. We're going to start
9 with the standard questions which will be read by
10 Mr. Dawson.

11 MR. DAWSON: Okay. Thank you, Mr. Chair.

12 Mr. Coe, I'm going to read you five
13 standard questions that the panel has requested
14 each applicant respond to.

15 Are you ready, sir?

16 MR. COE: Yes, sir.

17 MR. DAWSON: Question 1. What skills and
18 attributes should all commissioners possess?

19 What skills or competencies should the
20 Commission possess collectively?

21 Of the skills, attributes, and
22 competencies that each commissioner should possess,
23 which do you possess?

24 In summary, how will you contribute to the
25 success of the Commission?

1 MR. COE: Okay. I believe that the ability
2 to read and to process raw data is a very useful
3 skill. However, it's not necessarily one that
4 everyone needs to have. I think that what every
5 commissioner needs to have is the ability to listen
6 and to comprehend what's going on because if you're
7 not listening to the conversation at hand, then
8 you're not -- you're not paying attention, you
9 don't know what's going on, you can't understand
10 where the other person is coming from. And that's
11 another -- that's one of the thing you have to be
12 able to empathize with the other person and to know
13 where they're coming from.

14 And also, like I said, the data is
15 important but that's something that I think that
16 somebody can learn over time if they're not that
17 strong in it. They can get stronger in it because
18 there's others there that know it and by doing it,
19 they'll learn it.

20 I think that collectively the Commission
21 should possess the ability to understand the
22 various laws and regulations that goes into the
23 process, and how to balance that against the
24 diversity of California. Because sometimes the
25 redistricting we're doing is strictly done on data.

1 And so you have to be able to when somebody comes
2 up and they want to know well why is this this way,
3 you have to be able to explain to them, you know,
4 this is why we had to do it this way. And in a way
5 that they would understand and in a way that they
6 know that you understand what they're saying and
7 you, you're not putting them off.

8 And so you have to be able to, like I
9 said, to speak with a person and to, like I said,
10 understand the laws and regulations and also to
11 speak to another person and to understand them.

12 Let's see, skills. I think I possess
13 pretty much all of the skills. Not because I'm
14 anybody special but because over the course of time
15 when I worked at the Post Office as a chief shop
16 steward, I've used them all in negotiating for just
17 grievances, which was anything from, you know,
18 somebody showing up late to criminal activity. And
19 to doing the reschedule -- you know, like
20 redistricting of the routes, they called them route
21 adjustments.

22 But what it is, is when you go through
23 probably once every five or six years, and the Post
24 Office is going through it this year where they're
25 taking all of the routes up all over the United

1 States and they're redoing them, re -- looking at
2 them, and they're redesigning, redrawing the
3 carriers' routes.

4 And so you have to understand that there's
5 a formula they use for it, it has to be used but
6 also there has to be there's some -- you have --
7 they have to take into account what the carrier's
8 doing on the route, if there's any special needs.
9 Because a lot of times they have handicapped
10 customers who we have to take the mail to, even
11 though they have their mailbox at the door, we have
12 to take the mail to them. And there's some
13 customers that we check on. So carriers have to
14 have that in their -- built into their route.

15 See in summary, see I had to rely on raw
16 data pretty much most of my postal career because
17 it's -- that's -- like I said, for the route --
18 when they redo the routes, the process actually
19 starts about a year before they actually touch a
20 route. And so I have to -- I get the data from
21 national, area, management, and then the union, and
22 then I start to get the -- have the carriers
23 develop the data for their routes.

24 And a lot of, there's a lot of confusion,
25 especially with newer carriers, they don't know

1 what's going on and newer shop stewards don't know
2 how to apply the data. Because when you're looking
3 at it, it's not always obvious what they're trying
4 to say. And I learned that a lot of times when
5 dealing with raw data, I have to ask for what's
6 known as a cookbook which explains why they -- what
7 each dataset means and what they were trying to get
8 from it. And by doing that, then I understand how
9 I can use it to apply it.

10 MR. DAWSON: Thank you.

11 Question 2. Work on the Commission
12 requires members of different political backgrounds
13 to work together. Since the 2010 Commission was
14 selected and formed, the American political
15 conversation has become increasingly polarized
16 whether in the press, on social media, and even in
17 our own families.

18 What characteristics do you possess? And
19 what characteristics should your fellow
20 commissioners possess that will protect against
21 hyper-partisanship?

22 What will you do to ensure that the work
23 of the committee -- of the Commission is not seen
24 as polarized or hyper-partisan and avoid
25 perceptions of political bias and conflict?

1 MR. COE: What a -- see I do is I don't get
2 my news from social media. I stay away from social
3 media. I don't rely on any one news source and I
4 tend to try to go and verify before I take a
5 position on something. I -- see
6 what's -- I go and I -- well, I come from a family
7 that has a lot of different political views which
8 I'm the minority at there. But is what we've
9 learned is we don't speak politics, you know. We
10 may occasionally a political subject comes up but
11 it's nothing really in depth where somebody's
12 taking sides. In that way, we are able to stay
13 focused.

14 And I feel like if the Commission could
15 not speak politics even if it's on the side with
16 somebody else that has the same political view that
17 you do, we just stay focused on what we're doing
18 instead of our position on our political views.
19 Therefore, if somebody challenges us on the way
20 districts has been redrawn and say well, this
21 district favors this political side versus my
22 political side. Or all of a sudden, you know, we
23 lost political clout, we can explain why we did it
24 and give a solid reason. And I think we can give a
25 reason that's not political and show that we did

1 consider all facts and all sides but this is just a
2 way we had to draw because that's the way the law
3 said we had to in regulations and that's, you know,
4 and so we did our best.

5 And so I think if we did that, if we kept
6 politics out of it, then it wouldn't seep in.
7 Because you can't really help the way you feel
8 about something but if you're always talking about
9 it, it's going to seep into what you're doing when
10 you're redistricting. And we don't want that to
11 happen. So if we're not talking about it, then we
12 can better keep that away from that.

13 MR. DAWSON: Question 3. What is the
14 greatest problem the Commission could encounter,
15 and what actions would you take to avoid or respond
16 to this problem?

17 MR. COE: Say the greatest problem I think
18 the Commission could take is back to being accused
19 of being partisan because especially in this
20 particular time we're in. Everybody is hyper-
21 sensitive and politics is a very emotional thing.
22 It doesn't really -- a lot of people think it's --
23 they're doing it from a, you know, an intellectual
24 point of view but a lot of times when you're
25 digging in and you're taking a position, you're

1 doing that because you're emotionally embedded in
2 it.

3 So I think that the most -- the best thing
4 that -- the hardest thing that faces us is the
5 appearance of bipartisanship or that, you know,
6 we're leaning one way, you know, to take California
7 one way. And so we have to avoid that. And to
8 avoid that, we have, like I said, we have to keep
9 politics out of it and we have to be able to speak
10 to the people when they come up and they listen to
11 what they have to say when they speak to us. And
12 then let them know that, okay, we hear you, we
13 understand, and we'll -- we do our best to apply
14 it. But if we can't, then we explain to them why
15 we can't.

16 MR. DAWSON: Question 4. If you are
17 selected, you will be one of 14 members of the
18 Commission, which is charged with working together
19 to create maps of the new districts.

20 Please describe a situation where you had
21 to work collaboratively with others on a project to
22 achieve a common goal. Tell us the goal of the
23 project, what your role in the group was, and how
24 the group worked through any conflicts that arose.

25 What lessons would you take from this

1 group experience to the Commission, if selected?

2 MR. COE: Okay. When I worked at the Post
3 Office as the shop -- chief shop steward, it came
4 back to route adjustments. And I had to work with
5 the carriers, the union, management, post master,
6 the area managers, and national. Well, I didn't I
7 really -- I wouldn't leave all the national that
8 much, but I did get a lot from area.

9 And so I had to sit down and listen to
10 what everybody had to say because everybody was
11 just trying to get their point of view across. But
12 if I were to listen to them, and sometimes I had to
13 take them off individually to do that so that
14 there's not -- they're not distracted by the other
15 person or the other group.

16 Then once they under -- they understand,
17 if you can get them to work through the -- to get
18 the emotion out of it, and then they can listen to
19 each other and they -- there's -- you can tell the
20 compromise is easier. It's easier to get people to
21 compromise once the emotion is gone from it. And
22 what I take from it is that I have to listen, to
23 what's being said and I have to really take -- make
24 an effort to understand what the other person is
25 saying and why they believe and feel what they

1 feel.

2 MS. PELLMAN: We have about 16 minutes.

3 MR. DAWSON: Thank you.

4 Question 5. A considerable amount of the
5 Commission's work will involve meeting with people
6 from all over California who come from very
7 different backgrounds and a wide variety of
8 perspectives.

9 If you are selected as a commissioner,
10 what skills and attributes will make you effective
11 at interacting with people from different
12 backgrounds and who have a variety of perspectives?

13 What experiences have you had that will
14 help you be effective at understanding and
15 appreciating people and communities of different
16 backgrounds and who have a variety of perspectives?

17 MR. COE: Well, at the -- again, the Post
18 Office is, you have a wide variety of people and a
19 wide variety of cultures.

20 Take the Latino culture, for example. A
21 lot of people tend to group them all together but
22 they're not one culture. You have people from
23 Guatemala, Honduras, Cuba. You have people who are
24 born here and don't speak a word of Spanish. So
25 there're cultures different within their cultures,

1 like subcultures. And it's -- that's with all
2 groups. And so by understanding that, you're not
3 dealing with just -- you can't -- I don't make the
4 assumption that oh, this person is Italian so this
5 is what they believe, what they want.

6 They could, you know, it's -- they could
7 be at different economical levels, educational
8 levels, they could have just different core of
9 beliefs at the way they grew up. You know, so you
10 have to take all -- be able to take all that into
11 account and to listen to them.

12 And I've had a case where I was listening
13 to a -- at a carrier whose wife had cancer and he
14 wanted to take the day off after she did chemo.
15 Well, the post master didn't understand why he
16 needed a day off after she did chemo when he could
17 take the day off -- she was willing to give him the
18 day off during chemo but -- and so I had to explain
19 to her that -- I spoke to him about it first, then
20 I found out that well, she goes -- when she goes to
21 chemo, that day she's okay. Her worst days are the
22 day after and so that's when she needs him. And so
23 then I went back to the post master, I explained
24 that to her, then she understood why he needed that
25 day off. And so she was able -- she gave it to

1 him.

2 But it's -- sometimes it's -- it's -- it's
3 -- and I made it sound simple, but it was -- took
4 about probably like three days for that whole
5 process to go through because he didn't want to
6 speak to me at first because it was very personal
7 matter for him, you know. And so I understood
8 that.

9 So I had to -- luckily, we had been
10 friends for a long time and so I was able to -- I
11 had some trust with him. And so that's another
12 thing, would be to build trust. Is a hard -- you
13 know, it's a hard thing to do but it's something
14 you have to do. You have to take the time, the
15 effort to do that.

16 Because if the -- say if my council
17 members here were all different backgrounds so we
18 don't trust each other, then we'll never get
19 anything accomplished, we'll just go into circles,
20 we'll dig in in our side and, you know, the way I
21 do the map was better and the way you do the map
22 was, you know. And so nothing ever -- we can never
23 agree on anything. And we can't have that because
24 then that hurts all of California.

25 MR. DAWSON: Thank you.

1 So at this time we will go into the
2 portion of the interview where each member will
3 have 20 minutes to pose his or her questions.

4 And we will begin with our chair, Mr.
5 Belnap.

6 CHAIR BELNAP: All right. Thank you, Mr.
7 Coe, for being here.

8 You worked for three decades for the
9 United States Postal Service.

10 MR. COE: Yes.

11 CHAIR BELNAP: A portion of which was your
12 time as shop steward. And I think you've --

13 MR. COE: Yeah.

14 CHAIR BELNAP: -- touched on that role.

15 What else did you do for the Postal
16 Service?

17 MR. ANTHOY COE: I was a letter carrier,
18 what they call was a T-6, a technical technician
19 letter carrier. What I did was I had five routes.
20 Those carriers have a rotating day off. And so
21 during that day off, they have to have somebody to
22 cover their route. And so I had to know their
23 route as well as they did. I had to know everybody
24 who moved, everybody who lived there, what their
25 needs were. Are there back houses? Are there

1 illegal houses of some people? You know, they rent
2 out their garage. And so we have to know that,
3 okay, there's somebody that lives there in a
4 garage. So we have to be able to know all of that.

5 And so as a shop steward, it looks -- I
6 know it looks like in my resume that I -- there are
7 two separate things I did. But I -- as a shop
8 steward, when I worked as a shop steward, I also
9 worked as a letter carrier. I did them
10 simultaneously. And so I had the responsibility of
11 working as a letter carrier, keeping these routes
12 up, you know, up to standard. And at the same
13 time, being a chief shop steward and doing
14 different things that come -- go -- that happen.

15 Like I said, sometimes they're very petty,
16 other times they're very serious. It went into
17 criminal activity and I have to negotiate -- I have
18 to go in there, represent them against postal
19 inspectors and against the IGs. And if you ever
20 face a postal inspector and an IG, you don't want
21 to do that. You have a choice, go to the FBI.
22 They have a 98 percent conviction rating.

23 So these guys are not somebody you want to
24 play with, they're very serious and you have to
25 know what you're talking about. You have to know

1 the different laws and regulations that apply to
2 this, what's going on. And I can only represent
3 them until they're actually arrested. Once they're
4 arrested, they have to get an attorney. Because
5 I'm not an attorney and anything I -- I tell them
6 anything they tell me, they put me on the stand, I
7 have to tell them. You know, I don't have a
8 choice.

9 CHAIR BELNAP: So in your role as shop
10 steward and other -- other things you did at the
11 Postal Service, you indicated that you worked with
12 data.

13 MR. COE: Yes.

14 CHAIR BELNAP: And you addressed that in
15 Question Number 1. I wasn't quite sure like what
16 form the data came to you in and how did you
17 manipulate it or how did you display it? Were
18 these -- was this maps -- maps-based data or is it
19 in raw -- raw form?

20 MR. COE: It was both. It was map-based
21 data, it was in raw form. Some were like census
22 data where they had the makeup of the city, like
23 this city had so many people here and they
24 live -- you have a population here, here.

25 And the data that the -- the -- the

1 managers and that develop which was how long it
2 took the carrier to do the route every day. What,
3 you know, what was the carrier's performance like?
4 Is the carrier doing their job? Are they using
5 what they call improper work ethics which could be
6 anything from tapping a letter to putting a letter
7 in the wrong slot, taking it out, putting it in the
8 next slot? Or sometimes people are just scanning
9 it like this. So.

10 Okay. So, it's -- it's a --

11 CHAIR BELNAP: What's tapping a letter?

12 MR. COE: Tapping a letter is -- you know
13 how you get the letters with the envelope on it, a
14 window on it? Well, sometimes the address is up
15 and we can't see it. So we tap it to knock it
16 down. Well, that's wasteful practice in the Post
17 Office to tap that letter.

18 And so I have to go in -- the carrier can
19 actually be written up for it. So then we have to
20 go in and show well, wait a minute, he wasn't just
21 tapping the letter like this, he tapped it so that
22 it can drop so he can see where to put it.

23 So something like that, it seems very
24 petty, but at one time at the Post Office when I
25 first started working there, you get written up for

1 casing a letter with your left hand. You had to do
2 everything with your right hand, well there's
3 people that are left-handed. And so, you know,
4 they don't have that practice anymore but that was,
5 you know, there are things like that that you have
6 to fight with.

7 CHAIR BELNAP: Yeah. You also mentioned in
8 your analytical skills essay that you've taken some
9 schooling and also maybe at work you've learned
10 project management techniques.

11 MR. COE: Yeah.

12 CHAIR BELNAP: So I wanted to know what are
13 some of those techniques and how did you use those
14 techniques?

15 MR. COE: Okay. One of them was the agile,
16 whether you -- you do something, test it, and then
17 you go back and try to do it again. Well, what I
18 do is there's not really a -- we're not really
19 building a project at the Post Office. What we're
20 doing is we're -- it's usually we're adjusting a
21 route, we're trying to figure out, you know,
22 disciplinary action of somebody.

23 And so what I would do is say for route
24 inspection, the project on route inspection, I
25 would work with it in sections because it's -- it's

1 not just hey, let's adjust this route, it has to go
2 with -- the carrier has two minutes, if they're
3 walking, you have two minutes to do two houses.
4 You have one minute to do two houses and you have
5 three minutes to do two houses if you're driving.

6 Okay. Now that sounds -- that sounds like
7 a hard pace to keep, and it is for somebody that's
8 new, but I had to go in -- and say especially for
9 new people to go in and to explain to them, you
10 know, work with them on how to keep -- and
11 understand what their performance level is supposed
12 to be. Why they have to keep this time.

13 They even count -- when they do route
14 inspections, they count how many steps you take per
15 minute. I mean, they step behind me with their
16 computer and tell me I take 14 steps a minute. You
17 know, I couldn't have known that myself but that's
18 how detailed they are. They know how much time it
19 takes for you to deliver a letter, to deliver a
20 package, to deliver certified.

21 So it's -- to -- you're asking about how I
22 use the --

23 CHAIR BELNAP: Uh-huh.

24 MR. COE: -- data. What I would use the
25 data for is to show them, like sometimes I would

1 show them on the map what is that they're looking
2 for, whether, you know, where you should be at this
3 time based on the data, based on your performance,
4 other performance of other carriers on the route.

5 When I have to worry about the actual
6 route itself, the size of the route, I had to worry
7 about how many deliveries you have. Is it a
8 business route? Is it a mixed business -- a mixed
9 route business and residential or just strictly
10 residential? If it's a business route, are the
11 businesses closed on Saturday? You know, so if
12 it's close -- if all your businesses were closed on
13 Saturdays, then you can -- you have to do something
14 else or you can help somebody else out.

15 If not, if you have a mixed route, then
16 that also affects your time. It affects the -- how
17 the route is designed. And they try to keep all
18 routes at 8 hours but they can go as high as 8½
19 hours without any penalty to the Post Office.

20 And I have to explain to carriers that,
21 okay, yeah, okay, say you're over 15 minutes two
22 days a week, are you always going to be over 15
23 minutes two days a week? The answer's probably no.
24 And sometimes even when we are over 15 minutes a
25 week, or 15 minutes or even 30 minutes, we have the

1 time, we have room in our route that we can make
2 that time up. And sometimes we don't.

3 And so I have -- then we file what they
4 call a PS Form 3996 where you ask the Post Office
5 manager for overtime because the Post Office is
6 actually a barter, a bartering system. We don't
7 have a set, like we don't -- we come in every day,
8 we look at our mail and we say okay, I can do this
9 in eight hours. I may have some under time, I can
10 help somebody else out or I need 30 minutes, I need
11 an hour help, or I can do overtime an hour. And so
12 we have to negotiate that every day with
13 management.

14 Because -- and a lot of times -- and this
15 very thing of people get, again, you get
16 emotionally involved in your -- their positions. I
17 have to bring them back and say look, this is how
18 much -- and we really do go by we -- one foot of
19 mail per hour. And so two foot of mail is two
20 hours and then it'd take four hours. And so
21 we have to -- well, actually, it's no, two foot of
22 mail an hour, sorry, two feet an hour.

23 And so when you look at it, it may look
24 like you have a big stack of mail but if it's
25 thick, then it's going to go in quicker than if you

1 have a bunch of thin stuff. And so I have to show,
2 let the carriers know you have to look at that.
3 And the managers, they have to look at that as
4 well.

5 And so the data is really -- we use like
6 the -- when you come to census and the number of
7 people, that's really on how when we decide how
8 many deliveries each route is going to have.
9 Because there's some routes, especially business
10 routes, they may only have 250 deliveries, but
11 business routes take a lot more time because you're
12 take -- picking up parcels, delivering parcels.
13 Where you a residential route, you may have 512
14 stops or even more if you have apartments where you
15 have the big boxes there, you just put it in.

16 So you have to understand, again, like we
17 have one route where we had this huge apartment,
18 like three -- three blocks long and it took an hour
19 to deliver. And the manager didn't understand why
20 it took an hour to deliver when every other
21 apartment building took at the most 30 minutes.
22 Well, I had to go back and show them through the
23 data that well, look, this is how much mail they
24 get for this route, for just this section. This is
25 how many packages they get. What they get an

1 accountable mail which is your express and
2 registered, CODs, anything like that that has to be
3 signed for, you -- they have to knock on the door,
4 get a signature, or leave a, you know, notice.
5 That takes time.

6 And so the carrier wasn't just not doing
7 their job, it just took a longer time to do because
8 it was such a long, it was such a big area. And
9 once I had -- I finally got the manager to go out
10 there and to actually inspect the route and to do
11 an inspection to see exactly what was going on, and
12 then they were able to look back at the data and
13 say okay, we're going to break this up. And they
14 broke it up into like three different routes. Gave
15 part of it to one route, part to another, so that
16 it wouldn't take one person as long to do that one
17 thing.

18 CHAIR BELNAP: Okay. Thank you.

19 I need to check on the time here.

20 MS. PELLMAN: You have 5 minutes and 50
21 seconds.

22 MR. COE: Oh.

23 CHAIR BELNAP: Okay. I've got a couple of
24 questions I've got for you.

25 MR. COE: Okay.

1 CHAIR BELNAP: In the impartiality essay in
2 your application, you said you've learned to set
3 aside your feelings and beliefs and look at all
4 sides of an issue.

5 Can you give me an example of where you've
6 done that, you've set aside you feelings and
7 beliefs and -- and looked at all sides of an issue?

8 MR. COE: Let's see. Yes, at the -- yeah,
9 the Post Office was dealing with a -- it was a case
10 involving a postal inspector with a carrier. And I
11 just knew this carrier was innocent, didn't do it.
12 But I can't go in with that, you know, just that, I
13 have to -- because the postal inspectors are going
14 to shut down and then they're just going to well,
15 we don't have to be here anyway, you're under
16 arrest.

17 So I had to not bring up what I believe,
18 whether the person was guilty or innocent, and
19 listen to what the post inspectors were saying
20 versus what the carrier had to say. And then, you
21 know, and then I actually got to -- when you do
22 that, I was able to speak with the postal
23 inspectors, you know, and we were able to work out
24 something with okay, you know, there was no crime
25 here. And so they dropped everything.

1 CHAIR BELNAP: Hm.

2 MR. COE: But, you know, you can't -- we've
3 had come -- shop stewards go in and actually get
4 into fistfights with postal inspectors because they
5 wouldn't put aside their beliefs. And you can't do
6 that. You know, you've got to be careful.

7 CHAIR BELNAP: Okay. All right. Thank
8 you.

9 MR. COE: Yeah.

10 CHAIR BELNAP: Next question. You've done
11 some work for a nonprofit organization called
12 Missing Children Investigation Agency.

13 First, what is that organization? And
14 then what's -- what's your role in it?

15 MR. COE: It's a -- what it is, it's a
16 group of -- we used to be bounty hunters. And
17 somebody asked us to look for a kid once. And then
18 we found the kid. And somebody asked us to look
19 for another one. And so then we formed a nonprofit
20 organization.

21 And now we're retired police officers,
22 bounty hunters, you know, everybody -- and what we
23 do is we're one of the few organizations in the
24 United States that actually go out and look for a
25 child. We don't just put up posters or

1 any -- we put up very few posters. We actually
2 have people in the field looking for the child.

3 The problem is that we're no good at
4 fundraising so a lot of the times when we do a
5 case, it comes out of our pocket where we are, you
6 know, we through the travel and everything else to
7 find a kid. We work with law enforcement and we
8 check to make sure we're working with the right
9 person. Because we've had times where parents came
10 in and they had no legal right to the kid and tried
11 to get us to abduct the child for them. So we make
12 sure that they have legal rights to do it and they
13 have a police case going on.

14 CHAIR BELNAP: Right. And what was your
15 interest in getting involved in that organization?

16 MR. COE: Well, I -- when I did it, it was
17 something that I did, it made me feel like I was
18 getting something done. And I started off as an
19 investigator for them and I worked my way up, I'm
20 now the vice president on their chair and I'm also
21 the deputy director.

22 And my job now is to train the new people
23 that are coming in. And to also to protect the
24 company's -- the company's name, the company's
25 reputation. Because we've had times where somebody

1 wanted to do something or somebody did something
2 and I had to say, no, we can't do that, we can't --
3 for example, we had a volunteer wanted to strong-
4 arm people to give money. We can't do -- we can't
5 do that, it's illegal.

6 We had a person who, another organization
7 that did missing children went out of business,
8 they lost their 501(c)(3) and they were still
9 receiving donations. Well, they can't do that,
10 they have to give those donations back. But they
11 came to us and well, what if we share it with you?
12 You can't do that, that's illegal, we all go to
13 jail.

14 And so I do a lot of things like that. I
15 do a lot of public relations like mainly clean up
16 public relation things. I --

17 MS. PELLAN: We have just about 30 seconds.

18 MR. COE: Okay.

19 CHAIR BELNAP: Okay. Thank you for your
20 responses, and I don't have any further questions.

21 So we'll turn the time over to Mr. Coe.

22 VICE CHAIR COE: Mr. Coe, good afternoon.

23 MR. COE: Good afternoon.

24 VICE CHAIR COE: Mr. Belnap, to keep going
25 off of his question about the Missing Children and

1 Investigation Agency, I was curious if there was
2 anything you had taken away from your experiences
3 there that could help you as a commissioner on this
4 Commission.

5 MR. COE: Yes, is the ability to work with
6 other agencies other than my own. Because we
7 worked with law enforcement, we worked with -- what
8 is it -- not embassies but consuls. Consulates,
9 their offices, lawyers, something we've done
10 international cases. And so we have to learn how
11 to be aware that, you know, inter -- something less
12 legal here may not be legal there or may be legal
13 there.

14 You know, so you have to -- the people
15 have to, like I said, now it's a legal thing. It's
16 not something that we can go and get their kid and
17 bring them back to the United States which a lot of
18 people want us to do. They think we're going to go
19 in like, I don't know, snipers or something and get
20 their kids and rescue them. And we can't do that
21 because when we do it here, we do it with law
22 enforcement. And we tell -- we, you know, find out
23 where the child is, work with law enforcement, then
24 the police go in, they recover the child.

25 Okay. What I take away, like I said, the

1 ability to work with different agencies and to
2 understand that they have different ways of doing
3 things. They have procedures and policies,
4 paperwork, different ways they see things just
5 because of their experience.

6 VICE CHAIR COE: So you also indicate in
7 your -- in your application that -- that writing is
8 an activity that you --

9 MR. COE: Yeah.

10 VICE CHAIR COE: -- enjoy participating in
11 and that you've published three books.

12 MR. COE: Yes.

13 VICE CHAIR COE: Is it fiction or
14 nonfiction?

15 MR. COE: One was nonfiction. Or no, one
16 was fiction, two were non -- what is it, yeah, two
17 were nonfiction.

18 One, the nonfiction -- fiction one, it was
19 about a girl who can heal other people with her
20 touch. But she took on their illnesses. So it
21 became a dilemma with her was if she took somebody
22 that had a fatal illness or disease, could she
23 survive that. And so she was afraid to touch
24 anyone or anything.

25 And then I wrote two books on how -- how-

1 to books. One of them was I did nightclub
2 promotion for a while. And a lot of people came to
3 me wanting to know how to get started but there's
4 nothing out there, no materials showing them how to
5 get started, what they need to do. And so I showed
6 them how to get started in their town. Because a
7 lot of people want to go out, they want to go to
8 the major cities and try to compete with the big
9 promoters. You can't do that because you don't
10 have tens of thousands of dollars to throw into a
11 show. So I showed them how to go in and do it in
12 their town and to build up their audience and their
13 following. And then they become bigger.

14 Then I wrote another book on how to -- how
15 to publish, how to design and publish, you know, an
16 e-book. Because a lot of people don't understand
17 that digital book has a specific format called EPUB
18 3 we have to abide by. And what I show them is I
19 assume you know nothing about doing anything with
20 this. You know how to write, you wrote your book
21 and you can publish it in paperback or hard back if
22 you want to. But if you want it in digital, you
23 have to either pay somebody to do it, you know, or
24 you can -- some of these free services, they'll do
25 it. They mess up the formatting.

1 And so I show them how to do -- to do
2 their formatting, to get the formatting the way
3 they want to so that it'll stay there when they
4 turn it into a digital format so that it'll -- and
5 how to get it to pass and validate, how to validate
6 it so that it passes. Because if it doesn't pass,
7 then you can't sell it anywhere.

8 I also teach a course at Utery.com
9 (phonetic) on the same subject. So it's --

10 VICE CHAIR COE: So as somebody who also
11 participates or enjoys writing in his spare time, I
12 know it's a -- it's a pretty involved process. You
13 have, you know, the outlining and planning that go
14 into it, the actual writing, showing it to other --
15 others, receiving feedback, doing editing, and then
16 eventually getting to the actual publishing stage.
17 There's a lot that goes into it.

18 And I'm curious if you think that any of
19 your experiences or skills doing that -- doing that
20 could somehow be beneficial to the Commission.

21 MR. COE: Yes, because I understand, like
22 you said, there's a lot to go into it. And I
23 understand you can't shortcut a process. A lot of
24 people feel that, you know, oh, I don't need an
25 editor. Why do I need this person looking at my

1 book? You know, why do I need a feedback? I just
2 write it and put it out there.

3 And, okay, well, yeah, you can do that but
4 at the same time, the quality of your -- the focus
5 of your writing is going to suffer because you
6 don't -- you're looking at it from just a single
7 lens. And you need sometimes other eyes on it.
8 And that's one thing I think that -- say I'm doing
9 redistricting is really important because I can
10 spend time drawing maps and now I'm focusing on
11 this map. And well, this is a great map, it's the
12 best map California has ever had. You know.

13 But then, you know, have other people on a
14 council -- on a Commission look at and say, yeah,
15 but, you know, we need to make this change. We
16 need to, you know, so you have to be able to accept
17 that criticism also and know that, okay, you have
18 to accept it and then move forward with that.

19 VICE CHAIR COE: Like I say, we sympathize
20 with that. Thank you for your answer there.

21 MR. COE: Yeah.

22 VICE CHAIR COE: In your essays and a
23 little bit earlier I think with your questions, the
24 initial questions from Mr. Dawson, you mentioned
25 having met and worked with diverse groups of

1 people.

2 What have you learned from these
3 experiences, from these diverse groups of people
4 that you encountered and how could that help you as
5 a commissioner?

6 MR. COE: What I learned is that I can't
7 take my prejudice against those groups into
8 anything. I have to be open. And once I started
9 working with the minors, oh, okay, this is who this
10 person is. This is why they, you know, believe
11 they believe, feel the way they feel. And but they
12 still have this, there's more to them than their
13 color, or their sexual orientation, or anything
14 else.

15 And so look beyond that and I'm able to
16 work with everybody as an equal and not look at,
17 you know, put aside the prejudice, put it behind
18 me. And that way it's -- I can better work with
19 them because now their more able to work with me.
20 And we can get things done. Because if I'm coming
21 in, you know if I'm prejudice against you no matter
22 how much I'd try to hide it, you'd know it. And so
23 if I had that prejudice against you, you're not
24 going to open up to me, you're not going to work
25 with me and so we're going to get nothing done.

1 And so the whole thing is I need to -- you
2 know, I like to move on, to be progressive, and be
3 able to get things done. And also to do it in a
4 way that everybody feels represented, everybody
5 feels like they had their say. And, yeah, this may
6 not be exactly what I want, but okay, it works for
7 me.

8 VICE CHAIR COE: So you're from San
9 Bernardino.

10 MR. COE: Yes.

11 VICE CHAIR COE: Currently. And I think it
12 says in your application you spent some time living
13 in Los Angeles and Orange County as well; is that
14 right?

15 MR. COE: Yes.

16 VICE CHAIR COE: Can you -- can you speak a
17 little bit to your experiences in other regions,
18 outside of those other regions in the state of
19 California and what you maybe have learned from the
20 people in those regions that could help you as a
21 commissioner?

22 MR. COE: Well, I -- because I -- when I
23 was a kid, I moved around a lot because my parents
24 were in aerospace. And they went with the jobs
25 were. And so I was pretty much in those areas I

1 spoke about. I spend all my -- most of my time
2 there.

3 But as working in the missing children, I
4 had to branch out into other areas and other
5 populations and I had to learn that, okay, this is
6 a whole different, could be a whole different
7 culture, you know, subculture because even if it's
8 a couple blocks away or couple of miles away, you
9 know, people, they believe certain things
10 differently. People tend to huddle together that
11 believe the same thing. Sometimes. Sometimes they
12 don't but a lot of times they do.

13 But you -- I had to be able to -- what
14 I've learned was how to be open to new people, what
15 their beliefs are, and to not be judgmental and to
16 accept people for who they are at face value. You
17 know and give them -- and then go from there to
18 work on what it is we need to accomplish.

19 VICE CHAIR COE: One of the tasks in front
20 of the Commission is going to be identifying
21 communities of interest throughout the state. Some
22 of those communities are easier to find, some are
23 harder to find, maybe are less civically engaged
24 traditionally.

25 How do think the Commission should go

1 about identifying communities of interest and how
2 do you think particularly they should go about
3 trying to find the more difficult to identify
4 communities?

5 MR. COE: I think one way is to first you
6 have to go out into the community. You have to be
7 there like at -- what do you call them, events
8 where -- and be open for people to come and talk to
9 you, see what they're talking about. Go -- you
10 can't really go door to door, I don't think as a
11 commissioner, you know, you can go knock on
12 somebody's door, I'm the commissioner, you know.

13 But so -- but you can go into the area and
14 if you hold a few events there and you get to talk
15 to the people, they'll open up to you and you can
16 learn a lot about them that way. And then you can
17 find out from them who are the forgotten people
18 because they'll know where, oh yeah, there's a --
19 what we were doing in Baldwin Park, I had a -- we
20 had a group of people that wanted to go and they
21 were looking for the really the lower class of
22 Baldwin Park. Well, that's sort of hard because
23 Baldwin Park has anything from people are really
24 poor to people that have million-dollar homes.

25 So there's no real one place to tell

1 somebody. But there is, there was this little
2 tucked away place where people were there that were
3 sort of overlooked. And so I was able to tell them
4 about it and they were able to -- they were able to
5 go in and try to offer them services and things of
6 that nature. So sometimes you have to get there,
7 you have to talk to people and find out, hey, you
8 know, who are these people that you feel are, you
9 know, not represented. Because a lot of -- because
10 most times, that's who you're going to know, are
11 people who live in the area. They know, you know,
12 oh, yeah, these are, you know, this section here is
13 not represented.

14 And then you go there and you start to
15 build a trust with them. You know, I mean, because
16 they're not going to trust you at first but you
17 have to, you know, talk to them, get to know them,
18 get them to open up to you. And soon you'll, you
19 know. As a carrier, I knew too much about people,
20 you know. But -- because they would just tell me
21 everything. But (coughs). Sorry about.

22 But, you know, I think that's what you
23 have to do. You have to basically leave the
24 office, leave the desk and sometimes put the data
25 aside and go and look at the people and to see

1 where the people are and to find out. Because
2 you're not going to always know, you're not going
3 to know where the hidden people are. So you have
4 to rely on the people in the community to tell you,
5 to help you find them.

6 VICE CHAIR COE: Okay. Thank you.

7 Can I get a time check?

8 MS. PELLMAN: Yeah. 5 minutes, 52 seconds.

9 VICE CHAIR COE: Thank you.

10 So if you were appointed to be a
11 commissioner, what aspects of that role do you
12 think that you would enjoy the most? And
13 conversely, which aspects of that role do you think
14 you might perhaps struggle with a little bit?

15 MR. COE: I think I would enjoy the feeling
16 of having to like once the district is drawn and
17 it's a district that everybody is not 100 percent
18 pleased with, you're never going to have that, but
19 people are willing, okay, we can live with that at
20 least for today, for now.

21 The part I would most struggle with is the
22 -- probably the -- the -- I don't know, it's hard --
23 -- probably just getting them -- getting the data
24 together. It's not really a struggle, it's just
25 that that's the most going through the data is sort

1 of a, you do it, you have, you know, you have to do
2 it, you have to get it done. And so, I won't -- I
3 wouldn't struggle with it but it's a part that, you
4 know, okay, I have to get this done. So I have to
5 go through the data, I have to, you know, figure
6 out how I'm going to use this data, what does it
7 mean?

8 You know, and so that part is identifying
9 what data I can use or where I want to use it.

10 VICE CHAIR COE: Okay. Thank you.

11 I have no further questions, Mr. Chair.

12 CHAIR BELNAP: Okay. Ms. Dickison, the
13 time is now yours.

14 PANEL MEMBER DICKISON: Thank you, Mr. Coe,
15 for coming in today.

16 MR. COE: Thank you.

17 PANEL MEMBER DICKISON: So are you
18 currently working as the field security supervisor
19 or no?

20 MR. COE: At Securitas. I'm no longer a
21 field security supervisor there. I'm working at --
22 I was a post commander but then I got sick and I
23 had to take off on disability for a little while.
24 And I'm going back there.

25 But -- but I have, it's been supervision

1 the whole time I've been there. There were no
2 flats like for two years out of four, honestly.

3 PANEL MEMBER DICKISON: Okay. I'm going to
4 read a little section here in your application.

5 MR. COE: Okay.

6 PANEL MEMBER DICKISON: You said, "I have
7 no desire to run for elected position. As a chief
8 shop steward, I ran for office every four to six
9 years based on the current labor agreement term. I
10 understand how important it is to reach the voters
11 in a fair and equitable manner. I also learned how
12 important it is for the voters and nonvoters to
13 have their voices being heard."

14 What did you learn from your experience in
15 that role that cemented the idea of the importance
16 of everybody's voice being heard, even the
17 nonvoters?

18 MR. COE: Well, because what we had a lot
19 of times where we had people who were members and
20 people who refused to join this union. But I still
21 had to represent them. Okay. So I had to still
22 listen to them and listen to their voices and
23 understand what they had to say, what their input
24 was. And a lot of times by doing that, we started
25 increasing our votership, our membership.

1 And now, after I left, they just barely --
2 they made 100 percent. So there's -- our office is
3 at 100 percent now. Because I -- I had to have a -
4 - had a pacemaker in and they went through the Post
5 Office and they put in a medical retirement because
6 they didn't want me walking around with a
7 pacemaker. But so I -- and so I gave it over to my
8 assistant shop steward, he became the chief shop
9 steward. And we were able to get it to -- we made
10 it to 100 percent. We had everybody in the union.

11 But that only came -- it took probably
12 about four to five years to do that. It was a long
13 process. Because we had the people that what is it
14 for me? I'm paying you, you know, \$40 a week or
15 whatever and you -- this is -- I'm getting nothing
16 out of it? And so, we had to show them that, look,
17 you know, we negotiated in your -- on your favor,
18 we help you.

19 And when they got into trouble or
20 something happened, I didn't treat them any
21 different than I treated the members. I gave them
22 the same service, I gave them the same, you know,
23 attention. And so by doing that, I was able to
24 reach them and able to say, hey look, you know,
25 then they decided, well, you know what? I'll join.

1 And they were able to -- we -- like I said, we got
2 to 100 percent.

3 But that's where I learned about that
4 working with nonvoters, what we call nonmembers.
5 And -- because you have to still hear their voice
6 because they're still important. They still make
7 up a whole full union. Nonvoters still make up
8 California, they're still part of California. For
9 whatever reason they're not voting, they're still
10 part of California. So you have to hear their
11 voice and understand what their needs are.

12 PANEL MEMBER DICKISON: So with that
13 perspective, how do you think you could use that
14 perspective during public outreach or public
15 meetings that would be beneficial to the
16 Commission?

17 MR. COE: Well, one thing is that
18 during -- when you're listening to somebody from
19 the public address you, you pay attention to what
20 they're saying and you realize that sometimes
21 they're speaking very emotional. And so you have
22 to, okay, you have to listen beyond the emotion and
23 try to figure out, okay, this is what this person
24 is saying and you repeat it back to them. You say,
25 oh, you know, let them know that you understand

1 what they're saying. Or they may say, no, you got
2 it wrong. Then they correct you. And you say,
3 okay, now you understand.

4 But they have to -- you have to let them
5 know that you understand, you care about what
6 they're saying. You have -- and otherwise, you're
7 never going to reach them. If they think you're
8 just sitting there, you know, yeah, yeah, yeah,
9 whatever, okay. Yeah, we'll take it under
10 consideration. Next. So.

11 PANEL MEMBER DICKISON: All right. Thank
12 you for that.

13 MR. COE: Okay.

14 PANEL MEMBER DICKISON: So one of your
15 examples in your diversity -- or your diversity
16 essay talks about a new guard. And the role you
17 played in getting the truck drivers or whatnot to
18 accept this new guard.

19 You said in there that they took their
20 cues from you. What kind of cues did you provide
21 them?

22 MR. COE: What it is was he's a transgender
23 guard. And so the truck drivers were very
24 suspicious, they didn't want to deal with him. Or
25 her. They didn't want to deal with her, actually.

1 And so I had to let them know that one, I
2 called her by her name. I treated her with the
3 same respect that I treat my guards. And I told
4 them that she is one of my guards and you have to
5 do what she tells you to do, you have to follow the
6 rules just like you do for everybody else.

7 And so once they saw that I wasn't joining
8 in and making fun of her or talking behind her back
9 or anything like that, that they stopped doing it
10 and they started treating her with respect. In
11 fact, she became friends with most of them where we
12 had to call up tell them to stop talking and get
13 back to the -- and get the truck back to the -- to
14 the docks so we can unload it.

15 But it took probably -- it took a while.
16 But if I wouldn't have stood up and treated her the
17 way she should be treated, you know, then they
18 wouldn't have done it.

19 PANEL MEMBER DICKISON: I understand now.

20 MR. COE: Yeah.

21 PANEL MEMBER DICKISON: I just wanted to
22 see what kind of cues those were. So it was just
23 directly in response in the way you treated her.

24 MR. COE: Correct.

25 PANEL MEMBER DICKISON: Okay. Great.

1 My other commissioners asked most of my
2 questions. So.

3 You did show in your other material that
4 you testified in court as an expert witness for the
5 Missing Children Investigation Agency.

6 MR. COE: Yes.

7 PANEL MEMBER DICKISON: Did you do that
8 many times or is it --

9 MR. COE: I did that twice.

10 PANEL MEMBER DICKISON: Okay.

11 MR. COE: Yes. And what happened was, it
12 was a case I didn't even know I was going to be an
13 expert witness. I went in, they asked me some
14 questions, the lawyers on both sides. And it was,
15 okay, they just swore me as an expert witness. And
16 so I was an expert witness for the case.

17 But I would talk about our procedures,
18 what we did, how we did it. How we, you know, each
19 step of the way how we did something, why we did
20 something, why we didn't do something, you know.
21 When we call the police and when we, you know, work
22 with different agencies.

23 And so basically I told them how we
24 function as an organization. How we did things in
25 a day-to-day basis, how we handled that case and

1 all the other cases.

2 PANEL MEMBER DICKISON: What did you learn
3 from that experience?

4 MR. COE: I learned from that experience
5 that it's not really fun being an expert witness.
6 But it's -- I learned that I have to be able to
7 know why I did something and why it was done, why
8 somebody else did something, and why one of the
9 other commissioners did something.

10 Let's say I'm at a rally or something and
11 they ask me well, why did this happen? Well, I may
12 not have done it, but I still should be able to
13 answer the question as to why it happened. You
14 know. Because I should -- I should know why it
15 happened. You know, because one, it shouldn't
16 happen without me agree to it, anyway. So, you
17 know, I know I should be able to answer their
18 questions.

19 And that's what I took away from that. I
20 have to be able to answer those hard questions, you
21 know, right there on the spot sometimes as to why
22 this occurred and how it occurred and why we did
23 what we did.

24 PANEL MEMBER DICKISON: Do you think that
25 experience would be beneficial for the Commission?

1 MR. COE: I think it would be because when
2 you're -- especially if you're talking about hyper-
3 partisanism. It's very emotional. Because
4 politics is a very emotional thing. And so you
5 have to be able to speak to people and tell them
6 why you did something in a way that they can
7 understand it through their emotion and get past
8 their anger, get past their beliefs or prejudice.
9 And once you can do that, then you can open up a
10 dialogue, then you can start to negotiate or they
11 can start to understand why you did what you did.

12 And so I think that's what the main thing
13 is for the Commission is that we're able to
14 communicate with the public and, you know, why we
15 did what we did and why we took the actions we
16 took.

17 PANEL MEMBER DICKISON: Thank you.

18 MR. COE: Okay.

19 PANEL MEMBER DICKISON: I have just a
20 couple of questions. Couple of more --

21 Time?

22 MS. PELLMAN: 8 minutes, 25 seconds.

23 PANEL MEMBER DICKISON: Thank you.

24 So the first eight commissioners are
25 selected by lottery, so they're selected randomly.

1 And then they are tasked with selecting the
2 remaining six commissioners to round out the 14
3 commissioners.

4 If you were selected by lottery as one of
5 the eight, what would you be looking for in the
6 other six commissioners?

7 MR. COE: I'd be looking for something that
8 we were missing. Say if we were -- we didn't have
9 somebody that understood, you know, enough people
10 to understand data, then that's what I'm looking
11 for. If we don't have the diversity of people who
12 can understand, you know, can identify with other
13 people of different backgrounds of California.
14 Because people identify better with people that
15 they know, that they recognize.

16 So it's important to have that makeup in
17 the committee so that you can go out and do
18 outreach in different people. But I'd be look for
19 -- I would look for what we don't have and for what
20 we can build up on. Because we may have what we
21 need, maybe strengthen it up a little bit. You
22 know, that's what I would look for.

23 PANEL MEMBER DICKISON: Thank you. Last
24 question.

25 What would you ultimately like to see the

1 Commission accomplish?

2 MR. COE: I would like to see us accomplish
3 districts that everybody would be happy with.
4 Pretty sure that's not going to happen. But at
5 least we have something that
6 we know we did our best, we followed the rules. We
7 listened to the -- the people when we were able to.
8 We took into account, you know, the diversity and
9 the, you know, the different needs of the
10 community. So -- and we listened to what was said
11 at the meetings and we incorporated it whenever we
12 could.

13 And that we could go back and if it's ever
14 a challenge, we can say this is why we did it. And
15 not feel guilty about it and not feel, you know, to
16 be able to say it and to be able to stand by it,
17 that we can put up and be proud of it.

18 PANEL MEMBER DICKISON: Thank you. No more
19 questions.

20 CHAIR BELNAP: Okay. Mr. Dawson.

21 MR. DAWSON: Thank you.

22 Thank you, Mr. Coe. I wanted to ask you a
23 couple of follow-up questions in case I missed
24 anything.

25 You are from San Bernardino County?

1 MR. COE: Yes.

2 MR. DAWSON: Did you grow up there?

3 MR. COE: No, I did not. I grew up in -- I
4 was born in Washington, D.C., moved out here when I
5 was about two. And we moved to San Diego, then Los
6 Angeles, then back to San Diego, then Pasadena.
7 And then I moved to Upland and Covina. And now I
8 live in Highland, which is the San Bernardino
9 County. And my father still lives in West Covina,
10 old Covina. You know, so my family sort of spread
11 out all over California, my immediate family.

12 And my extended family like my cousins and
13 nieces, they're all over the United States. But I
14 pretty much because they were in aerospace, I moved
15 around a lot. And so I really didn't have one spot
16 that I grew up in for too long.

17 MR. DAWSON: Uh-huh.

18 MR. COE: I was there maybe for a couple of
19 years. And then when that company lost the
20 contract, they went to the next one, they followed
21 the next one out there. You know, so then we
22 moved.

23 MR. DAWSON: So moving as much as you did
24 when you were a kid, did that give you any
25 perspective as, you know, being the new kid and

1 having to learn what -- what the deal was when in
2 the new place?

3 MR. COE: Yes, it did. I had to learn
4 that, you know, how to get along and understand
5 that this neighborhood didn't -- doesn't work the
6 same way my old neighborhood worked.

7 MR. DAWSON: Uh-huh.

8 MR. COE: You know, it's a lot different.
9 So you have to understand. I had -- I learned to
10 sort of sit back and to pay attention to what's
11 going on. And then to speak to people and let them
12 get to know me, I get to know them.

13 And I didn't rush in too fast but I did
14 engage people where I did have a lot of friends.
15 And I was able to make friends quicker as I moved
16 and I got older because I learned more about how to
17 talk to people, how to address people, how not to
18 bring my old habits from my old neighborhood into
19 this neighborhood.

20 MR. DAWSON: Do you think that perspective
21 would be useful for you in your role as a
22 commissioner if you're selected?

23 MR. COE: I do because you have to -- like
24 I said, you're dealing with different people.
25 California is very diverse, more diverse than

1 people realize. Once you start working with
2 people, you realize that you go one block over and
3 you have a whole other culture.

4 MR. DAWSON: Uh-huh.

5 MR. COE: So, you know, and so it's
6 not -- you can't treat this section of California
7 the way you treat the other section. You can't
8 treat these people the way you treat those people.
9 Like I said, you know, you have to be able to
10 understand the different cultures, different
11 subcultures. And even the different subcultures
12 within the cultures. And how they, you know,
13 relate to each other or sometimes how they don't --

14 MR. DAWSON: Uh-huh.

15 MR. COE: -- get along with each other.

16 MR. DAWSON: Uh-huh.

17 MR. COE: And so you have to know that.

18 And by knowing that, you're able to -- you're able
19 to get people to trust you. And once they trust
20 you, they're willing to work things out because you
21 can go to them one on one and say hey, you know,
22 this is what we need to get done.

23 And when you, say we draw a map and it's
24 not exactly the way they want it, we're able to
25 tell them well, this is why we did this but we did

1 consider this and give you this.

2 MR. DAWSON: Uh-huh.

3 MR. COE: You know. So they can see that,
4 okay, we didn't just ignore what they were saying.
5 We did understand, we hear but we just had --
6 couldn't do that.

7 MR. DAWSON: Along the lines -- along the
8 lines -- of drawing maps, in your answer to the
9 Standard Question 1, you talked about your role in
10 the route adjustments.

11 MR. COE: Right.

12 MR. DAWSON: And that -- that struck my ear
13 as you talked about there was formula and I believe
14 you said you did use census data.

15 MR. COE: Yes.

16 MR. DAWSON: But there was also you took
17 into account sort of human intelligence, sort of
18 what was actually happening on the street.

19 MR. COE: Yes. Because you go and then you
20 had to get from the carrier itself.

21 MR. DAWSON: Uh-huh.

22 MR. COE: Because I had a -- say I had a
23 lady in my -- on one of my routes where she
24 suffered from grand mal seizures. And so she told
25 me, hey, you know, I come out to the mailbox every

1 day but if you don't see me, go knock on my door.
2 If I don't answer, come in and look for me.
3 Because if I'm having a grand mal seizure, I could
4 be there for days.

5 MR. DAWSON: Uh-huh.

6 MR. COE: And so that's somebody that when
7 you're doing a route inspection, you want to take
8 into effect that this person is going to take a
9 little more time. But it's something that we do.

10 And the Post Office doesn't frown against
11 that, they want us to do that, they want us to go
12 in and, you know, be there to help people.

13 But, you know, at the same time, we cross
14 gang lines. And so we -- I can walk one block, be
15 at one gang; walk to the next block, be in another
16 gang territory, so I had to learn to be. Most
17 carriers are. We learn to be invisible. There are
18 people that don't see us. And sometimes we're too
19 invisible to where we have, you know, drug deals go
20 on in front of us and all kinds of things like
21 that. But we -- we learned to be invisible so that
22 we don't get caught up in the activities of that
23 particular area. Because we're there to deliver
24 the mail and the Post Office doesn't really want us
25 to get into the -- you know, trying to enforce laws

1 or anything like that.

2 Although, you know, we can if somebody
3 were to say steal mail, we can in theory arrest
4 them. I don't know how, you know, but in theory we
5 can.

6 MR. DAWSON: Uh-huh.

7 MR. COE: But it's -- you don't really want
8 to -- it's -- you don't really want to be
9 messy -- you want to be able to do your job, be
10 able to move from place to place, and to treat
11 everybody with respect. You can't -- because --
12 the guy's a gangbanger, you know, and you know he
13 is, you can't in my job, I couldn't treat him any
14 different. I had to deliver his mail, knock on his
15 door. Hey, how are you doing, John? You know.

16 And so we had to treat him with the same
17 respect. And so that is another thing, you know,
18 from that very dark side to the very side where
19 we're trying to help somebody.

20 MR. DAWSON: Uh-huh.

21 MR. COE: You know, so it's a big pendulum
22 we swing, but we have to do that.

23 MR. DAWSON: So if I understood you
24 correctly, you said that the law -- the line -- the
25 route drawing process started with census data?

1 MR. COE: Yes.

2 MR. DAWSON: Did you ever have a situation
3 where the census data didn't jive with what you
4 actually saw out on the street?

5 MR. COE: Yes. And what happened is what I
6 did was I would go to the city and I would get the
7 census from the city. Because the city tends to
8 update their data more.

9 MR. DAWSON: Uh-huh.

10 MR. COE: And so they're more -- a little
11 more accurate. And then I started to compare it to
12 what the carrier has. Because a lot of times what
13 people don't take into account is Baldwin Park has
14 huge lots on their homes. Sometimes you fit three
15 houses on there. And so when somebody sell their
16 home, they tear down that house and they'll put a
17 com -- an apartment complex up. And there could be
18 anywhere from eight people to 150 people.

19 So now the delivery has changed. And so
20 the -- the data is off on how many people are there
21 because you have more people can move in. And you
22 so have more people in that one dense area. And so
23 now your -- the makeup of that route's changed. So
24 do we now have to take something off of that route?
25 If we do, where are we going to put it?

1 MR. DAWSON: Uh-huh.

2 MS. ANTHONY COE: It's nice that you just
3 put it sometimes next door to the next neighboring
4 route. Sometimes you can't because you'll put them
5 over too far. And so you have to give it to a -- a
6 piece of it to a route that when a carrier has to
7 travel a few blocks or a few miles to get to this
8 spot to deliver this area.

9 And so -- and then you have to give them
10 that travel time, you have to -- you know, like I
11 say, like the census, it's a good starting point
12 but it doesn't really, you have to really look at
13 more current data to see if there's any new data
14 that came in.

15 MR. DAWSON: Thank you.

16 I don't have any other follow-up
17 questions. We have roughly 11 minutes left in the
18 period if anybody -- any panel members have any
19 follow-up questions.

20 I'll start with you.

21 VICE CHAIR COE: I do not have any follow-
22 up questions.

23 CHAIR BELNAP: I do not either.

24 PANEL MEMBER DICKISON: I do not either.

25 MR. DAWSON: All right. Thank you.

1 So Mr. Coe, we'd like to give you the
2 opportunity to make a closing statement to the
3 panel if you wish.

4 MR. COE: Well, I'd like to thank you for
5 this opportunity to be here. It really is an honor
6 to get this far in the process. Because I've
7 followed the process and I've learned it's
8 something that I'm really committed to. I really
9 am, you know, this is -- I see the value of
10 the -- what I can do for California, help
11 California. And even, you know, to help the people
12 of California who are disenfranchised, that maybe
13 they don't have a voice and they don't know where
14 to, you know, where to vote.

15 Or you, you know, so you have to -- it
16 really is -- I looked at the first -- I wanted to
17 apply the first time you guys were meeting and the
18 video from there where you were doing the data on
19 the -- on the districting and different districts
20 and how different -- different states did theirs
21 and versus California. And I realized that, you
22 know, how much I miss working with that because I
23 worked with it so much in the Post Office and then
24 now I don't. And I realized how much I missed that
25 and that you can make a difference.

1 Because when you get a route, you know,
2 you change it, you get it to work, then the
3 customers are happy, the carrier's happy,
4 management's happy. You know, sometimes you just
5 can't get it done, can't get it to work, it just
6 doesn't work. But you -- I like the feeling of the
7 accomplishment of getting it done and doing it.

8 Like I feel like I -- if I were say
9 selected and I was -- became a member of the panel,
10 that I could do something that matters. Not only
11 for the ten years that I would be here but maybe
12 later and make it easier for the next panel that
13 comes on to do their job. And so it's really --
14 getting in touch with people, I like, you know, the
15 idea. I like, really like going out and speaking
16 to people, getting in touch, get to know people,
17 different people, and explaining to them what we do
18 and how we do it and how they can help and how it
19 affects them.

20 There's a lot of people that don't realize
21 what redistricting is. You know, they think it's
22 oh, you know, this is all political and politicians
23 sit in a room and smoke and alcohol. They, you
24 know, they draw maps and that's it. But it's not.
25 It's a lot more to it. It's a lot time consuming

1 but it's well worth it. Because at the end, you
2 have something I think that we could be proud of.

3 At least that's -- so I expect that we
4 would work together as a whole, as a Commission to
5 do something that we're proud of that when we
6 present it, you know, to go up to the Legislature
7 and then to the Governor, that we're proud of what
8 we put up there, we're proud of what we did. We
9 can defend it and also the ability to change, that
10 we could accept the feedback to change it, if we
11 need to, to make changes.

12 Because like we're saying before, you
13 know, you have to be able to take criticism. And
14 sometimes, like I said, we may think we have the
15 perfect, you know, maps and layouts and somebody
16 tells us yeah, but you're missing this, you got
17 this wrong, you know. This calculation is off. We
18 -- your numbers are wrong here or this is, too, you
19 know, so you have to be able to do that.

20 But I think that - my thing -- I would
21 like to -- this is just something I know I could
22 do. I know I would be proud of it, I know I can
23 give it 100 percent. I can stand by it; I can work
24 with people. And it's -- it's just -- it makes me
25 feel good.

1 Because the best thing I felt was say I'm
2 working a case at the Post Office, I had a carrier
3 who was accused of a hit and run. And we were able
4 to take photos and find out that well no, she
5 didn't hit that car. And we had timesheets to
6 prove that she wasn't even there. And that the
7 owner's daughter took the car and backed into a
8 pole and tried to blame it on the Post Office.

9 But I was able to clear her name with the
10 Post Office and with the police. And that was a
11 good feeling that I was able to help her. You
12 know, because she was at its point when she came to
13 me that nobody was listening to her. She knew the
14 police wasn't listening to her, the post master
15 wasn't listening to her. The lady who daughter
16 said she hit her car, they were friends and she
17 wouldn't even look at her, she would get up and
18 walk away when she came into the room. And so now
19 I was able to remedy that and that was a good
20 feeling.

21 I like the -- like I said, I think this is
22 an opportunity to get something done and I'd like
23 to show my nieces and nephews that even though --
24 because I had a good career at the Post Office.
25 And I could have still -- if it wasn't for the work

1 short -- the work halt, the hiring freeze they had
2 at the Post Office, they could have found a spot
3 for me, but they just didn't have a spot for me and
4 so they retired me.

5 And so even though I'm getting better now,
6 I'm better, you know, it's going to be hard to -- I
7 can't -- to get back into the Post Office. But I
8 can show them that, okay, yes, I had this great job
9 but that is not all that I was, that job did -- it
10 was a nice job, I loved the job, I loved the
11 people, I loved what I did, but I'm able to regroup
12 and to go forward and to still make a difference.
13 And to show them that, you know, you can fall down
14 flat on your face, it's up to you, are you going to
15 get up and move forward or are you going to stay
16 there and blame other people? You know, this guy
17 pushed me. Okay so the guy pushed you, so get up
18 and go forward, you know. You still have to -- you
19 still have to work for it.

20 And I -- I -- to me, it's -- I just --
21 it's just -- like I say, every step that I get
22 further and further, I feel more and more humbled,
23 there's just more and more, you know. Before -- I
24 mean, at first oh, okay, yeah, whatever. You know,
25 20,000 people, they'll never call me. But now, you

1 know, it's like, oh, you know, it feels like it's
2 something, you know, more and more I'm proud of
3 where I'm at now and I think that if I'm selected,
4 that I want to just do my -- I'm going to do my
5 best and I'm going to give it 100 percent and I'm
6 going to make sure that I do the best for
7 California that I can. Because I lived here most
8 of my life, you know, except for two years. So.
9 But so, pretty much I'm a Californian, you know.

10 So I guess, and I know the different
11 diversities that Californians face and how we
12 can -- I want to make a difference to help better
13 them, give them a better chance, be the better
14 voice in the political process.

15 Thank you.

16 CHAIR BELNAP: Thank you. I thank you for
17 being here.

18 And we are going to go into recess and
19 reconvene Monday at 8:59.

20 MR. COE: Okay. Thank you.

21 (Recess at 4:28 p.m.)

22

23

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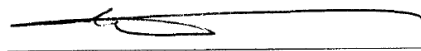
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